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# PIETAS

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## **Ellis Sandoz, American Patriot: How and Why He Celebrated a Christian, Lockean Founding**

Glenn A. Moots

Ellis loved his family, hunting, and America. He could write and lecture professionally on this last topic, of course, though off-the-clock he was pleased to hold forth on the other two with friends. This was often done on his back porch as he watched the backyard wildlife, sometimes with amusement and sometimes behind a rear sight. The last conversation we had, a month before he died and two states away from his back porch, was about his family and the birds outside his window.

Over several decades, Ellis took advantage of his vocation to write many essays which, while academic, are beautiful panegyrics evincing his love of America. Many were first published in academic journals, or given as lectures, but then later published in books. His *A Government of Laws* (1990) was my first acquaintance with Ellis, a collection of his essays on America published between 1971 and 1990. I bought it as an undergraduate in Ann Arbor on my way out to LSU where Russell Kirk had recommended me for graduate school. Such Halcyon Days when books like that were stocked on bookstore shelves!

While Ellis addresses many essential questions in American political thought in these essays, my essay focuses on two in particular: what is the influence of both Locke and Christianity on America, and what should we make of that influence? Ellis's arguments and conclusions in these essays are defensible by the highest academic standards, but I have selected these topics because I believe that they also demonstrate his patriotic faith in Founding-era Americans to whom he felt a great debt. In this essay I demonstrate Ellis's faith in the Founders' patrimony, the "good works" that followed from his faith in those Founding Fathers, and how that faith even led him to quietly dissent from another father of a sort, his mentor Eric Voegelin.

### **HOW LOCKEAN WAS AMERICA?**

In an essay first published in the *Review of Politics* in 1971, Sandoz asserts that the American use of John Locke's *Second Treatise* reflected "the broader traditions of Western civilization

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and English constitutional history,” but this praise is muted compared with the significant criticism he directs at Locke. Sandoz argues that Locke taught Americans to symbolize existence through what Sandoz called (with some implicit disdain) the Market Society.<sup>1</sup> Along with Hobbes, Sandoz explains, Locke reduced symbolism to Property and Contract: a community of lusts, fear of violent death, self-preservation as the law of nature, and government merely as a “protective agency.” This symbolism of the Market Society left out the “upper ranges of man’s existence” by which Sandoz means the spiritual dimensions and potentialities of human existence.<sup>2</sup> Furthermore, Sandoz says, Locke’s emphasis on *property* perverted the Christian conception of *person*.<sup>3</sup> Finally, the Market Society’s acquisitiveness came at the expense of “the ancient tradition” and abandoned the common law view of English law and constitutionalism as a salutary myth traced to a time out of mind.<sup>4</sup>

In 1972, Ellis followed with a more devastating and explicitly Voegelinian critique of Locke in the *Journal of Politics*. Sandoz accuses Locke of effecting a “profound break with both the classical and Christian teachings ... [that laid] the groundwork for reductionist doctrines.”<sup>5</sup> Offering no “scientific” (*Wissenschaft*) view of reality, Locke provided only a politics of opinion (*doxa*) through naturalistic (purely empirical) reasoning.<sup>6</sup> Furthermore, Sandoz asserts, Locke exploits both constitutional and Christian traditions to concoct a “novel universal symbolism.” Of Locke’s social contract, Sandoz asserts it is no theory at all but instead a “vulgar opinion or dogma (*doxa*) valuable in a myth but useless to political theory.”<sup>7</sup> Furthermore, Locke advances a “radical privatization of the life of the spirit” and a “radically immanentist conception of human existence” that, once mediated by the

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<sup>1</sup> Ellis Sandoz, *A Government of Laws: Political Theory, Religion, and the American Founding* (Baton Rouge, LA: Louisiana State University Press, 1971/1990), 44. Sandoz capitalizes “Market Society,” but not consistently. A note on citation: I include the original publication date of all the cited essays, some of which were reprinted later in these volumes and some of which were original to the volumes. I do not provide original bibliographic information; that can be found in the volumes. I consistently include only the original publication date of the essays if readers want to join me in speculating about some kind of chronological development of Sandoz’s thought on these ideas, something that I think is justified but don’t make much explicit effort to do so here.

<sup>2</sup> Sandoz, *A Government of Laws*, 32-33 (1971).

<sup>3</sup> Sandoz, *A Government of Laws*, 31 (1971).

<sup>4</sup> Sandoz, *A Government of Laws*, 44-45 (1971).

<sup>5</sup> Sandoz, *A Government of Laws*, 52 (1972).

<sup>6</sup> Sandoz, *A Government of Laws*, 71 (1972). Sandoz’s critique of Locke sometimes reflects Eric Voegelin’s own. For example, on Locke advancing a politics of *doxa* rather than *episteme*, see Voegelin, *The Collected Works of Eric Voegelin*, 34 vols. (Baton Rouge, LA: Louisiana State University Press, 1989-2007), 12:256-64. Here I do not (unlike the following section of the essay) take pains to demonstrate a departure from Voegelin by Sandoz on the subject of Locke.

<sup>7</sup> Sandoz, *A Government of Laws*, 79 (1972).

