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The God of the Declaration

Is He the God of Today's Christian Right?

> I would see no constitutional problem if schoolchildren were taught the nature of the Founding Fathers' religious beliefs and how these beliefs affected the attitudes of the times and the structure of our government.
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> —*Justice Lewis Powell*[1]

The Declaration of Independence has been called the birth certificate of America. In recent years, however, partisans of the Religious Right have tried to transmogrify this document of liberty into a baptismal certificate for a Christianized America. They point to its invocation of God to support their sectarian reading of the Declaration.

It is, of course, true that the Declaration proclaims that "the Laws of Nature and of *Nature's God*" entitle the American people to separate and equal station with their mother country. It also postulates as a self-evident truth that "all Men

are created equal [and] are endowed *by their Creator* with certain unalienable Rights" and then appeals to "the *Supreme Judge* of the World." Finally, it expresses "a firm Reliance on the Protection of *Divine Providence.*" (Emphases added in these passages.) It is these references to "Nature's God," "Creator," "Supreme Judge," and "Divine Providence" that have been cited as proof of our founding fathers' commitment to the Judeo-Christian God of the Bible.

But these were terms—especially "Nature's God"—"employed not by conventional Christians but by Enlightenment 'deists.'"[2] The omission of any reference to Jesus Christ, or to the specific God of Christianity or of the Bible is far more significant than the inclusion of generic words that were consistent with non-Christian deistic beliefs.

As I will show in the pages to come, the Declaration was not based on the Bible, and its drafters were most definitely not "men of the Bible." On the contrary, Thomas Jefferson, its primary drafter, believed that the New Testament was written largely by "very inferior minds"[3] and that much of it consisted of "so much absurdity, so much untruth, charlatanism and imposture"[4] that it could aptly be characterized as "dung."[5] He thought even less of the Old Testament, whose vengeful God he deplored and whose draconian laws he rejected. He did not believe that the Ten Commandments, with their inclusion of punishment of children for the sins of their fathers, came from God, and he characterized the history of the Old Testament as "defective" and "doubtful." As for the supposed miracles of the Bible, he compared them to the false miracles of Greek and Roman mythology. He rejected the "supernatural" and regarded the concept of the Trinity as "insane." He specifically disagreed with Blackstone's claim that "the Law of Moses" was the basis of English law, characterizing this claim as a "fraud" based on an "awkward monkish fabrication."[6] He even wrote a

disquisition against the judicial "usurpation" that sought to base English governance on "laws made for the Jews alone, and the precepts of the gospel."[7]

Thomas Jefferson was neither a man of the Bible nor a person "of faith." He was a man of science and reason. Jefferson abhorred St. Augustine's curse against "the one that trusteth in Man,"[8] for he was one who placed his trust in human reason over biblical revelation. He rejected the traditional Christian belief that all men were fallen sinners, and he despised the notion of God having chosen certain peoples for favorable or unfavorable treatment.

It is difficult to imagine a man less of the Bible than Thomas Jefferson. Jefferson was an Enlightenment rationalist who believed that "the alliance between church and state" produces only evil, and that a wall of separation must be maintained. His God was most certainly not the intervening Judeo-Christian God of the Bible. It was "Nature's God"—what the Jefferson scholar Allen Jayne calls the remote "watchmaker God of deism . . . who established the laws of nature at the time of creation and then left it alone."[9]

The last thing Jefferson—or John Adams, or Benjamin Franklin—intended was a government "built wholly on a Judeo-Christian foundation." Jefferson railed against such a concept from the moment he penned the Declaration; his next great project was a bill protecting religious freedom in Virginia. And Adams signed a treaty when he was president that explicitly declared that "the government of the United States is not in any sense founded on the Christian religion."[10]

The drafters of our eighteenth-century Declaration of Independence could not have had more different views from those held by today's Falwells, Robertsons, Dobsons, Keyeses, Liebermans, and Novaks. Indeed, as will become evident

from a review of the relevant history, Jefferson intended his Declaration to free us not only from the political oppression of Great Britain but also from the religious oppression of evangelical clergymen who elevate "monkish ignorance and superstition" over the "unbound exercise of reason" and "the light of science." He certainly did not accept the insulting notion that there could be no virtue without religion, since he did not care whether anyone, even those closest to him, believed or disbelieved in God, as long as they relied on their own reason, and not the dogma of others, in reaching their decision. As Brooke Allen has summarized the history of that age:

> The eighteenth century was not an age of faith but an age of science and skepticism, and the American Founding Fathers were in its vanguard. As the philosopher Louis Dupré has uncompromisingly stated, "Our [Western] institutions and laws, our conception of the state, and our political sensitivity all stem from Enlightenment ideas. This, of course, is particularly true in the United States, where the Founding Fathers transformed those ideas into an unsurpassed system of balanced government." Even to their contemporaries this seemed obvious: the American Revolution, and the subsequent creation of the United States, embodied the Enlightenment values that had been formulated over the previous century. While some (though certainly not all) of the American colonies had originally been founded as religious communities—the Massachusetts Bay colony, chartered in 1629, was the major example of this sort of scheme—the ultimate confederation of the thirteen very different colonies as the United States was a purely secular project.[11]

In sum, the Declaration of Independence was designed to protect us from exactly that kind of Christianized America advocated by those who are now seeking to hijack the Declaration for their own sectarian purposes. The prominent historian Pauline Maier has put it this way:

> As the heirs of a political tradition shaped by radical seventeenth-century English Protestants, most American revolutionaries were suspicious of Roman Catholicism and its iconographic traditions. Many went further and opposed the use of religion to reinforce the power of the state in any way: Indeed, separation of church and state was one of the most radical innovations of the American Revolution.[12]

Jefferson's Nonbiblical God of Nature

The Judeo-Christian God—Jehovah of the Old Testament and the Father of Jesus in the New Testament—was *not* the God Jefferson was referring to as Nature's God or the Creator.[13] Jefferson explicitly rejected the biblical God—"the Lord mighty in battle," the God who intervened in the lives of human beings, performed miracles, wrote the Bible, or had a son. Jefferson did not believe in divine revelation, the virgin birth, the Trinity, or the other fundamental theological underpinnings of Christianity. According to the historian Allen Jayne, the author of a recent, definitive study on Jefferson's theology, Jefferson rejected "orthodox Christian doctrine" and "before and during the time he drafted the Declaration of Independence, manifested a concealed 'hatred for ceremonial institutionalized Christianity.'"[14] Nor did he believe that Jesus was anything other than an ordinary human being or that Moses received the

Ten Commandments from God. Jefferson's "watchmaker" God did not answer human prayers.

