Spring 1982

Thomas Jefferson's Philosophy As Related To Separation Of Church And State

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THOMAS JEFFERSON'S PHILOSOPHY
AS RELATED TO SEPARATION OF CHURCH AND STATE

BY

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A Thesis submitted to Carroll College in partial fulfillment of the requirement for academic honors with a B. A. Degree.

DEPARTMENT OF PHILOSOPHY

Helena, Montana
March 15, 1982
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I. INTRODUCTION

A brief biographical sketch of Thomas Jefferson's life before the passage of his Bill for Establishing Religious Freedom will serve as a foundation in examining Jefferson's conception of the separation of Church and State. Thomas Jefferson was born in 1743 in Goochland County, Virginia. Jefferson's father lacked a formal education and hence planned to give his eldest son Thomas the best attainable. When he was five years old, Thomas Jefferson was sent to a fine English school in Virginia. At nine, Jefferson attended the Latin School of Mr. Douglas, a clergyman from Scotland. He stayed until the age of fourteen and learned French and the rudiments of Greek and Latin. These three languages proved to be instrumental in Jefferson's philosophical education, for during his college years, Jefferson was noted for his endeavors into primary Greek and Latin sources. In his later years, Jefferson was to become an advocate of various ideas from the French philosophes. Thus, learning the fundamentals of these languages early in his life enhanced his access to philosophical sources.

Upon his father's death in 1757, Jefferson went to the Reverend Mr. Murray, "a correct classical scholar." In the spring of 1760, Jefferson, a young man of seventeen, enrolled at William and Mary College. He enjoyed his two

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year stay at college and expressed his fondness for one teacher, Dr. William Small, by writing:

It was my great fortune, and what probably fixed the destinies of my life, that Dr. William Small of Scotland, was then Professor of Mathematics, a man profound in most of the useful branches of science . . . Fortunately the philosophical chair became vacant soon after my arrival at college, and he was appointed to fill it per interim; and he was the first who ever gave, in that college, regular lectures in Ethics, Rhetoric and Belles Lettres. 2

The significance of Dr. Small's influence on the "destinies" of Jefferson's life was due to the strain of natural science in his teachings of Ethics. Jefferson, in his later years, was known as a man dedicated to the advancement of science. He believed that science was important in all branches of education, in particular philosophy. We will see later that scientific methodology had a significant impact on Jefferson's approach to ethical questions and religion.

Although Thomas Jefferson was pleased with his education at William and Mary, he was not happy with the presence of the Church of England in the school. In his autobiography, Jefferson makes note of the dominant nature of the church in the college.

The College of William and Mary was an establishment purely of the Church of England; the Visitors were required to be all of that church; the Professors to subscribe its thirty-nine Articles; its students learn its catechism; and one of its fundamental objects was declared to be, to raise up Ministers for that church. 3

2 Ibid, p. 20.
3 Ibid, p. 61.
These facts about the dominant influence of the Church of England in the college were not fundamental to Jefferson's ideas on separation of Church and State. The college was a private educational institution that was founded by the Church. It was not a public school financed by the state government. Nevertheless, Jefferson observed the authoritarian nature of the Church in education. The Church demanded that the students, the professors and even visitors of the college submit to the Church doctrine. Thus, in his college years, Jefferson's eyes were opened to the power of religious authority.

Through Dr. Small, Jefferson was introduced to George Wythe, a lawyer and member of the Virginia bar. Jefferson was accepted as a student of law with Mr. Wythe, for studying law was a private matter in colonial Virginia. In 1617 Mr. Wythe led Jefferson into the practice of law at the bar of the General Court of Virginia. In 1769, Jefferson became a member of the legislature and so continued until it was closed by the revolution. The time spent on the Virginia legislature was a trying experience for Jefferson. The legislature was under the complete authority of England and during the reign of this regal government, nothing liberal could expect to succeed. For example, Jefferson had attempted on several occasions to pass laws that would emancipate slaves, but they were rejected.

Jefferson's most important proposal as member of the

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legislative body was his bill for establishing religious freedom. After years of debate, the bill finally passed, ten years after the Declaration of Independence. This bill was a direct attack on the dominance of the Church of England in Virginia. The bill declared that religious freedom was one of man's natural rights. It also separated the Church of England from the state government. Moreover, the bill's influence spread throughout the nation and some years later religious freedom was written into the United States Constitution. Was this bill merely a product of history, a reaction to the dominant religious dogmas that ruled the new world? The answer to this question is yes and no. History played a big role in the passing of this law, for the American revolutionaries were fighting for their freedom. However, there was a whole new philosophical outlook toward religion among the Founding Fathers. In particular, Thomas Jefferson's ideas played the most significant role in establishing absolute religious freedom and separating church and state in the United States.
II. HISTORICAL PERSPECTIVE OF THE ALLIANCE OF CHURCH AND STATE

In order to fully grasp Thomas Jefferson's position on the separation of church and state, it is necessary to examine some historical events that occurred before and during his lifetime. Jefferson was a keen observer of history and noted the foul effects of combining religion with politics. History had provided Jefferson with his argument against spiritual tyranny of any kind. Although it is Jefferson's ideas that are most important, a brief history of the alliance of church and state is needed to provide a foundation for Jefferson's philosophical beliefs.