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(Enlightenment) *philosophes*, enabled “totalitarian democracy.”<sup>8</sup> Sandoz softens this harsh criticism somewhat insofar as he believes that the more pernicious effects of Locke’s philosophy were moderated by the self-interpretation of Anglo-American societies.<sup>9</sup> Also, he excuses some of Locke’s transgressions insofar as Locke was attempting a solution to “the vexed problems of political existence of his day,” which were religious enthusiasm and violence.<sup>10</sup>

Criticizing Locke is a cottage industry for political theorists, and American political theorists familiar with accusations of Locke’s political philosophy as pedestrian, pragmatic, or subversive usually trace them to Leo Strauss’s *Natural Right and History*. But while most Straussians have sustained over half a century a seemingly inexhaustible dogma of intrigues about Locke and a Lockean Founding, Sandoz later sidelined this criticism of Locke.<sup>11</sup> He gave Locke’s ideas and their influence in America an increasingly charitable and optimistic reading, one that saw Locke as sustaining the tradition that came before him. While I think there are good academic reasons for Sandoz to have rethought his earlier critique, I attribute this change to another cause: Sandoz’s refusal to be the kind of scholar that looks down from

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<sup>8</sup> Sandoz, *A Government of Laws*, 81–82 (1972).

<sup>9</sup> Sandoz, *A Government of Laws*, 52 (1972).

<sup>10</sup> Sandoz, *A Government of Laws*, 52, 81 (1972). I think that Locke’s significance for religious toleration is regularly overstated, but this is common among political theorists because most know a relatively narrow range of texts. See Glenn A. Moots, “Why Does America Have Religious Liberty,” *The American Reformer*, April 23, 2024. The Thirty Years War had been over for a generation or more. Louis XIV’s 1685 revocation of the Edict of Nantes and French intolerance did not reignite wars of religion, and The Nine Years’ War had not yet begun, assuming that it had anything to do with enthusiasms. Locke surely felt the impact of religious enthusiasms in the English Civil War in which his father served, but his initial reaction to that conflict (a common move among Anglicans) was to assert magisterial authority over ecclesiastical adiaphora in his (unpublished) *Two Tracts* (1660–1662). Only later did he begin to work out a solution through toleration: his *Fundamental Constitutions of Carolina* (1669) or *Essay on Toleration* (1667) preceding the famous *Epistola de tolerantia* (1689). Two other problems arise with casting Locke as providing a philosophical solution to a theological problem, as some theorists do: his arguments relied on contemporary ecclesiology or theology used by Protestant dissenters, and those dissenters would have been heard before Locke was heard. See, for example, Andrew Murphy’s dissent on Locke’s significance in *Conscience and Community: Revisiting Toleration and Religious Dissent in Early Modern England and America* (University Park, PA: Penn State University Press, 2001). For a much broader view of what was happening in the Protestant British transatlantic on toleration, see Mark Valeri’s excellent *The Opening of the Protestant Mind: How Anglo-American Protestants Embraced Religious Liberty* (New York: Oxford University Press, 2023). Finally, it wasn’t as if Locke barred violence for religious reasons; his “Appeal to Heaven” in the *Second Treatise* not only relies on the Old Testament case as his phrase for resistance to tyranny, but mentions a ruler’s moves against the faith of others as a justification for it. Locke writes that if the people are “persuaded in their consciences, that their laws, and with them their estates, liberties, and lives are in danger, and perhaps their religion too, how they will be hindered from resisting illegal force, used against them, I cannot tell” (§ 209).

<sup>11</sup> For prominent examples of the Straussian dogma on the American Founding, Locke, and Christianity, see (for example) Thomas L. Pangle, *The Spirit of Modern Republicanism: The Moral Vision of the American Founders and the Philosophy of Locke* (Chicago: The University of Chicago Press, 1988) or Michael Zuckert, *The Natural Rights Republic* (Notre Dame, IN: University of Notre Dame Press, 1996).

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a lofty perch to hubristically insist on his own dogmatic reading regardless of how novel or inconsistent it may be compared with past readings.<sup>12</sup>

Ellis refused to see Founding-era Americans as unknowing dupes of a subversive and radical Lockean project; he prefers, instead, to read Locke as *they* read him. That reading precludes the esoteric or abstract reading. For example, Sandoz argues in an essay published in 1990, “However analytically cogent the modern analysis may or may not be, to polarize as incompatible the politics of Locke’s *Second Treatise* and the theology and cosmology of the Old and New Testaments was simply unthinkable to the American Founders.”<sup>13</sup> In an essay published a few years later, he wrote, “In sum, John Locke (read as a Christian philosopher; even as an Aristotelian in his political theory), the Bible, and Coke’s version of the Lancastrian constitution of England formed the heart of the political, theological, and constitutional theory pervasive in America during the founding era.”<sup>14</sup> In short, good enough for the Founders is good enough for Sandoz.

This reading of a Christian and salutary Locke demonstrates, I think, how Sandoz later summarized the Founding-era generation: “Their sources of truth were experience, common sense, reason, and revelation,” all of which they found in Locke.<sup>15</sup> Sandoz’s American reading of Locke makes him a Christian Whig *opposing* both Hobbes and Filmer. Sandoz asserts continuity between the “Lockean formula” of lives, liberties, and estates with Puritan John Winthrop. Locke even serves, Sandoz argues, as a way station from Magna Carta to the Declaration of Independence and the Fifth and Fourteenth Amendments.<sup>16</sup> He even comes to compare Locke’s conception of property favorably with Thomas Aquinas’s.<sup>17</sup> In an

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<sup>12</sup> It is reasonable to ask what persuasive evidence do we have of Locke being a platform for totalitarian democracy elsewhere? Was Locke *substantially* appropriated by Rousseau or Marx to the end of creating the General Will or the Dictatorship of the Proletariat? No. And if Locke is, as Sandoz accuses him in 1972, guilty of inspiring “Humean skepticism and malaise,” what should we make of Hume’s desire (and successful effort) to preserve the British constitution? A straight line cannot be drawn between religious or metaphysical skepticism and constitutionalism in that case.

