A Lively Experiment: Reflections on the Charter of 1663

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From a young age, Roger Williams learned the precepts of law from England’s celebrated jurist, Sir Edward Coke, famous for his maxim, “a man’s house is his castle.” Rhode Islanders likewise learned early on that a careful study of the law was useful in their endless effort to protect their jurisdiction along the shores of Narragansett Bay. Vindication came in 1663, when the newly-restored king, Charles II, signed the great charter that defined Rhode Island and Providence Plantations once and for all. It also afforded significant legal protections for concepts that were so new they could hardly be termed “rights,” but which we now consider sacrosanct. Among these were the freedom of conscience that Rhode Island became famous for, the power to create “a body politic,” and “to regulate and order the way and manner of all elections.” In this way, it was not only a ringing endorsement of freedom of religion; it was also an important milestone on the path to democracy. That a king signed it is one of the document’s many ironies.

The essays that follow place the Charter in its full historical context. Rhode Island is fortunate to have historians of the caliber of J. Stanley Lemons, Patrick Conley and C. Morgan Grete, who help us to understand the often bewildering world of 17th century theological arguments, and to assess the Charter’s impact on everyday life here. My own essay is an attempt to trace the lineage of the Charter in later centuries.

True to the Charter’s liberal spirit, Rhode Island became a lively experiment indeed. The Charter eventually outlived its usefulness as a working political instrument, but it will never outlive its value as a historic artifact, revealing how earnestly Rhode Islanders aspired toward freedom. On its 350th anniversary, and the occasion of its removal to a new setting, worthy of its importance to Rhode Island and the United States, it seemed fitting to bring these essays to the attention of the public. I am grateful to Governor Lincoln D. Chafee for his help in arranging this publication.
by Arnold William Buxton William Codington Tuphola John Weeker Roger Williams Thomas Olney Gregson Deacon Sumner Wildsex William Stoddard James Barker Richard Trower and Free inhabitants of our Island called Rhode Island and United Bay in New England in America That they pursuance of God's edifying themselves and one another in the holy Chris-ter and Conversion of the poor ignorant Indian natured i-ffins and worship. Did not only by the wouself and good eute of England into America but also since their arrival the prevailing of discord and these many evils which were likely to part their different apprehensions in religious Convene gentle stations and habitations and with excessive labour on the Indian natives who the they thought were the most of God from whom the Plantations have taken their name and have possessed by purchase and tenent servitude both for Plantations a yearly rent building of Ships and immediate their Southern Plantations and many much advance the society with the great body of the West again that Indians given this may by the blessing of God upon their endeavours be said it have on their hearts if they were permitted to hold forth a lively expre in religious concurrence and that true picture rightly from strongest obligations to true liberty. Now therefore that in exercises and emunent of all their Civil and Religious right, ypper God which they have fought with the much itself and with pence from that of the native Colonie cannot in their private opinion or title or subsist in the others and Articles under and establi sh the way and uniformly established in the then since the person with them the said Colony all times hence after shall be eu-ly disturb the Civil Welfare of our said Colony. But that all and such Judgment and constituted in matters of Religious concern liberty to contention of specified personages to the Civil Justice to the contrary agree in every wise understanding. And that th
The Charter of 1663, Major Milestone on the Road to Religious Liberty

J. Stanley Lemons

The Charter of 1663 might be seen as just a piece of parchment with a lot of words on it. Yet, it represents a major milestone on the road to religious liberty in America and the world. The Charter is most notable for the fact that it was the first such charter to be signed by a monarch authorizing a government under which “no person . . . at any time hereafter shall be any wise molested, punished, disquieted, or called in question, for any differences in opinion in matters of religion. . . .” King Charles II accepted Rhode Island’s “lively experiment” that “a most flourishing civil state may stand and best be maintained . . . with a full liberty in religious concernments. . . .” Such a proposition was an utterly radical idea in the 17th century, and, sadly, it remains a radical idea in wide swaths of today’s world.

It is important to remember that neither the idea nor the reality of such a state was new in 1663. The plea for religious freedom had been voiced by individuals and groups from at least the early 16th century, and varying degrees of toleration had existed in such places as the Netherlands and Poland long before it became the law and practice in Rhode Island. Not surprisingly, the demand for freedom of conscience had arisen from persecuted religious groups, such as the Anabaptists and Jews in Europe. However, in all previous instances, only some toleration was extended by the ruling powers to non-conforming groups, a condition that could be (and often was) yanked away.

Church and state, citizenship and religion were linked everywhere in the world before the householder in Providence in August 1637 agreed to abide by decisions “only in civil things.” This radical arrangement was reinforced in 1640 when Providence created a system to settle disputes, and the heads of households all signed a document affirming that they would “as formerly hath been the liberties of the town, so still to hold forth liberty of conscience.” While the people of Providence were not the first to demand religious freedom, they were the first to put into practice. It was the first place to separate citizenship and religion.

The Antinomian followers of Ann Hutchinson established the towns of Portsmouth (1638) and Newport (1639), but they intended to recreate the sort of bond between church and state that existed in Massachusetts. However, by 1640 – 1641, they found that the diversity of consciences among them was such that they too gradually came to accept the idea that the government’s reach extended to civil things only. The attempt to impose religious conformity on such a collection of stiff-necked dissenters only produced disorder and strife, especially when it included the likes of Samuel Gorton. Gorton was expelled from Portsmouth with a public whipping and stirred trouble in Providence before moving down to Shawomet and founding a settlement that became Warwick (1642). His free-spirited, anti-clerical thinking simply reinforced the need for the government to concern itself with civil matters only.

The rest of New England looked with undisguised horror at what was happening around Narragansett Bay and moved to overpower and stifle the bay towns. They called Rhode Island the “sewer of New England,” not because its people were thieves and murderers, but because Rhode Island was a “hive of heretics.” It was a contagion that might infect the rest of New England. When Massachusetts, Plymouth, and Connecticut formed a military alliance in May 1643 and pointedly excluded the towns around Narragansett Bay, Williams sailed to England to obtain a charter to protect Rhode Island. He and many others in Rhode Island felt that they needed a charter to protect against the unrelenting efforts of the neighboring colonies to dismember, over-power, and destroy Rhode Island.

Arriving in the midst of the English Civil War, Williams obtained a charter from the Parliament for “Providence Plantations in Narragansett Bay in New England.” This charter was unique in that it established a wholly secular state. It made no provision for a religious establishment; it contained no religious language or clauses. It had no explicit provision granting liberty of conscience because Williams believed that it was a natural right from God, not one to be granted by a government. He returned
with this charter in 1644, and all four towns (Providence, Newport, Portsmouth and Warwick) accepted it and began working on the creation of a government for the colony. In May 1647 at the fifth general assembly of delegates, they adopted a bill of rights and laws which included a provision that allowed all people “to walk as their conscience persuade them.” So, Rhode Island, unlike every other colony, had a secular state with freedom of religion. Rhode Island had separation of church and state, separation of citizenship and religion.