Most important, although Jefferson's words are currently invoked by "people of faith"—as members of the Religious Right refer to themselves—Jefferson himself was the opposite of a person of faith. He rejected all reliance on conventional religious notions of "faith" based on revelation, miracles, or dogma. These concepts were anathema to him. Instead, he insisted that "human reason" was supreme, and if a person could not be convinced of a fact—including the existence of God—by reason alone, he should not accept that fact on the basis of faith, revelation, or dogma. In 1787 he wrote about the study of religion to his seventeen-year-old nephew Peter Carr, to whom he was proposing a complete course of study. Because this letter outlines Jefferson's views on religion perhaps more completely than any other single document, it warrants extensive quotation:

> Your reason is now mature enough to examine this object [religion]. In the first place, divest yourself of all bias in favor of novelty and singularity of opinion. On the other hand, shake off all the fears and servile prejudices, under which weak minds are servilely crouched. Fix reason firmly in her seat, and call to her tribunal every fact, every opinion. *Question with boldness even the existence of God; because, if there be one, he must more approve of the homage of reason, than that of blindfolded fear.* You will naturally examine first, the religion of your own country. Read the Bible, then, as you would read Livy or Tacitus. The facts which are within the ordinary course of nature, you will believe on the authority of the writer, as you do those of the same kind in Livy and Tacitus. The testimony of the writer weighs in their favor, in one scale,

and their not being against the laws of nature, does not weigh against them. But those facts in the Bible which contradict the laws of nature, must be examined with more care, and under a variety of faces. Here you must recur to the pretensions of the writer to inspiration from God. Examine upon what evidence his pretensions are founded, and whether that evidence is so strong, as that its falsehood would be more improbable than a change in the laws of nature, in the case he relates. For example, in the book of Joshua, we are told, the sun stood still several hours. Were we to read that fact in Livy or Tacitus, we should class it with the showers of blood, speaking of statues, beasts, etc. But it is said, that the writer of that book was inspired. Examine, therefore, candidly, evidence there is of his having been inspired. The pretension is entitled to your inquiry, because millions believe it. On the other hand, you are astronomer enough to know how contrary it is to the law of nature that a body revolving on its axis, as the earth does, should have stopped, should not, by that sudden stoppage, have prostrated animals, trees, buildings, and should after a certain time have resumed its revolution, and that without a second general prostration. Is this arrest of the earth's motion, or the evidence which affirms it, most within the law of probabilities? You would next read the New Testament. It is a history of a personage called Jesus. Keep in your eye the opposite pretensions: 1, of those who say he was begotten by God, born of a virgin, suspended and reversed the laws of nature at will, and ascended bodily into heaven; and 2, of those who say he was a man of illegitimate birth, of a benevolent heart, enthusiastic mind, who set out without pretensions to divinity, ended in believing them, and was punished

> capitally for sedition, by being gibbeted, according to the Roman law, which punished the first commission of that offence by whipping, and the second by exile, or death *in fureu*. . . .
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> *Do not be frightened from this inquiry by any fear of its consequences. If it ends in a belief that there is no God, you will find incitements to virtue in the comfort and pleasantness you feel in its exercise,* and the love of others which it will procure you. If you find reason to believe there is a God, a consciousness that you are acting under his eye, and that he approves you, will be a vast additional incitement, if there be a future state, the hope of a happy existence in that increases the appetite to deserve it; if that Jesus was also a God, you will be comforted by a belief of his aid and love. In fine, I repeat, you must lay aside all prejudice on both sides, and neither believe nor reject anything, because any other persons, or description of persons, have rejected or believed it. *Your own reason is the only oracle given you by Heaven, and you are answerable, not for the rightness, but the uprightness of the decision.* [Emphases added.][15]

It is impossible to conclude from this letter—in which Jefferson tells his own nephew that he would "find incitements to virtue" in "a belief that there is no God"—that Jefferson was among those self-righteous religious bigots who suggest that a person without religion cannot be virtuous. Indeed, in drafting his bill for establishing religious freedom in Virginia, Jefferson wrote that "our civil rights have no dependence on our religious opinions any more than our opinions in physics or geometry."[16] Just as no one could rationally argue that one's views on geometry bear any relationship to one's virtue, it fol-

lowed for Jefferson that one's views on God bear no relationship to one's virtue as well.

The letter also demonstrates that Jefferson rejected Pascal's cynical wager—that it is a better bet to believe in a nonexistent God than to risk damnation from an existing one—as well as the anti-intellectual God who would reward a crass cost-benefit analysis that led to belief in Him, while punishing an honest inquiry that led to skepticism or disbelief. Just as no God worthy of respect would punish a person for not believing in Euclidean geometry, so, too, no just God would punish a thinking person for not believing in Him. I could never comprehend the justice or rationality of any religious view that limited salvation—or any kind of religious reward—to those who believe in God or a particular savior. If there is a God and he is just, he must reward those who honestly struggle with the mystery of his existence and arrive at the "wrong" answer, as Jefferson believed. Life cannot be a betting parlor with heaven as payoff for winning a wager.

Jefferson believed that a certain level of maturity was required for the objective study of religion. Accordingly, he opposed Bible study or reading by young students, arguing in his *Notes on the State of Virginia* that "instead . . . of putting the Bible and Testament into the hands of the children at an age when their judgments are not sufficiently matured for religious enquiries, their memories may be stored with the most useful facts from Grecian, Roman, European and American history."[17] He feared that young students would be subjected to religious indoctrination rather than the kind of open inquiry he thought essential to the study of religion.

Jefferson's own personal belief in a nonintervening God of nature was the product of his reasoning and his evaluation of the evidence available during the late eighteenth and early nineteenth centuries (just as his "suspicion" that blacks were

inherently mentally inferior to whites was based on his reason and his limited experience as a slaveowner). He was willing to be persuaded that he was wrong as to these, and other, beliefs.

Jefferson's Rejection of "Faith" and "Revelation" in Favor of "Human Reason" and "Experience"

To Thomas Jefferson, the important distinction was not between those who believed in God and those who did not. The important difference, as he explained to his nephew, was between those who arrived at their conclusion regarding God by human reason rather than by "faith," "dogma," "revelation," or other "unscientific" or "supernatural" means. Jefferson, along with most of his intellectual mentors and peers, rejected what Thomas Paine referred to in *The Age of Reason* as the "imaginary thing called faith."[18] Instead, they observed the available evidence and employed their own reason to conclude that God, in fact, existed. For them, belief in God did not require, or even permit, a "leap of faith." It required a scientific inquiry, governed by reason, into the factual support for God's existence. Indeed, for some deists, the existence of God was more a matter of logic than science. For them, God was a product of a syllogism: The universe exists; it must have been created; if it was created, there must have been an original creator; we call that original creator by the name of God. "We are"—they reason—"therefore He must be." Yet Jefferson maintained that if another person's inquiry led that person to the opposite conclusion, he should follow his reasoning and not believe in God. Unlike Augustine, Jefferson trusted "in man."

Throughout his life, Jefferson elevated human *reason* over dogmatic *belief,* even—perhaps especially—belief in God. In

his intellectual world, there was a null hypothesis that posited the nonexistence of God if evidence and human reason led to that conclusion. The Jefferson biographer Willard Sterne Randall writes that he had an "uncompromising belief in reason as the sole and final arbiter of knowledge and worth."[19] His early education and extensive reading had "liberated him from faith," according to Jayne, who wrote, "To him it was not sufficient to state 'I believe' and merely recite religious opinions without any rational justification. Such affirmations were the method of faith, and Jefferson, as an advocate of reason, thought that religious opinion should be justified by arguments born of reason."[20] This is the mind-set of the scientist and the skeptic, not the man of faith in divine revelation.