Thomas Jefferson was born and raised in Virginia, a colony dominated by the Church of England. The first settlers in Virginia were Englishmen, who were loyal to the King and Church of England. These men had not emigrated to escape a political system nor a religious establishment. They merely sought to recreate the England they had left, with the same social system and the same Church.\(^1\)

In 1607, an ordinance was declared in England that required the formation of a council in the colony of Virginia. The council served as an assembly and soon thereafter, a local government was created which enacted laws of intolerance to suppress dissenters. The Church of England was

established as the only means of religious worship. The church was safeguarded by both local and English laws.\textsuperscript{2}

In 1614, Sir Thomas Dale took command in Virginia. Dale sponsored a new set of civil laws, known as the Dale Code. "It was both brutal and bloody. He who failed once in the observance of the sabbath was tortured with a whip. He who uttered doubt about the trinity suffered death."\textsuperscript{3}

The main activities of the first Virginia Assembly consisted of the enactment of laws bearing on religion. Hence, the Church of England was made a strong branch of the colony's government. By law, every parish in the colony was ordered to build a parsonage for an assigned minister from the Church. Each minister was granted two hundred acres of land. Vestries (committees set up to collect levied tithes) were granted absolute autocratic power in all parochial matters. These committees were appointed by the Church and no one questioned the authority of a vestry.\textsuperscript{4}

Thus, a religious tyranny was established. The small ruling group used politics in determining the policies of the church, and conversely, they used the church in determining the policies of the government. The result was the alliance of church and state. The wealthy who possessed


vast estates in Virginia were the leading men in the political system. Their goal was to secure their economic position. They used their power in both the church and the assembly to create policies favoring the oligarchy.

In 1642, Puritans emigrated to Virginia, and they began to draw large crowds by their fervent preaching. The assembly acted promptly, however, and the Puritans were driven from the colony.\(^5\) The Quakers, who fled from persecution in England, were also confronted by the Virginia Assembly. In his Notes on Virginia, Jefferson wrote of the oppressive nature of the Virginia government.

Several acts of the Virginia Assembly of 1659, 1662 and 1693, had made it penal in parents to refuse to have their children baptized; had prohibited the unlawful assembling of Quakers; had made it penal for any master of a vessel to bring a Quaker into the State; had ordered those already here, and such as should come thereafter, to be imprisoned till they abjure the country; provided a milder punishment for their first and second return, but death for their third; had inhibited all persons from suffering their meetings in or near their houses, entertaining them, or disposing books which supported their tenets.\(^6\)

Thomas Jefferson must have sincerely pitied the Quakers, for he spoke of their misfortunes again in his autobiography.\(^7\)

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In 1683, the Scotch-Irish Presbyterians came to Virginia. Unlike previous religious immigrants, the Presbyterians obtained permission to settle in Virginia. By promising the Virginia colonial government to fight off any Indian intrusions, they were also granted the freedom to worship God as they desired. Nevertheless, the Scotch-Irish Presbyterians were to become enemies of the Virginia government and the backbone of the democratic movement. They were also among the supporters of Jefferson in his fight for absolute religious freedom.8

Besides the historical events in his own colony, Jefferson noted other social evils due to the influence of the Christian religion on law. He summed up his beliefs in a passage copied from Locke.

Why have [Christians] been distinguished above all people who ever lived for persecutions? is it because it is the genius of that religion? no it's genius is the reverse. It is refusing toleration to those of different [opinion] which has produced all the bustles and wars on account of religion. It was the misfortune of mankind that during the dark centuries the [Christian] priests following their ambition and avarice and combining with the magistrate to divide the spoils of the people could establish the notion that Schismatics might be ousted of their possessions and destroyed.9

The common law of England serves as a good example of this thesis. Thomas Jefferson's "interpretation of English

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history and his belief in the 'Saxon Myth' were basic to his understanding of Church and State in England. According to the 'Saxon Myth' the Anglo-Saxons had reached England in the fifth century, bringing with them their common law, containing a code of moderate humane penalties for specific criminal acts." The perversion of the common law, according to Jefferson, was due to the arrival of Christianity in the seventh century. By 1728, the English Court assumed that the moral concepts found in the Christian doctrine was the law of England. Thus, the Anglo-Saxon common law was reduced to a canon for expounding Christian moral opinions.

We have seen thus far that Thomas Jefferson was fully aware of the past. He consistently referred to historical events in order to demonstrate the ill effects of the alliance of church and state. Jefferson's thoughts exhibit the many instances in history in which a civil law was a direct product of a particular religious precept inherent in the government. For Thomas Jefferson, the separation of church and state was a key principle for building a political system that guaranteed freedom for the individual.

Although history played a strategic part in Jefferson's arguments for the separation of Church and state, it was


11 Ibid, p. 121.
his political and philosophical beliefs that were of the utmost importance in his struggle for religious freedom. Thomas Jefferson was a product of the Enlightenment, and had definite philosophical beliefs in the areas of ethics, metaphysics and politics. Thomas Jefferson pooled together an array of philosophies dating back to the classics in building his own concepts and beliefs. Because of this eclecticism, many have accused Jefferson of being unoriginal in his writings and ideas. On the contrary, Thomas Jefferson was quite unique and creative. Perhaps Abraham Lincoln said it best when asked his opinion of Thomas Jefferson.

The principles of Jefferson are the definitions and axioms of a free society . . . [Jefferson] had the coolness, forecast and capacity to introduce into a merely revolutionary document an abstract truth, applicable to all men and all times, and so embalm it there that to-day and all coming days it shall be a rebuke and a stumbling-block to the very harbinger of reappearing tyranny and oppression.12

Among these "principles" is the concept of separation of church and state. The following is a discussion of this particular principle and how it relates to freedom.

