

CONSTRUCTING CONSCIENCE: FREEDOM AND
SELF- GOVERNANCE IN COLONIAL
NEW ENGLAND

by

KEELEY MALONE MCMURRAY

MICHAEL J. ALTMAN, COMMITTEE CHAIR
RUSSELL T. MCCUTCHEON
HEATHER M. KOPELSON
K. MERINDA SIMMONS

A THESIS

Submitted in partial fulfillment of the requirements
for the degree of Master of Arts
in the Department of Religious Studies
in the Graduate School of
The University of Alabama

TUSCALOOSA, ALABAMA

2020

Copyright Keeley Malone McMurray 2020
ALL RIGHTS RESERVED

ABSTRACT

American politics and law, like other liberal democracies, couches itself in the protection of the free individual, one who possesses both “beliefs” and the unalienable right to those “beliefs.” The “freedom of religion” guaranteed to U.S. citizens in the Establishment and Free Exercise clauses of the First Amendment prioritizes this supposedly private and transcendent realm of “sincerity,” “faith,” and “experience,” kept separate from the contextual and temporal world of society and politics. Historians of American religion, and scholars of religion more broadly, have long taken this “interiority” rhetoric to be self-evident, ignoring the prescriptive implications of positing such an interiority at all.

Rather than understanding these rhetorics of “interiority” as referencing a non-empirical and apolitical reality of autonomous “selfhood,” this paper will argue that the constitutional protection of the autonomous individual is constitutive of a particular type of political subjectivity, one that allows for those in power to manage dissent by authorizing some differences and marginalizing others. I will therefore interrogate the function of institutionalizing such an “interiority” in the first place, in order to understand *how* and *why* American society works the way that it does. Using three cases from seventeenth-century New England to better inform contemporary cases involving “conscientious objection,” I will argue that the privatized discourse of “religion,” and thus a discourse of the “self-governing individual,” functions as a tool of governance through the authorization, exclusion, and negotiation of unfalsifiable claims.

ACKNOWLEDGMENTS

I am eternally grateful to the Department of Religious Studies at the University of Alabama, where I received superior training, mentorship, and guidance from a brilliant and kind community of students and faculty. I can't imagine a better place to have begun my academic career and look forward to maintaining my relationship with the department as I continue to professionalize myself as a scholar of "religion." Special thanks to my advisor and committee chair Mike Altman, whose intelligence, patience, and excitement helped shape both my project and process. Thanks to Russell McCutcheon, who helped me out of Plato's Cave and continues to challenge me as both a scholar and a social actor. Thanks to Heather Kopelson, who helped anchor my theoretical interests in a rich and politically conscious interpretation of American history. Finally, thanks to the additional faculty members in the Department of Religious Studies who made my time at UA truly enlightening; I am indebted to Steven Ramey, Steve Jacobs, Nathan Loewen, Merinda Simmons, and Richard Newton for sharing their minds, attention, and encouragement.

Infinite gratitude to my weird and wonderful family, both inherited and chosen.

CONTENTS

ABSTRACT.....	ii
ACKNOWLEDGEMENTS.....	iii
Introduction.....	1
Conversion, Conscience, and the Antinomian Controversy.....	8
The Quaker Problem.....	15
The Native American Problem.....	19
Conclusion.....	24
References List.....	27

Introduction

This is the historical reality of this soul, which, unlike the soul represented by Christian theology, is not born in sin and subject to punishment, but is born rather out of methods of punishment, supervision, and constraint...The soul is the effect and instrument of a political anatomy; the soul is the prison of the body.¹

--Michel Foucault

In 1965, the Supreme Court heard three consolidated cases concerning conscientious objections to the Universal Military Training and Service Act of 1951, which allows the government to recruit citizens for compulsory military duties through a Selective Service System. One of these cases, *United States v. Seeger*, confronted exemption claims made by individuals who did not belong to an orthodox religious sect, forcing the Court to revisit the section of the act that legitimized objections by virtue of their “religious training and belief,” defined as “belief in an individual’s relation to a Supreme Being involving duties superior to those arising from any human relation, but [not including] essentially political, sociological, or philosophical views or a merely personal moral code.”² The three plaintiffs challenged the exclusivity of this definition as showing preference, against the Establishment Clause, to belief systems that recognize a Supreme Being, ruling out others that might not meet such qualifications. In response, the Court adjusted the boundaries of this definition, clarifying that

¹ Michel Foucault, *Discipline and Punish* (New York: Random House Inc, 1975), 29-30.

² *United States v. Seeger*, 380 U.S. 163 (1965).

“the test of belief within the meaning of the exemption is whether a given belief sincerely and meaningfully occupies a place in the life of its possessor parallel to that filled by the orthodox belief in God of one who clearly qualifies for the exemption.”³ This definition was put to the test in the 1995 case *US v. Meyers*, in which a lower court had to determine if members of the Church of Marijuana could *actually* possess authentic religious beliefs. “[Of course not!],” ruled the judges, providing a list of necessary ingredients for a belief to be treated as sincere or religious, and thereby set apart from others that are merely “personal, political, ideological, or secular”...or, in this case, those that are “medical, therapeutic, and social.”⁴

Just recently, in 2015, the Court’s selective treatment of “sincerely-held beliefs” was challenged again, this time by a conscientious objector who cited her membership in the Satanic Temple as justification for her refusal to comply with state law. Mary Doe sought an abortion in Missouri, whose law requires women to sustain a 72-hour waiting period before the procedure, supplemented by an ultrasound and mandatory reading materials claiming that life begins at conception. Upon her visit to Planned Parenthood, she presented a letter of religious exemption, citing her religious beliefs that “one’s body is inviolable, subject to one’s own will alone,” and that “beliefs should conform to our best scientific understanding of the world. We should take care never to distort scientific facts to fit our beliefs.”⁵ The Missouri Informed Consent Law of 2017 states that “the life of each human being begins at conception. Abortion will terminate the life of a separate, unique, living human being.”⁶ Doe claimed that this statement, inherently philosophical and religious, institutionalized a definition of the human being, which, she argued,

³ *U.S. v. Seeger*, (1965).

⁴ *United States v. Meyers*, 906 F. Supp. 1494 (D. Wyo. 1995).

⁵ *Doe v. Parson*, (2019).