One effect was that during the colonial era Rhode Island never had witch trials, heresy or blasphemy trials. And, it was the first place that Jews and Quakers were free to practice their religion. The Quakers arrived in 1657, and Jews came in 1658. When the neighboring colonies demanded that Rhode Island expel the Quakers, they were told that there was no law by which “men could be punished in Rhode Island for their opinions.” Roger Williams thought that the Quakers were heretics and vigorously debated them, but he never sought to use the power of the state against them. He felt that they had a right to be wrong, and that he had the right to try to convince of their errors, but no one had a right to raise their hand against them. He said that to use force to impose upon one’s conscience was “rape of the soul.”

Some historians have argued that religious liberty was the basis for Rhode Island’s economic survival and growth in the 17th and 18th centuries. International trade was done in that era through networks of kin, co-religionists, and countrymen. The Quakers and Jews brought international trade connections to this tiny, isolated colony and paved the way for Newport’s becoming the commercial center of Rhode Island for a century.

Why, then, was there a need for the Charter of 1663? In the first place, the other New England colonies were little deterred by Williams’ charter of 1644 which they regarded as just a piece of paper. They continued their efforts to destroy the Providence Plantations. Second, the integrity of the colony was undermined by the rivalries of the Narragansett Bay towns and the disloyalty of some Rhode Islanders who swore allegiance to Massachusetts and registered their land deeds in Massachusetts courts. Moreover, the intense ambition of William Coddington to rule on Aquidneck hindered unity. As noted, it took from 1644 to 1647 for the four towns under the Charter of 1644 to establish a colony-wide government, only to see Coddington go to England and return in 1651 with his own charter which made him “governor for life” over Aquidneck, thereby splitting the colony in two.

Coddington’s opponents on Aquidneck Island refused to recognize his authority and maintained their own government which dispatched John Clarke to England to overturn Coddington’s patent. At the same time, Providence and Warwick sent Roger Williams to get a new charter, hoping that it would clarify matters and provide greater protection for the colony. The monarchy was gone, King Charles I had been beheaded in 1649, and Oliver Cromwell had come to power by the time that Roger Williams and John Clarke arrived in 1652 to challenge Coddington’s grant. They were quickly able to get Coddington’s patent revoked and the Charter of 1644 re-enstated, but no progress was made toward a new charter, which was the mission of Williams. As a result, in 1653, Williams returned to Rhode Island where he served as president of the colony from 1654 to 1657.

John Clarke remained in England, acting as an agent for Rhode Island to protect its interests against the continuing efforts of Massachusetts, Plymouth, and Connecticut to carve up Rhode Island. He was there when in 1660 the Interregnum ended and Charles II became King of England. The restored monarchy voided all acts of Parliament done in the absence of the king, which meant that the Charter of 1644 was declared void and a new charter needed from the new monarch. This became especially critical when Connecticut took the opportunity to use the new situation to extend its claims over all of present-day Washington County [South County]. In addition, the Church of England was re-established with the monarchy, and all of New England feared
that an Anglican establishment might be imposed on them. This fear was especially felt in Rhode Island which had no church establishment of any sort. Unless, a new charter could be gotten for the safety and integrity of Rhode Island, the colony stood to lose a vast portion of its territory and its religious liberties.

In the end, Charles II, who longed for religious toleration for his own Catholic family in England, rather easily agreed to John Clarke’s language guaranteeing religious freedom in Rhode Island. King Charles allowed the “lively experiment” that had begun in Providence to continue. It is an irony that it was an act of toleration by Charles II that permitted Rhode Island to retain its religious freedom. Williams and Clarke perfectly understood the difference between “toleration” and “freedom.” Tolerance presupposes that someone has the pre-eminence to condescend to indulge others, whereas Clarke and Williams regarded freedom as a gift from God. Still, one should remember that what the king granted, he could revoke. Indeed, the history of Rhode Island’s charter for the next six decades saw many attempts to take it away. Should some doubt that a charter was revokable, they should recall that Plymouth disappeared as a separate colony, Massachusetts had its charter replaced, and had the Dominion of New England not been terminated, Rhode Island would have disappeared as well. Under the Dominion of New England (1686-1689), Rhode Island was reduced to a county in a much larger colony ruled by a royal governor.

The Charter explicitly named the two parts, “Rhode Island” [Aquidneck] and “Providence Plantations,” in order to make it clear that the pieces split apart by Coddington’s patent were one colony. It pointedly said that the Native Americans were part of this colony and were not be interfered with by any other colony. The Charter defined the boundaries and provided for nearly complete self-government, making Rhode Island the freest and most democratic place in the British Empire.

The idea of freedom of conscience was not invented by Roger Williams or John Clarke. That idea had been voiced by any number of individuals and groups in the previous century, especially the Anabaptists in Switzerland and Germany where they were severely persecuted by the established churches and governments. The first publications in English calling for freedom of conscience appeared in the first two decades of the 17th century, written by General Baptists who were being persecuted. Both Williams and Clarke were Baptist clergymen who founded the first two Baptist churches in the New World, right here in Rhode Island. Williams had certainly read the works of the General Baptists because he quoted them in his famous defence of religious liberty, The Bloody Tenent of Persecution for Cause of
Conscience (1644). John Clarke later wrote his own testament to religious freedom in Ill News from New-England (1652). One will find no difference in their concepts of religious freedom. Williams acquired the first charter providing for religious liberty in 1644, and Clarke obtained the second charter which re-affirmed what had been unique to Rhode Island for nearly two decades. Clarke’s charter of 1663 had the added distinction in that it was the first to get any monarch’s acceptance of the “lively experiment” being conducted in Rhode Island. It is noteworthy that the language of the Charter of 1663 with respect to freedom of conscience was later repeated in various forms in the charters of New Jersey (1664), the Carolinas (1665), and Pennsylvania (1680).

The Charter of 1663 explicitly exempted Rhode Islanders from having to conform “to the public exercise of religion, according to the liturgy, forms and ceremonies of the Church of England.” At that same time, in England, the Clarendon Code (1661-1665) firmly reestablished the Church of England and punished dissenters, barring them from holding public office, attending the universities, preaching, teaching, or attending dissenting services, and requiring strict conformity to the Book of Common Prayer. It has been reckoned that as a result of the Act of Uniformity (1662) some 2,000 ministers and 150 college dons lost their livings and compensation.

John Clarke died in 1676 and Williams in 1683, so neither of them was around when the Charter’s religious liberty provisions were violated later by denying citizenship rights to Roman Catholics in the 18th century. The concept of freedom of conscience of the General Baptists and Williams and Clarke encompassed freedom for all religions. In this respect they were way ahead of the great English champions of religious liberty: John Milton and John Locke. Milton and Locke placed Roman Catholics beyond the pale. Anti-Catholicism was patriotic in that time, and it would become patriotic in Rhode Island. Ironically, in the early 18th century, those struggling to defend the Charter of 1663 adopted anti-Catholic laws to save the Charter. By then, they were not defending its religious clauses but were trying to save the political and economic independence which the Charter promised. Perhaps this illustrates that it takes more than just words on parchment to make something real.