III. ETHICAL BELIEFS AND PHILOSOPHICAL SOURCES

It is extremely difficult to make any conclusive statements about Thomas Jefferson's early ethical outlook, because the supply of primary Jeffersonian writings is meager for his first thirty years. However, Jefferson copied actual statements from various writers and compiled them into a book called The Literary Bible of Thomas Jefferson; His Commonplace Book of Philosophers and Poets. Gilbert Chinard, who edited and wrote an introduction to the manuscript, has determined that Jefferson compiled the work in his student days.\(^1\) Chinard speaks of The Literary Bible as "Jefferson self-revealed . . . For it contains the maxims and principles which so impressed his still plastic mind, that by them he was to govern the rest of his life."\(^2\) The main body of the book consists of excerpts from Greek and Latin classics and Lord Bolingbroke. These sources provided a foundation for Jefferson's philosophical beliefs.

The first question that must be addressed is why did the classic writers significantly influence Jefferson's early education? Chinard claims that Jefferson's faith in the Christian religion was very shaky at this time in his life.\(^3\) This lack of faith was probably due to the oppressive nature of the Church of England as witnessed by Jefferson in Virginia.


\(^2\) Ibid., p. 3.

\(^3\) Ibid., p. 18.
The main doctrine of the Church was the Bible, and most young men did not feel obliged to submit to such an authoritarian doctrine.

In a land where religious traditions were so strong and which did not participate fully in the tradition of the mother country, the Bible naturally was one of the dominant influences. It was not and could not be the only one for young Americans who went to college and whose restless minds refused to accept the principle of authority. To many of them Cicero or Seneca offered new views of the nature of man, . . . and a code of ethics less sublime, but more practical and more within their reach, than the 'morals of Jesus'.

Thomas Jefferson was not one to submit to the authoritarian teaching of Christian religions. He sought other systems of morality and found the writings of the ancients quite appealing.

Although a systematic moral philosophy is not found in The Literary Bible, two mainstreams of Greek and Roman thought are greatly emphasized in the work, Epicureanism and Stoicism. These two philosophies were not sharply distinguished for Jefferson. "He used them as complementary techniques in the realization of the good life . . . In brief, they both functioned as systems of independent morality, needing no sanction from Church or State." The concept of "independent morality" is perhaps the key to Jefferson's ideas on religious freedom. According to Epicurean philosophy, happiness served as the goal for an

4 Ibid., p. 3.

individual. Jefferson believed that the pursuit of happiness is an inalienable right endowed to the individual by the Creator. Neither the State nor the Church had the right to infringe upon an individual's quest for happiness. Thus, Epicureanism provided Jefferson with a philosophical goal in life, happiness, which was defined as tranquillity of the soul.

There are additional factors that help in explaining Jefferson's acceptance of the Epicurean doctrine. In particular, the atomistic cosmology of Epicurus was an idea held by Jefferson throughout his life. This belief in a totally material cosmos had many ethical implications to which Jefferson was drawn. According to Epicurean theory, man is confronted throughout his life with the fear of dying. Men are in a constant state of worry because they fear their soul will be judged on the day their bodies died. To overcome this fear, Epicurus maintained that the soul consisted of matter and perished with the body. Once a man realized that there was no eternal life, he would work hard to attain happiness in his everyday living.

Thomas Jefferson saw this attitude about death in the writings of Cicero, a Stoic philosopher with an Epicurean bent.


For whoever dread what cannot be avoided can by no means live with a quiet and tranquil mind. But he who is under no fear of death, not only because it is a thing absolutely inevitable, but also because he is persuaded that death itself hath nothing terrible in it provides himself with a great resource towards a happy life.⁹

And,

For if either the heart, or the blood, or the brain, is the soul, then certainly the soul, being corporeal, must perish with the rest of the body; if it is air, it will perhaps be dissolved; if it is fire, it will be extinguished.¹⁰

In these excerpts from Cicero, Jefferson saw the center of Epicurean thought.

Jefferson held firmly throughout his life that the soul consisted of matter. In a letter to John Adams in 1820, he demonstrates his materialistic beliefs.

To talk of immaterial existences is to talk of nothings. To say that the human soul, angels, gods, are immaterial, is to say they are nothings, or that there is no god, no angels, no soul.¹¹

Jefferson refers this belief to the "creed of materialism by Locke."¹² However, the spark of this belief is found in his early allegiance to Epicureanism and Stoicism. It is clear that Jefferson, at an early stage in his life,

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¹²Ibid., p. 569.
was drawn towards the materialist theories of these two philosophies. They also provided Jefferson with a goal in life, happiness.

Jefferson found the means of attaining happiness exclusively in the doctrines of Cicero. He saw in the writings of Cicero a conception of nature that was to become a foundation for his belief in natural law. For Cicero, happiness consists in activity in accordance with nature. The only moral state of mind, from the Stoic point of view, was an acceptance of the universe and of man's place in it. Happiness came through man's acceptance of nature and the belief that we must follow our destiny.

We follow our fate here and there wherever it takes us. Whatever will happen, destiny must be overcome, by bearing it. 13

Jefferson saw in this idea a whole new outlook towards life. As men we must accept the fact we are not eternal beings and once we accept it, we can live our lives happily. This was a very humanistic view of life that Jefferson adopted during his college years.

