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# Our Congregationalist Constitution

## The Congregationalist Origins of American Federalism

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## Introduction

Federalism has long been considered a unique and essentially American development in political science.<sup>1</sup> The idea of divided authority was not new in 1787, but American federalism was more than a concept of divided authority, and more than merely a confederation of sovereign states. Federalism was the name for the hybrid arrangement in which the states comprised the national government, while maintaining essential elements of their individual sovereignty. In *Federalist 9*, Alexander Hamilton wrote that the Constitution does not abolish the states, but rather incorporates them into the national government through their direct representation in the Senate, while leaving them exclusive control over important portions of their sovereignty.<sup>2</sup> Hamilton was careful to distinguish the concept of a federal government from that of a “confederate republic;” he was describing a system that transcended a mere “assemblage of societies” and represented a new level of government resembling a hybrid between a confederation and a centralized national authority.<sup>3</sup> Alison LaCroix describes the American system as “a new conception of layered governmental authority...invented during the colonists’ struggles with metropolitan powers and refined during the early republicans’ debates over the institutional mechanisms by which that authority would operate.”<sup>4</sup>

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<sup>1</sup> LaCroix, *The Ideological Origins of American Federalism*, 2.

<sup>2</sup> Alexander Hamilton, *Federalist 9*, in *The Federalist Papers*, Isaac Kramnick, ed. (New York: Penguin Putnam, Inc., 1987), 120.

<sup>3</sup> *Ibid.*

<sup>4</sup> LaCroix, *The Ideological Origins of American Federalism*, 220.

That the framers could agree to an innovation such as federalism is impressive, although perhaps not entirely surprising. The War for Independence had set the American populace against the idea of a monarchy, or any other form of absolute authority. However, after experiencing the failures of the Articles of Confederation, many Americans had little doubt that a stronger general government was necessary. The Articles provided no means to raise revenue, assemble an army, or enforce its provisions. Faced with crippling debt after the Revolution, Americans needed a new strategy for defraying the costs of war and cementing the union between the states. Despite the debates over the size and scope of that government, and despite disagreements about the degree of sovereignty to be retained by the states, many agreed that a hybrid system of some kind would have to be adopted wherein the general government maintained supremacy in matters affecting the Union, but the states would retain the bulk of their sovereign power to govern their own citizens. This hybrid system was neither unwelcome, nor was it a cause for concern. In fact, many of the Constitution's framers and their constituents already were familiar with its basic structures. Historians have sought the origins of federalism in the advent of divided government in England, and in the development of independent, self-governing communities throughout the North American colonies. However, they have largely ignored the manifest parallels between the political construction of American federalism and the Congregationalist structures of church governance in America and the religious doctrine behind it.

The influence of Congregationalist structures is particularly apparent in the relationship established between the general and state governments by the drafting of the United States Constitution. Congregationalists embraced religious liberty, and preferred autonomous communities, but were cognizant of the fact that they were bound together by common religious principles, which provided a code of laws for the entire church to follow. The religious principles codified and made canonical by early church leaders provided a Constitution of sorts on which church members could rely, and divine authority oversaw the management of each congregation. If one group transgressed, there were some means provided for others to step in extreme cases, but it was presumed that God would take any necessary action against groups that strayed from the faith.

Congregationalists valued their local autonomy, and their congregations were, for the most part, free to operate as they wished. John Cotton, a prominent seventeenth-century Massachusetts Congregationalist minister who was influential in the initial establishment of the Congregationalist church's structure, was clear that no congregation ought to govern another, but instead that each should have complete freedom to govern itself. During the seventeenth century, the Congregationalist church operated as a loose confederation of autonomous local congregations overseen by a presbytery of elders. This loose hierarchy of religious authority was familiar to the framers, many of whom were Congregationalists, and had experienced Congregationalist influences on the politics of their time. There remain questions about whether the framers intended their new government to resemble the governing framework of the

Congregationalist Church, or whether the similarity was apparent to them. That they did rely on established models is nevertheless evident.<sup>5</sup>

This paper examines the relationship between Congregationalist church structures and American federalism; in the process, it attempts to explain that the ways in which the appearance of federalism in North America in the latter half of the eighteenth century was influenced by those structures. We can identify early models resembling federalism in the history of autonomous local communities in the New England colonial territories. These communities, many of which were virtual theocracies, based their understanding of political hierarchy on the structures of church governance that were a central focus of their lives. As such, they expected a general policy of non-interference from central authorities, but relied on common values and principles to tie the larger community together.

To better understand this relationship, we must examine American colonial political sermons and political treatises from the seventeenth and eighteenth centuries. Congregationalist literature by individuals responsible for shaping the growth of the church in the seventeenth century New England provides insight into the doctrine that dictated the design and workings of the church's hierarchy. In the 1760s and 1770s, the years approaching the War for Independence, political sermons become an added source for our understandings of the parallel development of the colonists' ideas concerning religious and secular authority. Throughout American colonial history, sermons were a crucial

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<sup>5</sup> Rozann Rothman, "The Impact of Covenant and Contract Theories on Conceptions of the U.S. Constitution" *Publius*, Vol. 10, No. 4 (Autumn, 1980), 159.

part of how politics was conducted within one's community and how political messages were disseminated to the public. Congregationalist ministers, in particular, were vocal about their politics, and their opinions influenced the views of their churches' members. As the dispute over secular political authority intensified in the period between the enactment of the Stamp Act in 1765 and the declaration of American independence in 1776, we find a growth of attention to secular political argument about governance and its parallels with religious argument about church governance in the profusion of sermons available for study. We also can detect Congregationalist influences can also be seen in such documents as *The Federalist* and other pro-ratification pamphlets and writings, as well as in the works of Brutus and other opponents of the Constitution (sometimes labeled or stigmatized as "Anti-Federalists." These writings have been covered extensively by existing scholarship, but scholars have paid scant attention to the resonances of Congregationalist ideas about church governance that can be found within them.

### **Scholarship**

The rich and diverse array of scholarship on the topics of Congregationalism and American federalism tends to concentrate on English concepts of divided authority and Enlightenment political philosophy, rather than the relationship between religion and American governmental framework. Federalism is frequently appears as a focal point in constitutional or revolutionary histories, whereas historians typically examine Congregationalism in the context



of its cultural and spiritual influence on colonial and revolutionary New England, or its doctrinal influence on the framing of the Constitution. Nevertheless, several authors have written on the role of the separatist Christian denominations—Presbyterianism and Congregationalism in particular—on the development of secular government institutions in New England. Several others offer useful insights into the origins of American federalism and how such an arrangement came to shape the heart of the new American republic.

