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Source: *Pennsylvania Legacies*, Vol. 8, No. 1 (MAY 2008), pp. 12-17

Published by: [The Historical Society of Pennsylvania](#)

Stable URL: <http://www.jstor.org/stable/27765127>

Accessed: 25/09/2014 13:41

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FREEDOM OF RELIGION

Bibles, Public Schools, and Philadelphia's Bloody Riots of 1844

BY
BRUCE DORSEY



"See Our Torn Flag Still Waving," illustrated cover of sheet music for song composed shortly after the riots in Kensington by James W. Porter showing, according to the text, "The glorious Flag under which the Americans assembled in Kensington on the memorable 3rd, 6th & 7th May 1844."

Courtesy Prints and Photographs Division, Library of Congress.

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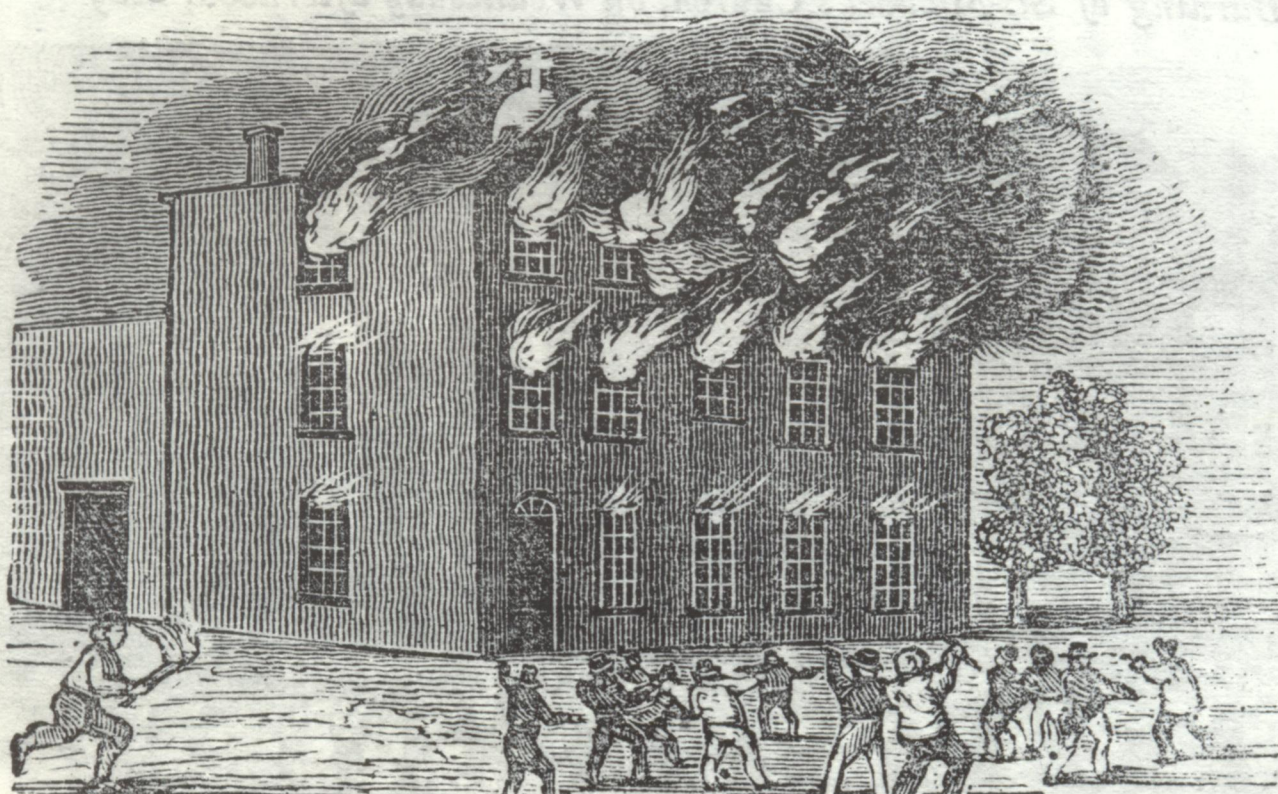
hen we imagine scenes of men and women fighting and killing one another over religion, we might think of France 400 years ago, or Northern Ireland in the 20th century, or Iraq in the 21st. But Pennsylvania?—the place where religious toleration, freedom of conscience, and the separation of church and state were enshrined from the very beginning?