Another key theme to which Jefferson was attracted was man's use of reason in determining truth and justifying laws. Reason was the bearer of truth and man's erroneous opinions were the obstacles that must be subdued. Two further quotations from Cicero demonstrate Jefferson's

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13 Cicero, as quoted by Jefferson in The Literary Bible, p. 80.
confidence in reason and his distrust of opinion.

... there is present to every man reason, which presides over and gives laws to all; which by improving itself and making continual advances, becomes perfect virtue.14

Jefferson followed this quote with an excerpt dealing with opinion.

The seeds of virtue are natural to our constitutions, and, were they suffered to come to maturity, would naturally conduct us to a happy life; but now, as soon as we are born and received into the world, we are instantly familiarized with all kinds of depravity and perversity of opinions; so that we may be said almost to suck in error with our nurse's milk. When we return to our parents, and are put into the hands of tutors and governors, we are imbued with so many errors that truth gives place to falsehood, and nature herself to established opinion.15

Thus, Jefferson adopted Cicero's conception that reason must serve as the guideline for justifying laws. However, Cicero did not have a concrete method that Jefferson could use in founding an ethical system. In the search for a method, Jefferson turned to the writings of Lord Bolingbroke.

The section of The Literary Bible devoted to Bolingbroke reveals Jefferson's most fundamental indictment of dogmatic political and religious institutions. To Bolingbroke, morality and political institutions must be grounded on factual evidence supported by reason. "No hypothesis ought

14 Ibid., p. 76.

15 Cicero, as quoted by Jefferson in The Literary Bible, p. 76, 78.
to be maintained if a single phenomenon stands in direct opposition to it."  

Jefferson adopts this method of grounding moral claims on fact. Politically speaking, Bolingbroke thought that governments should be based upon the "laws of nature" and void of all biased opinions. To Jefferson the same "laws of nature" were to become the basic first principles on which a republican government could be built. Hence, Jefferson felt that political institutions should be organized according to the principles of reason, which were in fact the laws of nature.

The main problem that Bolingbroke addresses is the so called "true" propositions espoused by Christian theologians. Bolingbroke's attack on authoritarian Christian ethics on the grounds that it is contradictory to the laws of nature appeared to impress Jefferson when he compiled The Literary Bible. The gist of this argument is demonstrated in this selection copied by Jefferson from Bolingbroke.

It is not true that Christ revealed an entire body of ethics, proved to be the law of nature from principles of reason, and reaching all the duties of life. If mankind wanted such a code, to which recourse might be had on every occasion, as to an unerring rule in every part of the moral duties, such a code is still wanting; for the gospel is not such a code.

16 Bolingbroke, as quoted by Jefferson in The Literary Bible, p. 41.


18 Bolingbroke, as quoted by Jefferson in, The Literary Bible, p. 50.
Bolingbroke felt that the root of the problem in any system of Christian ethics lies in the source of authority. The moral codes in Christian doctrines depend upon either revelation or authority. This dependency was not suitable to Bolingbroke, since revelation is essentially private and authority is motivated by private interest.19 

Because he was impressed by Bolingbroke's criticisms of Christian ethics, the young Jefferson formed a concept of first principles. Jefferson would use the idea of self-evident truths based on fact and guided by reason in his future attempts in framing a coherent moral system. Jefferson extracted from Bolingbroke a method for obtaining a philosophic moral theory. At an early age, Jefferson was convinced that the authoritarian doctrines of the Bible were not grounded on principles of human reason.

Moral obligations are occasionally recommended and commended by it [Bible], but no where proved from principles of reason, and by clear deductions, unless allusions, parables, and comparisons, and promises, and threats, are to pass for such.20

Thus, Bolingbroke provided Jefferson with sound arguments against Christian doctrines and also an intellectual method that should be used in declaring ethical codes.


20 Bolingbroke, as quoted by Jefferson in The Literary Bible, p. 50.
One further influence Bolingbroke had on Jefferson's ideas was the appeal to ancient moralists. After reducing the Bible to an unsystematic code of ethics, Bolingbroke commends the writings of the ancients as a more coherent system of ethics.

Were all the precepts of this kind, that are scattered about in the whole New Testament, collected, like the short sentences of antient sages in the memorials we have of them, and put together in the very words of the sacred writers, they would compose a very short, as well as unconnected system of ethics. A system thus collected from the writings of antient heathen moralists of Tully, of Seneca, of Epictetus, and others, would be more full, more entire, more coherent, and more clearly deduced from unquestionable principles of knowledge. 21

Likewise, Jefferson believed that Greek and Latin writers, like Cicero and Epictetus, had a superior understanding of the "unquestionable principles of knowledge" than Christian theologians. Jefferson also believed that these principles were undoubtedly the laws of nature.

Thus, in his youth, Jefferson was convinced that the principles of moral conduct can be derived from reason. He also believed in a set of natural laws that serve as guidelines in building the laws of society. The main sources of these beliefs are found in his quotations of Cicero and Bolingbroke. The major problem that Jefferson had at this time was the lack of an epistemological

21 Ibid., p. 50.
foundation for believing in self-evident, intuitive truth. Jefferson still had questions about intuitive knowledge and how man's reason came to know the laws of nature.
IV. THOMAS JEFFERSON AND NATURAL LAW

The early adoption of ideas from Cicero and Bolingbroke provided Jefferson with a foundation on which to build an ethical theory. The two significant themes Jefferson drew from these philosophers were natural law and man's ability to derive a moral code from reason. Jefferson was a believer in natural law theory and was confident that man had the ability to abstract moral laws from nature. Natural law theory has deep roots in philosophical history and had undergone many changes before it reached the mind of Jefferson.