Alison LaCroix focuses on the intellectual origins of federalism, attempting to extract the ideology of federalism from the broader ideology of republicanism. She argues that the process of constitutionalizing federalism in the debates of the 1780s was intended primarily to evade the problem of *imperium in imperio*, the state within the state.<sup>6</sup> As the colonists grew more distrustful of British authority, they moved further away from an indivisible model of governmental authority.<sup>7</sup>

The colonists' experience with divided government, however, goes back much further than the second half of the eighteenth century. The ideas that led to the American arrangement between the states and the national government are rooted in experiments of divided authority in England, as well as in the communal approach to colonial government structures that were much more democratic than

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<sup>6</sup> Alison LaCroix, "Rhetoric and Reality in American Legal History: A Reply to Gordon Wood" University of Chicago, *Public Law Working Paper Number 356*, (2011), 733.

<sup>7</sup> Alison LaCroix, *The Ideological Origins of American Federalism* (Cambridge, MA: Harvard University Press, 2011), 96.

is usually acknowledged.<sup>8</sup> LaCroix, like many others, accepts the ideological influence of Puritan churches on American political development while dismissing the organizational contributions.

Bruce Kuklick and Michael Winship address certain spiritual values that made their way into not only the daily lives, but also the political development of colonial government in New England. These values also affected the political development of colonial government in New England. Small, close communities with a sense of superior theological purity and a belief in social uniformity led to communal theocracies in which strong, centralized authority was suspect.<sup>9</sup> Kuklick concentrates on the eighteenth and nineteenth centuries, but he finds in early American Puritanism resonances with the founders' interests to resonate in the interconnectedness of self-interest, happiness, and virtue in early American Puritanism.<sup>10</sup>

Michael Winship takes Kuklick's argument a step further with his concept of "Godly Republicanism," defined as "a constitutional arrangement designed to preserve the purity of the churches and the liberty of the people."<sup>11</sup> Where Kuklick was concerned with the insular nature of Puritan daily life, Winship addresses how Puritans, and Congregationalists in particular, found ways to compromise with the demands of a large and diverse colonial society while

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<sup>8</sup> David D. Hall, *A Reforming People: Puritanism and the Transformation of Public Life in New England* (New York: Random House, Inc., 2011), 51.

<sup>9</sup> Bruce Kuklick, *Churchmen and Philosophers* (New Haven: Yale University Press, 1985), 9.

<sup>10</sup> *Ibid.*, 60.

<sup>11</sup> Michael Winship, "Godly Republicanism and the Origins of the Massachusetts Polity" *The William and Mary Quarterly*, Third Series, Vol. 63, No. 3 (July 2006), 427.

preserving their own spiritual purity according to the demands of conscience. His treatment of New Divinity scholars in the latter third of the eighteenth century devotes particular attention to their distinction between covenant and constitution. The New Divinity scholars gained popularity in the late eighteenth century and relied on a modified Calvinism that embraced the free will of man to submit to divine design.<sup>12</sup> Rather than a moral covenant, a constitution represented God's legal relationship with man.<sup>13</sup>

Barry Shain explores the meanings that colonial Puritans attached to important political concepts. In doing so, he acknowledges the more democratic approach to government institutions and their relationship to doctrines of faith that were at the center of life in colonial New England. Like Kuklick, he notes the mistrust of an elite, centralized government inherent in the roots of reformed Protestantism.<sup>14</sup> Shain uses many political sermons to make his case, a valuable method for discovering the colonial understanding of the nature of the relationship between God and government, as we will see later.

### **Early Congregationalism**

The beginnings of federalist thought are evident in the emergence of Congregationalism, the seeds of which we can trace to early separatist movements

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<sup>12</sup> Samuel Hopkins, *The System of Doctrines Contained in Divine Revelation, Explained and Defended* (1793) Google Books: Accessed May 4, 2014 <https://play.google.com/books/reader?id=7m4PAAAAIAAJ&printsec=frontcover&output=reader&authuser=0&hl=en&pg=GBS.PR1.>, 395

<sup>13</sup> *Ibid.*, 61.

<sup>14</sup> Barry Shain, *The Myth of American Individualism* (Princeton: Princeton University Press; 1996), 52.

in England. These early Puritans advocated separation from the Anglican Church due to a desire to return to a purer manifestation of divine faith.<sup>15</sup> St Augustine postulated that there were two churches: the invisible, and the visible. The invisible church was pure, and included all people living or dead, who were slated for salvation. The visible church was less pure and included only those living individuals who professed belief in its doctrine.<sup>16</sup> The separatists desired a visible church that was as close as possible to the invisible one, and so they attempted to distance themselves from the Anglican Church, which they believed was tainted by the membership of ungodly individuals.<sup>17</sup> One of the motivations for emigration to the American colonies was the desire for control over church membership. Under the parish system in England, this was impossible to achieve.<sup>18</sup>

Elements of Congregationalist ideology can be traced back to the earliest Puritan separatist movements. Robert Browne advocated a form of Congregationalist organization for the Church of England as early as 1579. Browne's attempts at establishing a separate Congregationalist Church led to his arrest, but the idea attracted interest from his contemporaries nonetheless. Indeed, more than half of the passengers on the Mayflower in 1620 were Brownists. John Cotton was similarly persecuted in England for his separatist teachings, yet his sermons gained wide popularity, leading him to flee to the Massachusetts Bay

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<sup>15</sup> Edmund Morgan, *Visible Saints: The History of a Puritan Idea* (Ithaca: Cornell University Press, 1965), 33.

<sup>16</sup> *Ibid.*, 3.

<sup>17</sup> *Ibid.*, 33.

<sup>18</sup> *Ibid.*

Colony in 1633.<sup>19</sup> Cotton soon established himself there as an influential Congregationalist leader, and in 1644 he wrote his “Keys to the Kingdom of Heaven and the Power Thereof.” In this treatise, he maintained that the divine “key of church power” must be given to “the brethren of the church.” He then clarified the allocation of this power (which he defined as jurisdiction, or the authority to impose order): “The Gospel alloweth no Church authority... to the brethren, but reserveth that wholly to the Elders; and yet preventeth the tyranny and oligarchy, and exorbitancy of the Elders, by the large and firm establishment of the liberties of the brethren, which ariseth to a *power* in them.”<sup>20</sup> James Madison echoed this sentiment when he wrote in 1788, “In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself.”<sup>21</sup>

In colonial New England, church and government were intertwined, and the Puritan population understood that there was symmetry, if not symbiosis, between the two. As such, the structures that defined the scope of Congregationalist church government took many of the same forms as the colonial governments, and later, the national government. In his *True Constitution of a Particular Visible Church*, printed in London in 1642, John Cotton asked and answered the question, “What form of government is the government of the

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<sup>19</sup> Cotton’s sermons were also popular in Massachusetts, where he continued to dazzle his congregation with a combination of metaphorical and legal language.

<sup>20</sup> John Cotton. “Keys of the Kingdom of Heaven and the Power Thereof,” 1644. Accessed May 4, 2014, <https://archive.org/details/TheKeysOfTheKingdom>.

