Response to a Review of
*The Crisis of Religious Liberty*
Stephen M. Krason

SCSS President Stephen M. Krason wrote this letter in response to a review about a book he edited and contributed to in the SCSS’s Catholic Social Thought Book Series, *The Crisis of Religious Liberty: Reflections from Law, History, and Catholic Social Thought* (Rowman & Littlefield Publishers, 2013). The review, which appeared in *The Journal of Church and State*, was mostly favorable to the book but made erroneous assertions and a false and unmerited conclusion about the sources Krason used in his Afterword in the book. Krason also sent the letter to the editor of the Journal, but they apparently don’t run letters and did not make an exception with this one. Krason also sent a copy of this letter to the other contributors to the book and includes it here out of a sense of the need to have a public record of a response to a published book review that, of course, was publicly disseminated.

September 26, 2016

Nicholas P. Miller, J.D., Ph.D.
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Dear Dr. Miller:

Rowman and Littlefield passed onto me a copy of the review you did in *The Journal of Church and State* of the book I was editor of (published by them), *The Crisis of Religious Liberty: Reflections from Law, History, and Catholic Social Thought*. I thank you for your generally positive review of the book, but I thought I needed to respond to your comments about my Afterword in which you thought I “went too far in trying to balance the modern attempt to downplay the founders’ religiosity” by providing “several quotes by Jefferson and Madison that were popularized by amateur evangelical historian David Barton, and which are known to be either false or of highly questionable authenticity.” In your last sentence of the review you indicated that the presence of these quotes “mars an
otherwise respectable effort,” by which I understood you to be referring to the effort undertaken in the entire book.

The first point I have to make is that I nowhere said I was commenting on the Founders’ religiosity (that term seems to imply their personal religious commitment). I state (p. 157) that I am referring to their sense of “the necessity of religion for a good political order and especially for a democratic republic.”

I presume the quotations that you have in mind are the ones on p. 158 of the book (the sources for them are footnoted on p. 168—notes 11–16). The first thing to say is I don’t know if you checked the note pages, but David Barton—whose work I have not read—is cited nowhere. The sources cited for the quotations are: William J. Federer’s America’s God and Country: Encyclopedia of Quotations (this source is respected enough to appear in numerous academic libraries, and I borrowed it either through the Princeton University Library when I was on sabbatical in Princeton and wrote the book that the quotes originally appeared in or through Inter-Library Loan from one of the other university libraries in Ohio), Michael Knox Beran’s “Behind Jefferson’s Wall” in City Journal (Spring 2003), and Joseph Laconte’s “The Wall Jefferson Almost Built.” Laconte for several years held the chair in religion as a William E. Simon Fellow at the Heritage Foundation and is now a history professor and Federer was a signer of the Manhattan Declaration, composed by a main contributor to the book, Robert P. George, whose chapter you indicated in the review you very much liked. As you may know, the Declaration was signed by numerous Catholic, Orthodox, and Evangelical Protestant leaders. The source of the first Jefferson quotation (“Can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are the Gift of God? That they are not to be violated but with His wrath?”) is from Federer’s book (my note 11). I state that it comes from Jefferson’s Notes on Virginia and the correctness of that quote is affirmed at the Thomas Jefferson Foundation website (Thomas Jefferson’s Monticello). While some question has been raised about the authenticity of my second Jefferson quotation, possibly because it was not from his writings (“No nation has ever yet existed or been governed without religion. Nor can be.”—my note 12), Michael Novak writes in his book On Two Wings: Humble Faith and Common Sense at the American Founding that Jefferson said this to Rev. Ethan Allen and that it is recorded in Allen’s diary, which is in the Library of Congress. Upon checking after seeing your review, I have noted that some have disputed whether the first quotation from Madison that “religion is the basis and Foundation of Government” is correct. My source for this, again, was Federer (my note...
It has been widely quoted by different people, including in a statement issued by Bishop Thomas Tobin, of the Catholic Diocese of Providence. The next Madison quote was this: “We have staked the future of all of our political institutions upon the capacity of mankind for self government; upon the capacity of each and all of us to govern ourselves, to control ourselves, to sustain ourselves according to the Ten Commandments of God.” This was from a Madison speech in 1778 to the Virginia General Assembly (my immediate source for this was, again, Federer—my note 14). The next Madison quote is: “The belief in a God All Powerful wise and good is…essential to the moral order of the World and to the happiness of man.” This is from Madison’s letter to Frederick Beasley of November 20, 1825, and my immediate source for it is Federer (my note 15). The final Madison quote is: “We have all been encouraged to feel in the guardianship and guidance of that Almighty Being, whose power regulates the destiny of nations.” This is from Madison’s First Inaugural Address (cited in my note 16). By the way, the noted Madison biographer Ralph Ketcham—who was not a source for my Afterword—holds that a Christian worldview was important in shaping Madison’s thinking.

While, as I said, I was not making a statement with these quotations about the religiosity of the Founders—as you suggested I was—I refer to noted scholarly sources in the next paragraph on p. 158 to indicate that religion seemed to be important to most of them or at least was an important influence on them. M. E. Bradford’s A Worthy Company is cited (note 17) (Bradford for many years was a professor at the University of Dallas and was considered for the chairmanship of the National Endowment for the Humanities when Reagan came to office [William J. Bennett got the position]). M. Stanton Evans’s well-respected book The Theme Is Freedom: Religion, Politics, and the American Tradition is also cited about this (while Evans was known mostly as a journalist, he was for a time also a professor and he was well-regarded by such educational organizations as the Intercollegiate Studies Institute and the Freedoms Foundation at Valley Forge). Lutz and Hyneman’s well-known, intensive, far-reaching study of the Founders’ writings is also cited to help make this point. You had nothing to say about the quotations from such other Founding Fathers as George Washington, John Adams, Benjamin Rush, and Benjamin Franklin, which appear on p. 157, and further reinforce the Founders’ thinking about the importance of religion. After all, Jefferson and Madison are not the only Founding Fathers.

I should point out further that these quotations and this material about the Founders and religion had previously been in a short article I did in The Catholic Social Science Review (2013). There were no comments
made to me about these quotations by any of the readers of the Review, which included the members of the Society of Catholic Social Scientists (the Review is the Society’s scholarly journal and all the members receive it). By the way, all the contributors to the book are also members of the Society and would have received the Review. I mentioned that I first presented these quotations and this material in a previous book that I authored. They were in the first chapter of my The Transformation of the American Democratic Republic (Transaction Publishers, 2012), and the quotations were not questioned in any of the reviews of it or a symposium done on the book. In fact, they were not even questioned in the refereeing report made to a publisher I had previously considered for the latter book (the referee did not like many other things about the book).

The final thing I should point out to you is that contrary to my being influenced by David Barton’s work—which, as I said, I have not read—when Barton was proposed to the members of the interlocking board of directors of two non-profit organizations that I sit on for another seat on the board, I told the head of the organizations that I could not vote for him. The reason I gave him was that upon checking into Barton, I concluded that there was a serious question about his scholarly integrity.

Sincerely,

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P.S.: I have sent a copy of this letter to the other contributors to The Crisis of Religious Liberty, Rowman & Littlefield Publishers, the Editor of the Journal of Church and State, and to my academic vice president here at Franciscan University.