<sup>13</sup> Sandoz, *A Government of Laws*, 114 (1990).

<sup>14</sup> Sandoz, *Republicanism, Religion, and the Soul of America* (Columbia, MO: University of Missouri Press, 2006), 56 (1994).

<sup>15</sup> Sandoz, *A Government of Laws*, 155 (1990).

<sup>16</sup> Sandoz, *A Government of Laws*, 116–17 (1982).

<sup>17</sup> Sandoz even puts Jefferson in the stream of Christian political thought, connecting him to Aquinas long before Kody Cooper and Justin Dyer in their recent *The Classical and Christian Origins of American Politics: Political Theology, Natural Law, and the American Founding* (New York: Cambridge University Press, 2022). Sandoz’s placement is partly owed to Lord Acton calling Aquinas the “first Whig,” see *The Politics of Truth and Other Untimely Essays: The Crisis of Civic Consciousness* (Columbia: University of Missouri Press, 1999), 37, 119 (1995, 1999).

especially explicit disagreement with many Straussians, Sandoz takes seriously Locke's assertion that man is God's property, including the natural law's admonition to pursue the good.<sup>18</sup> Sandoz even goes so far as to put Locke in the tradition linking the higher law and *salus populi* found in Gratian, Aquinas, and John Selden.<sup>19</sup> He explicitly brushes aside endless Straussian controversies about Locke and a radically innovative American Founding with a terse and profound dismissal: the Americans' reading of Locke resembles Strauss's reading of Burke the conservative. The Americans' reading did not resemble at all Strauss's accusation of Locke the radical.<sup>20</sup>

### HOW CHRISTIAN WAS AMERICA?

In the Straussian reading of Locke's America, of course, Locke subverts Christianity's role in the American ethos. Sandoz rejects that reading of Locke to be sure, saying clearly that Americans read him to be a Christian.<sup>21</sup> But there still remains the question of what role Protestantism (and the Christian tradition generally) played in the Founding.

There are many reasons to presume that Sandoz, not only based on his earlier essays but also based on his Voegelinian training, would *not* defend a Protestant Founding. For example, his halfhearted defense of Locke's reductionism in 1972 emphasized Locke's attempt at peacemaking in the wake of strife and division ignited by the Reformation. Such strife and division did not make for a commodious politics. The schism of Christendom introduced, Sandoz says, an extensive spiritual crisis in which "the religion of love" became an excuse to "annihilate the human race."<sup>22</sup> In the earlier 1971 essay, Sandoz indicts the collapse of the medieval *Christianitas* and the resulting plurality of contending churches and nation-states as breaking the "givenness of existence."<sup>23</sup>

Furthermore, from a Voegelinian perspective, would biblical revelation even be necessary for a good polity, let alone a biblical tradition (Protestantism) that readily appropriated the Old Testament to political circumstances and tempted what Voegelin called

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<sup>18</sup> Sandoz, *A Government of Laws*, 20 (1983).

<sup>19</sup> Sandoz, *A Government of Laws*, 196-97 (1988).

<sup>20</sup> Sandoz, *A Government of Laws*, 191-95 (1988).

<sup>21</sup> Sandoz, *The Politics of Truth*, 111 (1999).

<sup>22</sup> Sandoz, *A Government of Laws*, 18 (1983).

<sup>23</sup> Sandoz, *A Government of Laws*, 29 (1971).

“theocratic consciousness” confusing the state with the Kingdom of God?<sup>24</sup> Yahweh is the universal God of history, Voegelin argued, and the Protestant insistence on both particular revelation and a presumption to covenant with God for any pragmatic reason denies such substantial universality.<sup>25</sup> Voegelin preferred that there be only ambiguity in the covenant symbol, something absorbed into souls who hear a universal call but not immanentized by prophets (like Isaiah) or other religious leaders.<sup>26</sup> The Davidic covenant should not become a “Messianic problem” in Christianity, Voegelin argued.<sup>27</sup> But Protestant political theology in most cases considered its Protestant polities as covenanted and akin to Israel.<sup>28</sup> What could be more contrary to Voegelin’s assertion in *The New Science of Politics* that “Uncertainty is the very essence of Christianity?”<sup>29</sup>

Not surprisingly, Voegelin judges the Reformation to be filled with “Gnosticism” and “metastatic nightmares,” criticisms he otherwise reserved for totalitarian movements such as Nazism and Communism. He criticizes the Puritan Revolution as a case study of Gnostic politics and calls the Reformation a “successful invasion of Western institutions by Gnostic movements.” He reserves special invective for Calvin’s *Institutes* as “the first deliberately created Gnostic koran.”<sup>30</sup> Excepting Jean Bodin and maybe Johannes Althusius’s *Politica*, Voegelin characterizes the long sixteenth century as “singularly barren with regard to work of intellectual distinction in politics.”<sup>31</sup> Voegelin even chides Richard Hooker, so instrumental for Voegelin’s own critique of Puritanism, for presuming the existence of a

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<sup>24</sup> At times in his essays on America, Ellis echoes Voegelin’s equivalence of philosophy and theophany: for example, repeating Voegelin’s assertion that Heraclitus first extolled faith, hope, and love. In the same essay, he argues that reconciling the immanent and transcendent with appropriate symbols was entirely accomplished by the classic philosophers “without any help from the Hebrew prophets or Christian apostles and saints” though in *A Government of Laws*, 6, 9–10 (1983) he does add that “the biblical spokesmen augment and wonderfully enrich it.”