⁶ *Doe v. Parson*, (2019); Missouri Informed Consent Law, 188.027, RSMo Supp. (2014).

violated the Establishment Clause by infringing upon a resolution that should be made “in the hearts and minds of individuals.”⁷ The state rejected her argument on the grounds that the Missouri Tenet was *not* religious or philosophical in nature, merely compatible with some religious and philosophical beliefs. In addition, her religious beliefs were *not* violated, as she was not *forced* to read the materials given to her. Judges expressed doubt that her beliefs were even *religious* at all, but rather political and social opinions meant to disrupt the status quo and “make a statement” on behalf of the Satanic Temple.⁸

I would wager that this language would not seem curious to the average American today, one who likely understands herself to be an autonomous individual, the possessor of thoughts and beliefs that, at some later point, become words and actions at her own will. American politics, like other liberal democracies, couches itself in the protection of this free individual, whose unalienable rights include, among others, the right to sincerely-held belief. But how does one measure *sincerity*? How does one offer or interpret evidence of interiority belonging to a supposedly private, transcendent realm of belief, faith, or experience? How might Supreme Court judges, and subsequently, the scholar, approach these unfalsifiable claims to a non-empirical reality? The contemporary cases I’ve briefly engaged above suggest that the protection of “sincerely-held beliefs”--or, more specifically, the legal permission necessary for “beliefs” to be acted upon as public actions--is a privilege awarded to some rather than a right belonging to all. Some scholars continue to take the “interiority” rhetoric institutionalized in American politics and law as self-evident, ignoring the prescriptive implications of positing such

⁷ *Doe v. Parson*, (2019).

⁸ *Doe v. Parson*, (2019).

an “interiority” at all. Perhaps, instead, this rhetoric can be studied more fruitfully as a tool of power, central to managing a society of governable “selves.”

The United States--self-proclaimed protector of religious freedom, safe haven for the individual--has deservedly attracted the attention of scholars pursuing questions of identity and interiority. American governance and society challenge the boundaries that individuals or groups might assume to exist between “religion” and “politics.” Many scholars have offered their own historical narratives to account for this American “exceptionalism,” documenting the liberation of the individual from the dogmatic hold of New England Puritanism. Nathan Hatch, for example, has famously argued for the democratization of American Christianity during the early republic, which empowered the common people and legitimized their authority in the public sphere.⁹ Similarly, Jon Butler has written about how the proliferation of religious expression eclipsed Puritan authoritarianism in favor of religious pluralism.¹⁰ Counternarratives, however, problematize this separation of religion and politics, demonstrating how “religious” behaviors, supposedly apolitical, are strategically functional in creating and reproducing a particular social order. Sarah Rivett’s *Science of the Soul* bridges the conceptual divide that conventionally exists between Puritan provincialism and Enlightenment rationalism, suggesting that these two discourses, though often juxtaposed, share an intellectual lineage and thereby structure the world in similar ways.¹¹ Moreover, Amanda Porterfield’s *Conceived in Doubt* rethinks the reified narrative of evangelical democratization, instead considering how evangelicalism exploited

⁹ Nathan Hatch, *The Democratization of American Christianity* (New Haven: Yale University Press, 1991).

¹⁰ John Butler, *Awash in a Sea of Faith* (Cambridge: Harvard University Press, 1990).

¹¹ Sarah Rivett, *The Science of the Soul in Colonial New England* (Chapel Hill: University of North Carolina Press, 2001).

doubt caused by partisan politics in the early republic.¹² Ultimately, the role of “interiority” in American politics and law, however conceived, is demonstrated to have been a valuable part of social management and identity formation throughout the history of the Union.

While historians of religion in America have argued over the role of “interiority” in American history, over the past few decades, scholars of religion more broadly have disagreed about how to approach the problem of “interiority” to begin with. This problem arises in several areas of inquiry, most notably those concerned with questions of modernity, subjecthood, identity, ethics, and experience. Several scholars within the intellectual lineage of William James or Rudolf Otto continue to take subjective experience and self-reports of that experience at face value, studying different cultural *manifestations* of a universal but ineffable essence that can be observed in some human behaviors.¹³ Mircea Eliade, to name but one example, was interested in how the *homo religiosus* experienced the sacred, an original order distorted by historical progress but accessible through religious myths and rituals.¹⁴ More recently, in this intellectual tradition, Robert Orsi has posited a theory of *presence*, complicating the boundaries between sacred and secular, studying how religious participants interact with a “really real” divinity that erupts into the world.¹⁵ On the other side of the ideological spectrum, scholars following the logic of Michel Foucault or members of the Frankfurt School of critical theory have taken a more social-constructionist, anti-realist approach to questions of subjecthood, using social and political theory to historicize and analyze the systems of power and ideology that constitute knowledge of

¹² Amanda Porterfield, *Conceived in Doubt: Religion and Politics in the New American Nation* (Chicago: University of Chicago Press, 2012).

¹³ William James, *The Varieties of Religious Experience* (London: Penguin Books, 1901, 1982). Rudolf Otto, *The Idea of the Holy* (London: Oxford University Press, 1917, 1923).

¹⁴ Mircea Eliade, *The Sacred and the Profane* (San Diego: Houghton, Mifflin, Harcourt, 1957).

¹⁵ Robert Orsi, *History and Presence* (Cambridge: Harvard University Press 2016).

the self.¹⁶ Within the study of religion, Bruce Lincoln has studied “religious interiority” as an authorizing discourse, while Jonathan Z. Smith has argued that this sort of language is used to organize social worlds and manage encounters with difference.¹⁷ Idealists, of course, accuse these scholars of “explaining away” belief or experience; what should be clear, then, is that subjectivity remains a hotly debated topic within the study of religion, not to mention the humanities at large.

The purpose of this paper is not to offer my own means of measuring sincerity or to theorize about the nature of such an interiority, but rather to problematize the assumptions that precede these inquiries and to consider the rhetorical effects of using this type of language. Rather than understanding “religion” and its orbiting discourses (“belief,” “conscience,” “experience,” etc.) to correspond with an autonomous reality, let us instead ask why such a way of speaking might be useful to *social actors*. For if we agree that “religion” is one of many historically contingent taxonomies, an idiosyncratic (but yes, successful) means of organizing social life, then we can analyze its rhetorical and thus social utility as a classification that makes a certain social world possible. Instead of taking for granted the binaries that constitute a modern understanding of the liberal nation-state, such as individual and group, private and public, or sacred and secular, I therefore want to interrogate the function of making such distinctions in the first place, in order to understand *how* and *why* American society works the way that it does. Ultimately, I will argue that the privatized discourse of “religion,” and thus a discourse of the

¹⁶ Foucault, *The Archaeology of Knowledge* (New York: Pantheon Books 1969). See also *Discipline and Punish*.

