

**University of Oxford  
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***The Impact of Religious Freedom on Public Morality***

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**I am grateful for this opportunity to speak at this prestigious and venerable institution. I first visited Oxford late in 1960 when I was a missionary for The Church of Jesus Christ of Latter-day Saints. I had a friend who was a student at Christ Church. I was incredibly impressed then and remain so today.**

**I express appreciation to Dr. Nicolas Cole (MA, MPhil, DPhil Oxford), senior research fellow at Pembroke College and director of the Quill Project, who extended this invitation. It is remarkable to me and important for society that the Quill Project is focused on constitutions across the world, including the Constitution of the United States of America, and the freedoms established in these foundational documents.**

**In this regard I am particularly concerned that religious freedom and religious conscience are protected, and that public**

**morality based on religious beliefs can be advocated in the public square.**

**We live in an age where significant portions of our moral heritage are not only not appreciated, but in many cases, misunderstood or even dismissed, almost with disdain. Accordingly, some of the protections contained in various constitutions which emanate from historical moral values have been eroded or undermined.**

**My purpose today is to review the progression of basic principles that have established religious liberty as part of essential or inalienable rights—the fundamental right of each individual to live according to his or her faith and beliefs. And, as a corollary, to protect the religious institutions that provide the essential framework for the promulgation of faith and belief and moral principles in the public square.**

**These concerns have been important to me for a long period of time. They have crystalized, for me, in recent years when I spoke at the University of Notre Dame Sydney School of Law, Australia, and**

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**at a Stanford University convocation ceremony, where I completed my Doctor of Jurisprudence in 1966.**

**Lord Jonathan Sacks, the former chief rabbi of the United Hebrew Congregations of the British Commonwealth, articulated the concern I have about the diminished role of faith, moral values, and religion in the modern era. He states:**

**If there is one thing the great institutions of the modern world do not do, it is to provide meaning. Science tells us how but not why. Technology gives us power but cannot guide us as to how to use that power. The market gives us choices but leaves us uninstructed as to how to make those choices. The liberal democratic state gives us freedom to live as we choose but refuses, on principle, to guide us as to how to choose.**

**“...The result is that the 21<sup>st</sup> century has left us with a maximum of choice and a minimum of meaning.”<sup>1</sup> (Close quote)**

**This articulates in a beautiful fashion the essence of my message. I am deeply concerned that faith, accountability to God, and the religious impulse are so often seen as antithetical to serious academic pursuits. I am equally concerned that the foundations which have historically supported faith, accountability to God, and the religious impulse are increasingly being marginalized in a secular world and derided and even banished from the public square. One humanities department dean has pointed out that in a single generation, “the books we loved became fodder for deconstructionist theory and politicization while the writing . . . grew ugly.” She argues for “a curriculum of serious reading that conforms to what Matthew Arnold called ‘the best which has been thought and said in the world.’”<sup>2</sup>**

**David Brooks, in an essay in the *New York Times* titled “The Big University,” articulates some of these same issues. He noted that, “Many American universities were founded as religious institutions, explicitly designed to cultivate their students’ spiritual and moral natures. But over the course of the 20th century they became officially or effectively secular.” He then suggested several options that seem**

**to me to be a good starting point for remedying the situation. His first suggestion was to *reveal moral options*. He emphasized four moral traditions that have blessed civilization: the Greek tradition, the Jewish tradition, the Christian tradition, and the scientific tradition.<sup>3</sup> He believes these traditions should be taught as options for people to find meaning in their individual lives.**

**I believe some institutions have abandoned the basic moral high ground that gives meaning to this life and has guided civilizations for centuries. Both Lord Sacks and David Brooks were saying this in different ways. It is the heart of the message I am conveying this evening.**

### **JEWISH TRADITION**

**The Jewish tradition is rich in meaning for every aspect of life. For my purpose tonight I emphasize just one interesting account of the Prophet Nathan admonishing King David.<sup>4</sup>**

**... Nathan said to David, "... So says the Lord the God of Israel: 'I anointed you as king over Israel, and I delivered you from the hand of Saul. And I gave you the house of**

**your master and your master’s wives in your midst, and I gave you the house of Israel and of Judah; and if that were too little, then would I add unto you like them. . . Why have you despised the word of the Lord, to do what is evil in His eyes? You have smitten Uriah the Hittite with the sword, and you have taken his wife for yourself as a wife, and you have slain him with the sword of the children of Ammon.”<sup>5</sup> [End quote]**