<sup>25</sup> Voegelin asserts that no particular religious piety is obliged by the prophets except virtue. What’s more, the Hebrew prophets would have benefited from the Platonic-Aristotelian vocabulary of arête or the Heraclitian criticism of ritual and sacrifice. See Voegelin, *Israel and Revelation* (Baton Rouge, LA: Louisiana State University Press, 1956), 426, 439, 440, 460.

<sup>26</sup> Voegelin, *Israel and Revelation*, 183, is particularly taken with the expression of Hosea 6:6, “I desire mercy, not sacrifice.”

<sup>27</sup> Voegelin, *Israel and Revelation*, 472–73.

<sup>28</sup> See Moots, *Politics Reformed: The Anglo-American Legacy of Covenant Theology* (Columbia, MO: University of Missouri Press, 2010).

<sup>29</sup> Voegelin, *The New Science of Politics: An Introduction* (Chicago: University of Chicago Press, 1952), 122.

<sup>30</sup> Voegelin, *The New Science of Politics*, 134, 139. Voegelin recycles many of Richard Hooker’s criticisms of the Puritans, but his main concern is for what he considers the destruction of metaphysical balance and public order in the name of spiritual imperatives. See Voegelin, *The New Science of Politics*, 133–61; *History of Political Ideas*, vol. 5, *Religion and the Rise of Modernity*, ed. James L. Wisner (Columbia, MO: University of Missouri Press, 1998), 88–98.

<sup>31</sup> Voegelin, *History of Political Ideas*, vol. 5, 57.

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Christian nation in England. This was a “parochial self-assertion” of great confusion brought about by the gnostic reformers.<sup>32</sup> The destruction of both political and spiritual order, Voegelin says, leaves political theory at the beginning of the seventeenth century “a wreck.”<sup>33</sup>

Sandoz does indicate his agreement with Voegelin about some dangerous religious enthusiasms corrupting politics. What he calls “sacred liberty” must be preserved, Sandoz argues, against “vulgar liberty,” “world-annihilating millennialism and related pneumatic eruptions and excesses,” and “millennial hope” which cannot be put on a knowable timetable.<sup>34</sup> He notes that the American Framers “banked the fires of zealotry and political millenarianism in favor of latitudinarian faith and a quasi-Augustinian understanding of the two cities.”<sup>35</sup> He also echoes Voegelin in noting that “apocalyptic millenarianism and chiliasm” was present in both the English Civil War and American Revolution; however, Sandoz also defers to J.G.A Pocock’s argument that such excesses have been ingredients of republicanism since the fifteenth century.<sup>36</sup>

Such concerns notwithstanding, Sandoz emphasizes over and over the great debt owed by America to Protestantism, and this argument becomes increasingly robust in the decades after his 1972 condemnation of Locke. And though Sandoz acknowledges that the influences on American political thought constitute a “polyphonic intricacy” including classics and constitutionalism, he repeatedly emphasizes the essential importance of Protestant Christianity.<sup>37</sup> He summarizes Protestantism’s contribution as one that “mingled religious revival, keeping the faith and fighting the good fight, providential purpose, and a palpable sense of special favor or chosenness.”<sup>38</sup> He takes pains to note that these attributes were not confined to New England but were found in Protestantism in Virginia and elsewhere as well.<sup>39</sup>

For Sandoz, Protestantism is much more than this short list, though endorsing religious revival, providential purpose, and chosenness alone is enough to depart from Voegelin. Sandoz also argues that Protestantism in America recovers and reflects the longer Christian

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<sup>32</sup> Voegelin, *History of Political Ideas*, vol. 5, 88–89.

<sup>33</sup> Voegelin, *History of Political Ideas*, vol. 7, *The New Order and Last Orientation*, eds. Jurgen Gebhardt and Thomas Hollweck (Columbia, MO: University of Missouri Press, 1999), 47.

<sup>34</sup> Sandoz, *A Government of Laws*, 211–13 (1988).

<sup>35</sup> Sandoz, *Give Me Liberty: Studies in Constitutionalism and Philosophy* (South Bend, IN: St. Augustine Press, 2013), 32 (2013).

<sup>36</sup> Sandoz, *A Government of Laws*, 211 (1988).

<sup>37</sup> Friends of Ellis’s will no doubt read this as a nod to Ellis’s musical family members who sometimes served as editors.

<sup>38</sup> Sandoz, *Republicanism, Religion, and the Soul of America*, 54–56 (1994).

<sup>39</sup> Sandoz, *Give Me Liberty*, 23–27 (2013).