To many of his contemporaries, Jefferson's mind-set was also that of the "infidel," the "apostate," and the "heretic."[21] During Jefferson's first campaign for the presidency, his opponents declared him to be an "atheist" and argued that a vote for Jefferson was, as his contemporary the Reverend William Linn put it, "no less than a rebellion against God." As proof of Jefferson's atheism, his own words of tolerance from the *Notes on the State of Virginia* were thrown back at him. There he had said, damningly in the minds of his detractors, "it does me no injury for my neighbor to say there are twenty gods, or no God."[22]

Jefferson as a "Man of the Bible"

As further proof of Jefferson's atheism, his disbelief in the alleged miracles recounted in the Bible was cited. Jefferson had "doubted the reality of the flood" and had "sinned in questioning the age of the earth."23 He had even compared the supernatural myths of Christianity with those of the ancient Greeks and Romans, predicting that "the day will

come when the mystical generation of Jesus by the Supreme Being as His Father, in the womb of a virgin, will be classed with the fable of the generation of Minerva in the brain of Jupiter."*[24] Jefferson not only disbelieved specific "mystical" accounts in the Bible, he also rejected "the mystical and metaphysical elements in Christianity, which he attributed to Plato's fuzzy thinking."[25]

Jefferson apparently derived many of his views about the Bible from other deists, and he shared many of Thomas Paine's criticisms of both the Old and the New Testaments. Paine—who was famous throughout the colonies for writing *Common Sense,* the pamphlet that helped inspire the revolution—also wrote *The Age of Reason,* a widely read book that savaged the Bible as a "pious fraud." Jefferson's analogy between biblical miracles and earlier mythological fables is similar to Paine's, who had based much of his criticism on the work of earlier deists. Paine repeatedly compared the miracles of the Bible to the supernatural accounts contained in Greek and Roman mythology. Indeed, he argued—quite persuasively—that the stories in the New Testament were, in fact, copied from earlier "heathen" accounts. Paine wrote of the virgin birth: "This story is upon the face of it, the same kind of story of Jupiter and Leda and Jupiter and Europa or any of the amorous adventures of Jupiter; and shows . . . that the Christian faith is built upon the heathen mythology."[26]

Paine went on to explain why Christians were prepared to believe the supernatural account of Jesus' birth:

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*He probably would have approved also of Keith Preston's doggerel:

> The great god Ra, whose shrine once covered acres,
> is filler now for crossword puzzle makers.

> It is, however, not difficult to account for the credit that was given to the story of Jesus Christ being the Son of god. He was born at a time when the heathen mythology had still some fashion and repute in the world, and that mythology had prepared the people for the belief of such a story. Almost all the extraordinary men that lived under the heathen mythology were reputed to be some of the sons of their gods. It was not a new thing, at that time, to believe a man to have been celestially begotten: the intercourse of gods with women was then a matter of familiar opinion. Their Jupiter according to their accounts, had cohabited with hundreds; the story therefore, had nothing in it neither new, wonderful, or obscene; it was conformable to opinions that then prevailed among the people called Gentiles or Mythologists and it was these people only that believed it. The Jews who had kept strictly to the belief in one God and who had always rejected the heathen mythology never credited the story. [Paine was not quite accurate. The Old Testament, in fact, contains stories about gods mating with humans. See Genesis 5:4.][27]

Paine concluded, therefore, that "the theory of what is called the Christian church sprung out of the tail of heathen mythology."[28] He argued that "a direct incorporation took place in the first instance by making the reputed founder celestially begotten."[29] He also believed that the

> trinity of gods that then followed was no other than a reduction of the former plurality. . . . The statue of Mary succeeded the statue of Diana of Ephesus. The deification of heroes changed into the canonization of saints. The Mythologists had gods for everything: the Christian Mythologists had saints for everything; the church

> became as crowded with the one as the Pantheon had been with the other, and Rome was the place of both.[30]

Paine's ultimate conclusion was a scathing attack on the Christian church:

> Of all the systems of religion that ever were invented, there is none more derogatory to the Almighty, more unedifying to man, more repugnant to reason, and more contradictory in itself, than this thing called Christianity. Too absurd for belief, too impossible to convince, and too inconsistent for practice, it renders the heart torpid, or produces only atheists and fanatics. As an engine of power, it serves the purpose of despotism; and as a means of wealth, the avarice of priests; but so far as respects the good of man in general, it leads to nothing here or hereafter.[31]

He continued: "The Christian theory is little else than idolatry of the ancient Mythologists; accommodated to the purpose of power and revenue; and it yet remains to reason and philosophy to abolish the amphibious fraud."[32] He concluded that "the Bible and the Testament are impositions on the world, that the fall of man, the account of Jesus Christ being the Son of God, and of his dying to appease the wrath of God, and of salvation by that strange means, are all fabulous inventions and dishonorable to the wisdom and power of Almighty."[33]

Paine and many of the other deists had similar criticisms of the Old Testament, a book that Paine regarded as "spurious." He was even critical of the Ten Commandments, which he argued "carry no internal evidence of divinity within them."[34] He acknowledged that they contain some good moral pre-

cepts, "such as any man qualified to be a lawgiver or a legislator, could produce himself, without having recourse to supernatural intervention."[35] But as to one provision contained in the Ten Commandments—"that God visits the sins of the father upon the children"—Paine argued that "it is contrary to every principle of moral justice."[36]

Jefferson also disbelieved in the divine origin of the Ten Commandments, asking in an 1824 letter to John Adams:

> Where did we get the ten commandments? The book indeed give them to us verbatim, but where did it get them? For itself tells us they were written by the finger of God on tables of stone, which were destroyed by Moses; it specifies those on the second set of tables in different form and substance, but still without saying how the other were recovered. But the whole history of these books is so defective and doubtful, that it seems vain to attempt minute inquiry into it; and such tricks have been played with their text, and with the other texts of other books relating to them, that we have a right from that cause to entertain much doubt what parts of them are genuine.[37]

Jefferson had special contempt for the writers of the Gospels, whom he considered to be "ignorant, unlettered men." He regarded these writers as impostors, false witnesses, and corrupters of the true teachings of Jesus. He described "the stupidity of some, and roguery of other of His disciples."[38] He characterized the descriptions of Jesus' life as "a groundwork of vulgar ignorance, of things impossible, of superstitions, fanaticism, and fabrications."[39] He found it hard to believe that the Gospels, which contained "so much ignorance, so much absurdity, so much untruth, charlatanism and

imposture," could have come from "the same being" who wrote the moral portions of these books. The words of Jesus he called "diamonds," and the words of his disciples he called "dung." According to Jaroslav Pelikan, a leading scholar in the history of Christianity, it was Jefferson's view that "the real villain in the Christian story was the apostle Paul, who had corrupted the religion of Jesus into a religion about Jesus, which thus had, in combination with the otherworldly outlook of the Fourth gospel produced the monstrosities of dogma, superstition, and priest craft, which were the essence of Christian orthodoxy."[40] Jefferson believed that Jesus was "the greatest of all the reformers of the depraved religion of his own country," and that Paul was the "first corrupter of the doctrines of Jesus."[41]

Jefferson's Views of Jesus and "Christ"

Although he considered himself a Christian—in the sense of approving of many of Jesus' *human* qualities—Jefferson, in fact, disagreed with the core of his religious and moral teachings. Here is how Jefferson himself put it: "It is not to be understood that I am with him in all his doctrines. I am a Materialist; he takes the side of Spiritualism. He preaches the efficacy of repentance towards the forgiveness of sin; I require a counterpoise of good works to redeem it, etc., etc."[42] Jefferson also regarded himself as "an Epicurean." He considered the "genuine . . . doctrines of Epicurus as containing everything rational in moral philosophy which Greece and Rome left us."[43] Epicurus preached that "pleasure is the beginning and end of the blessed life"[44]—a very un-Christian notion. Jefferson agreed, saying "that a hedonistic 'pursuit of happiness' was not inconsistent with an 'innate moral sense,'"[45] and he himself lived a life of both reflection and hedonism, one that eventually drove him to the brink of bankruptcy.