Yet during two separate week-long riots in May and July 1844, Philadelphia became the scene of the deadliest conflict over religious and ethnic issues in the nation's history. Native-born Protestants and Irish Catholics turned the streets of Philadelphia into a war zone. When the fighting had subsided, at least 25 residents lay dead and more than 100 wounded. Dozens of homes and two churches had been burned down. At the end of the first week of rioting, a writer for the *Pennsylvanian* reflected on the scene: "Sunday in Philadelphia—soldiers marching and counter-marching in the streets, not for display or peaceful purposes, but prepared for actual battle . . . Such is a Sunday in the nineteenth century in the city of Philadelphia. Religious toleration enforced—by loaded muskets, drawn sabers, and at the cannon's mouth . . ."

What prompted this violent conflict? In short, it was provoked

Depictions of the Kensington riot (OPPOSITE). *Burning of the Nunnery or School House* (TOP) and *Fight between the Rioters in Kensington* (BOTTOM). Engravings from *A Full and Complete Account of the Late Awful Riots in Philadelphia* (Philadelphia, 1844).

Burning of the Nunnery or School House,



On Wednesday afternoon, May 8.





The burning of St. Michael's Church (LEFT) and St. Augustine's Church (RIGHT), from *A Full and Complete Account of the Late Awful Riots in Philadelphia* (Philadelphia, 1844).

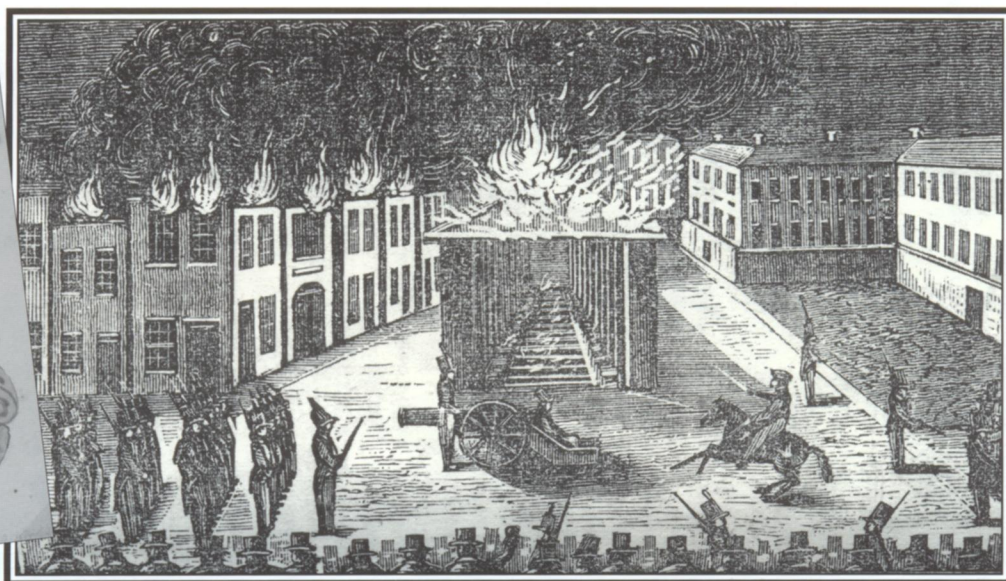
by a bitter controversy over Bible reading in the public schools. A steadily growing Catholic community began to ask that Catholic children be excused from the required reading of the Protestant Bible and other forms of worship during the school day. But they made this appeal at the very moment when movements that opposed Irish immigrants and Catholics were rising in popularity. This timing proved to be flammable and revealed the fragile state of religious toleration and the as-yet-unsettled relationship of church and state in Pennsylvania.

Throughout American history, freedom of religion has been a dynamic process rather than a static guarantee of equal rights. It has emerged only through the continuous struggle of small groups of outsiders demanding recognition of that right. Until the 20th century, this struggle was waged on the local and state levels rather than through the guarantees of the First Amendment or the protections of the U.S. Supreme Court. During the first half century of the republic, the wall that separated religion from public life was more porous than we might expect. Several New England states, for instance, had state-established churches, with ministers' salaries raised by local taxes, well into the 19th century. Everywhere in the United

States, the degree to which religion intruded into public life and government had its hand in religion was determined by local customs and state constitutions.