<sup>21</sup> James Madison, *Federalist 51*, in *The Federalist Papers*, ed. Isaac Kramnick (New York: Penguin Putnam, Inc., 1987), 320.

church?”<sup>22</sup> His answer to this and subsequent questions detailed a church polity dependent on the wisdom of a body of elders chosen by the congregation and charged with moral and administrative authority. Cotton was clear in his *Constitution* that the body of the church was divinely endowed with exclusive powers of self-government. Their authority was to be exercised transparently, “in the open face of the brethren of the church,” as Cotton phrased it. Nevertheless, Cotton’s *Constitution* included built-in checks on the independence of individual congregations.

Cotton noted in his *Constitution* that no congregation could exercise power over another, but that each congregation possessed equal power with the others. He likened the relationship between congregations to that between sovereigns, “all of them queens... none of them concubines.”<sup>23</sup> Likewise, Alexander Hamilton wrote in *Federalist 6* that in commercial republics such as the United States, disparate local interests like those manifest in the individual states would be guided in their domestic diplomacy by an attitude of mutual interest, cultivating what he described as “a spirit of mutual amity and concord.”<sup>24</sup> Cotton’s *Constitution* included provisions for encroachment on congregational jurisdiction in his answer to the self-posed question, “What course is there left to reform such corruptions as may arise in any church?” He provided different

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<sup>22</sup> John Cotton. “The True Constitution of a Particular Visible Church,” 1642. Accessed May 4, 2014, <http://www.digitalpuritan.net/Digital%20Puritan%20Resources/Cotton,%20John/The%20True%20Constitution%20of%20a%20Particular%20Visible%20Church.pdf>.

<sup>23</sup> *Ibid.*

<sup>24</sup> Alexander Hamilton, *Federalist 6*, in Kramnick, 106.

answers addressing two variations of the potential problem. If said corruption were confined to a portion of the church body or congregation, then it was the responsibility of the church brethren to address the matter internally, within the congregation. If somehow an entire church body were to become corrupt, however, Cotton reminded his flock that although no single congregation was subordinate to another, the equal power that they shared enabled outside church members to investigate the matter and take appropriate action. Such recourse ranged from admonishment in the mildest case to dissolution in the most severe, although the latter required the collective effort of the entire Congregationalist Church acting unanimously.<sup>25</sup>

Throughout the rest of the seventeenth century and into the eighteenth century, church and government were inextricably linked in Massachusetts, and Congregationalist doctrine informed the ways that colonial government evolved. In spite of attempts by moneyed elites to gain control of local governments thereby to establish a more centralized authority, the common people reacted with a widespread movement reaffirming local communalism, or a shared sense of collective liberty, which led to the further development of independent towns and churches.<sup>26</sup> The people may have felt entitled to this level of direct control. The Massachusetts Charter of 1691, which formally established the Province of Massachusetts Bay, promoted the colonists' freedom to follow the religion of their choice (although not Catholicism). As a result, Congregationalist provincial officials voluntarily limited their control over the lives of the citizens to promote

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<sup>25</sup> Cotton, "The True Constitution."

<sup>26</sup> Shain, 78.

more orthodox Congregationalism in opposition to the centralizing efforts of officials in London.<sup>27</sup> Throughout the rest of the seventeenth century, Congregationalism dominated religious practice in Massachusetts and was at the heart of colonial New England culture.<sup>28</sup>

### **Colonial Federalist Development**

Key to many separatists' understanding of man's covenant with God was the voluntary association of individuals with the church.<sup>29</sup> In the Congregationalist church, this manifested as an emphasis on the explicit expression of faith and commitment to one's congregation, although all the Puritan denominations shared a concept of an implicit covenant of faith.<sup>30</sup> Such covenants obligated congregations to adhere to the principles and ethical practices of their faith.<sup>31</sup> Each covenant was unique to a particular congregation, and emphasized Old Testament notions of a chosen people, set apart from all others by their commitment to doctrinal values and divinely protected against the evils of the world at large.<sup>32</sup> The necessity of a voluntary commitment to that covenant was understood by all who advocated movement away from the more authoritarian Anglican model. The latter more closely resembled Catholicism, in which man's relationship with God was legitimized by liturgy and ritual rather

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<sup>27</sup> *Ibid*, 77.

<sup>28</sup> Patricia U. Bonomi, *Under the Cope of Heaven: Religion, Society, and Politics in Colonial America* (New York: Oxford University Press, 2003), 73.

<sup>29</sup> Morgan, 31.

<sup>30</sup> *Ibid*, 28.

<sup>31</sup> Hall, 132.

<sup>32</sup> *Ibid.*, 133.



than personal commitment and faith. In the biblical context, the word “covenant” can mean different things, but from the mid-seventeenth century forward, leading Puritan theologians defined it more narrowly, as “a bargain, a contract, a mutual agreement, a document binding upon both signatories, drawn up in the presence of witnesses and sealed by a notary public.”<sup>33</sup> A crucial element of the idea of the religious covenant was that it was binding on both parties. Unlike an oath sworn to a superior, the covenant between man and God was an expression of both sides’ promises and obligations to one another.<sup>34</sup>

In this way, the mechanics of the Congregationalists’ covenant with God was not very different from a legally binding contract between men, or that between a government and its citizens. Similarly, the framers of the Constitution were influenced by John Locke’s social contract theory, which ascribes the legitimacy of authority to the consent of the individuals that submit to it. Because of this, they used the legal terminology of contracts to express the obligation of the government toward the citizens of the United States. The concept of governmental obligation was of utmost importance to the framers, as Americans’ support both for resistance to English rule and for the new American government depended on the concept of constitutional limitations on power.<sup>35</sup> Indeed, as the War for Independence and the subsequent years under the Articles of Confederation drained the Americans’ optimism and enthusiasm for patriotic

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<sup>33</sup> Perry Miller, *Errand Into the Wilderness* (Cambridge, MA: Harvard University Press, 1996), 60.

<sup>34</sup> *Ibid.*, 61.

<sup>35</sup> Rothman, 152.

duty, the need for a more stable and effective government, but one with firmly delineated limitations and obligations, became clearer.<sup>36</sup>

In haste to create a national government in the wake of the Revolutionary War, but fearful that a powerful central government might give way to a monarchy, a committee formed to draft the Articles of Confederation. They were ratified and implemented in March of 1781.<sup>37</sup> Many of the basic structures were already present that would eventually reappear in the Articles and Amendments of the Constitution, but a great deal of the parameters of the national government were left undefined. Although the Articles stated that the cost of war would be defrayed by all the states, no mechanism was provided for the collection of funds to be routed toward that debt. The national government under the Articles possessed no means to raise revenue, nor to assemble an army, and there was no federal judiciary. There was no executive, and the Congress held authority in disputes between the states.<sup>38</sup>

Unlike the Constitution, which in most cases outlines powers that the federal government possesses or does not possess, the Articles concentrate largely on the scope of states' powers. The second Article of Confederation read, "Each state retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this Confederation expressly delegated to

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<sup>36</sup> *Ibid.*, 155.

<sup>37</sup> *Articles of Confederation*, Article II, in Ralph Ketcham, ed., *The Anti-Federalist Papers and the Constitutional Convention Debates*. (New York: Signet Classics, 2003), 383.