In addition to disagreeing with Jesus' central doctrines of spirituality and redemption, Jefferson made it clear that he explicitly rejected "the immaculate conception of Jesus, His deification, the creation of the world by Him, His miraculous powers, His resurrection and visible ascension, His corporal Presence in the Eucharist, the Trinity, original sin, atonement, regeneration, election, Orders of Hierarchy, etc."[46] He had particular disdain for the concept of the Trinity, characterizing it as "incomprehensible, unintelligible and insane."[47] He called it "the mere Abracadabra of the mountebanks calling themselves priests of Jesus."[48] He revered the writings of Joseph Priestley, who argued that the Trinity was a corruption based on a comparison between Jesus as the Son of God and "Mercury, Jupiter's Son."[49] Jefferson did not believe "in the existence of the traditional Christian heaven and hell,"[50] in the concept of "being saved,"[51] or in "grace."[52] He was "influenced by the Roman stoics to view suicide with sympathy,"[53] despite the Christian prohibition against taking one's own life. Most important, "It was a prime article of Jefferson's deistic religion that Jesus was not a deity."[54] In other words, Jefferson rejected all the central tenets of orthodox Christianity.

Indeed, it took some courage for Jefferson to express these heretical views, since under Virginia law, heresy was a serious crime. Any person raised as a Christian who denied the Trinity or the divine authority of Scripture could be disqualified from holding office and even have his children taken away and placed into more orthodox hands.

Beyond this, Jefferson's skepticism regarding Christianity was not limited to its supernatural aspects. Although he admired the teachings of Jesus, he did not believe that Jesus' philosophy, which was scattered through the Gospels, was anything more than an "unconnected system of ethics,"[55] which were "defective as a whole."[56] He contrasted the

teachings of Jesus with the "writings of ancient heathen moralists,"[57] which he believed would be "more full, more entire, more coherent, and more clearly deduced from unquestionable principles of knowledge."

Was Jefferson Even a Christian?

Jefferson rarely attended church, and he viewed "the priest" —broadly defined to encompass all clerics—as "always in alliance with the despot, abetting his abuses in return for protection to his own."[58] He despised the sectarianism of the Christian churches:

> You may ask my opinion on the items of doctrine in your catechism. I have never permitted myself to mediate a specified creed. These formulas have been the bane and ruin of the Christian church, its own fatal invention, which, through so many ages, made of Christendom a slaughter-house, and at this day divides it into castes of inextinguishable hatred to one another.[59]

Yet despite his rejection of Christian dogma, Jefferson declared himself to be a Christian "in the only sense he [Jesus] wished anyone to be; sincerely attached to his doctrines in preference to all others; ascribing to himself every *human* excellence; and believing he never claimed any other" (emphasis added)[60]. In other words, he accepted *Jesus* (at least in part) while rejecting *Christ* (in every respect). It is difficult, therefore, to accept his claim to being a Christian, since the very word connotes acceptance of Jesus as the "Christos," the divinely anointed Messiah. In some of his private correspondence, he distinguished between deists like himself, on the one hand, and Christians, on the other.[61] It is likely that he publicly embraced the word "Christianity" for expedient political reasons, while rejecting its theological essence, for personal

philosophical reasons. His critics called him an "opposer of Christianity,"[62] a man who had "a total disregard to public worship and an absolute indifference to religion whatsoever."[63] When he ran against John Adams for president, one newspaper put the choice as follows: GOD—AND A RELIGIOUS PRESIDENT OR . . . JEFFERSON—AND NO GOD.[64] Jefferson himself said, "I am of a sect by myself, as far as I know."[65]

Would Jefferson Today Be Considered a "Secular Humanist" or a "Unitarian"?

Several of Jefferson's biographers have speculated about where Jefferson's views on religion would place him in today's world of religious categories. Jefferson variously considered himself a Christian, a deist, and a Unitarian. In 1822 he wrote the following:

> I rejoice that in this blessed country of free enquiry and belief, which has surrendered its creed and conscience to neither kings nor priests, the genuine doctrine of one only God is reviving, and I trust there is not a young man now living in the United States who will not die an Unitarian.[66]

The Jefferson scholar Allen Jayne wrote of Jefferson's possible Unitarianism that it

> was not only in accord with the use of individual critical reason in religion as espoused and put into practice by the Enlightenment and Jefferson; it was a product of the Enlightenment and critical reason. It would seem, therefore, that Jefferson regarded it as the religious counterpart of the University of Virginia, which Charles Sanford described as "an institution that would foster the

> development of the ideals of the enlightenment by which he had lived all his life." Indeed, Unitarianism was perceived by Jefferson as a religion that corresponded generally with the theology of the Declaration of Independence and one that, like that theology, was conducive to the efficacy of the political theory of the document. As a religion based on individual reasons and judgment, it served and preserved the similarly based politics of the Declaration.[67]

Whether Unitarianism—which rejects much of Christian theological dogma—can be considered a Christian religion remains a hotly debated issue.

The biographer Joseph Ellis has said that "in modern day parlance, he was a secular humanist"[68]—a term of opprobrium to those of the contemporary Religious Right, who cite the words of Jefferson's Declaration in support of their fundamentalist agenda. He has been described as an Enlightenment rationalist, a religious skeptic, and a scientific believer in God by design. He also has been called a secularist and even the father of "the secularization of scientific research in America."[69] His political enemies accused him of being an infidel, especially since he continued to praise Thomas Paine even after Paine wrote his vitriolic attack on the Bible and Christianity in *The Age of Reason.* "Federalist newspaper editors had a field day describing 'the two Toms' walking arm in arm, allegedly comparing notes on the ideal way to promote atheism or their past successes in despoiling Christian virgins."[70] Dozens of pamphlets and articles characterized Jefferson as a "French infidel and atheist."[71] Alexander Hamilton, who himself had little use for religion, called Jefferson an "atheist and fanatic." Writings by and about Jefferson were banned from the Philadelphia public library until 1830 on the

ground of his purported atheism. Even many years later, President Theodore Roosevelt attacked Paine as "a filthy little atheist."[72] But neither Jefferson nor Paine were atheists. They both accepted the God of Nature while rejecting the God of Judaism, Christianity, and Islam. Indeed, they viewed deism as a true religion capable of saving the world from the kind of atheistic reaction to Christianity that was being seen in France. Paine's justification for penning *The Age of Reason* was that he "was genuinely alarmed by the growth of atheism and was convinced that the growing disbelief in God and a future life was due primarily to the disgust men felt for the reactionary and rigid conduct of the clergy."[73]

Although Jefferson considered himself religious, he would not be so considered by some of today's religious thinkers. The Yale law professor Stephen Carter, for example, defines religion as "the belief in supernatural intervention in human affairs."[74] Such belief, according to Carter, "is a useful divider" because "this is where the culture seems to draw the line." There can be no question about on which side of that dividing line Jefferson's views fall.

Did Jefferson Believe in an Afterlife?

The reality is that Thomas Jefferson's views of religion were a hodgepodge of Enlightenment rationality, deism by design, political opportunism, and contradictions. They also changed over time, especially after he was attacked for being an atheist. One example of his contradictory theology lies in his belief in life after death, despite there being as little evidence for that conclusion as for the virgin birth, the resurrection, or the divine origin of the Ten Commandments. Yet life after death was a firm tenet of much of the deism of the day, even that of Thomas Paine, who wrote, "I hope for happiness beyond this

life."[75] Paine's "scientific" arguments for an afterlife are embarrassingly unscientific:

> I content myself with believing, even to positive conviction, that the Power that gave me existence is able to continue it, in any form and manner He pleases, either with or without this body . . .[76]
>
> . . . A very numerous part of the animal creation preaches to us, far better than Paul, the belief of a life hereafter. Their little life resembles an earth and a heaven—a present and a future state, and comprises, if it may be so expressed, immortality in miniature.
>
> The most beautiful parts of the creation to our eye are the winged insects, and they are not so originally. They acquire that form and that inimitable brilliancy by progressive changes. The slow and creeping caterpillar-worm of to-day passes in a few days to a torpid figure and a state resembling death; and in the next change comes forth in all the miniature magnificence of life, a splendid butterfly.
>
> No resemblance of the former creature remains; everything is changed; all his powers are new, and life is to him another thing. We cannot conceive that the consciousness of existence is not the same in this state of the animal as before; why then must I believe that the resurrection of the same body is necessary to continue to me the consciousness of existence hereafter?[77]

Confusing metaphor with science, Paine hoped for a metamorphosis from his earthly body to some new form of existence in the hereafter.