I will briefly outline the evolution of natural law theory and demonstrate why Jefferson can be identified with this tradition. For Jefferson, men are naturally endowed with a moral sense which directs their actions. Jefferson also believed that morality was to be founded on experience, and since experience is different in each society, ethical codes are relative to particular societies.

The discussion concerning the origins of law goes back to the question Plato raises in The Republic: What is justice? In The Republic, Socrates inquired into the essence or nature of justice. Thrasymachus replied that justice is the "interest of the stronger". This definition of justice was to become the major idea that natural law theorists were to attack. Laws were not justifiable on the grounds that they came from authority. The basic
content of law must be freed from the desires of those in power. There must be a rational method to reveal what law and justice are in themselves.

In the seventeenth century, Hugo Grotius revived the Platonic idea of the good and so labeled it natural law. For Grotius, experience could never reveal what law and justice are in themselves, because laws and the concepts of justice depend on definitions and strict logical proofs. Grotius tried to correlate law with mathematics. The nature of numbers and their relations are eternal and necessarily true. Likewise, the laws are absolute truths which can be abstracted from definitions within the mind. Grotius contended that there are laws of nature which antedate all human knowledge. Thus, natural law was established in the sphere of pure reason, for it comes from the pure idea of the good.

The concept of natural law was popularized by the philosophes of the Enlightenment. In particular, it was Voltaire and Diderot who advocated natural law theory. They were not satisfied with what they saw as laws founded on convention and wanted to go back to the laws man was born with. However, the natural law doctrine of Grotius was radically changed in the eighteenth century by Voltaire and Diderot. Although these two men were responsible for

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popularizing the natural law theories of Grotius, they were caught in a dilemma concerning theories of knowledge. The philosophes of the Enlightenment were dedicated believers in the Lockean empiricist tradition: all knowledge is derived from our senses and there is no proposition of morality innate in our mind.

This tradition, however, is not compatible with Grotius' concept of natural law. For Voltaire, innate ideas did not exist, but self-evident truths did. Voltaire claimed that God has so formed the organs of man that everyone at a certain age agrees to self-evident moral truths. God endowed man with certain inalienable feelings which are the eternal bonds and the first laws of human society. Natural law for Voltaire was not an appeal to innate ideas. Natural law was founded upon the principles of natural science. Isaac Newton had demonstrated that nature is always in harmony with itself. There was unity, order and complete regularity in the natural processes of the world. Voltaire believed that man, too, must be part of this orderly world. The fundamental laws of morality are endowed in man through instincts.

Diderot also believed in a natural morality based on experience. He pointed out that natural law theory was shifting from the a priori proof to the a posteriori

\(^2\)Ibid., p. 244.

\(^3\)Ibid., p. 245.
method of empiricism. Diderot held firmly that men have natural sense impulses which motivate behavior. These impulses are in accord with nature and when followed, they will provide man with the most effective moral system. Moreover, Diderot felt that natural law and natural morality were superior to ethical systems based on the Bible. He attacked Christian theology on the grounds that it has always had a disastrous influence on society. Natural law was the means of attaining a just ethical system that would be effective in practice. 4

Grotius, Voltaire and Diderot were the backbone of natural law theory in the seventeenth and eighteenth centuries. Grotius believed that the idea of the good was innate in man's reason, whereas Voltaire and Diderot founded natural law on experience. Although natural law was approached with different theories of knowledge, the central theme was unchanged. They all believed that a moral system can be found in nature. Hence, traditional laws were merely opinionated creeds rather than true justice.

Given this background of natural law theory, what can be said about Jefferson's conception of natural law and how it relates to the separation of church and state? Although Jefferson's ideas can be traced back to other philosophers, he was somewhat unique in his approach to

natural law. His uniqueness lies in the fact that he selected certain ideas, wrote about them, and put them into practice. The revolutionary spirit present in the colonies boosted Jefferson's incentive to create a political system based on justice and freedom, not authority.

Jefferson was primarily a social and moral philosopher. He applied himself to the problems of understanding human behavior. For Jefferson, the thoughts of human beings are knowable in the same manner as natural events. The widespread influence of materialistic thought in eighteenth century France had a great impact on Jefferson's approach to the human personality and soul. As demonstrated in the discussion concerning Epicureanism, Jefferson believed that all things consist of matter. He also applied this concept to human thought.

I can conceive thought to be an action of a particular organization of matter, formed for that purpose by it's creator . . .

Thus, Jefferson's theory of knowledge was strictly empirical. Man was to rely on his senses for all knowledge.

Rejecting all organs of information, therefore, but my senses, I rid myself of the Pyrrhonisms with which an indulgence in speculations hyperphysical and antiphysical so uselessly occupy and disquiet the mind. A single sense may indeed be sometimes deceived, but rarely: and never all our senses together, with their faculty


of reasoning. They evidence realities; and there are enough of these for all purposes of life . . . 7

These passages show that Jefferson's philosophy was based on a theory of valid evidence. All natural processes can be explained through knowledge received by the senses. Philosophical systems and beliefs must be founded upon the inferences from sense experience. Without valid evidence based on the senses, beliefs are reduced to subjective opinions which are open to the sceptical attacks of "Pyrrhonism." Jefferson's empiricism had no room for theological claims nor revelation. These materialistic beliefs are seen throughout The Literary Bible, but Jefferson did not write about them until his later years.