It is true that Pennsylvania had begun as "the most tolerant colony in the New World." William Penn and his fellow Quaker founders designed a colony where all religious communities could worship freely. With the most democratic of state constitutions in 1776, Pennsylvanians pronounced in their Declaration of Rights that "all men have a natural and unalienable right to worship Almighty God according to the dictates of their own consciences and understanding" and that they could not be compelled to support any religious worship against their will and consent. Still, the commonwealth did not have an inviolable wall between religion and government. The guarantee, as first stated in Pennsylvania's 1790 constitution, that "no preference shall ever be given, by law, to any religious establishments or modes of worship" left open the possibility that various local customs by which religion entered public life—such as incorporating religious worship into public school teaching—could remain in practice since they were not imposed "by law."

For more than a generation after the American Revolution,



Design for a banner for the Native American Association, watercolor by John S. Woodside (LEFT). Engraving, *Scene of the Conflagration on Tuesday night, May 7*, from *A Full and Complete Account of the Late Awful Riots in Philadelphia* (Philadelphia, 1844).

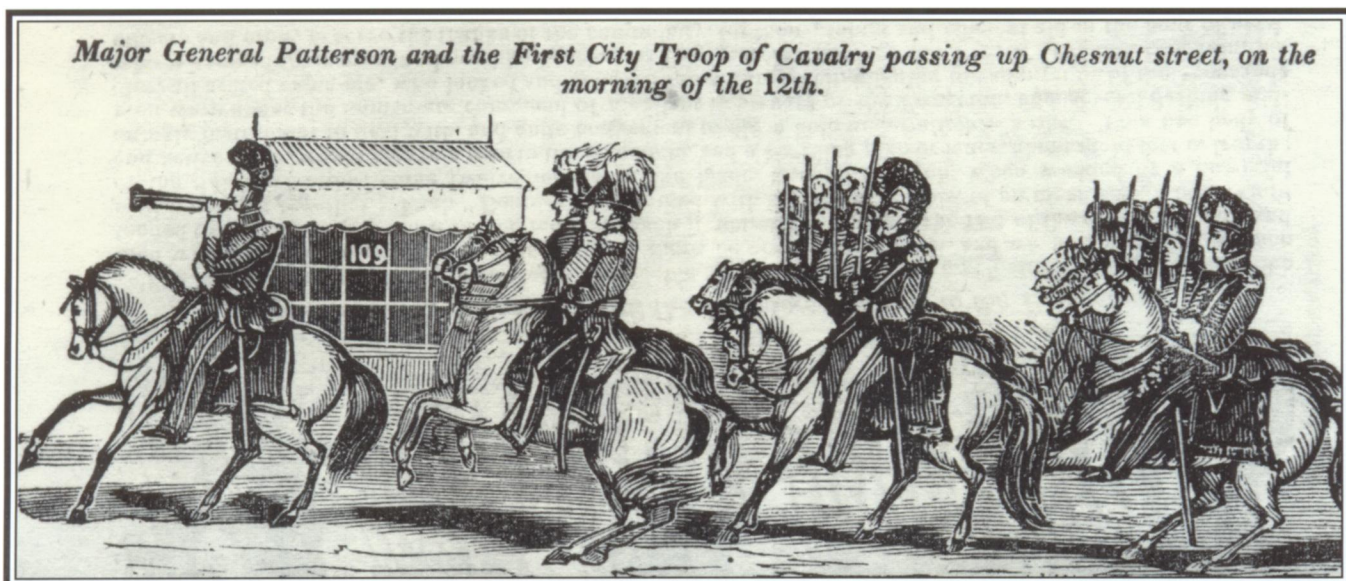
... when Catholics began to demand the civil and religious liberties guaranteed under the Pennsylvania and U.S. constitutions, they exposed the contradictions between a Protestant national culture and republican freedoms.