¹⁷ Bruce Lincoln, *Authority: Construction and Corrosion* (Chicago: University of Chicago Press, 1994). Jonathan Z. Smith, *Imagining Religion: From Babylon to Jonestown* (Chicago: University of Chicago Press, 1982).

“self-governing individual,” functions as a tool of governance through the authorization, exclusion, and negotiation of unfalsifiable claims.

In order to think through the operation of “interiority” rhetoric as a *feature* of American politics and law, this paper will engage three different cases from seventeenth-century New England, where colonists experimented with institutionalizing a “liberty of conscience,” on the one hand, and establishing a Protestant state, on the other. By understanding how rhetorics of “interiority” (i.e. “conversion,” “grace,” “conscience,” etc.) are regulated by authorities in our nation’s early history, I hope to better inform scholarly conversations surrounding the function of this language in contemporary politics, in and outside of the United States.

Conversion, Conscience, and the Antinomian Controversy

For my purposes, I will be contextualizing our modern understanding of the seemingly apolitical individual within a conceptual shift conceived and enforced by European social actors during the sixteenth and seventeenth centuries, a period marked by exploration and imperialism, the Protestant Reformation, and the emergence of Enlightenment ideas. A gradual process of privatization--a political strategy that classifies some behaviors as private, transcendent, authoritative and eternal, held in opposition to others that are public, contextual, contestable, and temporal--provided a mechanism with which Europeans could conceptualize and manage the differences they encountered in daily life, maintaining a sense of homogeneity and authority in a rapidly diversifying social world. Christopher Hill aptly demonstrates the utility of privatization in his essay "Toleration in Seventeenth-Century England," in which he reminds us that toleration was, first and foremost, a political practice, though it is often presented as a smooth intellectual process. "Toleration came not because men became wiser and nicer," Hill writes, but "because circumstances had changed. Toleration comes only when men become indifferent to the issues involved. If those issues were serious, then the virtue of toleration is the result of the vice of indifference."¹⁸ He goes on to list several socio-historical conditions that caused men and women to become indifferent to religious dissent, despite it once being treated as a life-or-death issue.

¹⁸ Christopher Hill, "Toleration in Seventeenth-Century England: Theory and Practice" in *The Politics of Toleration in Modern Life*, ed. Susan Mendus (Durham: Duke University Press, 2000), 37.

The expansion of trade, knowledge, and empire coupled with economic interest and the overwhelming presence of dissent drove the Church of England to separate from the English nation, creating a social world where dissenters were granted partial freedom, religious rather than political. Toleration, and subsequently, the concept of religious freedom, were practical inventions of this era, made to combat the perpetual violence and suffering brought about by the persecution of heretics. As Hill's essay concludes, "toleration proved a more effective way of controlling dissent."¹⁹

As the narrative goes, many of these dissenters eventually made their way over to America, bringing with them the blueprints for a new type of political subjectivity: the free individual that exists in both public and private worlds. The absence of a centralized government at that time meant that authority was delegated to New England's network of Protestant congregations, political laboratories that experimented with the social management of the moral and legal subject. As the Protestant theological lineage classifies humans as totally depraved but capable of redemption through divine grace, as anchored in the myth of "the Fall," developing a necessary mechanism of control compatible with a "liberty of conscience" became a central conundrum in seventeenth-century New England. The language of "conversion" framed debates concerning the degree of responsibility that Christians owed God, on the one hand, and the law, on the other. The Puritan goal was to create a society of "visible saints," where personal, interiorized experiences of divine intervention liberated the individual by subordinating them to biblical, and thus ecclesiastical, authority. John Winthrop, English Puritan lawyer and governor of the Massachusetts Bay Colony, led the first large group of colonists from England in 1630.

¹⁹ Hill, "Toleration in Seventeenth-Century England," 42.

Aboard the *Arbella*, he articulated his vision for a Christian commonwealth in “A Modell of Christian Charity,” a well-known oration that glorified the colonial endeavor as fulfilling a covenant with God to create a holy community, “...a company...of Christ...knit together by the bond of love...”²⁰ Emphatically attesting to the exceptionalism of this new world order, he famously concludes:

For we must consider that we shall be as a city upon a hill. The eyes of all people are upon us. So that if we shall deal falsely with our God in this work we have undertaken, and so cause Him to withdraw His present help from us, we shall be made a story and a by-word through the world. We shall open the mouths of enemies to speak evil of the ways of God, and all professors for God's sake. We shall shame the faces of many of God's worthy servants, and cause their prayers to be turned into curses upon us till we be consumed out of the good land whither we are going...if our hearts shall turn away, so that we will not obey, but shall be seduced, and worship other Gods, our pleasure and profits, and serve them; it is propounded unto us this day, we shall surely perish out of the good land whither we pass over this vast sea to possess it...Therefore let us choose life, that we and our seed may live, by obeying His voice and cleaving to Him, for He is our life and our prosperity.²¹

Always made to doubt their own sinful nature, hypocrisy was considered a lurking obstacle to establishing this proverbial “city upon a hill,” as individuals could easily fabricate or misinterpret the experience of conversion meant to transform them into trusted members of society. To remedy this concern, ministers and church elders developed a system of “faith-testing,” in which individuals were to offer evidence of their conversion through verbal testimony. While the experience of grace was judged in part by its originality to the individual, testimonies had to be legible in order to be considered legitimate. Conversion sermons demonstrated the *correct* way of interpreting and intuiting religious experience, offering

²⁰ John Winthrop, “A Modell of Christian Charity 1630,” scanned August 1996, Collections of the Massachusetts Historical Society, <https://history.hanover.edu/texts/winthmod.html>.