Once Jefferson had attached himself to the empirical tradition, he had to find a way to apply it to human nature. Jefferson did not believe in a universal moral code. Instead, he thought that morality was merely relative to each society. Jefferson believed that by nature men know what is right and what is wrong; the rightness of an action is a function of its usefulness to society.

Whereas, we find, in fact, that the same actions are deemed virtuous in one country and vicious in another. The answer is that nature has constituted utility to man the standard and test of virtue. Men living in different countries, under different circumstances, different habits and regimens, may have different utilities . . . 8

7 Ibid., p. 569.
Jefferson has thus taken the universality out of natural law theory. Virtue is accountable to the utility of each action in a particular society. This fits in well with Jefferson's early attachment to Epicureanism. However, Jefferson does not stop with a pleasure/pain theory of morality. He founded this utilitarian ethics on the moral sense theory of Lord Kaimes.9

Thomas Jefferson was convinced that utility was accountable to natural impulsive feelings found in human beings. His conception of the moral sense is found in a letter to Peter Carr.

[Man] is endowed with a sense of right and wrong, merely relative to [society]. This sense is as much a part of his nature, as the sense of hearing, seeing, feeling; it is the true foundation of morality, . . . The moral sense, or conscience, is as much a part of man as his leg or arm. It is given to all human beings in a stronger or weaker degree, as force of members is given them in a greater or less degree. It may be strengthened by exercise, as may any particular limb of the body. This sense is submitted, indeed, in some degree, to the guidance of reason . . . 10

Hence, Jefferson formed the foundation of his natural law theory. By nature, men were endowed with a moral instinct which guides them to virtuous actions. This is similar to

9 Ibid., p. 1034.
the ideas of Voltaire and Diderot, with the exception of ethical relativity. Morality was to be based on experience, but experience is different from society to society. This conception of morality is strictly aimed at the individual. When Jefferson applies his theory to political institutions, his natural law theory 'surfaces in his belief in natural rights.
V. MAN'S RIGHT TO RELIGIOUS FREEDOM; THE SEPARATION OF CHURCH AND STATE

Thomas Jefferson founded his moral philosophy on natural law. Likewise, his political ideas were grounded on a firm belief that society must be in accord with the laws of nature. The first principles of a political institution must conform to the God-given laws with which men were endowed. Among these divine laws are man's right to life, liberty and the pursuit of happiness. Jefferson's belief in natural rights is merely another mode of expressing his theory of natural law. Jefferson thought the most important right for the individual is liberty. Jefferson states that "the God who gave us life, gave us liberty at the same time . . ." ¹ Any infringement on man's liberty by a government is a "cruel war against human nature." ²

The most significant influence on Jefferson's political ideas was the philosophy of John Locke. We have seen how Jefferson had adopted Locke's empirical theory of knowledge. Jefferson used Locke's own words in describing how we know man's natural rights. Locke believed that natural rights were known to man because they were self-evident truths. This idea is found in Jefferson's most famous writing, The Declaration of Independence.

We hold these truths to be self-evident: that all men are created equal; that they are endowed by their Creator with certain inherent and inalienable rights; that among these are life, liberty and the pursuit of happiness.

More evidence of Jefferson's allegiance to Locke's political philosophy is seen again in this phrase of the declaration.

that to secure these rights, governments are instituted among men, deriving just powers from the consent of the governed.

Jefferson believed that a government must be based on the consent of the people. The idea of justifying political power through the consent of the governed is much like Locke's contract theory. Jefferson believed that by nature men have certain rights. Furthermore, he believed that man is by nature a social creature and that political institutions should be formed to protect an individual's natural rights.

Among these rights was liberty, in particular religious freedom. Jefferson believed that religious freedom is one of man's most important natural rights. In the Notes on Virginia, Jefferson states that no one has the authority to coerce the operations of the mind.

The error seems not sufficiently eradicated, that the operations of the mind, as well as the acts of the body, are subject to the coercion of the laws. But our rulers can have no authority over such natural rights.

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3 Ibid., p. 39.
4 Ibid., p. 39.
Jefferson believed that we are answerable only to God in religious matters. Our religious opinions are not subject to authority.

Jefferson has logically moved from natural rights to separation of Church and State. For Jefferson, religious freedom is a right given to man by nature. The only way for men to have this freedom was to strip the government of all powers concerning religious opinions and beliefs. The only justifiable use of power by government is in protecting an individual from harm. Accordingly, a person's private beliefs about God will injure no one.

The legitimate powers of government extend to such acts only as are injurious to others. But it does me no injury for my neighbor to say there are twenty gods, or no God. It neither picks my pocket nor breaks my leg.  

Jefferson's argument centers on his disposition of political duties. A political institution is supposed to protect man's natural rights, not infringe upon them.

Jefferson makes this point more clear in a collection of notes intended to be used in speeches and petitions in the Virginia House of Delegates. He analogizes the care of one's soul to the care of one's health or estate. I think the analogy serves its purpose in showing that a man's beliefs do not fall under the jurisdiction of authority.