There is an additional irony in the arc of the history of the Charter of 1663. It established the freest colony in the British Empire, and it served Rhode Island so well that they would not change it when the Charter provisions became obsolete and regressive. From being the most democratic state in the Union in 1790, Rhode Island had become the least democratic by the 1830s, leading eventually to the Dorr Rebellion of 1842. Of course, that was not John Clarke’s failure. It was the failure of the post-Revolutionary generations.

Perhaps one lesson to take away from the history of the Charter is that one should not make an idol of anything. Williams and Clarke would be the first to say that man-made things are imperfect, and the later uses of the Charter of 1663 demonstrated how a good thing could become a bad thing by its misuse. Nevertheless, the message of religious freedom rings out from the Charter, and if all people respected the consciences of others, the world would be a much safer and peaceful place.

Laboratory for “The Lively Experiment”

Patrick T. Conley

Top Rhode Island’s present State House stands the Independent Man, a state symbol and its most famous piece of statuary. This heroic figure recalls the individualism, autonomy, democratic localism, self-reliance, and entrepreneurial leadership that characterized Rhode Island during its colonial, Revolutionary, and early national periods. The Man’s looming presence evokes the spirit of Rhode Island’s formative era when defiance in defense of liberty was a way of life.

Rhode Island’s most cherished right was a freedom Roger Williams described as “soul liberty.” That experiment in “soul liberty” began in January 1636, when the Puritan magistrates of Massachusetts Bay banished dissenting clergyman Roger Williams into the winter wilderness. An avowed Separatist from the Church of England, the Cambridge-educated Williams was ousted for attacking the cornerstones upon which the Puritans’ Bible commonwealth was built—the theology of the covenant and the use of civil magistrates to enforce that theology.

A vital area of disagreement between Williams and the builders of the Bay Colony was that Williams considered some religious doctrines propounded by the Puritans to be a prostitution of theology and a misinterpretation of the relationship between the Old Testament and the New. His alternative to the orthodox Puritan approach was a cause for his exile. This alternative was a major element in Williams’s notions of religious freedom and the separation of church and state, principles that found their expression, either directly or by implication, in Rhode Island’s basic law.

As a result of his efforts at Biblical interpretation, Williams concluded that the temporal power exercised over the religious sphere in the Old Testament was merely the archetype of spiritual power in the New, and, thus, whenever the modern state attempted to enforce conformity of religious belief, it was acting in an unjustifiable manner. That false assumption of power, asserted Williams, had led and would continue to lead to persecution and religious wars. Williams’s obsession with religious persecution and its baneful effects upon both spiritual and civil life occupies a prominent place in his thought and furnished the theme for one of his major works, *The Bloody Tenent of Persecution* (1644).

The fiery minister’s typological approach had liberty of conscience as its logical corollary, and it contributed substantially to Williams’s dogma of separation of church and state. It is important to note that the theologically-obsessed Williams sought this separation not to protect the state from the dominance of the church, but to free the church and the individual conscience from the interference and coercions of the state. Williams’s religious creed thus led him into the political sphere, where he was essentially a traditionalist who believed in stability and deference. As historian Edmund Morgan has observed: “So far as the political order was concerned, Williams had really only one revolutionary statement to make. He denied that the state had any responsibility for the only form of life which has absolute importance—the life of the soul.”

Indicative of how strongly Williams felt about state domination of the church, in one burst of vituperation the polemical theologian asserted that such a condition would render the church, “the garden and spouse of Christ, a filthy dunghill and whore-house of rotten and stinking whores and hypocrites.” Obviously Williams did not take the issue of separation lightly.

Among the conclusions that historians have drawn from Williams’s earthy and passionate theological writings, the following seem to be the most significant: (1) any attempt by the state to enforce religious orthodoxy “stinks in God’s nostrils” because it perverts God’s plan for the regeneration of souls, and it is productive of persecution and religious wars; (2) God has not favored any particular form of government, and it is therefore to be inferred that forms of government will vary according to the nature and disposition of the people governed; (3) political and, especially, religious diversity is inevitable; and (4) the human
conscience must be completely emancipated through the establishment of religious freedom and the separation of church and state.

Most recent historians of American religion and constitutionalism—including Mark DeWolfe Howe, Martin E. Marty, and Edwin S. Gaustad—as well as Williams scholars Glenn W. LaFantasie (editor of a recent edition of Williams’s unpublished letters) and John Barry—believe that Williams through his writings and his works, influenced the religion clauses of the First Amendment to the United States Constitution. These scholars assert that the Founding Fathers were well aware of the Rhode Island system of disestablishment and soul liberty, which was still intact under the same frame of government when the Bill of Rights was drafted and ratified; that the guarantees in Rhode Island’s famed charter of 1663 influenced similar grants of religious liberty in the proprietary charters of East Jersey, West Jersey, and Carolina issued shortly thereafter; and that Williams’s views on religion and the state were distilled and reiterated by Algernon Sidney and other English writers of the Whig libertarian tradition with whom our Founding Fathers were quite familiar.

Williams was also associated with an Anglo-American Baptist tradition of separationism and soul liberty, drawing his inspiration from that tradition and strengthening it with his writings and example. Throughout the colonial and founding eras, as historian William G. McLoughlin has shown, the tradition was maintained, refined, and modernized by the heroic determination of a coterie of lesser-known Baptist ministers and promulgated to the world of the Founding Fathers by the Reverend Isaac Backus (1724-1806), a prolific author and itinerant Baptist preacher who roamed the byways of southern New England spreading the gospel of separationism.

Perhaps Professor Martin Marty has said it best: the American church-state outlook has issued “chiefly from two parallel, often congenial, sometimes conflicting, and occasionally contradictory positions”—the Rhode Island dissenting tradition, with its Biblical base, initiated by Williams, and the eighteenth-century Virginia Enlightenment tradition, rooted in natural law and natural rights, expounded by Jefferson and Madison.

Despite Marty’s balancing act, however, Mark DeWolfe Howe has effectively carried the historical controversy into the realm of current legal and constitutional jurisprudence. Asserting that the U.S. Supreme Court, “in its role as historian, has erred in disregarding the theological roots of the American principle of separation,” he contends that “the predominant concern at the time when the First Amendment was adopted was not the Jeffersonian fear that if it were not enacted the federal government would aid religion . . . but rather the evangelical hope that private conscience and autonomous churches, working together and in freedom, would extend the role of the truth.” Citing Roger Williams’s letter to the Reverend John Cotton, wherein the Rhode Island exile coined the metaphor “hedge or wall of separation between the garden of the church and the wilderness of the world,” Howe maintains that “when the imagination of Roger Williams built the wall of separation, it was not because he was fearful that without such a barrier the arm of the church would extend its reach. It was, rather, the dread of the worldly corruptions which might consume the churches if sturdy fences against the wilderness were not maintained.