What Paine merely hoped for, Jefferson seemed to accept,

especially as he grew older. He repeatedly wrote to friends that "we [shall] meet again in another place."[78] Some Jefferson scholars argue that his statements about an afterlife suggest approval of the concept as a practical spur to good deeds—"the great sanction"[79]—rather than as an actual belief: "As a student of law and history and a practicing attorney and statesman, he saw the importance of a belief in eternal judgment for encouraging a moral life of service to society."[80] Thus Jefferson's afterlife did not reward or punish based on "faith which is not within our power," but instead on "our good works which are within our power."[81]

If Jefferson's acceptance of an afterlife as a reward for good works was more a tactical way of encouraging good behavior than a deeply felt belief, he was certainly not alone—then or today. Many agnostics and atheists accept religion because they believe it does some good, even if it is based on a pious fraud. The case for religion as placebo is persuasive to many decent people. If others believe in God, an afterlife, or the efficacy of prayer, this set of beliefs may be beneficial to them, even if it turns out to be untrue. So why try to disabuse them of their false, though beneficial, beliefs? This approach to religion, or an afterlife, is akin to Pascal's wager: It is better to believe than to disbelieve in God, because if He does not exist and you believe He does, you have risked nothing, but if you do not believe in Him and He does exist, you will be punished in the afterlife (provided, of course, that God punishes you for your ultimate beliefs, even if they are the product of a cost-benefit calculation, rather than for your honest efforts to find the truth). Religion as placebo is less cynical than Pascal's wager but equally tactical.

There is also the related question of whether religion (or belief in God) is good or bad for society, regardless of whether it is "true" or "false." Even if every aspect of a given religion is

totally bogus, the religion can produce much good, as the "false" religions of Greek, Roman, and Egyptian mythology did. The literature, art, philosophy, and architecture inspired by these "false" religions are every bit as great as those inspired by "true" religions. The religiously inspired music of Bach is as beautiful whether God exists or not, or whether Jesus is or is not the Savior. I get emotional every time I listen to the finale of Verdi's *Requiem*, even though I (and Verdi) believe not a word of its text.

There are various conclusions a rational person can reach about religion, among which are the following:

- It is true and produces good.
- It is true and produces bad or mixed results.
- It is false and produces good.
- It is false and produces bad or mixed results.
- It cannot be known whether it is true, but it can be known that it produces good, bad, or mixed results.

Jefferson seemed to conclude that belief in God was true and produced good results, that belief in the supernatural and institutional aspects of organized religion is false and produces bad results, and that belief in reward and punishment after death is unprovable but produces good results—if judgment is based on deeds rather than beliefs.

Jefferson often wrote of the "pillow of ignorance" on which he was willing to rest his uncertain brain when it came to issues about which people could not be sure, including life after death.[82] Jefferson saw Jesus' promise of life after death as a major improvement over what he mistakenly believed was the Jewish view: "He [Jesus], taught, emphatically, the doctrines of a future state, which was either

doubted or disbelieved by the Jews; and wheedled it with efficacy, as an important incentive, supplementary to the other motives to moral conduct."[83] Jefferson was correct about biblical Judaism, but he was apparently ignorant of rabbinic Judaism, which for several hundred years before the birth of Jesus had insisted on life after death. Indeed, Jefferson's critique of Judaism as lacking concern for humanity as a whole was ignorant of the writings of Jesus' predecessors such as Rabbi Hillel, who foreshadowed many of Jesus' statements about the love of all humanity. Hillel, some years before Jesus, had famously responded to the challenge to teach the whole Pentateuch standing on one leg by saying: "That which is despicable to you, do not do to your fellow, this is the whole Torah, and the rest is commentary."[84] Jefferson was thus apparently unaware that Jesus was expressing a traditional Jewish view when he wrote, "To love God with all thy heart and thy neighbor as thyself is the sum of religion."[85] Indeed, if Jesus was neither the son of God nor a supernatural figure of any kind—as Jefferson firmly believed he was not—then an apt characterization of this great human being is that he was the first Reform rabbi, a Jew who rejected much of the ritualistic aspects of traditional Judaism in favor of its more spiritual and ethical teachings, which he elaborated, adapted, and extended. Jefferson might well have been comfortable with such a characterization of the very human Jesus in whose teachings he believed.

Jefferson's "Argument by Design" for the Existence of Nature's God

Jefferson's argument for God "by the design of nature" is popular today among fundamentalists who seek to use science to

prove the existence of God. This is how Jefferson explained his scientific approach to John Adams:

> I hold, (without appeal to revelation) that when we take a view of the universe, in its parts, general or particular, it is impossible for the human mind not to perceive and feel a conviction of design, consummate skill, and indefinite power in every atom of its composition. The movements of the heavenly bodies, so exactly held in their course by the balance of centrifugal and centripetal forces; the structure of our earth itself, with its distribution of lands, waters and atmosphere; animal and vegetable bodies, examined in all their minutest particles; insects, mere atoms of life, yet as perfectly organized as man or mammoth; . . . it is impossible, I say, for the human mind not to believe, that there is in all this, design, cause and effect, up to an ultimate cause, a Fabricator of all things from matter and motion.[86]

David Hume had earlier responded to the "argument by design" in the following way:

> Look around this universe. What an immense profusion of beings, animated and organized, sensible and active! You admire this prodigious variety and fecundity. But inspect a little more narrowly these living existences. . . . How hostile and destructive to each other! . . . The whole presents nothing but the idea of a blind nature, impregnated by a great vivifying principle, and pouring forth from her lap, without discernment or parental care, her maimed and abortive children.[87]

A century later, Darwin was to provide a systematic, scientific basis for Hume's observation.

In my book *Shouting Fire* I elaborate on Hume's argument as follows:

> The reality is that nature is morally neutral. It is full of beauty and wonder, but it thrives on violence and predation. Nature is a mother animal nursing her helpless cub and then killing another helpless animal to survive. Nature is life-giving sunshine followed by death-dealing floods. Human nature is Albert Schweitzer and Adolf Hitler, Jesus and Torquemada, Kant and Nietzsche, Confucius and Pol Pot, Mandela and bin Laden, the early Martin Luther, who reached out to the despised, and the later Martin Luther, who advocated rounding up the Jews and making them "miserable captives" in forced-labor camps.
>
> In constructing a moral code—or a system of rights—one should not ignore the varieties of human nature, or their alleged commonalities. But neither can the diverse components of nature be translated directly into morality, legality, or rights. The complex relationship between the *is* of nature and the *ought* of morality must be mediated by human experience.[88]

For honest proponents of the "argument by design"—those who seek the objective truth wherever it may take them, rather than those who seek to "prove" an already accepted premise—the conclusion may change over time. The "argument by design" is an argument of exclusion: There *must* be a god, because there is no *other* plausible explanation for the benign design of the world. As Prat de Lamartine was to put it several generations after Jefferson: "God—but a word invoked to explain the world." Indeed, it is uncertain whether Jefferson and his fellow deists would have arrived at their deistic conclusion if they were aware of current scientific

explanations of how the world came about. In the wake of the discoveries of Darwin, Einstein, and others, many deists became agnostics or atheists. That is the "danger" of the "argument by design" and why so many people of faith reject it as dangerous: it makes belief in God dependent on the progress of science in filling in gaps, rendering it decreasingly likely that God is needed as science explains more and more. The God of design is the diminishing God of the diminishing gaps. Although there will always be gaps in our collective knowledge of the universe—we are all "Newton's dog" when it comes to the origin of matter—we now understand that the existence of these gaps is itself explainable by science. It is not surprising that deism and belief in the God of Nature reached its peak after Galileo and Newton and began to decline after Darwin and Einstein.