²¹ Winthrop, “A Modell of Christian Charity 1630.”

exemplary models of receiving grace that potential converts could use as a template. According to the writings and records of Puritan ministers and church elders such as Thomas Shepard, Thomas Hooker, John Fiske, and Jonathan Mitchell, the path to conversion was more complicated than an immediate reception of transformative grace. Rather, the melancholic recognition of one's own depravity was to be met with the concrete influences of biblical knowledge, self-scrutiny, and good works, ongoing actions that would condition one's soul for the divine renovation of reason and will, such that one's passions and judgements would henceforth embrace only the *good*.²² Faith, in other words, was a complex prerequisite for salvation. Thus, the status of "visible sainthood" was just as much a social endeavor as a spiritual one: acceptance in the Puritan community meant publicly proving the *sincerity* of one's religiosity.

From roughly 1636 to 1638, the model of Puritan provincialism regulated by the policing of conversion testimonies was disrupted by a group of Independents who claimed fundamental theological differences regarding the nature of faith, grace, and the degree of responsibility a converted individual owed society. While orthodox Puritan ministers preached that an individual seeking redemption through Christ could only do so through the active social practice of faith, as detailed above, others, such as minister John Cotton, preached that faith was a *consequence* of grace rather than a prerequisite. Grace was freely given by God to the elect, rather than in

²² Thomas Shepard, *The Sincere Convert: Discovering the Small Number of True Beleevers, and the Great Difficulty of Saving Conversion*, 1641, accessed February 2020, Evans Early American Imprint Collection, <https://quod.lib.umich.edu/cgi/t/text/text-idx?c=evans;idno=N00054.0001.001>. See also Thomas Hooker, *The Soul's Preparation for Christ: Or, A Treatise of Contrition* (Ames: International Outreach, Inc, 1632).

exchange for rigorous self-scrutiny and good works.²³ This period of theological disagreement among Protestants in the Massachusetts Bay Colony came to be known as the Antinomian Controversy, named to reflect the fear of lawlessness that these differences brought to the Christian commonwealth. Several letters were exchanged and treatises written regarding the “dangers” of these theological differences, but those written by minister Peter Bulkeley of Concord best demonstrate the central issue of Antinomianism in New England:

But here a further question is made by some, what manner of condition faith is; It’s granted (will some say) that faith is a condition, but it is a condition only consequent to our Justification, and so to our being in Covenant with God; but its no antecedent condition; wee are (as they conceive) in a state of Grace and salvation before faith, and then faith comes and believes that Justification and salvation which was before given...In opposition whereunto, I lay down this conclusion...That we are not actually justified, nor in a state of grace and salvation, before faith...Its not a condition only consequent, but antecedent, to our actual justification, and being in state of grace before God.²⁴

Though several of Cotton’s fellow ministers rejected his sermons as antithetical to the society of “visible saints” foreshadowed aboard the *Arbella*, he developed a substantial following that became a significant obstacle to establishing the homogeneity imagined for a “city upon a hill.” The most prolific of these dissenters was Anne Hutchinson, who quickly became the face of the Antinomian Controversy by criticizing the Puritan practice of “faith-testing,” among other doctrines she saw as restrictive and unnecessary. According to Hutchinson and other antinomians, the inward experience of conversion brought one into communion with the divine, absolving the individual of responsibility to society or the law; the converted subject acted in

²³ John Cotton preached this content in several sermons, but also detailed these themes in a treatise titled *Sixteene Questions of Serious and Necessary Consequence*, circulated throughout New England and published in London in 1644. See Cotton, “Sixteene Questions of Serious and Necessary Consequence” in *The Antinomian Controversy 1636-1638: A Documentary History*, David Hall, ed., (Middleton: Wesleyan University Press, 1968), 43-60.

²⁴ Bulkeley, “The Gospel-Covenant; or The Covenant of Grace Opened,” 1646, in *The Antinomian Controversy*, Hall, ed., (Middleton: Wesleyan University Press, 1968), 34-35.

accordance with God. The interior experience of grace was immediate and intimate, and did not have to be authorized by ministers or church elders--nor could it be. The moment of conversion, Hutchinson argued, was ineffable and unintelligible to any and all third parties.²⁵ Leading extra-congregational meetings to communicate her interpretation of Protestant theology, Hutchinson's charisma and popularity recruited many followers. As a result, she was put on trial in Massachusetts in 1637, "as one of those that [had] troubled the peace of the commonwealth and the churches here..."²⁶ Governor Winthrop condemned her actions as being "greatly prejudicial to the state," opening the trial with a lengthy description of her offenses:

...you are known to be a woman that hath had a great share in the promoting and divulging of those opinions that are causes of this trouble...you have maintained a meeting and an assembly in your house that hath been condemned by the general assembly as a thing not tolerable nor comely in the sight of God nor fitting for your sex...besides the occasion that it is to seduce many honest persons that are called to those meetings and your opinions being known to be different from the word of God may seduce many simple souls that resort unto you...we see not that any should have authority to set up any other exercises besides what authority hath already set up..."²⁷

Anne Hutchinson was charged with sedition and banished from the colony with several of her supporters.

Perhaps the original conscientious objector, Anne Hutchinson's use of "divine interiority" to authorize herself was rejected by the political leaders who used the same language of "divine interiority" to authorize themselves. But, or so it was argued against her, Hutchinson had acted on her own conscience rather than biblical or ecclesiastical authority, rendering her

²⁵ John Winthrop documents the "erroneous" and "heretical" teachings of Hutchinson in *A Short Story of the Rise, reign, and ruine of the Antinomians, Familists & Libertines*, a collection of documents drawn up by the 1637 Synod of Elders in New England, first published in print in 1644. See Hall, ed., 1968, 199-311.

²⁶ Hall, ed., 1968, 312.

²⁷ Hall, ed., 1968, 312-316.

intentions illegible and thus suspect, especially as a woman speaking out against the male-dominated social order. The exchange recorded between Governor Winthrop and Hutchinson illustrates what I would label a double standard, revealing a fundamental concern for power, order, and conformity:

Mrs. Hutchinson. I am called here to answer before you but I hear no things laid to my charge.

Gov. I have told you some already and more I can tell you.

Mrs. H. Name one Sir.

Gov. Have I not named some already?

Mrs. H. What have I said or done?

Gov. Why for your doings, this you did harbour and countenance those that are parties in this faction that you have heard of.

Mrs. H. That's a matter of conscience, Sir.

Gov. Your conscience you must keep or it must be kept for you.²⁸

Since the Protestant ministers and church elders possessed the power of defining and policing the exercise of “conscience” and “individual freedom,” they could use the same rhetoric but to condemn the actions of the so-called antinomians, preventing what Perry Miller has called an “anarchy of spirit.”²⁹

²⁸ Hall, ed., 1968, 312.