While one may endlessly debate the question of Williams’s impact on the First Amendment, his influence on Rhode Island’s basic law is indisputable. All of the state’s founding documents bear the indelible impress of his fundamental beliefs. The Providence town compact of 1637, that settlement’s first frame of government, gave political power to the original “householders” but contained the all-important proviso that such control was to be exercised “only in civil things.” A more detailed “plantation agreement” of 1640 reiterated this limitation; and the colonial patent that Williams obtained for the original towns in 1643/44 from the Long Parliament gave implicit sanction to the separation of church and state.

The culmination of this pioneering process, however, was Rhode Island’s royal charter of 1663, obtained from King Charles II by tenacious Newport Baptist John Clarke, an important, though underappreciated, religious leader whose
views closely paralleled those of Roger Williams. This document allowed the establishment of a self-governing colony wherein all local officials, from the governor and assemblymen to the viewers of fences and corders of wood, were either chosen directly in town meeting by the freemen or appointed on an annual basis by the elected representatives of the people.

The charter’s most liberal, generous, and unusual provision, however, bestowed upon the inhabitants of the tiny colony “full liberty in religious concernments.” The document, in words crafted by Clarke, commanded that “noe person within the sayd colonye, at any time hereafter, shall bee any wise molested, punished, disquieted, or called in question for any differences in opinion in matters of religion.”

This guarantee of religious liberty was a vindication of Williams’s beliefs and royal recognition of the fundamental principles upon which the Providence Plantation was founded—absolute freedom of conscience and complete separation of church and state. As Williams later observed, this liberality stemmed from the king’s willingness to “experiment” in order to ascertain “whether civil government could consist with such liberty of conscience.” This was the “lively experiment” upon which the government of Rhode Island was based.

Because such a free and open governmental system prevailed in seventeenth-century Rhode Island, the colony became a haven for Baptists, Separatists, Antinomian followers of Anne Hutchinson, Gortonians, Quakers, Sephardic Jews, and Huguenots. In 1702, disgruntled Puritan leader Cotton Mather wrote that Rhode Island was a motley collection of all sects except Roman Catholics and true Christians (i.e., Congregationalists).

But has Rhode Island continued to practice what its founder preached? To a great extent, it has: never has freedom of worship been impaired within Rhode Island’s borders. Such a record is truly commendable. And yet for over two centuries the spirit of Rhode Island’s famed guarantee was violated because both colony and state imposed various civil disabilities and discriminatory policies upon religious minorities, especially Roman Catholics. After Williams passed from the scene, Rhode Island too often exemplified the condition lamented by the eighteenth-century Irish satirist Jonathan Swift: “We have just enough religion to make us hate,” said Swift, “but not enough to make us love one another.”

Rhode Island’s religiously-inspired litany of civil wrongs began in 1719, when the General Assembly enacted a code of laws containing a statute denying freemanship—the right to vote and hold office—to Catholics and non-Christians.
Enacted during the frenzy over the possible return of the Catholic pretender James III to the English throne, this statute was reaffirmed by the General Assembly in the legal codifications of 1730, 1745, and 1767. (In 1756, when Catholic France was menacing the northern settlements during the French and Indian War, Rhode Island enacted a statute ordering an oath of allegiance and abjuration to be administered to suspicious persons and decreed that any who refused to subscribe be proceeded against as “popish recusants and have their goods confiscated.” Not until 1783, after the benevolent occupation of Rhode Island by Count Rochambeau and his French forces, was the arbitrary disqualification of Catholics removed.

The act that accomplished this, however, neglected to define the civil status of those professing the Jewish faith. The Rhode Island colony’s refusal to naturalize Jews was another blemish on the charter’s guarantee of religious equality. Although Jews enjoyed freedom of worship, none, however qualified or competent, was ever made a freeman of the colony. On the issue of naturalization, both the Superior Court and the General Assembly, in 1761 and 1762 respectively, rejected the citizenship petitions of wealthy Newport merchants Aaron Lopez and Isaac Elizer because they were non-Christians.

In August 1790, when George Washington visited Rhode Island following its ratification of the Constitution, he was greeted by many well-wishers, including the congregation of Newport’s Touro Synagogue. In a grateful response to his warm welcome from the Jewish community, the president later wrote the congregation a now-famous letter, paraphrasing the missive written to him by Moses Seixas, which prophesied that the new nation would provide the world with a model society where all people would enjoy liberty and the natural right to respect from their fellows. Washington also assured his Jewish audience that “happily the government of the United States, which gives to bigotry no sanction, to persecution no assistance, requires only that they who live under its protection should demean themselves as good citizens.” Happily also, Rhode Island’s legislature fulfilled Washington’s aspirations in 1798 by passing “An Act Relative to Religious Freedom and the Maintenance of Ministers,” which finally removed the civil disabilities imposed against Rhode Islanders of the Jewish faith.

At the same time that the religiously motivated violation of the charter’s spirit was corrected, defects in the substance of that document became evident. By the turn of the nineteenth century, Rhode Island had begun a transformation from an agrarian and commercial commonwealth to an industrialized and urbanized state. This economic change produced a shift in population to towns in the northeastern quadrant of Rhode Island, especially Providence. However, the charter had a fixed formula for apportionment of deputies (i.e. representatives) in the General Assembly that gave preference to the four original towns. Newport had six deputies while Providence, Portsmouth, and Warwick were allocated four. All towns created subsequent to 1663 had only two seats in the lower house of the all-powerful state legislature.

In the early decades of the nineteenth century several of these newer towns, especially those in the Blackstone Valley, expanded rapidly as a result of their industrialization and began to demand reapportionment. In 1840, Providence had nearly three times the population of Newport, and “old” Smithfield had more than five-and-one-half times the population of Portsmouth, but only one-half of that island town’s representation in the General Assembly. In effect, the powerful General Assembly was dominated by agrarian interests and/or static and declining towns.

In addition to its inflexible and increasingly unequal apportionment, the charter lacked procedures for its amendment. Therefore, reforms such as the removal of the statutory real estate requirement for voting and officeholding, a restriction insisted upon by the rural majority in the legislature, could only be achieved by replacing the charter with a more liberal and modern written state constitution.

A third shortcoming of the unamenable basic law was the absence of a bill of rights. Rhode Island
had enacted a statutory declaration in 1798 when it removed the impediment to full Jewish citizenship, but reformers demanded a more permanent guarantee of individual liberties.

Developments in the early decades of the nineteenth century revealed these evolving inadequacies of the royal charter. Rhode Islanders of the Revolutionary generation and their individualistic forebears had been ever-mindful that they enjoyed near-autonomy within the Empire and broad powers of self-government within their colony. They were also keenly aware that their self-determination flowed in large measure from the munificent charter of Charles II. Thus they harbored a passionate attachment for the document and defended it against all comers. They allowed it to weather the Revolutionary upheaval, and retained it as the basic law of the state until 1843—a point far beyond its useful life.