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tradition. Calvin, it turns out, did not write a gnostic koran but instead echoes St. Thomas's *Summa Theologica* with 150 citations.<sup>40</sup> Sandoz joins Scottish Presbyterian covenanter Samuel Rutherford (author of *Lex, Rex* published in 1644, which Sandoz began to use in his proseminar at LSU in his last years of teaching) with Gratian, Aquinas, and Selden as notable proponents of the foundational governing principle of *Salus Populi*.<sup>41</sup> Citing Ralph Barton Perry, Sandoz emphasizes that Puritanism shared common ground with all other Christian communions.<sup>42</sup> And, contra the Straussians, not only does the American reading of Locke *not* suggest any departure from the Christian tradition, or even “vulgar” opinion (which he disdained in 1972), but the American use of Locke alongside that Puritan revolutionary spirit in the War of Independence *restores* the Christian tradition.<sup>43</sup> That Christian tradition includes the Declaration of Independence as well.

Sandoz repeatedly cites what John Adams said to Thomas Jefferson about the American Revolution's principles being united around what Adams called the “general Principles of Christianity, in which all those sects were United,”<sup>44</sup> but what Sandoz locates at the heart of the Revolution is not Adams's reduction of Christianity to heterodox theological opinions he shared with Jefferson, to virtue, or even to constitutionalism (to which Adams thought Protestants contributed a great deal).<sup>45</sup> At one place, Sandoz extols the general principles as supplied by the Bible, the Apostles' Creed, Ten Commandments, the Sermon on the Mount, and the *Book of Common Prayer*.<sup>46</sup> Of course, Adams's New England wanted little or nothing to do with this last staple of Protestantism.<sup>47</sup>

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<sup>40</sup> Sandoz, *A Government of Laws*, 20 (1983).

<sup>41</sup> Sandoz, *Give Me Liberty*, 17 (2013). Placing Rutherford in this line probably would have agitated Voegelin to no end. Though Rutherford has an exceptional command of political theory—there are over 700 different sources cited in *Lex, Rex* (1644) according to John Coffey—Rutherford was also a covenanter among covenanters and held a firm confidence in particular providence for the Scots that translated into political and military action with the expectation of God's blessing.

<sup>42</sup> See, for example, Sandoz, *Politics of Truth*, 50 (1995), 114 (1999).

<sup>43</sup> Sandoz *A Government of Laws*, 99 (1981), cf. 150. Sandoz cites Bailyn on the role of Puritanism in arguments for revolution.

<sup>44</sup> Sandoz, *A Government of Laws*, 115 (1982). Adams says this to Jefferson in a letter dated June 28, 1813.

<sup>45</sup> Adams, for example, extolled Protestant authors John Ponet and the Huguenot *Vindiciae contra Tyrannos* in *A Defense of the Constitutions of Government of the United States of America, Against the Attack of M. Turgot, in His Letter to Dr. Price*, Dated the Twenty-Second Day of March, 1778.

<sup>46</sup> Sandoz, *Give Me Liberty*, 25 (2013).

<sup>47</sup> Dissent among the Americans on ecclesiastical matters is evident in the controversy over hiring a chaplain for the Continental Congress, though (Anglican) Rev. Jacob Duche is selected and roundly praised for his work. Adams praised the *Book of Common Prayer* on this occasion, of course. When Rev. Duche reads from it and prays at the invitation of the Continental Congress, Adams thankfully notes that the more martially-minded Psalm 35 was to be read on that day, “As you would have thought, in God's providence that was put in the Book of Common Prayer just for this day for us.”

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Sandoz not only cites particular Protestants and Protestant traditions that shaped the American ethos, but praises particularly Protestant habits including the kind of political appropriation of the Old Testament that Voegelin categorically rejected. He extols the Biblical symbolism represented in the covenant without hesitation, not only as a reflection of medieval constitutionalism but also what he summarizes as the Old Testament case: “Exodus, Covenant, and Canaan.”<sup>48</sup> What’s more, Sandoz characterizes what some consider the most Protestant of American religious expressions, revivalism, as an inheritor of previous Christian practice and as a superlative expression of the metaxy (an essential Voegelinian tenet). He praises it as instrumental for the formation of America, emphasizing faith as a “deliberate personal choice” involving repentance, baptism, and faith in Christ, though he emphasizes that as choices they should not lead to a privatization of morality.<sup>49</sup>

Particularly striking is how Sandoz, in one of his last published essays, repeats the familiar Voegelinian formula yoking Plato, Aristotle, and John the Apostle together but uses it to endorse revivalism. Like Voegelin, Sandoz places special emphasis on I John 4 and Aquinas’s reading of it: “God is love.... We love him because he first loved us.”<sup>50</sup> But in this particular essay, Sandoz implicitly ignores Voegelin’s harsh criticism that Luther forced a break with Aquinas. Sandoz does not trace from Luther a pernicious consequence of or for Protestantism. Sandoz instead makes the participatory *amicita* that Voegelin praised in earlier Christians like Aquinas likewise characteristic of the Protestant revivalists, particularly the itinerant revivalists.<sup>51</sup> This endorsement is quite striking. Insofar as the revivalists took a certain experiential strain of Protestantism to its limits, it is hard to imagine a more Protestant expression of faith in the divine than that of the revivalists. But revivalism could also be a kind of social contagion that also became individualistic and potentially antinomian in ways that Voegelin criticized. The itinerants also challenged the (already weakening) establishments and parish lines in the First Great Awakening. The even more experiential

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<sup>48</sup> Sandoz, *A Government of Laws*, 160 (1990).

<sup>49</sup> Sandoz, *Republicanism, Religion, and the Soul of America*, 23–28, 38. For more on revivalism, see Sandoz, *A Government of Laws*, 153–54 (1990).