²⁹ Perry Miller, *The New England Mind: The Seventeenth Century* (Cambridge: Harvard University Press, 1939), 289.

The Quaker Problem

A cacophony of voices in seventeenth-century New England attempted to authorize themselves by making unfalsifiable claims to “religious interiority,” threatening the Puritan utopia that those in power sought to enforce. The expansion of New England society complicated the vision for a homogenous Christian commonwealth managed by ecclesiastical authorities, composed only of cross-examined “saints” who practiced rigorous self-scrutiny and doctrinaire intolerance. A growing number of Independents in New England prompted ministers and church elders to publicly reinforce this provincialism by granting all “Familists, Antinomians, Anabaptists, and other Enthusiasts” the “free Liberty to keep away from us...”³⁰ Among this group of so-called heretics were the Quakers, who began emigrating from England in the 1650s and significantly disrupted the reign of Puritan authoritarianism.³¹ Like Anne Hutchinson and her supporters, Quakers espoused an egalitarian and personalized interpretation of Protestant theology that was similarly discredited as encouraging the same declension and antinomianism used to justify Hutchinson’s banishment. Even Roger Williams, who conscientiously objected to membership in the New England congregations, accused the Quakers of practicing an “arrogance” and “perfectionism” that threatened to overturn civil government. Indeed, the Quakers persistently challenged the Puritan status quo by interrupting church services, banging

³⁰ Nathaniel Ward, *The Simple Cobler of Aggawam in America*, 1647, accessed February 2020, Historic Ipswich Database.

³¹ Founded in England by George Fox during/after the English Civil War (1642-1651), the Quakers, also called Friends, were nonconformist Christians whose teachings emphasized “inner light” and the direct experience of Christ. Quakers Mary Fisher and Ann Austin were the first to begin preaching in Boston in 1656. See Thomas D. Hamm, ed., *Quaker Writings: An Anthology 1650-1920* (London: Penguin Books, 2010).

pots and pans together, and roaming naked through the streets--assertions of a divine authority that, once experienced, absolved one of all responsibility to social etiquette.³² In May of 1658, the General Court of Massachusetts ordered that no person was to be allowed in any town whose churches, council of state, or general court disapproved, lest they be greeted by an array of corporal punishments. Quakers that dared to return to New England once banished faced execution.³³

The precautions taken by Puritan magistrates did not stop Quaker zealots from entering Massachusetts and disrupting the status quo. In fact, many of these individuals interpreted the banishment to be a challenge to their faith, returning willingly as “martyrs” despite the punishments they knew awaited them. In June of 1659, Quakers William Robinson and Marmaduke Stevenson traveled to Massachusetts to protest the law, along with Mary Dyer, a former supporter of Anne Hutchinson who converted to Quakerism after hearing the ministry of George Fox in England. The three were arrested and banished, but returned to Massachusetts in the fall, only to be sentenced to execution by Governor Endecott.³⁴ In October of 1659, the rebels were led to the gallows at the Boston Neck, where Robinson and Stevenson were hanged before a crowd of Puritans. Ascending the ladder willingly, both men used their last words to compare their suffering to that of Christ’s, “not as evil-doers, but for conscience sake.”³⁵ Mary Dyer was

³² Roger Williams founded the colony of Rhode Island; he was a lax Puritan who advocated for the separation of church and state, friendly relations with Native Americans, and liberty of conscience. He passionately defends the liberty of conscience in *The Bloody Tenent of Persecution for Cause of Conscience*, (1644, accessed February 2020, Early English Books Online); but condemns the heresy of Quakerism in *George Fox Digged out of his Burrowes*, (1676, accessed February 2020, Online Library of Liberty).

³³ Hamm, *Quaker Writings*.

³⁴ John Endecott was the longest serving Puritan governor of the Massachusetts Bay Colony, in office from 1629-1630, 1644-1645, 1649-1650, 1651-1654, and 1655-1664.

³⁵ Joseph Besse, *A Collection of the Sufferings of the People Called Quakers*, (London, 1753), 151, HathiTrust Digital Library.

granted reprieve moments before her turn at the gallows, on the condition that her husband take her back to Rhode Island. She left Boston reluctantly, but returned in June of 1660 to be hanged in solidarity, her final act in defiance of “that wicked law against God’s people.”³⁶ Quaker William Leddra of Barbados was subsequently executed in March of 1661, the last of the rebellious foursome who sympathizers came to designate as the “Boston martyrs.”³⁷

Rather ironically, October 27 has been institutionalized as International Religious Freedom Day in memoriam of the Boston martyrs, even though the political practice of toleration in seventeenth-century New England was anything but a smooth transition to peace and acceptance, as Christopher Hill has demonstrated elsewhere.³⁸ The execution of Mary Dyer aligned, chronologically, with the Restoration of the Stuart monarchy in England, and King Charles II was made well aware of the hardening Puritan authoritarianism in the Massachusetts Bay Colony. Charles II was concerned with reasserting English rule over Massachusetts’ independence, which involved nourishing an Anglican presence in colonial society; also a Catholic sympathizer, he began to enforce the practice of toleration in New England, broadly conceived. The arrival of the “King’s Missive” in 1661 began this political process, forbidding the persecution of Quakers and foreshadowing the revocation of the Massachusetts charter in 1684.³⁹ In 1689, the Toleration Act passed by Parliament secured freedom for dissenters in New England, as long as they rejected Roman Catholicism. It took the imposition of foreign power to puncture the orthodox Puritan regime, forced to turn their attention away from Quaker insurrection and towards securing independence from British rule.

³⁶ Besse, *A Collection of the Sufferings*, 154.

³⁷ Hamm, *Quaker Writings*.

³⁸ Hill, “Toleration in Seventeenth-Century England.”

³⁹ Henry J. Cadbury, “The King’s Missive,” *Quaker History* 63, no. 2, (1974): 117-23.

