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Chapter 1 : The Development of Constitutional Liberty in the English Colonies of America

*The Development of Constitutional Liberty in the English Colonies of America [Eben Greenough Scott] on blog.quintoapp.com *FREE* shipping on qualifying offers. This is a reproduction of a book published before*

In the early years of what later became the United States, Christian religious groups played an influential role in each of the British colonies, and most attempted to enforce strict religious observance through both colony governments and local town rules. Most attempted to enforce strict religious observance. Laws mandated that everyone attend a house of worship and pay taxes that funded the salaries of ministers. Although most colonists considered themselves Christians, this did not mean that they lived in a culture of religious unity. Instead, differing Christian groups often believed that their own practices and faiths provided unique values that needed protection against those who disagreed, driving a need for rule and regulation. In Great Britain, the Protestant Anglican church had split into bitter divisions among traditional Anglicans and the reforming Puritans, contributing to an English civil war in the s. In the British colonies, differences among Puritan and Anglican remained. Between and Anglicanism and Congregationalism, an offshoot of the English Puritan movement, established themselves as the main organized denominations in the majority of the colonies. In some areas, women accounted for no more than a quarter of the population, and given the relatively small number of conventional households and the chronic shortage of clergymen, religious life was haphazard and irregular for most. The fear of such practices can be gauged by the famous trials held in Salem, Massachusetts, in and As we might expect, established clergy discouraged these explorations. In turn, as the colonies became more settled, the influence of the clergy and their churches grew. Slavery—which was also firmly established and institutionalized between the s and the s—was also shaped by religion. If they received any Christian religious instructions, it was, more often than not, from their owners rather than in Sunday school. Local variations in Protestant practices and ethnic differences among the white settlers did foster a religious diversity. Wide distances, poor communication and transportation, bad weather, and the clerical shortage dictated religious variety from town to town and from region to region. With French Huguenots, Catholics, Jews, Dutch Calvinists, German Reformed pietists, Scottish Presbyterians, Baptists, Quakers, and other denominations arriving in growing numbers, most colonies with Anglican or Congregational establishments had little choice but to display some degree of religious tolerance. Only in Rhode Island and Pennsylvania was toleration rooted in principle rather than expedience. The meetinghouse, which served secular functions as well as religious, was a small wood building located in the center of town. People sat on hard wooden benches for most of the day, which was how long the church services usually lasted. These meeting houses became bigger and much less crude as the population grew after the s. Steeples grew, bells were introduced, and some churches grew big enough to host as many as one thousand worshippers. After the s, with many more churches and clerical bodies emerging, religion in New England became more organized and attendance more uniformly enforced. In even sharper contrast to the other colonies, in New England most newborns were baptized by the church, and church attendance rose in some areas to 70 percent of the adult population. The New England colonists—with the exception of Rhode Island—were predominantly Puritans, who, by and large, led strict religious lives. The clergy was highly educated and devoted to the study and teaching of both Scripture and the natural sciences. The Puritan leadership and gentry, especially in Massachusetts and Connecticut, integrated their version of Protestantism into their political structure. Government in these colonies contained elements of theocracy, asserting that leaders and officials derived that authority from divine guidance and that civil authority ought to be used to enforce religious conformity. Their laws assumed that citizens who strayed away from conventional religious customs were a threat to civil order and should be punished for their nonconformity. Despite many affinities with the established Church of England, New England churches operated quite differently from the older Anglican system in England. Massachusetts Bay and Connecticut had no church courts to levy fines on religious offenders, leaving that function to the civil

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magistrates. In those colonies, the civil government dealt harshly with religious dissenters, exiling the likes of Anne Hutchinson and Roger Williams for their outspoken criticism of Puritanism, and whipping Baptists or cropping the ears of Quakers for their determined efforts to proselytize. The Toleration Act, passed by the English Parliament in 1689, gave Quakers and several other denominations the right to build churches and to conduct public worship in the colonies. Mid-Atlantic and Southern Colonies Inhabitants of the middle and southern colonies went to churches whose style and decoration look more familiar to modern Americans than the plain New England meeting houses. They, too, would sit in church for most of the day on Sunday. After 1700, as remote outposts grew into towns and backwoods settlements became bustling commercial centers, Southern churches grew in size and splendor. Church attendance, abysmal as it was in the early days of the colonial period, became more consistent after 1700. Much like the north, this was the result of the proliferation of churches, new clerical codes and bodies, and a religion that became more organized and uniformly enforced. Toward the end of the colonial era, churchgoing reached at least 60 percent in all the colonies. The middle colonies saw a mixture of religions, including Quakers who founded Pennsylvania, Catholics, Lutherans, a few Jews, and others. The southern colonists were a mixture as well, including Baptists and Anglicans. In the Carolinas, Virginia, and Maryland which was originally founded as a haven for Catholics, the Church of England was recognized by law as the state church, and a portion of tax revenues went to support the parish and its priest. Virginia imposed laws obliging all to attend Anglican public worship. Baptist preachers were frequently arrested. Mobs physically attacked members of the sect, breaking up prayer meetings and sometimes beating participants. As a result, the 1700s and 1750s witnessed a rise in discontent and discord within the colony some argue that Virginian dissenters suffered some of the worst persecutions in antebellum America. With few limits on the influx of new colonists, Anglican citizens in those colonies needed to accept, however grudgingly, ethnically diverse groups of Presbyterians, Baptists, Quakers, members of the Dutch Reformed Church, and a variety of German Pietists. Maryland was founded by Cecilius Calvert in 1634 as a safe haven for Catholics. Clergy and buildings belonging to both the Catholic and Puritan religions were subsidized by a general tax. Their faith influenced the way they treated Indians, and they were the first to issue a public condemnation of slavery in America. In retrospect, the Great Awakening contributed to the revolutionary movement in a number of ways: In a surprising way, these principles sat very well with the basic beliefs of rational Protestants and deists. They also helped clarify their common objections to British civil and religious rule over the colonies, and provided both with arguments in favor of the separation of church and state. The political edge of this argument was that no human institution—religious or civil—could claim divine authority. At the core of this rational belief was the idea that God had endowed humans with reason so that they could tell the difference between right and wrong. Knowing the difference also meant that humans made free choices to sin or behave morally. The radicalization of this position led many rational dissenters to argue that intervention in human decisions by civil authorities undermined the special covenant between God and humankind. Many therefore advocated the separation of church and state. Taken further, the logic of these arguments led them to dismiss the divine authority claimed by the English kings, as well as the blind obedience compelled by such authority. Thus, by the 1750s, they mounted a two-pronged attack on England: Once the link to divine authority was broken, revolutionaries turned to Locke, Milton, and others, concluding that a government that abused its power and hurt the interests of its subjects was tyrannical and as such deserved to be replaced. Bonomi, *Under the Cape of Heaven*: Oxford University Press, 2003; Bonomi, *Under the Cape of Heaven*, John Butler, *Awash in a Sea of Faith*: Harvard University Press, 2003; Ragosta, *Wellspring of Liberty*: Oxford University Press, 2003, 3. Ragosta, *Wellspring of Liberty*.

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It is only when surveying its course from the eminence upon which the lapse of time has placed us, that the action of the law of development can be viewed in its entirety, and the constant force of its energy be calculated. Then we see, that this energy has expanded or, advanced by steps of unequal.

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