<sup>50</sup> Voegelin, *History of Political Ideas*, vol. 4, *Renaissance and Reformation*, ed. David L. Morse and William M. Thompson (Columbia, MO: University of Missouri Press, 1998), 248–51.

<sup>51</sup> Sandoz, *Give Me Liberty*, 28–30 (2013). Elisha Williams’s Lockean defense of itinerant revivalists (included in his sermon collection) no doubt shores up Sandoz’s belief that Locke had a salutary effect on the Founding. It is interesting, though (and Sandoz notes as much) that Williams met tremendous opposition and reputational damage for it; see Sandoz, *Political Sermons of the Founding Era, 1730–1805* (Indianapolis, IN: Liberty Fund, 1998).

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Second Great Awakening created burned-over districts, multiplied sectarianism, and advanced social egalitarianism. But in Sandoz's *modified* Voegelinian and Augustinian reading of the revivalists, the evangelists' call is equivalent to the mystics' ascent.<sup>52</sup>

Consistent with his endorsement of revivalism, Sandoz emphasizes the Americans Protestants' religious fervor as a political movement. Reflecting his own Baptist affiliation, he characterizes Americans as mostly dissenters and nonconformists.<sup>53</sup> He takes Bernard Bailyn to task for appreciating the political philosophy of the English Civil War and Commonwealth period (e.g. Harrington, Sidney, Milton) but not its religious elements. Sandoz approvingly cites a long list of what can be called Puritan politics: the long contest against the Stuarts and even its most radical episodes.<sup>54</sup> He deems the king's prosecution by John Bradshaw a reflection of common law, whiggism, and republicanism, and he casts the king's conviction and execution as a predecessor to the Glorious Revolution.<sup>55</sup> While it would be imprecise to say that Bradshaw's supposed insistence that "disobedience to tyrants is obedience to God" is owed entirely to Puritanism, it is certainly characteristic of the hotter sort of Protestant who, from the monarchomachs forward conflated Protestantism with the rule of law. Sandoz says of the Puritans that they were "determined not to embrace what all called the hateful principles of passive obedience and arbitrary government." This Puritan spirit carries over into the Founding, "passive obedience" being a foil deployed by ministers in numerous sermons Ellis included in his sermon collection.<sup>56</sup> Sandoz even calls America the resurrection of the English Commonwealth.<sup>57</sup>

Sandoz is clear, however, that he does not believe that the preachers were selling the revolution *merely through a religious interpretation of events* but instead were "explaining matters as they truly believed them to be." In other words, this was more than a cynical or merely civil religion. This was the spiritual experience of the Americans in the metaxy, and

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<sup>52</sup> Sandoz, *Politics of Truth*, 53-54, 61 (1995).

<sup>53</sup> Sandoz, *Politics of Truth*, 43 (1995), 114-15 (1999).

<sup>54</sup> Sandoz, *A Government of Laws*, 195 (1988).

<sup>55</sup> Sandoz, *A Government of Laws*, 159 (1990), 233 (1987).

<sup>56</sup> Sandoz, *A Government of Laws*, 201 (1988). The idea of "passive obedience" as a moral duty to obey the law and prohibit resistance against tyrants is a phrase condemned in a number of sermons in Sandoz's collection: Samuel Sherwood's "The Church's Flight Into the Wilderness" (1776), George Whitfield's "Britain's Mercies and Britain's Duties" (1746), Henry Cumings's "A Sermon Preached at Lexington on the 19<sup>th</sup> of April" (1781), "Defensive Arms Vindicated" (1783) (a Scottish Covenanter sermon excerpted by the pseudonymous "A Moderate Whig"), and Samuel McClintock's "A Sermon on Occasion of the Commencement of the New Hampshire Constitution" (1784).

<sup>57</sup> Sandoz, *Republicanism, Religion, and the Soul of America*, 5 (2004).

Sandoz notably does not contest it or criticize it as immanentizing (as one might expect a Voegelinian to do). The Americans *were* Israel, so they believed, and Sandoz does not fault them for thinking so.<sup>58</sup> He approvingly cites Mark Noll’s characterization of the Revolution: “One of the reasons the war for Independence succeeded was that Protestants sacralized its aims as from God.”<sup>59</sup>

By 1990, Sandoz advances the particularly Christian character of the Founding not in purely academic contexts but also in the budding culture wars over “Christian America” and its roots in the Founding.<sup>60</sup> In a 1996 essay, Sandoz uses a favorite quote of Perry Miller’s in which Miller critiqued the “obtuse secularism” of scholars of the Founding, but Sandoz says that this secularism is now “heard in trendy babel of neo-Marxist dialects.”<sup>61</sup> He laments the collapse of Christianity and descent into a deceptive appearance of neutrality in which the state is not neutral but instead opposes the expression of belief.<sup>62</sup> In *A Government of Laws*, Sandoz resorts to a long march of quotations from the usual suspects to defend the Christian character of the early nation: Benjamin Rush, Samuel Cooper (included in the sermon collection) or Tocqueville, for example. He repeats this defense of the piety of the Founders in later essays wherein he notes religious services being conducted in the Capitol under Jefferson, for example.<sup>63</sup> He cites Stephen Marini and others to argue (against Jon Butler, for example), that the Revolution and Founding saw a “religious revival.”<sup>64</sup> He cites Samuel Langdon’s comparison of America to Israel and Samuel West’s reconciliation of Locke and the Bible without hesitation.