The popularized myth that settlers colonized New England in the name of “religious freedom” fails to capture the complex and violent processes of Protestant state formation, obscuring the political function of “interiority” rhetoric in the management of difference and dissent. Conventionally, an apolitical “liberty of conscience” has been presented as the backbone of “American exceptionalism,” but a closer study of the conception, implementation, and demise of Puritan authoritarianism offers insight into the strategic use of “religion” as a rhetorical tool of governance and authority in American society. Quaker persecution and the case of the Boston martyrs in the seventeenth century demonstrate the use of “religious interiority” as an authorizing discourse, but more importantly reveal how the gatekeepers of this discourse police and regulate its use by those whose testimonies and actions are deemed unorthodox and thus unwelcome. Though Quakers attempted to authorize themselves by using the same rhetoric as their Puritan opponents--unfalsifiable claims to divine grace brought about by the interior experience of conversion--the rebellious *actions* of the Quakers and their failure to conform to Puritan social norms made them dangerous to a New England society of “visible saints.” Until the political practice of toleration was enforced by the English Parliament, Puritan rhetorics of “interiority” were used to define and distinguish a *particular* group of individuals who maintained a utopian and isolationist vision for the “city upon a hill.”

The Native American Problem

By historicizing the rhetorics of “religious freedom” and “interiority” that constitute a modern understanding of the free individual in American politics and law and, more broadly, the liberal nation-state, I hope to argue that even the notion of *self*-governance is necessarily constructed and regulated by a particular type of historically-contingent authoritarianism. Different social groups use different taxonomies to organize their worlds in different ways; the naturalization or universalization of one classificatory system over another can only be analyzed, responsibly, in terms of power, force, and ideology. Therefore, the final case from seventeenth-century New England I’d like to engage is the conversion of Native Americans by Puritan missionaries, an explicit example of how a privatized discourse of “religion” was used as both a socio-rhetorical tool of governance and authority and means of managing--and fabricating--difference. By the 1650s, the progress of British colonization in New England made encounters with its Indigenous inhabitants more frequent, and the incorporation of Natives as governable but inferior members of society was necessary for the establishment and reproduction of a Protestant state.

In 1652, Puritan missionaries John Eliot and Thomas Mayhew published *Tears of Repentance*, the recorded testimonies of ten Native proselytes who gathered in Natick, Massachusetts to verbally share their experiences of conversion.⁴⁰ After Charles I was beheaded in 1649 and Oliver Cromwell took power, the Society for the Propagation of the Gospel in

⁴⁰ John Eliot, *Tears of Repentance*, (London, 1652), Kindle Books.

Foreign Parts (SPG) was established by Parliament to encourage this missionary work in order to reassert the centrality of Protestantism to the British empire.⁴¹ Though the confession of faith was a practice that belonged exclusively to the Puritan elect, missionaries such as Eliot, Mayhew, and John Rogers posited that the successful conversion of Indians in North America would demonstrate how the dissemination of the gospel among those considered “heathens” and “Devil worshippers” would offer proof of an impending millennium, justifying the Puritan mission and reasserting the “exceptionalism” of the New England Way. Writing to Cromwell back in England, Eliot describes his mission to the “poor Indians”:

When the Lord first brought me to these poor Indians on the Vinyard, they were mighty zealous and earnest in the Worship of False gods, and Devils; their False gods were many, both of things in Heaven, Earth, and Sea...Since it hath pleased God to send his Word to these poor captivated men (bondslaves to sin and Satan) he hath through mercy brought two hundred eighty three Indians (not counting yong children in the number) to renounce their false gods, Devils, and Pawwaws, and publickly in set meetings, before many witnesses, have they disclaimed the Divinity of their formerly adored multitude...⁴²

Moreover, the spiritual study of Indians would engineer their existence into a Protestant teleology that would allow missionaries to make sense of (read: fabricate) their cultural differences, and justify European dominion over Native lives and lands.

Not only did John Eliot preach to Native Americans in their Algonquian tongue, but he made them give conversion testimonies in Algonquian, as well. Further, Eliot translated

⁴¹ “American Material in the Archives of the USPG,” (1635-1812), accessed February 2020, British Online Archives. The trial and beheading of Charles I, along with the exile of Charles II, was the culmination of the English Civil War (1642-1651) between Royalists and Parliamentarians. The English monarchy was replaced with the Commonwealth of England (1649-1653) before Oliver Cromwell took power and established the Protectorate (1653-1658).

⁴² Eliot, *Tears of Repentance*, 5-6.

Christian texts into Algonquian with the help of his printer, Marmaduke Johnson, and his native translator, James the Printer.⁴³ These texts were used as pedagogical tools in missionary schools, where young Massachusetts Indians were instructed and taught to read Algonquian, transformed into a written language by missionaries. Indigenous language, once redeemed by the imposition of Protestant eschatology, was understood to communicate an ancient and sacred essence characteristic of a “universal” and “perfect” language that existed before the dispersion of Babel. Between 1643 and 1671, Eliot published eleven pamphlets, known as the “Eliot tracts,” documenting his attempts to extract Native American testimonies that best captured the appropriate evidence of grace that would produce a new spiritual knowledge compatible with the natural world. Still, Eliot’s tracts reflect his frustration with the testimonies of these “Praying Indians,” whose conversion narratives aligned more with the Anglo-congregational model of testimony than the “anomalous” form of grace he hoped to document. Since Natives were not understood by their colonial observers to have history or politics, they were incorporated into Protestant theology and constructed as “primitive” examples of “pure” grace. In *Science of the Soul*, Sarah Rivett cites Michel de Certeau’s theory of “ethnographic authorization,” in which “the discourse about the other is a means of constructing a discourse authorized by the other.”⁴⁴ Summarizing his argument and applying it to *Tears of Repentance*, she argues,

⁴³ The Society for the Propagation of the Gospel in New England sent Marmaduke Johnson to Boston in 1660 at the request of Eliot for a translator. James the Printer was a Native American from the Nipmuc tribe who studied and worked as a printer in Cambridge. For a more substantive study of the Harvard Indian College Scholars and James the Printer’s obscured contributions to the origins of American literature, see Lisa Brooks, *Our Beloved Kin* (New Haven: Yale University Press, 2018), 72-107.

⁴⁴ Michel de Certeau, *Heterologies: Discourse on the Other* (Minneapolis: Minnesota University Press, 1986), 68.