For Jefferson, belief in the existence of Nature's God did not require a leap of faith; the real "leap"—to Jefferson, an irrational and illogical one—would be from God's existence to his authorship of the Bible, his revelation to selected humans, his performing of miracles, and his need for churches, prayers, and priests. There is nothing in the design of the world that could possibly lead a rational person to believe that God wrote a deeply flawed book filled with injustice, falsehoods, and unnatural occurrences. Indeed, if design *proved* God's existence, that same design—and the laws of nature governing it—would tend to disprove claims of supernatural, miraculous, and unobservable phenomena. Jefferson characterized the intervening Judeo-Christian God of miracles as "a bungling artist" who could not get it right in the first place. A true God would create rules of nature that did not require the help of supernatural miracles. Nor would a perfect God demand that people believe in him or build churches or establish religious hierarchies to worship him. He would

judge each person, as Jefferson told his nephew, "not for the rightness" of his beliefs, but for the "uprightness" and honesty of the rational process by which it was reached.

Ultimately all scientific, empirical, or logical arguments for God's existence must fail under the accepted rules of science, empiricism, and logic. The only plausible argument for God is an unscientific, antiempirical, and illogical reliance on blind (deaf and dumb) *faith*—precisely the sort of faith Jefferson rejected. Pope Gregory I was wiser than Jefferson when he said, "If the work of God could be comprehended by reason, it would be no longer wonderful, and faith would have no merit if reason provided proof."

The critics of deism were right as a matter of empirical truth when they predicted that deism would inevitably lead to agnosticism (though that word had not yet been coined) and atheism. Paine and Jefferson were wrong in believing that deism would save religion from atheism. Any belief in God that is based on science, empiricism, and logic will eventually lead to doubt about or disbelief in God. Indeed, any religious claim that purports to be provable or disprovable by the canons of science—whether it is deism, creationism, literal belief in miracles, or the end of the world at a predicted time—will end up in the wastebin of history, along with the geocentric theory, the authenticity of the Shroud of Turin, and the Bible Codes. Science will never prove religion to be true, and if religion submits its empirical claims to scientific proof, it will prove them false.

As our knowledge gap narrows, belief in God's existence can survive only if it lays claims to a magisterium outside of science,[89] and many contemporary religious leaders understand this far better than Jefferson did. Jefferson was naive in believing that science and rationality could discover God or prove his existence, because the object of science is to explain every

phenomenon without recourse to the supernatural, the unempirical, or the illogical. The deus ex machina is outside of science. The most that science can ever say is, "We can explain this" or "we cannot yet explain that." It cannot take the next step—as Jefferson tried to do—and say, "Since we cannot explain it, it must be the work of a God" or some other supernatural phenomenon outside the magisterium of science. Individual scientists may, of course, accept faith and believe in God without trying to prove God's existence scientifically. But in his effort to replace faith and revelation with rationality and science, Jefferson laid the foundation for skepticism, agnosticism, and secularism—even if that was not his intention.

In a class I teach at Harvard that deals with religion, science, philosophy, and law, I try to test the proposition—rejected by Jefferson but espoused by my late colleague Stephen Jay Gould and my coteacher Harvey Cox—that religion and science occupy separate magisteria: that the former deals with normative issues of morality, while the latter deals with empirical issues of fact. I try to challenge the sharpness of this separation by arguing that for many religious people, their "faith" is actually based on the empirical conclusion that certain "events"—that are central to their religion—actually took place. I pose two hypothetical scenarios to the students who profess faith in the Christian, Jewish, or Muslim religion. The first posits a camera on a galaxy several thousand light-years away that can send images back to Earth much faster than the speed of light—in fact, instantaneously. The camera is focused on Sinai, Calvary, and the Dome of the Rock and proves to the complete empirical satisfaction of the students that no Ten Commandments were given to Moses on Sinai, that Jesus was not resurrected, and that Muhammad did not ascend to heaven with his horse.

The second hypothetical scenario asks students to imagine

that they are on a dig in the Qumran Caves outside of Jerusalem, where the original Dead Sea Scrolls were discovered. In a distant part of a previously unexplored cave, one of the students discovers a new scroll sealed in a jug. He has with him a machine capable of determining the age and authenticity of the scroll. It proves to be authentic. He opens it up and reads it in the original language. It is the proceedings of a conclave of ancient priests who are trying to get their people to be more moral and law-abiding. They discuss various options, and the high priest comes up with the idea of staging an event on top of a mountain at which a man dressed up to look like God gives another man, posing as a prophet, two tablets containing Ten Rules of Conduct. "The people will have to follow those rules if they believe that God Himself wrote them," the high priest declares. All agree, and they proceed to debate what the Ten Rules should be. (Variations on this hypothetical can include a staged resurrection or a staged ascent to heaven on a horse.)

I ask whether such proof—believed to be empirically true—would shake their faith in their religion. In other words, how much, if any, of the religious faith of the students is based on the actual occurrence of the central events in their faith's religious narrative? Many students hate the question. They fight with the hypothetical: How can I be sure the camera is accurate or the scroll is authentic? You're sure! Maybe God doesn't want us to look back at history. Maybe He wants us to believe on the basis of faith. Okay, then, this is a good test: Do you believe on faith even if you're convinced the story is factually false, even fraudulent?

Finally, the students express their opinions. A considerable number of them—usually more than half—say their faith would be shaken or destroyed if the empirical basis for it was conclusively disproved. Even more say it would be destroyed

by proof of knowing fraud—even well-intentioned "pious fraud."

It seems clear from Jefferson's reliance on human observation, the laws of nature, and human reason that he would not regard these testing cases as difficult: they would confirm his conclusions about the mistaken or fraudulent nature of "revelations" and "miracles." Nor would these hypotheticals shake his belief in a nonintervening God of Nature. What might shake his belief would be the findings of scientists who could fill gaps in explaining the design of the world without recourse to a God. New scientific findings might have caused him, as they caused many others, to reconsider his reliance on the argument by design for God's existence. Though the test would be different for Jefferson from that of some of my students, the process and outcome would be similar: If belief in God or religion is based on science and rationality, then the same science and rationality will eventually shake those beliefs in any person who truly has an open mind. Science and rationality, by their nature, are double-edged swords when it comes to God and religion, and playing with such swords can be dangerous to beliefs.

The difference between Jefferson and contemporary fundamentalists is that Jefferson, despite his own conclusion that it was "impossible" not to believe in "a Fabricator of all things from matter and motion," seemed open to the possibility that science might lead him, or others, away from belief in God—certainly a benevolent God. Contemporary fundamentalists, on the other hand, begin with a constant: God's existence (plus a whole lot of other beliefs, such as the divine authorship of the Bible). They use—misuse—science as a *prop* to try to convince others of what they already "know" to be true. If science were to fail to prove the existence of God, then they would assert that science was inadequate to the task. God's

existence is the premise and the constant. Everything else is variable. I know some Jews who grasp at every new archaeological finding that lends any support, no matter how flimsy, to certain biblical accounts, and scoff at the absence of findings to support other biblical accounts, claiming that the absence of evidence is not evidence of absence. So, too, when science suggests that there may be benefits from the dietary laws of kashrut or the ritual laws of circumcision, these findings are trumpeted. But if science suggests no benefit, they quietly deny that these rules were designed to produce physical benefits. Heads I win, tails you lose!