Bibles and schools were the twin cornerstones of an evangelical religious culture in the United States. Philadelphians founded the nation's first Bible society in 1808, and the city became the headquarters for the American Sunday School Union in 1824. Evangelical Protestants insisted that religious instruction, including Bible reading, for children was the best guarantee of preserving self-government and civil liberty in a republic. So when Catholics began to demand the civil and religious liberties guaranteed under the Pennsylvania and U.S. constitutions, they exposed the contradictions between a Protestant national culture and republican freedoms. In response, anti-Catholic activists—called “nativists”—unleashed a propaganda campaign to demonstrate that Catholics were natural enemies of the Bible and, hence, unfit to be American citizens.

Philadelphia was home to two distinct groups of nativists, each with different motivations and constituencies. Religious nativists—mostly Protestant clergy—fanned the fires of anti-popey among Protestants. They were not averse to spreading sensational tales to suggest that Catholic priests threatened to bring social and sexual disorder to America. Political nativists, on the other hand, were primarily concerned with the boatloads of newly arriving Irish immigrant men and their political influence in a new era of participatory democracy. They built a new political party, the American Republican Party (popularly

known as the Native American Party), with the principal objective of raising the residency requirement from 5 to 21 years before an immigrant could become a voting citizen. The Bible-in-the-schools controversy joined these two groups into a dangerously volatile mix of anti-Irish, anti-immigrant, and anti-Catholic sensibilities.

It was within this climate that Francis Patrick Kenrick, bishop of the Roman Catholic Church in Philadelphia, ventured to make the city's common schools acceptable to Catholic parents and children. In a letter to the school board in 1842, Kenrick voiced Catholic objections to the sectarian features he perceived in a common-school education. Teachers opened and closed the school day by reading from the King James Bible or singing a Protestant hymn, and they used the Protestant Bible as the text for reading instruction. Kenrick appealed to the school board on the grounds of freedom of conscience: “The School law which provides that ‘the religious predilections of parents shall be respected,’ was evidently framed in the spirit of the Constitution, which holds the rights of conscience to be inviolable. Public education should be conducted on principles which will afford its advantages to all classes of the community, without detriment to their conscientious convictions.” Kenrick insisted that he was not demanding an end to Bible reading or the expulsion of the King James version, only that Catholic



Engraving from *A Full and Complete Account of the Late Awful Riots in Philadelphia* (Philadelphia, 1844).

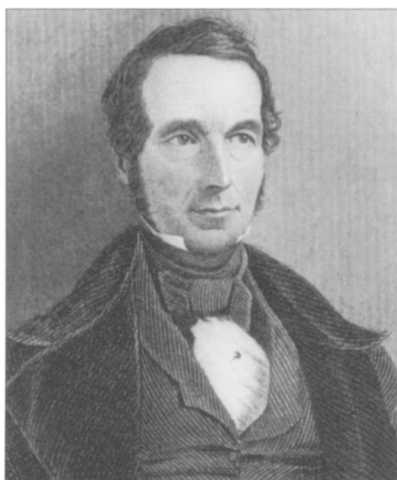
children be allowed to read from a Catholic Bible and be excused from Protestant forms of worship. The school board responded with a two-part compromise that pleased neither side; they exempted students "whose parents are conscientiously opposed" from required attendance at daily Bible readings and approved "any particular version of the Bible, without note or comment." The board's decision might have freed Catholic children from being forced to read the Protestant Bible, but at the same time banned the Catholic (Douay) version of the Bible, since it contained commentary.

This misunderstanding cut right to the core of the differences between Protestants and Catholics. Protestants encouraged everyone, children included, freely to read and interpret the Bible. Catholics viewed the Bible within the context of the Church, meaning children should read only a translation of the Bible that was authorized and explained by the Church. Meanwhile, most Protestants found it hard to understand why anyone would call public schools "sectarian." After all, in their minds, the schools did not teach the doctrines of any specific denomination. They relied on a populist claim that the will of the majority should rule in a community, an assertion that continues to appear in church-and-state disputes in the present day.