### SANDOZ AND PERRY MILLER

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<sup>58</sup> *A Government of Laws*, 110–11 (1982).

<sup>59</sup> Sandoz, *Republicanism, Religion, and the Soul of America*, 17 (2004). The quote is from Mark Noll, *America’s God* (New York: Oxford University Press, 2005), 192. But whereas Noll was critical of the revolutionaries for this, Sandoz was not. Sandoz admired the religious character of the Revolution more than evangelical scholars like Noll and George M. Marsden. For a recent and comprehensive defense of the Protestant character of the Revolution against its evangelical critics, see Gary L. Steward, *Justifying Revolution: The American Clergy’s Argument for Political Resistance, 1750–1776* (New York: Oxford University Press, 2021).

<sup>60</sup> Sandoz, *A Government of Laws*, 127 (1990).

<sup>61</sup> Sandoz, *Politics of Truth*, 58 (1996).

<sup>62</sup> Sandoz, *Politics of Truth*, 91 (1996). In Aaron Renn’s positive/neutral/negative world paradigm, 1994 begins the “neutral world” period that ends in 2014. See Renn, *Life in the Negative World: Confronting Challenges in an Anti-Christian Culture* (Grand Rapids, MI: Zondervan Publishing, 2024).

<sup>63</sup> See, for example Sandoz, *Republicanism, Religion, and the Soul of America*, 67 (1994).

<sup>64</sup> Sandoz, *Politics of Truth*, 52 (1995); Stephen Marini, “Religion, Politics, and Ratification” in *Religion in a Revolutionary Age*, ed. Ronald Hoffman and Peter J. Albert (Charlottesville, VA: University Press of Virginia, 1994).

## ELLIS SANDOZ, AMERICAN PATRIOT

When one reads these essays on the American Founding, one particular essay is cited, alluded to, or quoted over and over by Sandoz: a 1961 essay by Perry Miller, the most significant twentieth century scholar of American Puritanism.<sup>65</sup> The essay powerfully sketches a line of continuity from the colonies to the Revolution and places an ethos of covenantal self-abnegation at the center of public sentiment during the Revolution and traces it forward to the War of 1812 and the Second Great Awakening.

Like many writers, Sandoz was inclined to repeat favorite insights by others in both print and in the classroom.<sup>66</sup> In these essays on America, Sandoz repeats Miller's aforementioned criticism of "obtuse secularism," what Miller considered an unwillingness by scholars to acknowledge the role of religion in the Founding.<sup>67</sup> Sandoz's other favorite insights by Miller include the observation (likely directed at figures like Jefferson and also scholars who tried to make Jefferson the Prometheus of the Revolution) that "Rationalism may declare independence but would inspire no one to fight for it" or that it was wrong to write about Revolution "as though the preachers did not exist" —which, of course, many political theorists (though less so historians) have done.<sup>68</sup>

In this favorite essay of Sandoz's, Miller does not confine this ethos to New England (the area he wrote the most about) but extends it through New Jersey and Pennsylvania down to Virginia. It is notable that Miller, who had a greater command of the sermonic literature than anyone else, used not only many of the originals (from either the archives or the microfilm collections of the American Antiquarian Society) but also John Wingate Thornton's *The Pulpit of the American Revolution* (1960).<sup>69</sup> Miller's use of sermons, including the Thornton collection, no doubt inspired Sandoz's own sermon collection, convincing him that sermons were instrumental to understanding the period and America. Some of the sermons Sandoz includes are featured in Miller's essay and had not yet been published in any modern

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<sup>65</sup> Citations are in Sandoz, *Republicanism, Religion, and the Soul of America*, 4 (2004), 39, 79 (2006); *A Government of Laws*, 86–87, 100 (1981), 111–12 (1982), 134–35, 141, 156 (1990), 230 (1987); *Politics of Truth*, 48, 51, 52 (1995), 68, 76 (1996), 111 (1999); *Give Me Liberty*, 18, 41 (2013). The essay is Perry Miller, "From Covenant to Renewal" in *The Shaping of American Religion*, ed. J.W. Smith and A.I. Jamison (Princeton, NJ: Princeton University Press, 1961), 322–68.

<sup>66</sup> Of course, Sandoz's collection made sure that generations would know that the preachers *did* exist. As far as repeated classroom phrases, other students of Ellis will surely have their favorite "earworms," but mine include "All I need are new men" (Marx) and "Time whereof the memory of man runneth not to the contrary" (Blackstone).

<sup>67</sup> The quote is in Miller, "From Covenant to Renewal," 336n, in a footnote directed at Clinton Rossiter.

<sup>68</sup> Miller, "From Covenant to Renewal," 343; Sandoz, *A Government of Laws*, 99–100 (1981).

<sup>69</sup> It was one of only a few published collections of sermons, most of these being published around the time of the Civil War and probably to remind Americans in a time of crisis of the pious origins of the nation.

## PIETAS

edition.<sup>70</sup> In his essay, Miller also emphasizes the importance of how the French Revolution inspired Americans to defend their Christian conception of life and the need for religious revival. This likely motivated Sandoz to extend his “Founding era” timeline to 1805 and include American sermons wrestling with the meaning of the French Revolution.