Ethnographic authorization affirms that empirical evidence of divine grace upon a non-English soul has been properly seen, observed, recorded, and ultimately reinscribed within the symbolic order of seventeenth-century natural philosophy and divinity.⁴⁵

Indeed, the authorization of unfalsifiable claims to Native “interiority” brought the Indigenous peoples of New England into the Protestant episteme, rendering their actions legible and thus governable. However, studying--or rather, constructing--their “anomalous” receptions of grace within the context of natural philosophy was accomplished through the application of a racialized logic that corresponded with “an effort to catalog the soul alongside curiosities and natural taxonomies,” an imperial endeavor at the heart of England’s Scientific Revolution.⁴⁶ In fact, the Eliot tracts span the formative decades of this Scientific Revolution, and Eliot maintained a relationship with Robert Boyle, a founding member of the Royal Society and governor of the New England Company’s mission to the Indians in 1661.⁴⁷ Their correspondence, along with the intellectual and structural overlap of the New England Company and the Royal Society, shows how Indian testimony contributed to a eurocentric model of classifying humans, meant to justify the supremacy of white Protestantism as the pinnacle of “civilization.”

“...The combined theological frame of North American natives as more deeply fallen sons of Adam and an emergent natural philosophical proclivity toward taxonomizing humans,”

⁴⁵ Sarah Rivett, *The Science of the Soul in Colonial New England*, (Chapel Hill: University of North Carolina Press, 2001), 143.

⁴⁶ Rivett, *The Science of the Soul*, 129.

⁴⁷ The Royal Society was granted a royal charter by King Charles II in 1660, a group of physicians and natural philosophers influenced by the works of Francis Bacon, considered the father of empiricism and the mind behind the scientific method. Robert Boyle, a contemporary of John Eliot’s, is considered a both a founder of modern chemistry and prominent Anglican theologian.

Rivett writes, “permitted Eliot to assign a racialized logic to the Indian soul.”⁴⁸ I would amend Rivett’s statement by suggesting, rather, that this racialized logic *constructed* the Indian soul, insofar as the concept is *imposed* upon Massachusetts Indians by Puritan missionaries. Despite Eliot’s insistence on the preservation of Algonquian language in Indian conversion testimonies, the content of those testimonies comes from the language-world of English Puritans, transmitted to Indigenous students through a written version of “their own native tongue,” invented primarily by the Puritan missionaries responsible for their education. Just as the rhetorics of “interiority” associated with “faith” and “conversion” functioned as tools through which Puritan authoritarianism could operate within New England society, the imposition of these concepts onto Native Americans allowed Puritan authoritarianism--and, more broadly, European authoritarianism, the power to govern indigenous societies, as well.

⁴⁸ Rivett, *The Science of the Soul*, 130.

Conclusion

Puritan converts subject to “faith-testing,” Anne Hutchinson, and the Boston martyrs all attempted to authorize themselves by making unfalsifiable claims to non-empirical beliefs and experiences, exercising their individual liberties within the boundaries of their respective institution. However, not all of these claims were treated equally; rather, they were authorized, excluded, or negotiated on a case-by-case basis, each weighed by authorities against the functioning systems already imposed by those in power. The unfalsifiable claims espoused by Puritan hopefuls in conversion testimonies were authorized only if they resembled the template put forth by ministers, while Hutchinson’s claims were excluded because they failed to do so.⁴⁹ The Quakers exercised their “interiority” in a manner disruptive to the Puritan social order, so consistently that their persecution and execution seemed a formidable solution, until the entry of British rule forced the political practice of toleration in New England. The conversion of Native Americans, however, concerned the *imposition* of unfalsifiable claims, as conceived by Puritan missionaries, authorized only to place indigenous peoples into a social order where they would become subordinate to European imperialism.

⁴⁹ A longer study of Hutchinson’s trial would certainly engage the role of “gender” in her condemnation, a suppressed issue that comes out in her treatment at the trial, and the immortalization of her insurrection as central to the Antinomian Controversy. For a substantive study of this topic, see Amy Schrager Lang, *Prophetic Woman: Anne Hutchinson and the Problem of Dissent in the Literature of New England* (Berkeley: University of California Press, 1987).

Though American politics has seemingly left behind the Puritan authoritarianism that policed the expression of individual belief in the seventeenth century, it seems that the threat of “spiritual anarchy” still hangs in the contemporary courtroom, regulated now by judges who get to decide what counts as “religious belief” that’s worthy of protection and then which of those “beliefs” can become public actions. Just as the Puritans practiced centuries ago in New England, contemporary American law employs its own model of “faith-testing,” judging the legitimacy of “sincerely-held beliefs” within court cases challenging the Establishment and Free Exercise clauses of the First Amendment. Consider, again, *US v. Seeger* (1965), in which the measurement of sincerity is left to “local boards and courts,” who are to decide “whether the objector’s beliefs are sincerely held, and whether they are, in his own scheme of things, religious...”⁵⁰

Not only do the judges adhere to a prototype with which to measure belief, comparing all claims to “the orthodox belief in God of one who clearly qualifies for the exemption,” but inquiries are also made into the social behavior of the individual in question. Seeger was granted exemption from the Selective Service System in part because of his affiliation with Quaker groups and educational dedication to ethical philosophies. It was argued that his interior belief *shaped* the way he oriented himself to society, in a way that was familiar enough to the status quo to justify legal recognition of--and indifference to--his conscientious objection. Seeger’s claims to sincerely-held belief were negotiated, insofar as they were familiar enough to a “religious” prototype despite being slightly unorthodox. Mary Doe’s claims made in the

⁵⁰ *U.S. v. Seeger*, (1965).

Missouri abortion case, on the other hand, were excluded, ruled to be “political and social” rather than “religious.”⁵¹

I would argue that these cases, from different periods in the nation’s past, demonstrate not the protection of “religious” or “individual freedom,” but, rather, the authorization of some differences and the marginalization of others to an non-empirical realm of private “interiority”--exercising what J.Z. Smith has called an “economy of signification.”⁵² What I see is a sleight of hand; while many have come to accept this “interiority” as essential, apolitical, and universal, it is annexed, defined, and policed by those in power--a clever way of managing difference and dissent and assuring the reproduction of a homogenous social formation. For, as Christopher Hill brilliantly concludes in his essay, “the breakdown of one type of authoritarianism tends to lead to the temporary victory of another authoritarianism. Only when both sides have exhausted themselves can the possibility of *neither* winning outright be grasped, and the small voice of reason make itself heard.”⁵³ Rhetorics of “interiority,” for some, may offer glimpse into an unseen world of Truth that must be discovered and protected. However, problematizing this privileged rhetoric as a mechanism of social management can lead to productive, self-reflexive, and responsible conversations about how and why societies work the way they do, creating room for different ways of thinking about social organization, political subjectivity, and even the category of “humanity” itself.