**Nathan, in a modern sense, not only criticized David but also made it clear that David was not above the Lord’s law. Nathan did so without apparent direct consequence or harm.**

**In a time when political leaders had the privilege of doing whatever they wanted to do, Nathan challenged King David in a way that would have been unthinkable in other ancient Near Eastern civilizations.**

## **CHRISTIAN TRADITION**

**For the Christian tradition and its influence on Anglo-American religious freedom and public morality, I start with Magna Carta.**

**Four years ago, we celebrated the 800th anniversary of the promulgation of Magna Carta, which began in June 1215. Magna Carta is profound in terms of its influence on the laws of historical British Commonwealth countries as well as the American Constitution.<sup>6</sup>**

**In 1215 a group of barons sometimes described as “rebels” and sometimes as being “heroic” opposed King John’s attempt to levy taxes to recover Normandy territory which the French had seized in 1204.<sup>7</sup>**

**The crucial meetings were held at Runnymede, which has been described as an “ancient assembly site.”<sup>8</sup> I first visited the commemoration site in June 1962 while I was a young missionary for The Church of Jesus Christ of Latter-day Saints, and the location and Magna Carta itself made a significant impression on me. It was one of the reasons I decided to pursue law as a profession.**

**Magna Carta contained clauses limiting the king’s right to exact revenues that impacted the barons, but the clauses relating to**

**religious liberty and how justice was dispensed have given Magna Carta its enduring fame.**

**Clause 1 is remarkable for our purposes here today. It declares: “First, we have granted to God and by this our present Charter have confirmed on behalf of us and our heirs forever, that the English Church is to be free and is to have her rights in full and her liberties unharmed. We have also granted to all the freemen of our kingdom, on behalf of us and our heirs forever, all the underwritten liberties to be held by them and by their heirs from us and from our heirs.”<sup>9</sup>**

**With that beginning, Magna Carta served as an important precursor to the broad protections of religious freedom that came to fruition centuries later in liberal democracies descending from the British Empire. It helped establish as early as 1215 that deference should be afforded to churches in the governance of their internal religious affairs. Today, the spirit of Magna Carta lives on in individual liberties and religious freedoms Great Britain secures to churches, religious organizations, and individuals. Magna Carta’s requirement that proceedings and prosecutions be according to “the**

**law of the land” was a forerunner of “due process of law” and ultimately the adoption by Parliament of the English Bill of Rights in 1689.**

**The barons were wise enough to know that King John was unlikely to abide by the provisions set forth in the charter. Thus, they included in Clause 61 a provision which established “the committee of Twenty-Five” to help ensure that the king would honor the charter.**

**This evolved to the point where by 1230 whenever a representative assembly convened, it was called a “Parliament.”**

**In addition to Magna Carta, both Great Britain and the United States are the beneficiaries of the concepts and principles established by English common law. In approximately 1600, Sir Edward Coke produced the consolidation of the English law in written form. His work was to law what Shakespeare’s was to literature.**

**Coke seized upon Magna Carta as “the embodiment of good laws.” Coke “interpreted Magna Carta as a confirmation of the principle of the individual liberty existing in England from very early times. While other statutes could be legally repealed, Magna Carta**

**was irrevocable, because it was seen as preserving original liberties granted to the English people against the power of kings.”<sup>10</sup>**

**In continental Europe, the Emperor Justinian’s Corpus Juris Civilis was a written body of law for jurists and professors. In contrast, Coke’s common law was based on precedent. It was principle-based reasoning from individual situations, adapted to changing circumstances. This increase in rights, one by one, set the stage for the major assertions contained in the Declaration of Independence by the colonies that became the United States.**

**That Declaration of Independence contains the seminal words “all men are created equal, that they are endowed by their Creator with certain unalienable Rights.”<sup>11</sup> The acknowledgment of God, the Creator of the Universe, as the ultimate giver of essential rights is proclaimed in a magnificent fashion and clearly reflects the cherished beliefs of many people. The concept that “all men are created equal” has made significant strides, but as I will recount, there is much yet to be accomplished.**

**The recognition that individual rights are part of the design of a loving Creator is part of the theology of my faith and many other faiths. It is not government which has the disposition and power to grant these protections and rights—they are derived from our Creator.**

**Freedom of religion and freedom of speech are both the heart and the foundation of a representative democracy. Freedom to believe in private and to exercise belief and speech in the public square are essential to protecting unalienable rights. Natural law or even a belief that we are accountable to God is not in fashion in much of the legal world today.**