The liberality of the seventeenth-century charter prompted Rhode Islanders to preserve and enshrine, or should we say, embalm it, until the patent became in the eyes of Thomas Wilson Dorr and other political reformers of the nineteenth century a reactionary relic of a bygone age. The legislature’s steadfast opposition to meaningful change prompted Dorr and his associates to launch America’s most famous democratic revolution—the so-called Dorr Rebellion—to replace the charter with a written state constitution. This upheaval is the cruel irony and the great tragedy of Rhode Island’s constitutional history.

The constitution of 1843, the written basic law that replaced the royal charter after its 180 years of operation and displaced Dorr’s much more equal rights-oriented “People’s Constitution,” imposed a real estate requirement for voting and office holding upon naturalized citizens (i.e. Irish Catholic immigrants) while exempting the native born from this necessity. Therefore, despite the abandonment in 1798 of all religious qualifications under the charter regime, those who drafted the “Law and Order” constitution of 1843 imposed the requirement of native birth to discriminate against a religious group, much in the way that post-Civil War Southerners used grandfather clauses and literacy tests to circumvent the Fifteenth Amendment’s ban on racial discrimination.

Rhode Island’s nativistic real estate requirement was eliminated in 1888 by the Bourn Amendment, but only because it had ceased by then to be advantageous politically to the ruling Republican Party. It is sad that even in the land of Roger Williams and Dr. John Clarke, religious bigotry delayed the attainment by some Rhode Islanders of equal civil rights under our laws until late in the nineteenth century.

Image: This 1719 act outlines the rights of those “Men Professing Christianity” but with an important caveat: “Roman Catholicks only excepted.” An Act for Declaring the Rights and Privileges of His Majesty’s Subjects within this Colony, 1719, from Sidney S. Rider and Burnett Rider, The Charter and the Acts and Laws of his Majesties Colony of Rhode-Island and Providence-Plantations in America 1719 a Fac-simile Reprint with a Bibliographical and Historical Introduction, 1895, Providence, Rhode Island.
How is it that an idea as commonplace to us today as the separation of church and state can actually cause a creative and dynamic community to form? In point of fact, the colony of Rhode Island and Providence Plantations offers a compelling case for the existence of a pre-capitalist civil society. After the issuing of the Royal Charter of 1663, the language and liberties of the document helped to create an environment of free press, free speech, vocal and non-violent political disagreement, and non-government supported organizations providing charity (in the form of churches and then benevolent societies). By examining points of contact between people of diverse ethnic backgrounds operating in a post-Charter RI, we can see how the melding of disparate cultures created a unique and dynamic cultural landscape. This contact was nurtured by the financial freedoms afforded by the Charter—a form of cultural blowback, in a sense. The Charter was not a panacea. It could not eradicate all prejudice or exploitation. But it did advertise the colony’s commitment to experimentation and speculation. Those who found their way to, or themselves in, Rhode Island, benefitted by their proximity to new and “other” ideas, and they created their collective future informed by the experiences and worldviews of people from remarkably diverse and divergent backgrounds.

While Roger Williams lived in both the Massachusetts Bay and Plymouth Colonies, he supplemented his income by farming and trading with Native communities. Always fascinated by and adept with languages, Williams quickly took to learning the Algonquin-based languages spoken by the Wampanoag, Narragansett and Nipmuck men and women in the community. He was of the belief that learning their language and culture would be morally, culturally and physically beneficial to the new colonists. In 1643, having settled Providence in 1636, he published his first book, *A Key into the Language of America: A help to the Language of the Natives in that part of America called New England*. Not only was this the first dictionary of the native people of this region, it is an anthropological primer that explains their habitation, foodways, religion and social customs. This book served as an invaluable resource to travelers, settlers and traders into the twentieth century, as it continued to be the most complete book of its kind for more than 200 years. As Williams planted himself in Providence, and as other English settlers followed, it was with the express knowledge that difference in culture and religion would not merely be tolerated, but studied and respected, albeit with a seventeenth century lens.

Roger Williams continued to articulate his beliefs in print, most notably with the publication in 1644 of *The Bloody Tenent of Persecution*. Williams’s seminal work of the true meaning of religious tolerance and the need for the church to be protected from the sullying influence of the mundane world—and the protection of individuals from a state-imposed religion—was, indeed, part of a wider conversation in England that had been raging since the time of his birth. But what made Williams different was that he was not oppressed; he was in England at the time securing a patent for Rhode Island (although it was later contested). Williams was actively seeking and crafting a community based on these beliefs, and he was free to do so. He was not, as others were, seeking to shake off an oppressive boot. That had been removed and yet he did not seek the same powers for himself, as the colonists in Massachusetts had.

The English Parliament ordered all copies of *The Bloody Tenent* burned, but Williams continued to argue and agitate for the creation of a colony in which the liberty of conscience was a founding ideal. It took nearly twenty years and expert help of a truer diplomat, Dr. John Clarke, to translate Williams’s philosophy into a legal document that could shape the rest of the colony. The details of the Charter were shaped by both the contours of the English Civil War and the growing influence of Dr. John Clarke, the man who stayed in England for more than a decade to secure the charter for the colony.

According to one of the most renowned intellectual historians of the twentieth century, Edmund Morgan, “Liberty of conscience meant for Williams that no man should be prevented from worshipping as his
conscience directed him. It also meant that no man should be compelled to worship against his conscience or to contribute to the support of a worship his conscience disapproved.” Ensuring that Rhode Island and Providence Plantations became a place in which people from any background, religion, or nationality could make their own way, did not mean, that their faith, or lack thereof, would be celebrated nor that they would be free from the scorn of the deeply religious men like Williams. In civil matters, however, it put them on equal ground, something that many modern Americans take for granted, but which was a drastically different model of governance from other Puritan colonies and other countries of the time.

Williams’s separation of church and state meant that no person would be asked by the government to financially support, through tithing or otherwise, any church. McLoughlin writes, “While everyone respected the right of each individual to believe and worship as he or she chose (or not at all), the privatization of religion led to a new emphasis on economic self-interest as the motivating force in the colony…Once Rhode Islanders had rebuilt their towns [after King Philip’s War], they turned their wits and energy toward economic survival.”

In brief, Rhode Island was a place where anyone could ply a trade, be it as a cooper, merchant or minister, and do business with anyone else of different creed or color. Such was not the case in our neighboring colonies, where trading with those perceived as heathen was seen as a sin in the eyes of God and often illegal in the eyes of man. Rhode Island, therefore, was always a safe place where anyone could do business. It attracted men and women who had ideas and skills, but who may also have had unpopular customs or beliefs, and allowed them to flourish. Additionally, the fact that the colony did not impose religious tithes meant, as both Morgan and McLoughlin intimate, that individuals retained more of the money they made and could reinvest that in their business interests, thus continually increasing their capital. The choices some Rhode Islanders made in this environment of financial freedom lead to fast and ever-increasing wealth for the small colony, but it was not without great human costs, as evidenced by the colony’s unparalleled participation in the trans-Atlantic slave trade.