Kenrick and Catholic political leaders hoped for equal access to a Catholic version of the Bible, but they would have settled for no sectarian practice in the schools at all. To Protestant nativists this represented a conspiracy "to kick the Bible from the Public Schools" and an ominous sign that growing numbers of Irish Catholic immigrants represented a threat in their midst. In 1844, Walter Colton, an Episcopal navy chaplain, penned an inflammatory tract entitled *The Bible in the Public Schools*. "We must never forget," Colton exclaimed, "that this is a Protestant land." He anointed schools the battleground for preserving a Protestant culture and called on every native-born American to "stand by these schools and protect them as he would his heart's blood." When an Irish Catholic alderman and school director in Kensington, Hugh Clark, was accused that same year of ordering a teacher to stop reading the King James Bible, a spiraling sequence of events led to bloody violence in Philadelphia's streets.

The first riots began in the industrial district of Kensington, home to a large concentration of working-class Irish immigrants. Political nativists planned a mass rally at a site near a schoolhouse, around the corner from a Catholic church, and two blocks from the home of Hugh Clark. Not surprisingly, angry Irish Catholic locals outnumbered the 300 nativists, and they shouted down the speakers and drove the nativists from the rally site.

Three days later, on Monday, May 6, nativists returned to the same location with a crowd of 3,000 intent on defending their right to assemble and speaking out against the threat that unrestrained immigration posed to American democracy. Crowds on both sides pushed and shoved until the rally devolved into a full-scale brawl. An American flag was



Walter Colton, engraving by G. Parker, from a Daguerrotype by W. and F. Langheim. Gratz Collection.

allegedly torn in the scuffle and moments later someone (it was never determined from which side) fired the first shot. Gunfire and missiles of bricks and stones were exchanged for the next hour until the sheriff restored order. By then five nativists had been shot.

For three more days anti-immigrant groups stoked the fires of anti-Catholic sentiment in newspapers and broadsides while thousands of native Protestants set fire to Irish homes throughout Kensington. A crowd of 6,000 rallied in Center City, and after hearing speakers accuse foreigners of trying "to kick the Bible from the schools," they marched off toward Kensington behind one person carrying the tattered American flag along with a banner proclaiming "This is the FLAG that was trampled underfoot by Irish

Papists." Irish Catholic families fled the city, forced to camp in the nearby woods. Native residents and Irish Protestants (and likely some fearful Catholic families) placed American flags in their windows, hoping it might prevent further damage

Address of the Catholic Lay Citizens of the City and County of Philadelphia, to Their Fellow-Citizens, in Reply to the Presentment of the Grand Jury of the Court of Quarter Sessions of May Term 1844, in Regard to the Causes of the Late Riots in Philadelphia (Philadelphia, 1844), excerpt

In the name and in behalf of the Catholic community, we explicitly deny that they have at any time, or in any manner made any effort "to exclude the Bible from the Public Schools." In the most solemn manner we declare that they have never designed, desired, or attempted to exclude the Bible from the Schools. We have uniformly contended, not only for ourselves, but on behalf of our Protestant and Jewish brethren, for the fullest freedom of conscience both for children and adults in Schools or elsewhere. . . .

. . . In this age and country, and especially in the city to which William Penn gave the name and impress of brotherly love, we presume it is unnecessary to put forward and plea in support of the constitutional and legal right to have our religious predilections respected.

Freedom of conscience is a fundamental article of the social compact which we are bound to maintain, and we cannot consent to see it violated, in ourselves, or our fellow-citizens. We appeal to all whether we do not scrupulously respect it in all the various relations of life. In this regard at least, we feel no reproach of conscience. We fearlessly challenge any one to show any act of the Catholic community in violation of these sacred rights, and we can individually make a like appeal as to all our social transactions. We have cherished and loved our fellow-citizens as brothers bound together by social ties, which for us, were strengthened and hallowed by a religion which preaches submission to constituted authority, and love for all mankind.

We have heard it affirmed that because Catholics are a

from rioting nativists.

Before the Kensington riots were over, nativists had burned down two Catholic churches, St. Michael's and St. Augustine's, as well as the convent home of the Sisters of Charity. Ironically, Protestant rioters presumably burned Catholic Bibles when they emptied the libraries of those churches into the streets to fuel bonfires. One month later, a grand jury blamed the riots on "the efforts of a portion of the community to exclude the Bible from our Public schools."