### **IMMIGRATION TO NEW ENGLAND**

**The major migration from England to New England occurred between 1629 and 1640. Whig historians have termed this period the “Eleven Years’ Tyranny.” During this period, Charles the First ruled England without a Parliament. Archbishop William Laud was charged with purging the Anglican Church of its so-called Puritan members.<sup>12</sup>**

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**Primarily for reasons of religious conscience and discrimination, it is estimated that 80,000 people left England in this 11-year period. Of those, approximately 21,000 migrated to New England.<sup>13</sup>**

**Among these 21,000 immigrants were ancestors of both of my parents' genealogical lines. My mother's Kimball ancestor arrived in what is now Cambridge, Massachusetts, in 1634. My father's Cook ancestor arrived in what is now Salem, Massachusetts in 1638. As recorded in my great-great-grandfather Heber C. Kimball's biography, speaking of Charles the First, it reads, "He attempted to force his subjects to worship by Episcopal rule. He was so vigilant that in all the kingdom every corner was subjected to the most minute inspection and every band of Puritans or Separatists was broken up, and even private home worship did not escape the vigilance of the spies. This naturally led the oppressed people to look for a new home elsewhere, a place where they could worship God according to the dictates of their own consciences."<sup>14</sup>**

**This sentiment was true not only for my ancestors, but historians report that: “When most of the [21,000] emigrants explained their motives for coming to the New World, religion was mentioned not merely as their leading purpose. It was their only purpose.”<sup>15</sup>**

**The migration dramatically ended in 1640 with the Civil War in England.**

**It is estimated that these 21,000 emigrants in 1640 without additional immigration had grown to 1 million at the end of the American Revolution and 16 million by 1988. “Along the way they founded the future cities of Buffalo, Cleveland, Chicago, St. Paul, Denver, Seattle, San Francisco, and Salt Lake City.”<sup>16</sup>**

**In the American colonies, the practice of religious beliefs had been a principal reason for the original settlements in New England, Pennsylvania, and Maryland (a Catholic settlement). “More material was printed in mid-18th century America about religion than about political science, history, and law combined.”<sup>17</sup> On the eve of the**

**Revolutionary War, religious pamphlets “topped secular pamphlets from all thirteen colonies by four to one.”<sup>18</sup>**

**A farmer who had fought at Concord Bridge, where the original shots were fired in the American Revolution, “declared, that he had never heard of Locke or Sydney, his reading having been limited to the Bible, the Catechism, Watt’s Psalms and Hymns, and the Almanac.”<sup>19</sup> It was these principles that he was defending.**

**Interestingly, the term “free exercise of religion” first appeared in a 1648 legal document in America when a new Protestant governor and counselors in Maryland promised not to disturb Christians, with particular emphasis on Roman Catholics, in the free exercise of their religion. This represented the first attempt in the Colonies of Protestants and Catholics living together under circumstances of equality.<sup>20</sup>**

**Both Catholics and The Church of Jesus Christ of Latter-day Saints were persecuted in early American history even after the founding of the new nation. In an International Church-State Symposium in 1998, the then United States Senator from Oregon,**

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**Gordon Smith, gave two examples. He pointed out that the Know-Nothings were organized to resist the (quote) “policy of the Church of Rome and other foreign influence against the institution of [the United States] by placing in all offices . . . nothing but native born Protestant citizens.”<sup>21</sup> Senator Smith continues, (quote) “The Mormons were anti-slavery in Missouri; . . . [they were] forced to leave Missouri under attack from serious mob violence and an ‘extermination order’ from the governor of the state”<sup>22</sup> (end of quote). Joseph Smith, the founding prophet of The Church of Jesus Christ of Latter-day Saints, was subsequently murdered by a mob in 1844, and Church members fled westward across the Great Plains. Both Catholics and Latter-day Saints thrive in the United States today.<sup>23</sup>**

**Notwithstanding these aberrations that resulted in persecution, most of the founding fathers in the United States were committed to religious freedom. [James] Madison clearly favored religious pluralism. He stated, “In a free government the security for . . . religious rights . . . consists . . . in the multiplicity of sects.”<sup>24</sup>**