<sup>38</sup> *Articles of Confederation*, Article IX, in Ketcham, 387.

the United States, in Congress assembled.”<sup>39</sup> This concept, and very similar language, would reappear in the Constitution’s Tenth Amendment, but would be absent from the document drafted at the convention in 1787.<sup>40</sup> The Full Faith and Credit Clause appears in the Articles in nearly identical language to that found in Article IV of the Constitution.<sup>41</sup> The primary difference is that the Constitution provides power to Congress in determining the manner by which it should be administered.<sup>42</sup> The Articles stipulate in particular that no state should engage in diplomacy nor declare hostilities toward a foreign nation without the consent of all the sovereign states.<sup>43</sup> The Articles of Confederation leaned so far in favor of protecting state sovereignty that the national government they established was largely impotent. It was clear that a new approach to dividing state and national authority was required.

Benjamin Franklin said of the need for a new United States Constitution, “We have been guarding against an evil that old states are most liable to, excess of power in the rulers, but our present danger seems to be defect of obedience in the subjects.”<sup>44</sup> The failures of the Articles of Confederation, along with increasing concern over foreign affairs, led to the need for the Federal Convention in 1787. In a speech delivered that June before the general assembly of Connecticut, Governor Samuel Huntington explained that “the confederation was

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<sup>39</sup> *Articles of Confederation*, Article II, in Ketcham, 383.

<sup>40</sup> *United States Constitution*, Amendment X, in Ketcham, 408.

<sup>41</sup> *Articles of Confederation*, Article IV, in Ketcham, 384.

<sup>42</sup> *United States Constitution*, Article IV, in Ketcham, 405.

<sup>43</sup> *Articles of Confederation*, Articles VI, VII, in Ketcham 385, 386.

<sup>44</sup> Gordon Wood, *Creation of the American Republic* (Chapel Hill: University of North Carolina Press, 1969), 432.

framed whilst the country was still smarting under the hand of arbitrary power; it seems to have been the leading object of farmers to erect an authority over this country without committing absolutely any power to it.”<sup>45</sup> Huntington, a former President of the Continental Congress, was well-versed in Congregationalist thought, having educated himself in the library of Congregationalist minister Ebenezer Devotion, and having married Reverend Devotion’s daughter, Martha.<sup>46</sup>

The system established by the Articles of Confederation was much closer to John Cotton’s vision of autonomous local entities overseen by a central authority that intervenes only when absolutely necessary, or in matters concerning the entire community as a whole, than to a Hamiltonian conception of a unified national government for an American nation. In apportioning authority between the state and federal governments, the framers of the Constitution drew from existing models of administrative organization appearing in colonial American governments. The result was a hybrid document containing old and new elements, and justified as such by key framers and supporters of the Constitution during the ratification controversy of 1787-1788, but at that document’s core was a new founding covenant for the American people. Ratification of the new Constitution sealed the bargain, and the new founding covenant, between the federal government and the American public.<sup>47</sup>

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<sup>45</sup> Samuel Huntington, “Speech delivered before the General Assembly of Connecticut” *American Herald* (Boston), June 11, 1787, Vol. VI, Issue 296, 4.

<sup>46</sup> “Governor Samuel Huntington,” Connecticut State Library. 2007-12-04, Accessed November 21, 2013. <http://www.cslib.org/gov/HuntingtonS.htm>.

<sup>47</sup> Rothman, 155.

Popular sovereignty, the concept that governments maintain legitimate authority only through the consent of the governed, was at the heart of the republican government envisioned by the American founders in the late eighteenth century. Similar ideas also appear in John Cotton's early writings on the source and distribution of authority within the Congregationalist Church. Cotton's description of the duties of the Church to its congregants bears striking similarity to notions advanced a century later by the authors of *The Federalist* with regard to government's obligation to individual citizens and the nation as a whole.

The fear of competing authorities and a centralized government that could restrict the autonomy of the states was the source of much of the debate over the ratification of the Constitution.<sup>48</sup> The desire of the American people to unite as one while maintaining their identity within each individual state presented a unique dilemma, but one that the framers were well-equipped to confront. Whether they intentionally utilized the familiar structures of Congregationalist governance, and whether they were even aware that they were mirroring those structures, is less important than the fact that they did so.<sup>49</sup>

John Winthrop, an influential Puritan lawyer who arrived in Salem in 1630 and the first governor of the Massachusetts Bay colony, famously described the colonial experiment in North America as building "a city on a hill." His sermon aboard the *Arbella* en route to the colony argued that only through the people's

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<sup>48</sup> LaCroix, *The Intellectual Origins of American Federalism*, 733.

<sup>49</sup> Rothman, 159.

covenant with God could a stable new society thrive.<sup>50</sup> In 1644, as governor of the Massachusetts Bay Colony, he drew a firm distinction between the “liberty of the people” and the “power of authority” that belonged to the governor and the magistrates, thus separating the magistracy from inclusion in popular sovereignty. These were the same categories that John Cotton had already used to distinguish the independence of the clergy from the liberty of the congregation.<sup>51</sup> Winthrop’s devout Puritan understanding of church hierarchies informed his convictions about the appropriate distribution of secular authority in the colonial government.

### **Local Autonomy Within a Union**

Throughout the 17<sup>th</sup> and 18<sup>th</sup> centuries Congregationalist ministers and other influential church leaders disseminated political analysis and argument through their sermons. Many Congregationalists preached such values as liberty, equality, and the public good. Many urged their congregations to support a strong centralized government; others emphasized the importance of local autonomy and public participation in a democratic process.<sup>52</sup> Nonetheless, all seemed to have an understanding of the dichotomous nature of a unified republic consisting of sovereign colonies, or later of sovereign states. Perhaps this understanding was so familiar and influential because it so resembled their own understanding of each congregation’s role within the church, and of the church’s relationship with God.

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<sup>50</sup> John Winthrop, “A Modell of Christian Charity” (1630) Accessed on May 4, 2014, <http://religiousfreedom.lib.virginia.edu/sacred/charity.html>.

<sup>51</sup> Hall, 37.

<sup>52</sup> Mark Garret Longaker, “Timothy Dwight’s Rhetorical Ideology of Taste in Federalist Connecticut” *Rhetorica: A Journal of the History of Rhetoric*, Vol. 19, No. 1, (Winter 2001), 103.