Ibid., p. 675.
The care of every man's soul belongs to himself. But what if he neglects the care of it. Well what if he neglects the care of his health or estate, which more nearly relates to the state. Will the magistrate make a law that he shall not be poor or sick? Laws provide against injury from others; but not from ourselves.\(^7\)

Thus, religious beliefs are private and accountable only to God. A government has only the power that people give to it. A man cannot give the care of his soul to a government, because "no man has the right to abandon the care of his salvation to another."\(^8\)

The Bill for Establishing Religious Freedom proposed by Jefferson is perhaps the most important document in the history of the United States concerning the relation of church and state. As a bill, it was introduced to the General Assembly of Virginia in 1779. It was confronted by a powerful ecclesiastical sect of the Assembly and was not enacted until 1786. The proposal was a logical argument for separating church and state. The separation is based on religious freedom, which in turn is grounded on Jefferson's theory of natural rights.\(^9\)

Section one of the bill is Jefferson's argument for religious freedom. It begins with a declaration that "God hath created the mind-free." Any attempt


\(^8\) Ibid., p. 944.

\(^9\) The Bill for Establishing Religious Freedom is reprinted as an appendix to this essay and a reading of it at this point will enhance the understanding of this section.
to coerce the mind is a "departure from the plan of the holy author of our religion." This proposition was meant to be universal. An amendment to confine religious beliefs to Christianity was attempted, but did not prevail.

Where the preamble declares, that coercion is a departure from the plan of the holy author of our religion, an amendment was proposed, by inserting the word "Jesus Christ", so that it should read, "a departure from the plan of Jesus Christ, the holy author of our religion;" the insertion was rejected by a great majority, in proof that they meant to comprehend, within the mantle of its protection, the Jew and the Gentile, the Christian and Mahometan, the Hindoo, and Infidel of every denomination. 10

Thus, the bill protected all religious beliefs. Freedom was not to be bound to Christian religions.

A close reading of this document will reveal many themes that have already been mentioned in this essay. Jefferson proclaims that God has given man the power of reason to disclose a true ethical plan. This is followed by a lengthy attack on opinion. Jefferson undoubtedly adopted these themes from the writings of Cicero and Bolingbroke. Reason is the foundation of all moral truths and must be freed of all authoritative opinion. Jefferson uses this attack on opinion to demonstrate the necessity of separating church and state.

...to compel a man to furnish contributions of money for the propagation of opinions which

he disbelieves and abhors, is sinful and tyrannical. ... 11

Thus, Jefferson's early ethical beliefs emerge as the central theme in his ideas on government. Forcing a man to support the teaching of a religious persuasion is depriving him of liberty and of his natural rights.

Jefferson closes section one of the bill by praising the greatness of truth. Free argument and debate are the "natural weapons" that allow truth to prevail. The concern here is that truth will always overcome erroneous opinions if the expression of ideas is free and not subdued by authority. Jefferson further believed that free expression is nature's way of instructing and improving mankind.

That ideas should freely spread from one to another over the globe, for the moral and mutual instruction of man, and improvement of his condition, seems to have been peculiarly and benevolently designed by nature, ... 12

For Jefferson, argument and debate would necessarily be grounded in factual evidence based on experience. This brings to mind Jefferson's adoption of Bolingbroke's method of first principles and the epistemology of Locke. Jefferson was a firm believer that man has a faculty that can discriminate between right and wrong, and truth from


falsity.

The first section of the bill was the argument for religious freedom. Section two was the substantial portion of the law. It states that no man shall be forced by any means to support a certain religious persuasion. Men are free to maintain their own beliefs and those beliefs in no way "affect their civil capacities." Consequently, religion is separated from the sphere of civil duties. The alliance of church and state no longer prevailed in the state of Virginia.

In section three of the bill, the link to natural rights is made. Jefferson clearly states "that the rights hereby asserted are of the natural rights of mankind." Jefferson's overall philosophy is now complete. He has grounded his belief in religious freedom on his theory of natural rights, which was built on the doctrine of natural law. Furthermore, Jefferson maintained a coherent theory of knowledge which conformed to his ethical and political beliefs. Jefferson believed that the alliance of church and state was an infringement on man's natural rights. The Bill for Establishing Religious Freedom separated church and state and gave man the freedom to choose his desired faith.

This document was both a philosophical argument and a political proposal. The bill was enacted under the leadership of James Madison, because Jefferson served as
minister to France from 1785 to 1789, and was residing in Paris when the bill was adopted. For the same reason, Jefferson was not present at the drafting and adoption of the United States Constitution in 1787.

The Constitutional Convention met in Philadelphia on May 25, 1787. On the 17th of September the Constitution was published and Jefferson received a copy in France in early November. He was disappointed to see religious freedom not included in the articles of the Constitution. In his Autobiography, Jefferson expressed his desire to include religious freedom in the Constitution.

... I, too, found articles which I thought objectionable. The absence of express declarations ensuring freedom of religion, ... I quite disapproved. I expressed freely, in letters to my friends, and most particularly to Mr. Madison and General Washington, my approbations and objections. 13

Jefferson's two main objections to the Constitution were the possibility that a President could serve more than one term and that the Constitution lacked a bill of rights.

Jefferson's concerns were directed toward the power of the government. He feared that a President "will always be re-elected if he may be re-elected. He [the President] is then officer for life." 14 Jefferson believed that the office of President should be rotated, hence protecting the people from Tyranny. Likewise, a bill of rights was

needed to protect the fundamental principles of a free government and a free people. In December of 1787, Jefferson stated his opinions on the Constitution in a letter to Madison.