Through an examination of three points of diverse cultural contacts, I believe we can better understand how the freedoms delimited in the Royal Charter of 1663 created a dynamism that could be called truly representative of Rhode Island a century before it became seen simply as the American way.

*God’s Little Acre and the Art of Gravestone Carving*

There have been countless studies of the beautiful and haunting art of gravestones that is found throughout the New England landscape. We know that communities such as Cambridge, because of its intellectual and ecclesiastical links to England, advanced more quickly in its adaptation of new gravestone designs than did
larger yet more traditional settlement of Boston.\(^4\)

We know, too, that isolated communities often developed unique variations over time because of the lack of access to outside influences.\(^5\) In Rhode Island styles changed very quickly and offer little in the way of stylistic stability because of the truly cosmopolitan nature of Rhode Island, and especially Newport, in the eighteenth century.

Given the situation of Newport as a mercantile community built on the liberty of conscience, the town attracted people from all over the world, and it also housed men and women who were brought here against their wills as enslaved people of African descent. But the fact that European colonists forced their migration did not change the fact that it created opportunities for individuals to work and live side by side, learning from each other’s cultures and seeking ways to represent both themselves and the other. An example of this that is not known to exist anywhere else in the world, is in God’s Little Acre, the section of Newport’s Common Burying Ground that has a particularly high concentration of markers for people of African descent.

Within God’s Little Acre there are a handful of beautiful stones on which the carver represented the popular cherub motif. But, when looking more carefully at these cherubs, it is clear that the faces have African features. In all New England colonies there are examples of cherubs carved as portraits of the deceased, especially in outlying areas, but those in Newport are the only ones known to represent Africans. In this same graveyard we see an epitaph that reads:

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This Stone was
Cut by Pompe
Stevens in Mem-
ory of his brother
Cuffe Gibbs, who
Died Decr. 27th. 1768,
Aged 40 Years.
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What might not be immediately clear to the viewer is the race of the carver or carvers. In fact, Pompe Stevens and his brother Cuffe Gibbs were enslaved men in Newport, each owned by different masters with different surnames. Stevens was one of four enslaved men owned and trained by William Stevens, perhaps the most famous of the early stone carvers of Newport. It is clear from his carving that Pompe Stevens became a skilled artisan, but even more moving to the twenty-first century eye, is his break from tradition of the gravestone carver’s anonymity so that he can assert himself not only as an artist, but also as a man and a brother.

It is the other stones, those representing African physiognomy, that have attracted more scholarly and popular attention, and many people have assumed that Pompe Stevens also carved these. Harvard doctoral candidate Caitlin Galante-DeAngelis Hopkins, in her paper ‘This Stone Was Cut by Pompe Stevens’: Memorial Art and Public Memory in Newport, Rhode Island,” documents that there have been ongoing attempts to turn these intriguing gravestones into cultural survivals of African heritage, “The work signed by Pompe Stevens, which displays no overt evidence of an African aesthetic, has been drafted into an invented history that presents Stevens as a prolific stonecarver who used African motifs in his work and ‘embraced his African name, Zingo.’ Hopkins goes on to demonstrate that, unquestionably, Pompe and Zingo Stevens are two different men of African descent who both happen to be stonecarvers. While their timeline overlaps at certain points, the legal records of the time illustrate their individual existences. In this case, then, we see two men of African descent, who have been trained in the art of carving European, Protestant funerary markers, with no evidence of their own heritage visible to the historian’s eye. So who carved these African stones with care and attention taken to capture their likenesses? Hopkins states, “All can be positively or stylistically attributed to John Stevens III, a talented young carver whose flair for portraiture is evident in the stones he carved for both white and black Newporters....” and, “no scholar has attempted an investigation of John Stevens III’s relationship with his African-American clients, but the extraordinary objects he produced suggest a level of intimacy and
collaboration not evident in the older slaveowner-
commissioned gravestones.” Thus, just as black
Newporters developed a strong community with
leaders in the spiritual and materials worlds, so
at least one white Newport artisan recognized
the free and unfree men and women of color
as worthy of individual remembrance as they
faced eternity.

*Freedom of the Press*

In 1721, as a young man in Massachusetts,
James Franklin began publishing a controversial
newspaper called *The New-
England Courant*. In his
newspaper, Franklin and
the other contributors,
or “Couranteers” voiced
strong opinions about
politics, religion, free
speech, and even medicine—especially the controversial
question of the inoculation
against smallpox. Such
outspoken stances landed
James Franklin in jail
(removing his teenaged
brother Benjamin at the
helm) and eventually, in
1727, the Massachusetts’s
colonial government
suppressed James Franklin’s
newspaper for good.

So where is a young,
ambitious man committed
to free speech and
questioning the power of those in authority to
go? Rhode Island, of course. Thus, in 1727,
Franklin moved his family and press to Newport,
where he set up the colony’s first printing press.
In that first year in which Franklin ran his press
in the colony he issued just three imprints, one
of which was John Hammett’s *Vindication and
Relation*. This text illustrates the precise type of
work that Franklin sought to do, but which had
been silenced in Massachusetts. John Hammett’s
*Vindication and Relation* tells the story of a man
who left the Baptist Church to join with the Society
of Friends, or Quakers. This town, this colony,
was a place in which individuals committed to
free speech could make a successful living while
printing the words of a man who lived in a place
where he was free to seek a faith that spoke to his
conscience.

James Franklin did not have very long to share
his work with the world. He died in 1735, on
his thirty-eighth birthday, only seven years after
coming to Rhode Island. But his widow, Ann
Franklin, continued to operate the press and went
on to become the General Assembly’s official
printer, known as the Widow
Franklin. In this capacity, in
1744, she published the King
Charles II Charter making
the text available throughout
the colonies.

“To Bigotry no Sanction...”

By the time President
George Washington visited
the Touro Synagogue in
1790 and wrote those words,
“To Bigotry no sanction, to
persecution no assistance,”
the Jewish community in
Newport had flourished in
the city by the sea for over
a century. Most of the
Jews who came to Rhode
Island in this period were
of Spanish and Portuguese
descent and traveled
to Rhode Island from
colonies like Barbados and
Suriname. Their forebears, like those of the
Puritans who settled Massachusetts and Rhode
Island, first fled to the Netherlands and then to
the New World to escape religious persecution.
The islands of the West Indies offered very little
oversight and thus an opportunity to worship
without much interference. But Rhode Island
offered more. As a colony, solidified by the
Charter, it welcomed people of any background
and allowed them to create communities
and participate fully in the economic life of
the region.
The Jewish community of Newport prospered in Rhode Island, and by the middle of the nineteenth century members of the Congregation Yeshuat Israel realized that they needed a larger house in which to worship. Instead of looking within their community or drawing upon middle-eastern inspired designs, the congregation hired Peter Harrison, an English sea captain, merchant and self-taught architect, to build a classically-inspired synagogue. While he was designing and building this temple, he was also working on Christ Church in Cambridge. And, despite the fact that he was not steeped in Jewish traditions, he built an elegant and inspiring building for the Jewish men and women of Newport to house the oldest Jewish congregation in North America.