Indeed, the foolishness of trying to prove the existence of God through the use of science, especially for a Christian, is evidenced by a clear contradiction between that project and the traditional Christian view of reward and punishment in the afterlife. The Christian view traditionally offers hope of salvation only to those who end up believing in God (not to mention an assortment of other supernatural phenomena). But if belief in God is to be based on empirical observation, it would be entirely irrational to attach any moral opprobrium to reaching an "erroneous" scientific conclusion based on an honest search for truth. Traditional Christians cannot have it both ways: they must either give up on claiming that belief in God is based on science; or they must give up on claiming that God will punish you for not believing in Him. Jefferson gave up on the latter.

The other important difference between Jefferson and today's fundamentalists of all religious persuasions is that Jefferson distinguished between the existence of God, which he accepted, and the miracles of the Bible, which he rejected. For Jefferson, the latter did not follow from the former, as it does—so illogically—for many fundamentalists. Jefferson, as I pointed out, believed that "miracles"—purported deviations from Laws of Nature—were inconsistent with the God of

Nature who created the rules of Nature and would not deviate from them, as he believed that the imperfect and often unjust laws of the Bible would be inconsistent with a benevolent and just God.

There is, of course, no rational relationship between the existence of a God and his purported authorship or inspiration of any particular book, whether it be the Old or New Testament, the Koran, the Book of Mormon, or any other "sacred" script. Even if God does exist—whether He is a passive watchmaker, an active intervener, or something else—it simply does not follow that He wrote or inspired any of these books, spoke to any of the alleged prophets, or performed any of the miracles reported in these books. To be sure, if there is no God, it would follow that these books, conversations, and miracles are human contrivances, but it would not follow from the existence of God that they were not.

The essence of deism was a strong belief, based on design, in the existence of a God of Nature, and an even stronger belief that this God bears absolutely no relationship to, or responsibility for, the very flawed books and unjust actions attributed to him, or the historically corrupt churches that claim to be doing his bidding. The logical fallacy engaged in by those who would leap from the mention of God in the Declaration to the conclusion that this document was intended to accept the Judeo-Christian biblical narrative lies in their failure to understand the God-Bible non sequitur. The historical error lies in their refusal to acknowledge that the deists who drafted the Declaration believed in the nonintervening God of Nature who created the world but did not write the Bible, father Jesus, or have anything to do with Christianity, Judaism, or any other organized religion or church. Since deism—at least in name—is no longer a popular religious position, it is easier to make the mistake of asso-

ciating belief in God with belief in the Judeo-Christian, or some other, organized religious dogma.

Jefferson's Views Regarding Religion in the Public Square

Jefferson was categorically opposed to public profession of religious beliefs by public figures or government officials. Indeed, according to his biographer Dumas Malone, Jefferson "made no effort to clarify his own position or make his personal religious opinions known [because] he regarded this as a wholly private matter which was nobody's business but his."[90] As he wrote to the son of a close friend, "Religion [is] a subject on which I have ever been most scrupulously reserved. I have considered it as a matter between every man and his maker in which no other, and far less the public has a right to intermeddle."[91]

In selecting portions of Jesus' teachings that he admired and believed in, Jefferson included the following:

> and when thou prayest, thou shalt not be as the hypocrites are: for they love to pray standing in the synagogues and in the corners of the streets, that they may be seen of men . . . but thou, when thou prayest, enter into thy closet, and when thou hast shut thy door, pray to thy Father which is in secret . . . but when ye pray use not then repetitions as the heathen do: for they think they shall be heard for their much speaking.[92]

It is not surprising, therefore, that Jefferson said, "I am moreover adverse to the communication of my religious tenets to the public." He urged public figures to refuse to answer "questions of faith, which the laws have left between

God and [themselves]."[93] And as president he refused "to proclaim a national Thanksgiving Day in order not to influence religious practices of the country's people."[94] There are some, like Akhil Reed Amar and Stephen Carter, who argue that Jefferson was opposed only to the establishment of religion by the federal government, leaving it to each state to decide whether to have an established church, but this is incorrect. He fought to disestablish the Anglican Church in Virginia on principles that were universally applicable, and "was thrilled in 1818 when the Presbyterian Church was removed as Connecticut's established church."[95] Indeed, his entire philosophy opposed the intermingling of politics with religion at any level of government. He expressed "opposition to any form of civil religious observances."[96] It is clear from these, and other similar statements throughout Jefferson's correspondence, that he would be deeply offended by modern politicians who wear their religion on their sleeves and who compete to outdo other politicians in their public proclamations of devotion to their religious faith. These are indeed the "hypocrites" who want their devotion to be "seen of men"—especially voters.

Those who cite the Declaration of Independence as proof that Jefferson believed in public avowals of religion should be reminded that to Jefferson, as Willard Sterne Randall put it, "religion was a private matter, like marriage, and in 1776 he said little about his private views on the subject. He did not attend church frequently, eschewed religious dogma, and believed in a supreme being who had set the world on its foundation and stepped aside."[97] He viewed the clergy of all organized religion as corrupt, fraudulent, and dishonest—accusing them of promoting false religions. He rejected any reliance on the Bible by judges and rejected the notion—then quite prevalent—that Christianity or the Bible were part of

the common law. As previously noted, he characterized such reliance as judicial "usurpation" and railed against the incorporation into English law of "laws made for the Jews alone, and the precepts of the [Christian] gospel."[98] He opposed "reading of the Bible by schoolchildren,"[99] and there can be little doubt that he would have opposed the posting of the Ten Commandments in public schools, especially those that commanded the worship of a particular God in a particular way and threatened punishment of children for the sins of their fathers. Indeed even today, almost nobody proposes that the full "Ten Commandments" actually be posted in schools or courthouses. What they want posted are the "Ten Bumper Stickers" or "Cliff's Notes"—abbreviated renditions of the actual commandments, since the full text contains reference to slavery, intergenerational punishment, and conflicting reasons for observing a day of rest on Saturday, not Sunday. Even this, though, would have been anathema to Jefferson's secularist views on both education and civil life.

Jefferson regarded his second-greatest contribution to the world—the first being his authorship of the Declaration of Independence—to be his work on the Virginia Statute on Religious Freedom, which, in his words, "produced the first legislature who had the courage to declare that the reason of man may be trusted with the formation of his own opinion," thereby freeing the human from the "vassalage" in which it has been held for "so many ages" by "kings, priests and nobles."[100] He railed against laws that imposed religious tests of any kind, characterizing them as part of our long history of "religious slavery." He included atheists as within the protection of religious liberty. His third-greatest contribution was the establishment of a secular university that would, according to the authors of *The Godless Constitution*, Isaac Kramnick and R. Laurence Moore, "preserve the wall of separation

intact. It would be America's first truly secular university, having no religious instruction, other than as a branch of ethics, and no professor of divinity."[101] It may be difficult for the contemporary mind, so accustomed to today's secular university, to grasp the revolutionary nature of Jefferson's secular university at the time it was proposed. All higher education in eighteenth-century America was completely under the domination of clerics, and Jefferson's radical proposal was widely condemned by the clergy. Even as late as 1900, the president of Trinity College, subsequently renamed Duke University, urged Southerners not to send their children to colleges that were not church-sponsored. He characterized Jefferson's university as a marriage of "civil authority and infidelity" and "a deistic daring of enormous proportions." He called Jefferson "an infidel, agnostic and a materialist."[102]

More recently, the Reverend Jerry Falwell, in urging a "return" to the good old days, ignored Jefferson's secular school but was otherwise generally accurate in his description (though wrongheaded in his prescription):

> I hope to see the day when *as in the early days of our country,* we won't have any public schools. The churches will have taken them over again and Christians will be running them. . . . We must never allow our children to forget that this is a Christian nation. We must take back what is rightfully ours.[103]

That is, of course, precisely what Jefferson was fighting against.

