The formal separation of state and religion in the First Amendment to the United States Constitution, one of nine amendments added to the Constitution within two years of its ratification (collectively known as the Bill of Rights), is central to any understanding of the religious situation in the U.S. even to the present day. The same amendment provides for freedoms of speech and press, peaceable assembly, and petition of grievances—all within less than fifty words. The religion section actually contains two clauses: the first provides that the “Congress shall make no law regarding the establishment of religion,” while the second states that it shall not make any law “prohibiting the free exercise” of religion. These are generally known as the “establishment” and “free exercise” clauses, even though the first is, in fact, a non-establishment provision. There were no significant contests with respect to the interpretation of these provisions for almost a century—the first being a test of “free exercise” with regard to Mormon polygamy. Issues of what actually constituted a “religion” were not taken up until the middle of the twentieth century.

These fundamental rights continue to structure the religious situation in the United States, albeit loosely. The religious worldview that underlies them, however, cannot be seen to be anything other than Protestant—and that of a particular sort. The conscience of the religious (or irreligious) individual is the basis for his or her religious (or irreligious) life, both privately and publicly. The idea that a religious institution (e.g., “the Church”) is the ark of salvation, hence deserves state support for the good of the people, is far from American sympathies. The contemporary religious historian Catherine Albanese (2006) has referred to this as America’s “public Protestantism”—an idea oft merged in the same breath with a quip usually ascribed to the Anglo-American G.K. Chesterton that “in America even the Catholics are Protestants.” The same can be said for other state church traditions and world religions hence, for example, the phrase “Protestant Buddhism” that appears rather frequently in American writings about Buddhist “churches” in the US. Muslim congregations of long standing in the
US have also conformed to this norm, though it has been challenged by small radical Muslim sects in recent years.

A Nation of Immigrants

If one pushes history back far enough, a case can be made that almost everyone in the United States is of immigrant descent. That is, even “Native” Americans are almost certainly persons whose ancestors migrated across what is now the Bearing Strait and headed south. Evidence also indicates the possibility of contacts between both Icelandic (Norse) and Irish (Celtic) seafarers with those among these ancient migrants who had settled on the eastern seaboard prior to the merchant adventurers from mainland Europe. The standard account of the “founding” of American colonies by Europeans tends to focus on the Pilgrims and Puritans of New England, but with the geographic expansion of the United States, today the oldest churches of the United States are not in New England but in Texas and New Mexico, and they are Catholic, not Protestant. Sites from these same Hispanic first settlements can also be found in Florida and parts of Louisiana, where French is still spoken. Alaska can claim Orthodox roots. In this respect, the Pilgrim saga is more a part of a national myth than it is an accurate description of a “first.” What is true about the Anglo-based east coast of the U.S., however, is that these settlers brought with them a sense of an alternative way of configuring government and religion to the dominant model that existed in the Europe they had left—rooted far more in English Independency than in strict Puritanism, and epitomized in John Locke’s “social contract” theory. By the time of the framing of the Constitution, with some details still to be worked out on the field of combat during the Civil War, Americans had generally bought into the idea that people could govern their civil lives apart from supernatural considerations, and yet continue to practice religion publicly according to the dictates of their conscience or emotions or both. It took at least twenty-five years before the full stabilization of these premises occurred generally, with respect to religion—and a few outlying New England districts held out for longer. With respect to civil rights, on the other hand, the matter was not fully settled until the 1970s.

Because the United States simultaneously received immigrants and expanded its own territory, there was a two-fold entrance of large num-