There are a number of other themes in Miller that I think strongly parallel and/or influence Sandoz’s own work. Miller rails against how the “antiseptic calm of the [contemporary] historian’s study” enables the separation of elements that the Founding generation experientially wove together.<sup>71</sup> As noted, Sandoz likewise agreed that we cannot presume to put asunder what the Founding generation joined together. This is his aforementioned “polyphonic intricacy” that he prefers to the Johnny One Note tune wherein political theorists tell the Americans over two centuries ago what *really* influenced the Founding. More precisely, Miller argues that the *emotional or experiential* reality of the Americans, much of it a felt spiritual reality, cannot be cast as inferior, subordinate, or relatively inconsequential compared to their leaders’ calmer and more calculated philosophical ideas. Sandoz agrees.

To emphasize this point about taking the rank and file Americans seriously, consider this masterpiece by Sandoz refusing the “antiseptic calm” of the scholar’s study when considering what inspired a bloody war of secession. This passage reflects the influence of Voegelin (who emphasized the existential burden of the metaxy) but is applied to the Founding and appropriately enough reflects Sandoz’s musical household:

The experiential and theoretical grounding of free government as institutionalized in our constitutional order lies in historical tradition and long political practice as shaped by Hellenic noesis ... and biblical revelation.... We may have just been hearing noble strains of this music, and something like it also is evidenced in Patrick Henry’s famous cry, “Give me liberty or give me death!”—plainly no syllogism. But the partition is artificial and all dichotomies suspect. The analytical and doctrinal abstractions arising from noetic insight and pneumatic vision can be discerned as a kind of desiccated postmortem autopsy report on human experience; but of themselves, they have little vitality or persistence when cut off from the engendered living truth they coolly articulate, any more than the technical notation of the score gives you the composer’s melody.<sup>72</sup>

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<sup>70</sup> Samuel Cooper, “A Sermon on the Day of the Commencement of the Constitution” (1780); George Duffield, “A Sermon Preached on a Day of Thanksgiving” (1784) which Miller has by a different title.

<sup>71</sup> Miller, “From Covenant to Renewal,” 337.

<sup>72</sup> Sandoz, *Give Me Liberty*, 5 (2013).

## ELLIS SANDOZ, AMERICAN PATRIOT

Part of what concerns Miller and Sandoz the most is what some scholars deploy as a cynical reading of religion in the Revolution, one that implicitly puts elites ahead of those who bore the brunt of the daily suffering of the war. Miller writes:

No interpretation of the religious utterances as being merely sanctimonious window-dressing will do justice to the facts or to the character of the populace. Circumstances and the nature of the dominant opinion in Europe made it necessary for the official statement to be released in primarily “political” terms—the social compact, inalienable rights, the right of revolution. But those terms, in and by themselves, would never have supplied the drive to victory.... What carried the ranks of militia and the citizens was the universal persuasion that they, by administering to themselves a spiritual purge, acquired the energies God had always, in the manner of the Old Testament, been ready to impart to His repentant children. Their first responsibility was not to shoot redcoats but to cleanse themselves; only thereafter to take aim.<sup>73</sup>

He offers a similar contrast between political statements and public ethos when he writes,

To examine the Revolutionary mind from the side of its religious emotion is to gain a perspective that cannot be acquired from the ordinary study of the papers of the Congresses, the letters of Washington, the writings of Dickinson, Paine, Freneau, or John Adams. The “decent respect” that these Founders entertained for the opinion of mankind caused them to put their case before the civilized world in the restricted language of the rational century.... A successful revolution, however, requires not only leadership but receptivity.... To accommodate the principles of a purely secular social compact and a right to resist taxation—even to the point of declaring independence to a provincial community where the reigning beliefs were still original sin and the need of grace—this was the immense task performed by the patriotic clergy.<sup>74</sup>

Compare that statement by Miller, for example, to Sandoz’s own contrast between the “state papers” (of elites) and the common Americans’ hope of being found worthy of divine blessing:

The myth that arises from the experience of America as New Israel, a land apart, of Americans as a Chosen People whose destiny lies among the stars of the heavenly firmament, and of a providentially ordained history tending inexorably toward the kingdom of God is only hinted in the state papers. The decisive context must be sought elsewhere in contemporary sources. The sense of divine election and messianic purpose that crowns Ezra Stiles’ political faith as we glimpse it in his 1783 sermon, composes a vital dimension of Americanism that need not be left to supposition.<sup>75</sup>

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<sup>73</sup> Miller, “From Covenant to Renewal,” 333.

<sup>74</sup> Miller, “From Covenant to Renewal,” 341–42.

<sup>75</sup> Sandoz, *A Government of Laws*, 112 (1982).

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Other themes from Sandoz's essay can be traced to Miller. For example, Miller insisted that Locke was read through the lens of the Americans' covenant theology, and that the Americans' covenant theology was (politically speaking) connected to medieval constitutionalism.<sup>76</sup>

### CONCLUSION

Ellis had every reason to join his fellow political theorists in what he mischievously called desiccated postmortem autopsies of the Founding but he instead preferred the fiery and pious spirit of Patrick Henry whose "Give me Liberty" is the title of Ellis's last book. He did not dismiss the patriotic faith of our American patrimony with cynicism or consider his national ancestors dupes for secularizing schemes. In our last conversation, Ellis displayed that same spirit and faith as Henry's: indomitable. I told him that his students were grateful for his example, and I prayed with him. We didn't talk about America, but in an era when elements on both the political Right and Left seem eager to abandon it, I think Ellis would tell us to stand up for it and pray for it even more.

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<sup>76</sup> Miller, "From Covenant to Renewal," 334-35, 338, 342.