Elisha Williams, the great-grandson of John Cotton, was a former Congregationalist pastor and a Connecticut State Supreme Court Justice when he wrote *The Essential Rights and Liberties of Protestants*. It was intended as a polemic against a 1742 Connecticut statute prohibiting ministers from preaching outside their own parishes, and decreeing that those who did so would be deprived of support and authorization to preach. In his pamphlet, he distinguished between the powers of church government and the powers of civil legislature: “Every society ought to be subject only to its own proper legislature. The truth of this is evident at the first view; and civil societies readily adhere to this as an inviolable principle.” In his discussion of church autonomy, Williams made clear that the government had no authority over those powers that belonged solely to the church: “Every worshipping assembly best knowing their own particular circumstances, and being best able to judge what may be convenient or inconvenient in the case...this is a right our worshipping assemblies claim.”<sup>53</sup>

Many Congregationalists similarly praised limitations on the federal government, not only to prevent its interference in religious affairs, but also in order to protect the sovereignty of the states. Samuel Cooper, a dedicated patriot and prolific writer of political literature, declared in his “Sermon on the Commencement of the Constitution” (that of Massachusetts) in 1780, “I need not enlarge before such an audience upon the particular excellencies of this constitution: How effectually it makes the people the keepers of their own

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<sup>53</sup> Elisha Williams, “The Essential Rights and Liberties of Protestants.” Accessed on May 4, 2014, <http://oll.libertyfund.org/pages/1744-williams-rights-and-liberties-of-protestants-sermon>.

liberties, with whom they are certainly safest.” Cooper is almost certainly referring to the sovereignty of the states and the participation of the citizens in their own government. “How nicely it poizes the powers of government, in order to render them as far as human foresight can, what God ever designed they should be, powers only to do good.”<sup>54</sup>

There were potential conflicts between the ideas of individual church autonomy and a centralized national government. Mark Garrett Longaker, scholar of political rhetoric, has suggested that the Congregationalist church was known in the late eighteenth century for theological disagreements among its adherents, as well as for the typically Federalist viewpoints of its clerical leadership.<sup>55</sup>

Longaker draws particular attention to the possible conflict in the views of Timothy Dwight, Congregationalist minister and prominent leader of the New Divinity movement, as an example of the dichotomy present in many Congregationalists’ political and religious positions. Dwight advocated the unification of the colonies well in advance of the Revolution, and bemoaned the lack of organization that central oversight would remedy. At the same time, Dwight defended the Congregationalist churches’ right to autonomous governance, free from the influence of a hierarchical church structure.<sup>56</sup>

The “New Divinity” theological system, based on the writings of Jonathan Edwards and developed by Congregationalist minister Samuel Hopkins, was a

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<sup>54</sup> Samuel Cooper, “A Sermon on the Commencement of the Constitution.” (1780) Accessed May 4, 2014, <http://teachingamericanhistory.org/library/document/a-sermon-on-the-commencement-of-the-constitution/>.

<sup>55</sup> Longaker, 103.

<sup>56</sup> *Ibid.*



new school of religious thought emphasizing human free will, along with the exercise of divine will upon human beings. Among the papers Hopkins left when he died was a document titled, “Articles of a Church,” which, much like John Cotton’s *True Constitution*, established a set of guidelines for church governance. These guidelines provided procedures for admission to the church, education of children, and selection of deacons and pastors, among other policies. Of particular note was Article VII, which codified the nature of a congregation’s autonomy. “There ought not to be any appeal from the judgment and decision of a particular church, to any higher judicatory which has authority to set aside what they do, or oblige them to recede from it.” He qualified this ban by adding, “But it may be proper and expedient, in cases that are difficult...to request the assistance of pastors and delegates of other churches, in order to obtain light and direction.”<sup>57</sup> Hopkins’ vision did not allow for outside entities to have any real authority over internal church matters, but accepted the benefit, and the potential necessity, of belonging to a greater organization dedicated to a common goal. The Hopkinsian New Divinity spread throughout New England, influencing other Congregationalists to develop similar theological systems.

New Divinity teaching grew more widespread and more ingrained in New England into the latter half of the eighteenth century. Nathanael Emmons, who was considered a leader among the emerging new school of theologians that was emerging at that time, preached a modified version of Hopkinsianism, taking for granted the Calvinist concept of divine sovereignty, while advancing the idea of

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<sup>57</sup> Samuel Hopkins, *The Works of Samuel Hopkins, D.D.* (Boston: Doctrinal Tract and Book Society, 1852), 168.

human free agency.<sup>58</sup> Emmons described his teachings as lying between two extremes: the free exercise of will and the submission of that will to the divine authority. The middle-ground position of his teachings between these stark extremes, in his view, justified them as true. We can infer from this understanding that Emmons was comfortable with the juxtaposition of apparently opposing concepts, such as the political autonomy of individual states unified under a general government.

Emmons wrote that liberty was the “birth-right of man” and that “in free republics, where liberty is equally enjoyed, every man has weight and influence in proportion to his abilities, and a fair opportunity of rising, by dint of merit, to the first offices and honours of the state.”<sup>59</sup> His sermon, “The Dignity of Man,” delivered in Providence in 1787, extolled the virtues of preparing oneself to be a wiser and more productive participant in society. In 1799, in the midst of the national political crisis occasioned by the quasi-war with France, Emmons delivered a sermon maintaining that the framers had built the national government on the principle of providing the best possible society for the people. He explained in his discourse that it was the duty of the various components of government to provide checks upon one another, and that disagreement strengthened, rather than weakened, the state. This was in accordance with the principles to which the framers of the Constitution adhered in 1787. Emmons also

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<sup>58</sup> Abel Millard, “Nathanael Emmons.” *The American Journal of Theology*, Vol. 6, No. 1 (Jan. 1902), 19-20.

<sup>59</sup> Nathanael Emmons, “The Dignity of Man” Accessed May 6, 2014. <http://www.consource.org/document/the-dignity-of-man-by-nathanael-emmons-1787/>.

obliquely referenced the concept of federalism, in his rebuttal to those who feared that the Constitution's promotion of a strong national government would lead to a monarchy: "Is there an intelligent man in America, who seriously believes, that it is easier to turn our government into a monarchy than into a democracy?"<sup>60</sup>

Many Congregationalists saw unlimited power as the greatest threat a government could pose to its people, an insight that was informed by years of political interference with their own religious hierarchies. In 1775, Congregationalist minister Samuel Langdon delivered a speech on the dangers of a corrupted government, which he defined as one that had delegated too much authority to itself and drawn too much away from the divine government of God. He used as a model the ancient Jewish tribal governments.<sup>61</sup> Using the divine code of laws given to them by God as their constitution, he argued, the Jews governed by deferring to tribal leadership and city elders in all civil and criminal matters. These chiefs and elders would call local assemblies of the people, who would, by popular agreement and guided by their tribal leadership, manage the outcome of disputes and determine civic policy.<sup>62</sup> Langdon argued that the Jews did not need a central government run by men, as they were guided by the divine word of God, which represented in this case a national government. The Jews did

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<sup>60</sup> Nathanael Emmons, *The Works of Nathanael Emmons, D.D., Third Pastor of the Church in Franklin, Mass.: With a Memoir of His Life, Vol. I*, (1861) Google Books, Accessed May 4 2014, [http://books.google.com/books?id=CRQaAAAAYAAJ&dq=nathanael+emmons+the+dignity+of+man&source=gbs\\_navlinks\\_s](http://books.google.com/books?id=CRQaAAAAYAAJ&dq=nathanael+emmons+the+dignity+of+man&source=gbs_navlinks_s), 109.