## **RELIGIOUS CONSCIENCE AND PUBLIC MORALITY IN BRITAIN**

**I will now turn to the significance that religious conscience and an emphasis on public morality played in England and Great Britain in the period before and after the American Revolution. My personal hero for this period is William Wilberforce. He was born on August 24, 1759 and died on July 29, 1833. No one accomplished more to abolish slavery.<sup>25</sup>**

**Wilberforce was a major part of a group of devoutly religious Christian Evangelicals who considered themselves ambassadors for God. They were determined to be examples of godliness, holiness, and compassion. “Above all, the Evangelicals felt an overpowering sense of accountability, and a responsibility to God, for their actions.”<sup>26</sup> Wilberforce was educated at St. John’s College Cambridge. He became a member of the British Parliament and was a close friend of William Pitt, the Younger, who would later become prime minister. He was a voracious reader<sup>27</sup> and an avid lover of nature. He saw flowers as “the smiles of the deity.”**

**Wilberforce, Charles and John Wesley, Hannah Moore, and other Evangelicals were instrumental in transforming a society from “drunkenness, gambling, dueling, the unfairness of the penal system, every form of immorality and the lack of observation of the Sabbath.”<sup>28</sup>**

**It needs to be recognized that during this same period in the United States, universities in the South, including the College of William & Mary, and what would become the University of Virginia, also had significant problems with gambling, dueling, drunkenness, and physical and sexual abuse of slaves.<sup>29</sup>**

**Coming back to Britain, William Wilberforce will forever be remembered for being the principal force for the abolition of slavery. He proposed bill after bill in Parliament and spent his life to put a stop to “the most execrable and inhuman traffic that ever disgraced the Christian world.”<sup>30</sup> After nearly 50 years of [his] promoting measures that would one day lead to the emancipation of slaves, the goal was accomplished in Great Britain the week before he died, July 29, 1833.**

**According to biographer William Hague, Wilberforce’s great fear was “that religion and morality would go out of the window with political and social stability as indeed happened in France.” Highly educated himself and a champion of education, “Wilberforce continued to believe that the real revolution that was required was in morals and education.” Accordingly, Wilberforce never supported “reform that was antithetical to religion.”<sup>31</sup>**

**Wilberforce “stands out as a beacon of light, which the passing of two centuries has scarcely dimmed.”<sup>32</sup>**

**THE BEGINNINGS OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS IN GREAT BRITAIN**

**On a personal level, my great-great-grandfather, Heber C. Kimball, in 1837 was the first missionary called from The Church of Jesus Christ of Latter-day Saints to serve in Britain. This was four years after Wilberforce’s death. The Church itself had been organized in 1830.**

**Heber C. Kimball and the missionaries who accompanied him<sup>33</sup> found that Britain respected religious freedom and had a multiplicity**

**of religions despite the legally favored status of the Church of England. There was, of course, much opposition and discrimination, but very little from the government itself.**

**The missionaries also found that the moral reforms that I have just discussed had resulted in many moral and righteous people who were committed to following the teachings of Jesus Christ.**

**The missionaries had considerable success. It is estimated that between 1837 and 1841, approximately 7,500 to 8,000 people became members of the Church.<sup>34</sup> This represented a significant percentage of the young and growing Church. The first baptism in England occurred on July 30, 1837 in the River Ribble in Preston, England. It was witnessed by over 7,000 people on the banks of the river. An “open air” baptism was considered “somewhat novel” because “it was the first time baptism by immersion was administered openly during this time period, in England.”<sup>35</sup>**

**RELIGIOUS CONSCIENCE AND PUBLIC MORALITY IN THE UNITED STATES**

**It is interesting that the residents in the colonies where the practice of religion had been a principal reason for their settlement were a driving force against the institution of slavery. The Society of Friends—Quakers—particularly in Pennsylvania stand out in this effort. But, many religious groups supported abolitionism or condemned the slave trade or slavery, including the Anglicans, Methodists, Presbyterians, and Baptists.<sup>36</sup>**

**It is clear, that in the creation of the Constitution, deeply religious people, particularly from the North, provided a foundation of public morality to that seminal document and the Bill of Rights which followed. The Bill of Rights, the first 10 amendments to the U.S. Constitution, represented greater constitutional protection for individual liberties. The first amendment provided protection for religious freedom.<sup>37</sup>**

**Slavery was not resolved in the Constitution or the Bill of Rights. In addition, compromises with respect to slavery were made to accomplish their passage. However, the Constitution did not imbed acceptance of the morality of slavery into federal law. Evidence of this**