With the Synagogue in place, the permanence of the Jewish community in this most welcoming of colonies was cemented. And yet, despite the success of the Jewish population and its growth in other parts of the colonies and new states, it took until 1806 for the first Jewish calendar to be published in America. And it was published, of course, in Rhode Island. By a woman.

This spirit of entrepreneurial and intellectual experimentation afforded and encouraged by the Royal Charter of 1663 lasted well beyond the colonial period. It was this ethos that encouraged our Industrial Revolution. It might also be the ideology that allowed for the colony’s unmatched and painfully unabashed participation in the trans-Atlantic slave trade. It made us the state of immigrants within a nation of immigrants in 1900. And at its best, Rhode Island’s residents hoped it could serve as a model for other nations, as Jacob Rodriques de Rivera mused in 1783, “I am happy to find, my Countrymen the Spanish Nation begin to divest themselves from Bigotry, Ignorance, & Indolence, and adopt in their room Learning, Liberty & Liberality of Sentiments on Religious Matters. That System, with proper encouragements to Arts & Sciences, make no doubt, will in time Enable them to arrive at the state of perfection that will class them with all other Civilized and Enlightened Nations & Enrich that impoverished Nation....”

But the inspired and inspiring words of the Charter might also make it too easy to forget that while Williams championed individual interests, he also argued that laws and government were made to help and protect those who needed protecting. These were ideas and philosophies that shone brightly, but, as Williams would be the first to point out, could never have existed perfectly in the world, as they were executed by the very imperfect creatures that we humans are. This Charter, these laws, was an attempt to make us better and more than we are alone.

Notes
2 Edmund S. Morgan, Roger Williams: The Church and the State (New York: W. W. Norton & Company) 2006, 137.
5 Deetz 103.
6 Caitlin Galante-DeAngelis Hopkins, “‘This Stone Was Cut by Pompe Stevens’: Memorial Art and Public Memory in Newport, Rhode Island.” (Winterthur Emerging Scholars Symposium, Winterthur Museum: Wilmington, Delaware, April 2009) 1.
7 Hopkins 6.
8 Hopkins 9.
9 America’s first Jewish Lunar calendar was published by Ann Barber. Like Ann Franklin before her, Barber took up the publication of the Newport Mercury when her husband, publisher Henry Barber, died in 1800.
Rhode Island’s enduring contribution to the world remains the concept of religious freedom. It is a right cherished by peoples around the earth – enshrined in Franklin Roosevelt’s Four Freedoms and the Universal Declaration of Human Rights. Yet it remains a source of bitter division – imperfectly understood, indifferently protected by governments, and often flouted as human beings continue to make war on each other in the name of God. Rhode Island is far from perfect, as God knows only too well, but in many ways the world is still struggling to catch up to the freedom of conscience glimpsed in the Charter of 1663.

That document states the case with precision, offering “full liberty in religious concernments.” Throughout his lifetime, Roger Williams defended that principle, in his lengthy debate with John Cotton, his voluminous correspondence, and his other writings. As many scholars have noted, his call for a wall of separation between church and state was more pre-modern than modern. Unlike Thomas Jefferson, he did not so much want to keep the church away from government as he wanted to keep government away from the church. Like so many of his fellow Rhode Islanders, he wanted to worship without interference, with all the intensity he could bring to his incessant (but regrettably one-sided) conversation with the Creator.

For Williams, freedom of conscience was both a theory and an everyday reality, for the misfits who followed him to Rhode Island were nearly ungovernable in their variety of opinions, a fact often noted by Massachusetts critics. They were there by sufferance of Williams, who had early declared his Providence Plantations to be a place free of the normal punishments for nonconformity; but they likely would have found their way to Rhode Island in any event. Narragansett Bay has always been attractive to marginal sorts. In any event, the Charter sought by Williams and John Clarke confirmed what had been a reality for some time in 1663, but it was new in that it brought the imprimatur of the British empire and its newly-restored sovereign. One suspects that Charles II conferred his approval at least as much for the pleasure it gave him to annoy Puritan Massachusetts, as for his own personal reasons. That colony had many virtues, but toleration was not one of them. In 1681, a minister there wrote, “the business was not Toleration, but [they] were professed Enemies of it.”

Over time, the world began to move in Rhode Island’s direction. In the aftermath of the Restoration, the gentle winds of political tolerance continued to blow across the Atlantic, and other charters soon proclaimed similar freedoms. All of these examples are important, but Rhode Island was noteworthy because its freedoms were worked out democratically, not by a wealthy landowner imposing his views. In 1689, John Locke issued his famous Letter Concerning Toleration, which loosened strictures further. The steady immigration of Europeans from a wide variety of faiths deepened the appeal of toleration in the American colonies.

Furthermore, Americans were beginning to notice an important fact – that the absence of a formal religious establishment did not in any way diminish zeal, and may even have quickened it. Certainly, there was no shortage of religious excitement in the 18th century, and if the age was noteworthy for its great secular thinkers like Jefferson, religion did not wither in the slightest, especially in the valleys and hills to the west of the Atlantic seaboard. The Great Awakening of the 1740s confirmed that religion felt all the more visceral the further it went into the interior, escaping the pale orthodoxies of the east coast.

The American Revolution concentrated these energies, and gave an urgent political purpose to what had been only loose aspirations for freedom. The founding documents of the new United States of America left no doubt that freedom of religion was now an essential national right. The First Amendment to the Constitution states the case most plainly, but it was buttressed by a flurry of state constitutions and other supporting documents, including the great documents that Jefferson and Madison were writing in...
Virginia to disentangle state government from an Anglican establishment long accustomed to hold sway. Jefferson's much-contested election in 1800 was the culmination of a long and bitter political struggle that included, among other things, the demand for full religious freedom.

Not all of these matters were settled right away. There were several religious freedoms that were important to establish. The first, and simplest, was the right to worship God according to the dictates of one's conscience, and that was largely agreed upon, and validated by symbolic acts like George Washington's visit to Touro Synagogue in 1790. But there were other rights and protections sought (including full political participation for non-Protestants, and freedom from the obligation to pay taxes to support official churches) that took time to work out. It is worth pausing for a moment to note that the Baptists, who had originated with Williams in Rhode Island before spreading out to the South, were ardent defenders of the separation of church and state. These devout believers, in some ways the ancestors of today's religious right, felt exactly the opposite of their descendants, and wanted government as far removed from religion as possible (because they were perennially being taxed to support the more established denominations in the seaboard cities).