<sup>61</sup> As described in the Old Testament.

<sup>62</sup> Samuel Langdon. "Government Corrupted by Vice," delivered 1775 in Watertown, MA. Google Books. Accessed May 4, 2014, [http://books.google.com/books/about/Government\\_Corrupted\\_by\\_Vice.html?id=v r5NHAAACAAJ](http://books.google.com/books/about/Government_Corrupted_by_Vice.html?id=v r5NHAAACAAJ).

comprise a nation by many definitions of the word, by right of their shared heritage, language, religion, and cultural experiences. In this regard, the code of laws in the Jewish bible could be considered their constitution. Ultimately, Langdon argued for local autonomy as practiced by the tribes of Israel, joined by the shared guidance of biblical law. He did not argue that a central authority was unnecessary, only that one already existed. With biblical law as the unifying focus of church government, the benefits of centralizing a secular government could be inferred.

### ***The Federalist and the “Anti-Federalists”***

Federalists and “Anti-Federalists”<sup>63</sup> alike were committed to the power of the individual states to govern themselves in local matters, and Congregationalist resonances appeared on all sides of the Constitutional debate. One central question in the ratification debates concerned the degree to which the states should defer to the federal government. Deference to a Congregationalist model could lend support to either side, depending on whether one viewed the Congregationalists as a loose collective of self-governing congregations, or as a community unified by their common religious principles. This question was neatly articulated by an anonymous Anti-Federalist author calling himself “Federal Farmer” in his October 8, 1787 letter in the *Country Journal of*

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<sup>63</sup> Those individuals commonly referred to as “Anti-Federalists” were given that moniker by the Federalists in order to highlight their opposition to the new Constitution. A more appropriate designation might be “Anti-Ratificationists,” as they were wary of the threat that a stronger centralized government might present to state sovereignty.

Poughkeepsie. “How far can the states be consolidated into one entire government on free principles?”<sup>64</sup>

Supporters of the Constitution sought to answer this challenge and to defend the proposed new charter of government as embodying a sensible balance of the competing claims of the general government and the states. In so doing, they echoed the spirit of Congregationalist answers to these questions. For example, *The Federalist*, a series of letters published in New York intended to sway people to support the Constitution, resonated with the spirit of Congregationalist hierarchy as its authors made strong arguments for federalism as a safeguard of the states’ powers under the Constitution. In *Federalist 39*, James Madison responded to claims that the Constitution unfairly and dangerously would consolidate the states into one national government. One example cutting against this alarmist claim, he insisted, was the process by which the Constitution itself would be ratified, writing, “It is to be the assent and ratification of the several States, derived from the supreme authority in each State, the authority of the people themselves. The act, therefore, establishing the Constitution, will not be a *national*, but a *federal* act.”<sup>65</sup> Madison explained that the ratification of the Constitution would result not from the agreement of a majority of the people within the ratifying states, but by their unanimous consent only. He argued that were the Constitution creating a single, unified national government, then “the will of the whole people of the United States would bind the minority.” Much as Cotton described the relationship between individual

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<sup>64</sup> Anonymous, “Letter from a Federal Farmer” in Ketcham, 273.

<sup>65</sup> James Madison, *Federalist 39*, in Kramnick, 257.

congregations, Madison asserted that the states would retain a great deal of autonomy under the Constitution even if it should be adopted. He then highlighted the dual nature of the new American government, saying it was “of a mixed character, presenting at least as many *federal* as *national* features.”<sup>66</sup>

In the rest of that essay, Madison defined the United States government and by piling up examples to demonstrate the framers’ balancing of national and federal principles, modes of organization, and interests. In operation, he argued, it is national. The way in which the government operates on the people, and on the states which comprise the nation, demonstrates the supremacy of the national government over the states, through elected representatives. However, he also maintained that, with regard to the extent of the national government’s powers, it is federal, as those powers are limited in jurisdiction and that local and municipal authorities are part of the whole; they participate in the overall supremacy of the national structure. Madison explained that this arrangement would result in a government of dual natures, but erring on the federal side, that is, “the proposed government cannot be deemed a national one, since its jurisdiction extends to certain enumerated objects only, and leaves to the several states a residuary and inviolable sovereignty over all the other objects.”<sup>67</sup>

The arguments made by opponents of the Constitution, like those made by its supporters, relied on familiar structures and concepts of self-government. The authority of the people is central to the opponents’ rebuttals of the Federalists’ calls for a more energetic central government. In their opposition to the

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<sup>66</sup> *Ibid.*, 258.

<sup>67</sup> *Ibid.*

ratification of the Constitution, they repeatedly invoked the sovereignty of the states and the powers reserved to them, as well as the danger that a Congress with too much authority might run roughshod over the states and threaten the liberty of the people. For example, in a 1788 speech before the Virginia Ratifying Convention, Patrick Henry argued that it would be too easy for Congress to amend the Constitution without the consent of the majority of the people—that if a bare majority in the smallest states banded together they could enforce legislation upon the majority of the nation’s population.<sup>68</sup> Echoing arguments and analyses made by the Congregationalists over a century before concerning church governance, Henry felt that the entire population should have a say in determining making the laws of the states and of the nation.

One of the most common concerns of the Constitution’s opponents was that the system of checks and balances in the Constitution would be unable to protect the liberty of the people if the men elected to represent them were corrupt. Samuel Bryan, responding to arguments made in *The Federalist* and publishing under the pseudonym “Centinel,” wrote that the creation of opposition between the legislative and executive branches, to be balanced by the judiciary, would be effective only if one believed “human wisdom competent to the task of instituting three co-equal orders in government, and a corresponding weight in the community to enable them to exercise their several parts.”<sup>69</sup> “Letters from a Federal Farmer,” published in the Poughkeepsie *Country Journal* in 1787 and

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<sup>68</sup> Patrick Henry, “Speech Before the Virginia Ratifying Convention,” in Ketcham, 205.

<sup>69</sup> “Centinel No. 1,” in Ketcham, 235.

1788, described the federalism of the new constitution as a system of representation “unnaturally divided between the general and state governments.”<sup>70</sup> For the lack of constraint in the national government, the Federal Farmer blamed the absence of certain individuals from the Federal Convention in Philadelphia. He argued that the men chosen as delegates, “principally connected with commerce and the judicial department,” designed a government with a “strong tendency to aristocracy now discernable in every part of the plan.”<sup>71</sup>

Many Federalist thinkers took to the newspapers to share their opinions and promote the creation of a stronger national government. For example, an editorial in the *American Herald* of Philadelphia questioned “whether, on the one hand, the vast continent is to be distributed into vast republics; or, on the other, the majesty of a world, centered on an individual,” but declared that “it seems to be unanimously agreed, that a strong and efficient executive power must be somewhere established.”<sup>72</sup>

Dr. Richard Price of London, a distinguished nonconformist preacher and philosopher, was a firm supporter of the Revolution and an active political pamphleteer. He engaged in regular correspondence with such men as Thomas Jefferson, Benjamin Franklin, and John Adams. In 1787 he wrote, in anticipation of the Federal Convention, “It is a pity that some general controlling power cannot be established of sufficient vigor to decide disputes, to regulate commerce,

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<sup>70</sup> Anonymous, “Letter from a Federal Farmer” in Ketcham, 267.