**is a change made in the penultimate meeting of the Constitutional Convention (15 Sept. 1787). James Madison recorded that the language was changed to make it clear that enslavement was pursuant to the laws of some states, not federal law. According to Madison, this was at the insistence of those who thought that the original wording might have been read as suggesting that the federal government endorsed the morality of slavery.<sup>38</sup>**

**The opposition to slavery accelerated in the mid-1800s and included many people from different religious backgrounds. For example, the Pennsylvania Abolition Society, originally organized by the Quakers in 1775, had 60 percent of its members from non-Quaker churches over the next 50 years.<sup>39</sup>**

**The deeply moral voice in the North emanating from a religious moral heritage was heroically magnified by their willingness to die, to save the union of states, and to abolish slavery in the Civil War.**

**Following the United States' Civil War there was a "raft of transformational legislation, most notably three ground-breaking changes to the Constitution: in 1865, the 13th Amendment, which**

**ended slavery; in 1868, the 14th [Amendment], which promised citizenship to former slaves, including all the rights and privileges that were enjoyed by whites; and, in 1870, the 15th [Amendment], which guaranteed black men the right to vote.”<sup>40</sup>**

### **RELIGIOUS FREEDOM AND PUBLIC MORALITY**

**Religious freedom and public morality require constant vigilance. The contributions from people of faith have benefited and blessed society in so many ways. They represent a “moral tradition that [has] blessed civilization.”<sup>41</sup>**

**The role of religion in blessing a secular society was set forth succinctly by Alexis De Tocqueville in his classic Democracy in America. He stated, “The greatest advantage of religion is to inspire...principles. There is no religion which does not place the object of man’s desires above and beyond the treasure of earth, and which does not naturally raise his soul to regions far above those of the senses. Nor is there any which does not impose on man some sort of duties to his kind, and thus draws him at times from the**

**contemplation of himself.”<sup>42</sup> This was true when De Tocqueville pronounced it and it is true today.**

**The Church of Jesus Christ of Latter-day Saints supports the religious freedom of all faiths as well as those with no faith. Two basic principles which demonstrate the Church’s commitment to freedom of religion for all are: First, our eleventh article of faith, which declares, “We claim the privilege of worshiping Almighty God according to the dictates of our own conscience, and allow all men the same privilege, let them worship how, where, or what they may.”<sup>43</sup>**

**The second is a wonderful statement by the Prophet Joseph Smith, who passionately asserted his commitment to civil and religious liberty when he said, “I am bold to declare before heaven that I am just as ready to die in defending the rights of a Presbyterian, a Baptist, or a good man of any other denomination; for the same principle which would trample upon the rights of the Latter-day Saints would trample upon the rights of the Roman Catholics, or of any other denomination who may be unpopular and too weak to**

**defend themselves. It is love of liberty which inspires my soul, civil and religious liberty to the whole of the human race.”<sup>44</sup>**

**British and United States citizens must continue to be part of a coalition of countries and faiths that succor, act as a sanctuary, and promulgate religious freedom across the world.**

**After World War II, the Universal Declaration of Human Rights and other international agreements established the legal framework for the protection of religious freedom. It was over 70 years ago, on December 10, 1948, that the Universal Declaration was adopted. That document declares that “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.”<sup>45</sup>**

### **GREAT BRITAIN AND RELIGIOUS FREEDOM**

**The United Kingdom has been an advocate of international religious freedom. Most recently, this year’s Final Report and Recommendations of the *Bishop of Truro’s Independent Review for***

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*the Foreign Secretary of the Foreign & Commonwealth Office (FCO)*

*Support for Persecuted Christians* is an exemplary document.<sup>46</sup> The

All Party Parliamentary Group on Freedom of Religion or Belief also

issues an annual report. I recently met one of its members, Lord

David Alton of Liverpool, who recently gave a keynote address at the

Brigham Young University's International Center for Law and

Religion Studies Symposium on "Human Dignity and Freedom of

Religion or Belief: Preventing and Addressing Persecution."

## **CONCLUSION**

In conclusion, those who feel accountable to God have a responsibility to live upright lives of service to God and our fellowmen, to obey the law, and to be good citizens, neighbors, and friends in all we do. As we do so, ordinary citizens and governmental officials alike will be more inclined to see the value of religion and to respect the basic principles that allow us to freely live it. There is no better demonstration of the great benefits associated with religious liberty than for devoted members of various faiths who feel accountable to God to model principles of integrity, morality, service,

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**and love. As others see the goodness of individuals and families—goodness that is founded in strong faith and character—they will be much more likely to speak up in defense of the religious freedoms that allow us to be who we are.**

**Thank you very much.**

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<sup>1</sup> Jonathan Sacks, “Swords into Plowshares,” *Wall Street Journal Review*, October 3-4, 2015.

