From Virginia to the World: A Legacy of Religious Freedom

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We often don't get to choose how we're introduced by others, nor how we'll be remembered. Some, like Thomas Jefferson, take control of that opportunity and specify. For Jefferson…America's preeminent Renaissance man…so many accomplishments and positions, such erudition—there was so much to be remembered for. He plucked this challenge from others and picked three himself for his tombstone.

Now this being a Virginia audience, I've no doubt each person in this room can name them in short order. Not so the Texan who authored one of the regular astronomy shorts on public radio in the mornings. About a year ago, driving to the office, I heard their narrator discussing Jefferson's many interests, including the stars, and marveling that this great intellectual chose his epitaph, "author of the Declaration of Independence, founder of the University of Virginia, and …president of the American Philosophical Society."

"NO!" I said to the radio, "No." The third measure of his life, by his own selection, was—[author of the Virginia Statute for Religious Freedom]…That's right. (They ought to stick to astronomy, and yes I contacted them.)

So what was this Virginia Statute, and why did Jefferson view it as one of the highlights of his remarkable life?

It was, simply put, a watershed moment in the history of humankind.

For all the history of human kind there had been a basic understanding about life, best summed up in two words, "Rulers rule." They made the rules. They)witness Constantine and Henry VIII) could change the rules at will. But one of the rules was, "This is The Church." The Church, as this audience appreciates, was part of The State. It often performed governmental functions, such as educations and taking care of the poor and orphaned. And all support it—or put themselves at great risk believing differently. It was akin to treason to do so; the Church was part of the State.

And religions generally, until recent centuries, haven't distinguished themselves by tolerating dissent and differences within, let alone of others. "Millions of innocent men, women, and children," wrote Jefferson, "since the introduction of Christianity have been burnt, tortured, fined, and imprisoned, yet we have not advanced one inch toward uniformity. What has been the effect of coercions? To make on-half the world fools, and the other half hypocrites."

Most Americans, it's safe to say, don't appreciate that we ourselves spring from State Church roots, the Spanish, British, and French colonies planted here by monarchial nations. Or from dissenters who sought not freedom at all, but the opportunity to found their own church-state, such as that in Massachusetts Bay that suffered not divergence.

Some assume, wrongly, that the religious freedom we enjoy was a natural result of the Revolution. They overlook one basic fact, that the primary goal of the Revolution was independence from Great Britain. This had to be the overriding focus, given that about a third of the colonists were patriots, a third loyalists, and a third just wanted to be left alone to try to scratch out a living. It was rough going mounting a revolution against a world power.

What wasnot clear to anybody was the nature and form of the government that would result should this uphill effort prove successful. Remember, there were musings about making Washington king, and our first framework, the Articles of Confederation, didn't fare very well.

And the Revolutions was led, for the most prt, by the gentry, who also were the vestry in their communities. The Establishment. They had shaken things up pretty thoroughly with the Revolution, necessitating new laws and new governments. Many thought it unwise, even dangerous to introduce further possible destabilization, under **their** rule, now and it would make continuing those social welfare and educational functions more difficult. Even liberty-loving Patrick Henry, for example favored State support of religious education and opposed separating Church from State.

How, then, did the Virginia Statute for Religious Freedom come to be?

While the libertianism of Roger Williams in Rhode Island, the tolerance of William Penn's Pennsylvania Quakers, and the Calvert's Catholic heritage in Maryland opened some minds to the possibility, it was, ironically, Virginia, the Old Dominion (so-named for its earlier loyalty to the Crown) that forged the way. "Ironically" because Virginia had no religious pedigree. It had been founded as a commercial venture, and the Church of England came along, an accepted part of the landscape.

What happened in Virginia was a confluence of the Enlightenment and the Great Awakening. Two strong currents merging into one powerful force at a time when change was more possible than before and there were individuals willing, nay eager, to persevere to affect the change.

The Enlightenment—belief in man's natural goodness and in his innate rights to personal liberties—the intellectual rationale, met and was fueled by George Whitfield's incredible revival of personal faith. The former spawned thinkers and causes; the latter, movements, churches, and unafraid and unabashed believers in Higher Authority. The former was epitomized in the latter half of the century by George Mason and his Virginia Declaration of Rights; the latter, by the Presbyterians, Methodists, and especially the

Baptists who tested and sometime defied the authority of the Colony to regulate of permit the practice of their beliefs.

Here in our back yard the Reverend Samuel Davies of Polegreen Church worked within the Colony's parameters, obtaining permits and supporting the French and Indian War, to advance the seeding of Presbyterian congregations. He then departed Virginia for that bastion of Presbyterianism, the College of New Jersey (now Princeton) as its president.