I will now tell you what I do not like. First, the omission of a bill of rights, providing clearly, and without the aid of sophism, for freedom of religion, freedom of press . . .

Let me add, that a bill of rights is what the people are entitled to against every government on earth, general or particular; and what no just government should refuse, or rest on inference.15

Although Jefferson was not present at the first assembly of Congress, his opinions were made known by James Madison. Under the leadership of James Madison, the first amendment to the United States Constitution was adopted by the first assembly of Congress. The First Amendment prohibited laws respecting an established religion and granted the free exercise of religious beliefs. Thus, Jefferson's conception of separation of church and state became a reality in the United States Constitution.

15 Ibid., p. 121.
VI. CONCLUSION

In the writings of Thomas Jefferson a unique philosophical perspective in regard to the separation of church and state is expressed. Jefferson thought that man's religious beliefs are not subject to authority. Religious freedom is an inalienable right given to man by nature. Any infringement on man's liberty is a contradiction to the laws of nature. Jefferson's expression of this idea culminated in his Bill for Establishing Religious Freedom.

This document reveals many aspects of Jefferson's philosophy. It also brings together a variety of ideas that Jefferson adopted from the writings of Cicero, Bolingbroke, Voltaire, Diderot and Locke. Many scholars have asserted that Jefferson was not an original thinker because most of his ideas were drawn from other philosophers. Nonetheless, Jefferson was unique in framing his own beliefs and advocating what he saw as the truth. To disregard him as a philosopher would be a greater misallegation. Jefferson was a man so interested in exploring ideas that to deny him the status of "philosopher" is to argue against the meaning of the term.

Jefferson's philosophic outlook had a great impact on the formation of the United States Government. His belief in religious freedom was only one of the many contributions he made to our democratic society. However,
the separation of church and state is perhaps the strongest of his revolutionary ideas. The words chosen for the Jefferson Memorial speak his most significant message to mankind. As an American I am indeed proud to understand it and share it: "I have sworn upon the altar of God, eternal hostility against any form of tyranny over the mind of man."
APPENDIX A

A BILL FOR ESTABLISHING RELIGIOUS FREEDOM

1779

SECTION I. Well aware that the opinions and belief of men depend on their own will, but follow involuntarily the evidence proposed to their minds; that Almighty God hath created the mind free, and manifested his supreme will that free it shall remain by making it altogether insusceptible of restraint; that all attempts to influence it by temporal punishments, or burthens, or by civil incapacitations, tend only to beget habits of hypocrisy and meanness, and are a departure from the plan of the holy author of our religion, who being lord both of body and mind, yet choose not to propagate it by coercions on either, as was in his Almighty power to do, but to exalt it by its influence on reason alone; that the impious presumption of legislature and ruler, civil as well as ecclesiastical, who, being themselves but fallible and uninspired men, have assumed dominion over the faith of others, setting up their own opinions and modes of thinking as the only true and infallible, and as such endeavoring to impose them on others, hath established and maintained false religions over the greatest part of the world and through all time: That to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors, is sinful and tyrannical; that even the forcing him to support this or that teacher of his own religious persuasion, is depriving him of the comfortable liberty of giving his contributions to the particular pastor whose morals he would make his pattern, and whose powers he feels most persuasive to righteousness; and is withdrawing from the ministry those temporary rewards, which proceeding from an approbation of their personal conduct, are an additional incitement to earnest and unremitting labours for the instruction of mankind; that our civil rights have no dependance on our religious opinions, any more than our opinions in physics or geometry; and therefore the proscribing any citizen as unworthy the public confidence by laying upon him an incapacity of being called to offices of trust or emolument, unless he profess or renounce this or that religious opinion, is depriving him injudiciously of those privileges and advantages to which, in common with his fellow-citizens, he has a natural right; that it tends also to corrupt the principles of that very religion it is meant to encourage, by bribing with a monopoly of worldly honours and emoluments, those who will externally profess and conform to it; that though indeed these are criminals who do not withstand such temptation, yet neither are those innocent who lay the bait in their way; that the opinions of men are not the object of civil government, nor under its jurisdiction; that

to suffer the civil magistrate to intrude his powers into the field of opinion and to restrain the profession or propagation of principles on supposition of their ill tendency is a dangerous fallacy, which at once destroys all religious liberty, because he being of course judge of that tendency will make his opinions the rule of judgment, and approve or condemn the sentiments of others only as they shall square with or suffer from his own; that it is time enough for the rightful purposes of civil government for its officers to interfere when principles break out into overt acts against peace and good order; and finally, that truth is great and will prevail if left to herself; that she is the proper and sufficient antagonist to error, and has nothing to fear from the conflict unless by human interposition disarmed of her natural weapons, free argument and debate; errors ceasing to be dangerous when it is permitted freely to contradict them.

SECTION II. We the General Assembly of Virginia do enact that no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, or shall otherwise suffer, on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinions in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities.

SECTION III. And though we well know that this Assembly, elected by the people for their ordinary purposes of legislation only, have no power to restrain the acts of succeeding Assemblies, constituted with powers equal to our own, and that therefore to declare this act to be irrevocable would be of no effect in law; yet we are free to declare, and do declare, that the rights hereby asserted are of the natural rights of mankind, and that if any act shall be hereafter passed to repeal the present or to narrow its operations, such act will be an infringement of natural right.
BIBLIOGRAPHY