<sup>2</sup> Paula Marantz Cohen, “The Humanities Need a Course Correction,” *Wall Street Journal*, Oct. 10–11, 2015.

<sup>3</sup> David Brooks, “The Big University,” *New York Times*, October 6, 2015.

<sup>4</sup> 2 Samuel 12 (The Jewish Study Bible).

<sup>5</sup> *Ibid.*

<sup>6</sup> Mark Scott, “From England to Africa, It’s Everyone’s Magna Carta,” *New York Times*, March 19, 2015.

<sup>7</sup> Nigel Saul, “The Kingdom’s First Charter,” *Country Life*, January 21, 2015, 54–59. This sets forth an excellent explanation of Magna Carta and its influence on English law and the American Constitution.

<sup>8</sup> *Ibid.*, 54.

<sup>9</sup> Magna Carta, 1217 Text and Translation, (Bodleian Library, University of Oxford, 2016), 8. *See also*: MAGNA CARTA (1215), clause 1, *cited in* Saul, “Kingdom’s First Charter,” 57. *See also*: James Clarke Holt, *Magna Carta*, 2nd ed. (Cambridge: University Press, 1992), 449. Magna Carta was written in Latin, and there are several different translations.

<sup>10</sup> *Ibid.*, 11. This interpretation was later challenged. However, as an ideal for the rule of law in constitutional government, it has survived.

<sup>11</sup> The Declaration of Independence, July 4, 1776, para 2. The unanimous Declaration of the 13 United States of America.

<sup>12</sup> David Hackett Fischer, *Albion’s Seed* (Oxford: University Press, 1989), 16.

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

<sup>14</sup> Orson F. Whitney, *Life of Heber C. Kimball, An Apostle; The Father and Founder of the British Mission*, (Salt Lake City, UT: Stevens & Wallis, Inc., 1888), 506.

<sup>15</sup> Fischer, *Albion’s Seed*, 18.

<sup>16</sup> *Ibid.*, 17. Fischer asserts in this remarkable history that “most families of Yankee descent traced their American beginnings to an English ancestor who came ashore in Massachusetts Bay within 5 years of the year 1635.”

<sup>17</sup> Kevin Phillips, *The Cousins’ Wars: Religion, Politics, and the Triumph of Anglo-America* (New York: Basic Books, 1999), 94.

<sup>18</sup> *Ibid.*, 95.

<sup>19</sup> *Ibid.*, 95.

<sup>20</sup> See Maryland Toleration Act: An Act Concerning Religion, September 21, 1649, Avalon.law.yale.edu/18th\_century/Maryland\_toleration.asp. *See also*: Gordon H. Smith, “Protecting the Weak: Religious Liberty in the Twenty-First Century,” *BYU Law Review* 1999, no. 2 (1999): 488; citing William Thomas Russell, *Maryland: The Land of Sanctuary*, 2nd ed. (Baltimore: J.H. Furst, 1908), 130.

<sup>21</sup> Constitution of the Grand Council of the United States of North America, June 17, 1854, article III, section I; in James P. Hambleton, *A History of the Political Campaign in Virginia, in 1855* (Richmond, VA: J.W. Randolph, 1856, 47; *cited in* Smith, “Protecting the Weak,” 492. The Know-Nothings were organized based on this insidious notion.

<sup>22</sup> Smith, “Protecting the Weak,” 493.

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<sup>25</sup> The Catholic Church is the largest denomination in the United States, with over 74 million members. The Latter-day Saint Church is the fourth largest, with somewhat less than 7 million members. *Wall Street Journal*, January 3–4, 2015, A5.

<sup>24</sup> See James Madison, *Constitutional Debates*, June 12, 1788.

<sup>25</sup> Nicholas Hudson, “Britons Never Will Be Slaves: National Myth, Conservatism, and the Beginnings of British Antislavery” (*34 Eighteenth-Century Studies*, 2001) *supra* note 6 at 560. Historian Hudson argues that “the most resonant voices against slavery during the eighteenth century belonged to men and women with strong backgrounds in the Anglican Church and conservative views on social and political issues in Britain.”