<sup>71</sup> *Ibid.*, 272.

<sup>72</sup> Editorial, *American Herald* (Philadelphia), May 18, 1787, Vol. VI, Issue 294, 3.



to prevent wars, and to constitute a union which shall have weight and credit.”<sup>73</sup>

In that same letter, he compared the Federal Convention to the General Conference of the Methodist Episcopal Church taking place concurrently in Baltimore. It was Dr. Price’s hope that just as the church was endeavoring to improve central oversight over its many distinct congregations, the founders would also create a foundation from which to supervise the administration of the diverse states.

Roger Sherman, son of a Congregationalist minister and the only man to sign the Continental Association, the Declaration of Independence, the Articles of Confederation, and the U.S. Constitution, was experienced in navigating the intersection of religion and politics. Sherman was raised and educated in Stoughton, Massachusetts, amongst Congregationalist clergymen, and two of his brothers went on to become ministers as well. Sherman often invoked religious themes in his political and legal writings. In a pamphlet addressing problems related to bills of credit in New England, he referenced the “Law of God” as one of the sources of the right to private property.<sup>74</sup> When he served in the lower house of the General Assembly in New Haven, Connecticut, he frequently weighed in on legislation concerning the maintenance of the town’s Congregationalist churches as well as on such other Puritan values as the punishment of vice.<sup>75</sup> Sherman was guided by his understanding of religious contexts and framework in his approach to politics and the law. As a delegate to

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<sup>73</sup> Richard Price, “Extract of a Letter from Dr. Price, Dated London, January 26, 1787” *American Herald* (Boston), Vol. VI, Issue 294, May 28, 1787, 3.

<sup>74</sup> Hall, 44.

<sup>75</sup> *Ibid.*, 46.

the 1787 Constitutional Convention, he demonstrated that he was open to a form of divided government when he advocated expanding the national government, but sharply limiting its jurisdiction to certain enumerated powers.

Accustomed to the relationship between local congregations and having approached the idea of an ecclesiastical government in Connecticut at times, Sherman preferred that the reach of the national government be confined almost exclusively to matters of foreign policy. He argued that domestic matters could be best be handled by a confederation of the states.<sup>76</sup> Rather than a confederation of states overseen by the national government, Sherman advocated a national government controlled by the states.<sup>77</sup> Ultimately, in fear of losing control entirely to more populous states, Sherman, along with Oliver Ellsworth, was one of the principal advocates of what became known as the Connecticut Compromise.<sup>78</sup> As such, Sherman was an influential figure in the design of Convention's design of federalism, and the influence of Congregationalist governing structure is evident in his firm stance in favor of states' rights.

Political Congregationalists understood that religious liberty and the autonomy of local governments (as well as churches) could best be protected by a centralized national government. Oliver Ellsworth, delegate to the Constitutional Convention and active member of the Congregationalist church, wrote a series of letters from "A Landholder" to promote the ratification of the Constitution. In the third such letter he stated, "A government capable of controlling the whole, and

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<sup>76</sup> *Ibid.*, 95.

<sup>77</sup> *Ibid.*, 96.

<sup>78</sup> *Ibid.*, 98.

bringing its force to a point, is one of the prerequisites for national liberty.”<sup>79</sup> This point was echoed over and over in his “Letters from a Landholder,” of which there were ultimately thirteen. In them, Ellsworth expresses other common political principles that find their origin in Puritan values.

The Articles of Confederation and the Constitution were written in plain language in order to be understood by all literate Americans. Ellsworth wrote in Landholder IV of the practical benefits of concise and straightforward language.

Had it swelled into the magnitude of a volume, there would have been more room to entrap the unwary, and the people who are to be its judges would have had neither patience nor opportunity to understand it. Had it been expressed in the scientific language of law, or those terms of art which we often find in political compositions, to the honorable gentleman it might have appeared more definite and less ambiguous; but to the great body of the people altogether obscure, and to accept it they must leap into the dark.<sup>80</sup>

These sentiments are consistent with the Puritan ideals of personal responsibility and voluntary commitment to faith. With the advent of the Great Awakening in the first half of the eighteenth century religious accountability shifted from the collective to the individual, which required that members of a congregation have access to the word of God without the facilitation of the clergy.<sup>81</sup> Puritans supported basic education within the colonies for this reason, among others. In Congregationalist communities, one expected the Bible to be accessible to all, and the framers used this same approach in drafting the Constitution.

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<sup>79</sup> Oliver Ellsworth, Landholder III, “Letters from a Landholder.” Accessed May 4, 2014, <http://www.infoplease.com/t/hist/federalist/landholder.html>.

<sup>80</sup> *Ibid.*, Landholder IV.

<sup>81</sup> Bonomi, 158.

## **The 1787 Convention: Federalism and the Scope of Executive Power**

The 1787 Federal Convention became the first stage of a wide-ranging American debate between the designers of the Constitution, and their advocacy for a strong executive and a centralized government, and the Constitution's opponents, who feared that such changes would jeopardize the autonomy of the sovereign states. The Convention began on May 25, 1787, with discussion over the method of representation each state should be awarded. Immediately afterward, on June 1, the debate over the scope of the executive began.

Initial concerns over the powers of the executive, which extended to diplomacy and management of the national government, were that the position represented the "fetus of monarchy," as Virginia delegate Edmund Randolph put it. His concern over copying the British form of government from which the states had so recently liberated themselves would be antithetical to the progress that the Convention had been called to advance.<sup>82</sup> Other delegates argued that the executive was a necessary position, but there was no immediate consensus over whether it ought to be vested in an individual, or a committee.<sup>83</sup> During the next day of debates, Benjamin Franklin proposed that the abuse of power could be avoided by withholding any payment from those men entrusted with executive power.<sup>84</sup> Franklin used religious examples to bolster his argument. He maintained that the Quaker model of church governance, which addressed all questions and

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<sup>82</sup> Convention Debates, in Ketcham, 17.

<sup>83</sup> *Ibid.*, 16.

<sup>84</sup> *Ibid.*, 19.

disputes in regular meetings, was ideal.<sup>85</sup> This idea failed to gain traction among the other delegates.