Baptists pushed harder, often refusing to be licensed, frequently being jailed…again and again…and sometimes suffering harsh physical treatment at the hands of the authorities. A young James Madison, educated at the College of New Jersey rather than the halls of Anglican William and Mary, witnessed Orange County neighbors, Baptists, preaching from their jail cells.

It was Jefferson who, recognizing the opportunity presented by the drafting of laws for the new Commonwealth of Virginia, synthesized philosophy and the right to believe into a draft statute articulating and protecting freedom of religion and setting forth the concept of separating church and state. Merrill Peterson writes that, "Jefferson had been disappointed that the Virginia constitution of 1776 left the [Church] establishment in place. Fortunately, the celebrated Declaration of Rights, adjoined to that constitution, asserted the true principle: 'All men are equally entitled to the free exercise of religion.' As originally drafted by Mason, the article guaranteed only 'the fullest Toleration in the exercise of religion.' But at the behest of a young delegate from Orange County, James Madison, the language of toleration was dropped in favor of the language of natural right. 'All men are equally entitled to the free exercise of religion.' The change amounted to a few words, yet it was momentous."

Subsequently the first meeting of the General Assembly, in October, 1176, was swamped with petitions of all kinds calling for disestablishing the Church and letting up on dissenters. Jefferson, on the next month, delivered a major speech to the House of Delegates. "Has the state a right to adopt an opinion in matters of religion?" he asked. His notes suggest that he answered his question mush as he wrote later in *Notes on Virginia:* "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 gods. It neither picks my pocket, nor breaks my leg."

Sequestered with two others in January 1777 in a Fredericksburg tavern to rewrite Virginia laws, Jefferson penned his first draft of a Bill for Establishing Religious Freedom. He introduced it two years later, and for several years it contended with Patrick Henry's "general assessment" plan, which proposed taxes that would support the Christian religion. Both bills languished in a General Assembly seemingly hopelessly divided on the issue. With Jefferson's departure for Paris in 1784, it fell to his intellectual soul mate and politically astute and persevering political lieutenant, Madison, to pick up the reins.

Here the plot thickens…and then twists. Thickens, because with Jefferson gone and Henry emphasizing the support of his bill for "the Teachers of the Christian Religion," Henry picks up backers. The Hanover Presbytery warms to it, as long as the proceeds are divided fairly among all the denominations, and the Methodists are buckling. Madison fears he's lost, but for two strategic bold strokes.

Henry longed to be Governor again, and sensitive to the Governor's limited role then with regard to legislation, Madison helped him achieve his ambition, and was able to have any vote on the bills postponed.

Having bought time, Madison went to work on his anonymous, and now classic, Memorial and Remonstrance, circulating it widely throughout Central Virginia with pages attached for signatures.

It was brilliant—in substance and political result. "Who does not see," wrote Madison, "that the same authority which can establish Christianity, in exclusion of all other religions, may establish with the same ease any particular sect of Christians, in exclusion of all other sects?" Eleven thousand signatures attached to the Memorial and Remonstrance flooded the General Assembly, the Presbyterians returned to their original position, and on January 16, 1786, the Bill for Establishing Religious Freedom became the Virginia Statute for Religious Freedom. Interestingly, while 74 members of the General Assembly voted for it and only 20 against it, 62 members abstained.

What is the significance to the world today of this state law enacted in a backwater 216 years ago? Virginia's cutting edge declaration of broad intellectual liberty held specifically that "our civil rights have no dependence on our religious opinions." Virginia was a tremendously important state, and it put this stake in American's political ground at the same time South Carolina, for example, was defining Protestant Christianity for purposes of voting and holding office, and Massachusetts continued its state church structure)well, in fact, into the 1800s).

And hugely significant was Madison's role in crafting the federal constitution. In the Bill of Rights, in the first amendment, we cannot be surprised to see the spirit of the Father of the Constitution: "Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof." The new idea had made its way into the most fundamental document of this great experiment called the United States, to be continually re-interpreted and affirmed, to be sure, legislatively and judicially; to suffer setbacks most certainly, from time to time, as at Nauvoo, and when "no Irish need apply." But, to borrow from Merrill Peterson again, "nowhere in the world today is there more genuine freedom of conscience , and more respect for the separation of Church and State, than in the United States."

Here we are today, centuries later, with the idea being tested internationally in a 21st century world where radical religious fundamentalism seeks to control, mandate, and even annihilate rather than respect and coexist.

This is why it's important for the birthplace of religious freedom to celebrate the Virginia Statute with a major monument. And why it's important to reach, from an international education center on the very spot where the Statute was adopted that winter's day in 1786, into classrooms across the country, and to touch and support those around the world, in China, India, Vietnam, Afghanistan, the Middle East and Iran, and Ireland, struggling to establish freedom on conscience as the norm, rather than the aberration, for themselves and their posterity…as the Virginians of 1786 did for us.