<sup>26</sup> William Hague, *William Wilberforce, The Life of the Great Anti-Slave Trade Campaigner*, (London: Harcourt, 2007), 92–93.

<sup>27</sup> *Ibid.*, 204.

<sup>28</sup> *Ibid.*, 92.

<sup>29</sup> Alan Pell Crawford, “The Dream of a Better Society,” *Wall Street Journal*, September 28–29, 2019.

<sup>30</sup> Hague, *William Wilberforce* 354–55.

<sup>31</sup> *Ibid.*, 445–46.

<sup>32</sup> *Ibid.*, 515.

<sup>33</sup> Joseph Fielding, Orson Hyde, Willard Richards, John Snyder, John Goodson, and Isaac Russell accompanied Heber C. Kimball on the first mission. Elders Kimball, Hyde, Richards, and Fielding left Kirtland on June 13, 1837, and they were met by their other three companions in New York. James B. Allen, Ronald K. Esplin, and David J. Whittaker, *Men With a Mission: The Quorum of the Twelve Apostles in the British Isles, 1837–1841* (Salt Lake City: Deseret Book, 1992), 24–25.

<sup>34</sup> *Ibid.*, 53, 302. It is estimated that there were between 1,500 and 2,000 baptized on the first mission (1837–1838) and another 6,000 on the second mission (1839–1841).

<sup>35</sup> Orson F. Whitney, *Life of Heber C. Kimball, An Apostle; The Father and Founder of the British Mission*, (Salt Lake City, UT: Stevens & Wallis, 1888), 135.

<sup>36</sup> Dee E. Andrews, “From Natural Rights to Natural Sins: Philadelphia’s Churches Face Antislavery,” in *Antislavery and Abolition in Philadelphia: Emancipation and the Long Struggle for Racial Justice in the City of Brotherly Love*, ed. Richard Newman and James Mueller (Baton Rouge, LA: Louisiana State University Press, 2011), 174, 176–177 (arguing that many of these Churches sought “to convert non-Christian slaves into Bible-reading believers”). But see Julie Winch, “Self-Help and Self-Determination: Black Philadelphians and the Dimensions of Freedom,” in *Antislavery and Abolition in Philadelphia*, 66, 70–71 (explaining that although many blacks converted to Christianity, they felt it was fundamental to their worship to create a separate black denomination of the same church).

<sup>37</sup> The first amendment reads in part, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof . . .”

<sup>38</sup> James Madison records that “Art. IV. Sect 2. Parag: 3. The term ‘legally’ was struck out, and ‘under the laws thereof’ inserted after the word ‘state,’ in compliance with the wish of some who thought the term legal equivocal, and favoring the idea that slavery was legal in a moral view—” See Max Farrand (ed), *The Records of the Federal Convention*, volume 2 (New Haven: Yale University Press, 1911), 628. See also eds. Grace Mallon and Nicholas Cole, *United States Constitutional Convention 1787* (2016 Edition), Quill Project at Pembroke College (Oxford, 2016), Session 159.

<sup>39</sup> Andrews, *supra* note 4, at 177–78 (citing Timothy Hack, *Philadelphia Churches and Fight Against Slavery, 1680–1860* [2005]), a report for Independence National Historical Park.

<sup>40</sup> Fergus M. Bordewich, “Replanting Democracy,” *Wall Street Journal*, September 21–22, 2019. This is a book review by Eric Foner, *The Second Founding: How the Civil War and Reconstruction Remade the Constitution* (W.W. Norton & Company, 2019). After citing this quote, the book recounts the decay that occurred particularly in the Southern states after the passage of these constitutional guarantees.

<sup>41</sup> David Brooks, “The Big University.”

<sup>42</sup> Alexis De Tocquerville, *Democracy in America* (Arlington House, March 1840) 21.

<sup>43</sup> Articles of Faith 1:11.

<sup>44</sup> Joseph Smith, Discourse in Nauvoo, Illinois (July 9, 1843), as reported by Willard Richards in *History of the Church* 5:498–99.

<sup>45</sup> U.N. G.A. Res.217 A (III), art. 18 (1948) [hereinafter *Universal Declaration*].

<sup>46</sup> [www.gov.uk/government/speeches/persecution-of-christians-review-foreign-secretarys-speech-following-the-final-report](http://www.gov.uk/government/speeches/persecution-of-christians-review-foreign-secretarys-speech-following-the-final-report).