⁵¹ *Doe v. Parson*, (2019).

⁵² Jonathan Z. Smith, “The Bare Facts of Ritual,” *History of Religions* 20, no. ½ (November 1980): 116-117.

⁵³ Hill, “The Politics of Toleration in Seventeenth-Century England), 42.

References List

- “American Material in the Archives of the USPG, 1635-1812,” 1812 1635. British Online Archives.
<https://microform.digital/boa/collections/11/america-in-records-from-colonial-missionaries-1635-1928>.
- Beetem, Jon Edward. *Doe v. Parson* (Supreme Court of Missouri February 13, 2019).
- Besse, Joseph. “A Collection of the Sufferings of the People Called Quakers,” 1753, Hathitrust Digital Library,
<https://babel.hathitrust.org/cgi/pt?id=uc2.ark:/13960/t7fr05209&view=1up&seq=5>.
- Brooks, Lisa. *Our Beloved Kin: A New History of King Philip’s War*. New Haven: Yale University Press, 2018.
- Bulkeley, Peter. “The Gospel-Covenant; or The Covenant of Grace Opened.” In *The Antinomian Controversy 1636-1638: A Documentary History*, by David Hall, 34–35. Middletown, CT: Wesleyan University Press, 1646.
- Butler, John. *Awash in a Sea of Faith*. Cambridge: Harvard University Press, 1990.
- Cadbury, Henry J. “The King’s Missive.” *Quaker History* 63, no. 2 (1974): 117–23.
- Certeau, Michel de. *Heterologies: Discourse on the Other*. Translated by Brian Massumi. Minneapolis, MN: University of Minnesota Press, 1986.
- Clark, Tom C. *United States v. Seeger* (Warren Court March 8, 1965).
- Cotton, John. “Sixteene Questions of Serious and Necessary Consequence.” In *The Antinomian Controversy 1636-1638: A Documentary History*, by David Hall, 43–59. Middletown, CT: Wesleyan University Press, 1636.
- Eliade, Mircea. *The Sacred and the Profane: The Nature of Religion*. San Diego, CA: Houghton Mifflin Harcourt, 1957.

- Eliot, John. *Tears of Repentance: Or, A Further Narrative of the Progress of the Gospel Amongst the Indians in New-England*. London: Kindle Books, 1663.
- Foucault, Michel. *Discipline and Punish: The Birth of the Prison*. Translated by Alan Sheridan. Random House, Inc., 1975.
- . *The Archaeology of Knowledge and the Discourse on Language*. Translated by A.M. Sheridan Smith. New York: Pantheon Books, 1969.
- Fox, George. *The Journal of George Fox*. Edited by Nigel Smith. London: Penguin Books, 1624.
- Hall, David D. *The Antinomian Controversy, 1636-1638: A Documented History*. Middletown, CT: Wesleyan University Press, 1968.
- Hamm, Thomas D., ed. *Quaker Writings: An Anthology 1650-1920*. London: Penguin Books, 2010.
- Hatch, Nathan O. *The Democratization of American Christianity*. New Haven, CT: Yale University Press, 1991.
- Hill, Christopher. "Toleration in Seventeenth-Century England: Theory and Practice." In *The Politics of Toleration in Modern Life*, edited by Susan Mendus, 27–43. Duke University Press, 2000.
- Hooker, Thomas. *The Soul's Preparation for Christ: Or, A Treatise of Contrition*, 1632.
- James, William. *The Varieties of Religious Experience*. Edited by Martin E. Marty. Penguin Group, Penguin Books, 1901.
- Lang, Amy Schrager. *Prophetic Woman: Anne Hutchinson and the Problem of Dissent in the Literature of New England*. University of California Press, 1987.
- Lincoln, Bruce. *Authority: Construction and Corrosion*. Chicago, IL: University of Chicago Press, 1994.
- Miller, Perry. *The New England Mind: From Colony to Province*. Vol. 2. 2 vols. Harvard University Press, 1953.

- . *The New England Mind: The Seventeenth Century*. Vol. 1. 2 vols. Harvard University Press, 1953.
- Orsi, Robert A. *History and Presence*. Cambridge, MA: Harvard University Press, 2016.
- Otto, Rudolf. *The Idea of the Holy: An Inquiry into the Non-Rational Factor in the Idea of the Divine and Its Relation to the Rational*. Translated by John W. Harvey. London: Oxford University Press, 1917.
- Porterfield, Amanda. *Conceived in Doubt: Religion and Politics in the New American Nation*. Chicago, IL: University of Chicago Press, 2012.
- Rivett, Sarah. *The Science of the Soul in Colonial New England*. Chapel Hill, NC: University of North Carolina Press, 2001.
- Shepard, Thomas. “The Sincere Convert: Discovering the Small Number of True Beleevers, and the Great Difficulty of Saving Conversion,” 1641. Evans Early American Imprint Collection.
<https://quod.lib.umich.edu/cgi/t/text/text-idx?c=evans;idno=N00054.0001.001>.
- Smith, Jonathan Z. *Imagining Religion: From Babylon to Jonestown*. Chicago, IL: University of Chicago Press, 1982.
- . “The Bare Facts of Ritual.” *History of Religions* 20, no. 1/2 (November 1980): 112–27.
- Ward, Nathaniel. “The Simple Cobbler of Aggawam in America,” 1647. Historic Ipswich.
<https://historicipswich.org/2016/09/06/nathaniel-ward-the-simple-cobbler-of-agawam-in-america/>.
- Williams, Roger. “George Fox Digged out of His Burrowes,” 1676. Early English Books Online. George Fox Digged out of his Burrowes.
- . “The Bloody Tenent of Persecution for Cause of Conscience,” 1644. Online Library of Liberty.
<https://oll.libertyfund.org/pages/1644-williams-bloody-tenet-of-persecution-letter>.
- Winthrop, John. “A Modell of Christian Charity,” 1630. The Collections of the MA Historical

Society. <https://history.hanover.edu/texts/winthmod.html>.

———. “A Short Story of the Rise, Reign, and Ruine of the Antinomians, Familists & Libertines.” In *The Antinomian Controversy 1636-1638: A Documentary History*, by David Hall, 199–310. Middletown, CT: Wesleyan University Press, 1644.