Violence returned to the city in July, this time in Southwark, following immense nativist Independence Day events. Nativism had a strong political appeal in this working-class neighborhood, since many native-born workers had suffered greatly during the depression of 1837-42 and were keenly sensitive about competition from Irish immigrants. This time, the conflict centered on a single Catholic church, St. Philip Neri, which had been threatened but not destroyed during the May riots. Catholic supporters were determined to defend the church with firearms (and were even granted permission to do so by the governor). For three days, state and local Irish militia groups battled with gangs of nativist rioters in the streets surrounding St. Philip's. When a former Whig congressman, Charles Naylor, tried to prevent state troops from firing on a crowd of nativists, he was proclaimed by the

rioters to be "a great Bible man." But nativists became incensed when Naylor was taken prisoner and guarded by an Irish Catholic militia company. Despite the efforts of nativists to haul cannons from the waterfront to seize control of the church, state troops prevailed. After three days of rioting, 15 people were killed and as many as 50 wounded.

In the end, a controversy that began over Bible reading degenerated into an urban civil war. Religious liberty was never far from people's minds, whether in Catholic efforts to save their churches, or nativists' cheers for their "great Bible man." The city of brotherly love would need a full generation to heal the wounds of religious intolerance displayed that spring and summer in 1844. Ironically, it took an actual civil war to heal this division, as Irish Catholics proved their citizenship with their service in the Union army. Bible reading and prayers in public schools were eventually declared unconstitutional in two landmark U.S. Supreme Court decisions in 1962 and 1963. And freedom of religion continues to be a dynamic struggle between freedom of conscience and populist politics, as it has throughout Pennsylvania's history. ■

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Bishop Francis Patrick Kenrick, frontispiece of *Diary and Visitation Record of the Rt. Rev. Francis Patrick Kenrick . . .* (Lancaster, PA, 1916).

minority, they must submit to the regulations which the majority may please to adopt. We are willing that the principle should be applied to all things wherein public interest and order are concerned, saving always those principles and rights the Constitution holds to be inviolable. We are the minority; and

for us, therefore, does the Constitution exist. The majority need not its protection, for they have the power to take care of their own interests. Unless for the shield which the Constitution gives to those who are the smaller, and, therefore, the weaker party, the government would be a despotism, for the governing power would be uncontrolled. To-day one class may be lashed by the tyrant of numbers, and to-morrow another class may feel the scourge. No man, no sect, no party would ever be safe. Peace and order would be destroyed, and soon the wreck of the Republic would add another to the many melancholy instances of the danger which always attends the conferring of unbounded power.

UNDER NO CIRCUMSTANCES IS CONSCIENCE AT THE DISPOSAL OF A MAJORITY. It is the feeling of duty which springs from the law of nature engraved on the heart, or from the revealed law of God, and cannot be subject to the control

of any authority not immediately derived from Him. We plead then our natural and indefeasible right recognized by the Constitution and laws. . . .

We are Philadelphians, and we love our city. Many of us can say it is the home of our childhood, the habitation of our wives and children—it contains the ashes of our fathers. Willingly would we bury in oblivion those awful scenes, which (though painful and injurious to us,) we deeply deplore on higher grounds than any selfish personal feelings.

It had been our pride and our glory that religious freedom was here enjoyed in its plenitude, and that any attempt to diminish it would meet with the reprobation and successful opposition of all classes of citizens.

Here we fondly hoped the shrines of religion were safe; here the seminaries of learning were fostered; here the ministers of religion were respected. Alas! after the scenes through which we have passed, when even the resting place of the

dead was invaded, can we speak the same language of exultation? We trust still in the good sense and feeling of our fellow-citizens, that they will unite with us in maintaining that liberty of conscience, for which our fathers and theirs bled, and the supremacy of the law, and that the sympathies of life will be renewed and increased among us; so that united by the bonds of our social compact and common interests, and common country in peace and harmony, we shall continue to enjoy the blessings of which we have hitherto been proud; and in the day of danger we shall *all* remember, that life is well sacrificed, if sacrificed for our country.

We desire not to proscribe any one; we ask for no peculiar privileges; we make no merit of the purity of our Pennsylvania descent, but WE DEMAND that the exclamation, "I AM AN AMERICAN CITIZEN," shall continue to be the protection of our rights, and the guarantee of our freedom. . . .