After settling that the executive ought to be an individual rather than a group of men, debate began over the proper method of election. Pennsylvania delegate Gouverneur Morris argued that an executive appointed by the national legislature, and eligible for re-election, would never be capable of achieving independence. Only through democratic election by the people, he argued, could he truly represent the best interests of the nation.<sup>86</sup> Morris further elaborated that an impeachable executive beholden to the national legislature would fail to provide an adequate check upon that branch of the government, and would become an extension of it.<sup>87</sup> This was in keeping with the Congregationalists' use of consensualism to legitimize the authority of the clergy.<sup>88</sup>

On June 21 the debate moved on to federalism and the proper distribution of state powers relative to national. James Madison argued that there was less to fear from encroachment by a national government than by the states, as the national government would be entrusted with the power to limit states' interference with one another.<sup>89</sup> This echoed Cotton's view of all congregations as equals in their relation to one another but deferent to divine law. Unlike the United States government, Cotton had to devise a plan whereby congregations could combine to intervene in cases of extreme deviation from Congregationalist

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<sup>85</sup> *Ibid.*, 20.

<sup>86</sup> *Ibid.*, 99.

<sup>87</sup> *Ibid.*, 103.

<sup>88</sup> K.P. Van Anglen, *The New England Milton: Literary Reception and Cultural Authority in the Early Republic* (Penn State Press, 2008), 22.

<sup>89</sup> *Ibid.*, 68.

principles. Madison asserted that the federalist American government would not need to fear such encroachment by state governments because there would be mechanisms in place for the national government to ensure equanimity between the states.<sup>90</sup>

Essays written and published by John Jay, James Madison, and Alexander Hamilton, and later collected under the title *The Federalist*, exhorted the people of New York to vote for ratification of the new Constitution, and other supporters of the Constitution wrote prolifically as well to the same purpose. In response, politicians, pamphleteers, and polemicists on the other side of the debate penned essays, letters, and pamphlets as well. A dominant concern of this debate was whether the proposed Constitution showed the potential for the emergence of a monarch.

Although many believed that allocating executive power amongst a committee of men would alleviate any danger of a potential tyrant, other vigorously argued that a plural executive would pose a greater danger than an individual. The familiar Congregationalist model provided no such committee, barring the merger of father, son and Holy Spirit that comprised the Trinity. As any contemporary and canonical interpretation of those three divine entities considered them aspects of the same being, there is no doubt that Congregationalists deferred to a single, divine, executive.

Alexander Hamilton made the case for a singular executive in *Federalist* 70. Hamilton argued that were the executive power divided among a group of

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<sup>90</sup> *Ibid.*, 68.

men, then differences of opinion would be inevitable, and the splitting of Americans into factions would result.<sup>91</sup> Moreover, such a split might “impede or frustrate the most important measures of the government, in the most critical emergencies of the state.”<sup>92</sup> Opponents voiced their concern that such power, when entrusted to a single individual, would inevitably lead to abuse and tyranny. They earned the name “Anti-Federalist,” although not because they opposed a federalist system.

Despite charges made by some of the Constitution’s supporters, its opponents were not, in fact, opposed to joining a federation of states. As a writer using the pen name John DeWitt wrote in his first essay to the people of Massachusetts in October 1787, “Upon the whole... I am as much a federal man as any person. In a federal union lies our political salvation.”<sup>93</sup> But John DeWitt stressed the adjective “federal” as modifying the noun “union,” distinguishing what he favored from what he rejected as the centralizing, nationalizing vision of the Union that he saw embodied in the proposed Constitution. The notion of belonging to a larger unified group was neither unfamiliar nor unsettling to the majority of Americans, particularly to those who belonged to religions that had spread to multiple regions. Congregationalists had first-hand experience belonging to an autonomous congregation within a larger whole. It was one reason why they saw the benefit of joining such a Union. However, De Witt’s sentiments against a centralizing or nationalizing Union resonated with those of

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<sup>91</sup> Alexander Hamilton, *Federalist 70*, in Kramnick, 404.

<sup>92</sup> *Ibid.*

<sup>93</sup> John DeWitt, in Ketcham, 193.

many Americans who had concerns about the loss of authority that would be involved in joining such a Union.

## **Conclusion**

Although American federalism did not delegate authority entirely to the sovereign states, nor submit to a divine code of law, many parallels can still be seen between the system embraced by the framers of the Constitution and colonial models of church governance used by the descendant of the Puritan separatists, and especially the Congregationalists. Despite their commitment to locally autonomous congregations, the Congregationalists understood the benefits and even the necessity of joining a larger, politically connected group in order to protect their own liberty. In the absence of a divine authority, a centralized, secular governing body provides a constitution and a federal judiciary to provide guidance where the congregation alone cannot. Congregationalism provided a model of divided power that the framers of the Constitution could use to develop a stronger, more stable system of government for the United States.

What these resonances effectively demonstrate is twofold. First, Congregationalists understood that a centralized authority, whether divinely inspired or secular, was crucial to maintaining both stability and liberty. Second, there are many ways that religion can influence politics, and they need not always be based in religious doctrine and ideology. In the case of federalism, the structures of church governance themselves were able to provide the essential framework for the new political system that emerged in the United States.



That the Congregationalists accepted the need for centralized governance is evident in their speeches and writings and by their participation in national political development. A large number of American Federalists were members of the Congregationalist church, thereby demonstrating their commitment to the concept of a divided government with the ability to safeguard their freedom to worship, and to allow them the freedom to govern themselves in internal matters, without outside interference.<sup>94</sup> Congregationalists' governing structures were compatible with the pillars of American federalism. Understanding that a separation of church and state was essential to the preservation of religious liberty, members and leaders of the Congregationalist church accepted that in the case of the new American government, a centralized secular authority would need to take the place of the religious code of laws that governed each individual congregation within the larger organization of Congregationalist churches.

It is also clear that religion can influence political development in unexpected ways. The moral influence of religion on legal and political structures is a common subject of discussion and analysis, but little attention is paid to the framework of church governance that influenced creation of the American government in the wake of the Revolution. Examining the sources of these models and the way they shaped ideas about governance and politics among Congregationalist leadership in the eighteenth century illuminates an important element of the foundation on which the American government was built. It is crucial to note, however, that although this foundation rested in part on religious

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<sup>94</sup> James Reichley, *Religion in American Public Life* (Washington, D.C.: Brookings Institution Press, 1985), 178.

sources, the framers of the Constitution were not attempting to establish a Christian nation. Their reliance on Congregationalist models did not extend beyond the structural to the ideological.

The emphasis placed on the local autonomy of Congregational churches provided the framers with a familiar model of reference in designing the federalist American government. Following the struggle for independence from the British crown, they were all too aware of the need for limited government and the preservation of state sovereignty, but the Puritans' habitual dependence on a central (divine) code of governance and the failures of the Articles of Confederation together fueled the desire for some kind of centralized and coordinated authority to govern the union as a whole. Accustomed to a common religious authority, deferral to a national government was not a large ideological leap.

As widespread as Congregationalism became in colonial America, its framework could not help but provide a point of reference for the men who established the American government. The origins of federalism, along with the seeds of the federal judiciary and the limitations on executive power, can be found in the governmental framework developed by early church leaders such as John Cotton. As a result, the framers of the Constitution were careful to apply what they had learned from the familiar models of church hierarchy to the new Constitution. In this way, we can see that even with the core of its theological doctrine removed, the Congregational church was influential in the early political development of the United States.

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