It was not until 1833 that Massachusetts officially ended its support of the Congregational church. In other words, one of our most conservative denominations flourished in opposition to the idea that the government should support religion, and one of our most liberal states was the last holdout for the idea that religion must be at the heart of government.

There were always people who felt threatened by the broad scope of religious freedom offered in the United States. Opposition was often rooted in the older sects, worried about losing their authority. But it could flare up in other places as well. Throughout the 19th century, there were many attempts to make the U.S. government more palpably “Christian.” In 1863, 200 years after the Charter, a group of pious denominations in Ohio, concerned at how badly the Civil War was going, launched a movement to add a Constitutional amendment proclaiming allegiance to God. Other struggles reached a fever pitch over religious instruction in public schools, and Sunday mail service, and diverse topics touching on the sensitive (and frequently shifting) boundary between church and state. These battles are still raging, in new forms. But efforts to make the government more Christian have largely failed before a public that admires religion, generally, but does not wish it to be imposed from above.

It is intriguing to wonder if the ideas of Roger Williams were still being read at the highest levels as they were being applied to the national experiment. Jefferson's library is intact, and it will come as a disappointment to Rhode Islanders to know that his enormous collection did not include anything by Williams. Although they each used the phrase “wall of separation” to describe the separation of church and state, recent scholarship suggests that Jefferson was borrowing the phrase from another source, the theologian Richard Hooker. However, there is a small glimmer of hope – Jefferson did possess a book (no longer extant) that was described in a catalogue as a large folio edition, containing “The Charter of Rhode Island, Connecticut, Pennsylvania, &c fol.” In other words, he did not read Williams, but he did read the Charter itself.

Eventually, the acorn of the Rhode Island idea grew into a mighty oak. As United States became a more powerful nation, and nurtured religious freedom at home, it increasingly defended the proposition that all people ought to be free to worship as they please. In 1816, as James Madison departed the presidency, his farewell address included “the equal interdict against encroachments and compacts between religion and state” as one of the core human rights. Tocqueville marveled at American religious freedom, and saw it as an essential adhesive holding together the entire experiment. Abraham Lincoln, who articulated so many core national truths, bravely asserted the doctrine that governments should never claim to be enacting God's will. This thought, included in his second inaugural address, was worked out on a single piece of paper, usually called “A Meditation on
Divine Providence,” that resides in the John Hay Library, not far from the original Roger Williams homestead.

With the 20th century, the United States entered into its new role as a world power, and after the carnage of World War One, which in some ways stemmed from old religious hatreds, Woodrow Wilson was given unusual license to reshape the way the world did business. Accordingly, he promoted religious freedom among the many unfamiliar rights he described to a world ready to try anything new, and he tried to enshrine it within the covenant of the League of Nations. He was thwarted in this effort, but as the menace of Nazism grew in the 1930s, bringing with it religious hatreds on a scale not seen in centuries, Franklin Roosevelt was ready to plant the flag for religious freedom as a universal right. This he did in magnificent style. On January 6, 1941, in his State of the Union address to Congress, he claimed that people “everywhere in the world” deserved four basic freedoms – Freedom of Speech, Freedom of Worship, Freedom from Want, and Freedom from Fear. Seven months later, in August 1941, he convened a secret meeting with Winston Churchill off Newfoundland, where they issued the Atlantic Charter, proclaiming the right of all peoples to lead their own lives, echoing the Four Freedoms. In so doing, he essentially defined the war aims of a conflict that he had not yet joined, and imposed upon Churchill (very much at war) a set of human rights aspirations that he had not articulated. Through these acts of grandeur (and perhaps some sleight-of-hand), the United States committed itself to the cause of defending religious freedom worldwide.

This it has continued to do, within reason. The Universal Declaration of Human Rights, issued in 1948, with the backing of the United States, provided a full definition of religious freedom as Article 18: “Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.” That document was drafted by a committee led by Eleanor Roosevelt, including Muslims, Jews, Hindus and Buddhists. The Rhode Island Idea was spreading very far indeed.

In the Cold War, these principles were often cited as a justification for American efforts to counter the “godless” Communism of the Soviet Union, sometimes with better results than others. In more recent years, the promotion of religious freedom has sometimes taken on a tinge of the political discord at home, but in general there is broad comfort with the idea that the United States should play a role speaking out on behalf of this core freedom. In 1998, Congress passed the International Religious Freedom Act, which asked the President to protect persecuted religious minorities abroad, through an office in the State Department. In reality, American leverage is often limited, but still, the
existence of this office shows how rooted the Rhode Island idea is, not only in our national character, but in the workings of our government itself.

Religious freedom continues to be more of an aspiration than a reality at times. Hate crimes continue to be committed for religious reasons in the United States, particularly against Muslims, and in many parts of the world, large-scale religious conflict is still endemic. In 2013, religious tensions are palpable in many parts of Asia, in the Balkans, and in large swaths of the Middle East, where acute tensions divide not only Jews and Muslims, but different kinds of Muslims. The State Department lists the following as “countries of concern” for religious freedom: Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan, and Uzbekistan. For all our progress, the list of religious conflicts remains depressingly long. Even where there is no apparent conflict, there can be deep resistance to genuine religious freedom – a recent study indicated of the world’s nearly 198 nations, nearly half have laws against blasphemy, apostasy, or defamation of official religion. Those laws can easily be interpreted to assert a single-minded approach to religious truth.

But despite these ongoing challenges, there is no doubt that the aspiration itself has itself taken hold of the world’s imagination. Billions now understand that the wall of separation does not disparage religion, or democracy, but instead protects each. Believers are free to practice the fullness of their faith without the deadening influence of official state disapproval, or even worse, approval. The ideals of the Charter have now flourished for 350 years and counting, and contrary to the solemn predictions of hellfire from Massachusetts, Rhode Island is still here, happily heterodox. There are members of nearly every denomination on earth worshipping within this small corner of the United States, and a bewildering variety of religious groups rushing to accept each other -- Christians practicing holistic Buddhist rituals, Jewish-Muslim faith healing dialogues, and everyone in between, from Scientologists to Christian Scientists. The church I attend is so relentlessly tolerant that it hosts a Wiccan group that occasionally gathers to discuss witchcraft. Even Williams might have drawn the line there. Or perhaps he would have done what he did so well, and simply averted his eyes from the foibles of his fellow Rhode Islanders.

Rhode Island’s boundaries, also fixed by the 1663 Charter, are not much to brag about. At least 100 counties in the United States are larger. But the idea of freedom of conscience turned out to be so expansive that it has permeated every border on earth. In the world’s greatest proclamations of human rights, and in much of its daily life as well, there is broad agreement that religious freedom is something we owe it to ourselves to work toward. That is a tremendous affirmation of the simple, world-changing idea that was put into daily practice along the shores of Narragansett Bay in the 17th century.

Image: In 1943 Norman Rockwell created a series of four oil paintings based on Roosevelt’s Four Freedoms speech - Norman Rockwell, Ours to Fight For, 1943, National Archives and Records Administration.