No one would be more surprised than Thomas Jefferson—except perhaps his contemporaneous detractors—at how he is being portrayed by today's right-wing orthodox Christians. They have the chutzpah to claim him as the champion of *their* God, *their* Bible, *their* Christianity, and *their* desire to break

down the wall of separation between church and state. Jefferson would be stunned to see the Declaration itself being cited in support of public declarations of belief in the Judeo-Christian God. In his own time, Jefferson was seen, quite correctly, as a champion of the Enlightenment, as a critic of organized religion and a disbeliever in the divine authorship of the Bible and the theological doctrines of Christianity. Indeed, Charles B. Sanford, the author of *The Religious Life of Thomas Jefferson,* underlined that point in 1984—before recent efforts by the Religious Right to lay claim to the Declaration of Independence as a Judeo-Christian document:

> Over the years since Jefferson's death those who have favored official religious observances by governmental bodies and the public schools, as well as governmental aid to religious organizations, have often perceived Thomas Jefferson as the one most responsible for America's deplorable lack of religion.[104]

They may be correct in crediting Jefferson with opposing governmental involvement in religion, but they are wrong in blaming him for America's purported "lack of religion." It is the wall of separation between church and state, so strongly supported by Jefferson, that is largely responsible for religion thriving in this country, as compared to those European countries in which church and state have been united, resulting in opposition to the church by those who disapprove of the government. Jon Meacham reminds us of the views of the founders with regard to governmental support for religion: "'It is error alone which needs the support of government,' Jefferson said. 'Truth can stand by itself.' Franklin agreed: 'When a religion is good, I conceive that it will support itself; and, when it cannot support itself, and God does not take to

support [it], so that its professors are obligated to call for help of the civil power, it is a sign, I apprehend, of its being a bad one.'"[105]

What Would Jefferson Think of Today's Religious Right?

It is always dangerous to speculate what any past historical figure would think about current issues, but in this case it seems beyond dispute that Jefferson would seek to uphold a high wall of separation between religion and government, church and state, "garden" and "wilderness." This metaphor of a "wall of separation between Church and State" derives from a letter Jefferson, as president, wrote to the Danbury Baptist Association in 1802, explaining why, as president, he would not proclaim a national fast day. In that letter he emphasized his firm belief that religion "is a matter which lies solely between man and his God" and that the powers of government do not extend to "opinions."[106] These were not transient notions—they were central to Jefferson's religious *and* political philosophy throughout his life. As a young lawyer, his most important case involved separation of church and state. He appended to his brief in that case "a disquitation" on why the doctrines of Christianity in particular and the Bible in general are not part of the common law. He wrote:

> In truth, the alliance between church and state in England, has ever made their judges accomplice in the frauds of clergy; and even bolder than they are; for instead of being contented with the surreptitious introduction of these four chapters of Exodus, they have taken the whole leap, and declared at once that the whole Bible and Testament, in a lump, make a part of

> the common law of the land; the first judicial declaration which was by this Sir Matthew Hale. And thus they incorporate into the English code, laws made for the Jews alone, and the precepts of the gospel, intended by their benevolent author as obligatory only in *foro conscientiae*; and they arm the whole with the coercions of municipal law. They do this, too, in a case where the question was, not at all, whether Christianity was a part of the law of England, but simply how far the *ecclesiastical law* was to be respected by the common law courts of England, in the special case of a right of presentment. Thus identifying Christianity with the ecclesiastical law of England.[107]

The battlefield on which the war between Enlightenment rationalism and clerical fundamentalism was fought at the time of the Declaration of Independence was not over the existence of God, or even the mention of God in public declarations. Virtually every philosophical thinker in Jefferson's time believed in some kind of God, and virtually every public document invoked God in some form. Many even invoked Jesus. As Paine put it: "It is certain that, in one point, all the nations of the earth and all religions agree—all believe in a God."[108] The contentious divisions were over the *nature* of God, the *methodology* employed in deciding whether God existed, the *divinity of the Bible*, and the *role of churches*, ministers, and priests. In regard to *all* of these issues, Jefferson came down squarely against traditional religion and faith, and on the side of secular rationality. While his God was the God of Nature—a celestial watchmaker who performed no miracles, did not intrude into the lives of humans, and required no church or human intermediaries—the God of traditional religion was the God of miracles, the vengeful

Jehovah, the Lord "mighty in battle," the father of Jesus, the apex of the Christian Trinity. Jefferson's methodology rejected traditional notions of faith, revelation, and dogma in favor of science and human reason. As his letter to his nephew revealed, he did not care whether a person's reason led him to believe or disbelieve in God, as long as he backed his conclusion on reason and observation. He rejected proselytizing. He was even reticent about letting his ideas on religion influence his own family.[109]

As his own writings demonstrate, Jefferson was convinced beyond any doubt that both the Old and New Testaments—especially the parts that describe miracles, revelations, and other supernatural phenomena—were pious frauds (he was less certain that they were pious than that they were frauds). Finally, he had no use for churches, ministers, priests, and the doctrines of organized religion. He was "anticlerical" and "rejected the moral authority of the clergy,"[110] observing that "history . . . furnishes no example of a priest-ridden people maintaining a free civil government"[111] because "in every country and in every age, the priest has been hostile to liberty." Jefferson's "bias against institutionalized Christianity (at about the time he wrote the Declaration) extended to all Protestantism, especially Presbyterianism, as well as Catholicism and Anglicanism."[112] He also rejected the theology of biblical Judaism, though, as Sanford explains, he expressed positive views about the Jewish people:

> The Jews excited Jefferson's sympathy because of the persecution that they had endured, especially because they were "the parent sect and basis of Christendom." Jefferson was proud that America was the first country "to prove that religious freedom is most effectual and to restore to the Jews their social rights," he wrote to the

> rabbi of the Jewish synagogue in Savannah, Georgia. The United States, he wrote to John Adams, is an example to "old Europe" and is "destined to be a barrier against the return of ignorance and barbarism." He admitted to another Jewish correspondent, however, that "public opinion needs reformation [of] the prejudices still scowling on your religion."[113]

The Declaration of Independence reflected Jefferson's thinking on these matters. By invoking "the Laws of Nature and of Nature's God" rather than the Judeo-Christian God, it made clear that it was not a Christian document, that it did not reflect uniquely Christian or Judeo-Christian beliefs, and that it was not "a bridge between the Bible and the Constitution." To the contrary, it rejected Christianity, along with other organized religions, as a basis for governance, and it built a wall—rather than a bridge—between the Bible and the Constitution.

In his final letter, on the eve of the fiftieth anniversary of the Declaration of Independence—the day on which both he and John Adams were to die—Jefferson confirmed that this historic document declared our independence not only from British political control but also from European clerical control:

> May it [the Declaration of Independence] be to the world, what I believe it will be (to some parts sooner, to others later, but finally to all), the signal of arousing men to burst the chains under which monkish ignorance and superstition had persuaded them to bind themselves, and to assume the blessings and security of self-government. That form which we have substituted, restores the free right to the unbound exercise of reason and freedom of opinion. All eyes are opened, or opening, to the

> rights of man. The general spread of the light of science has already laid open to every view the palpable truth, that the mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately, by the grace of God.[114]

The last sentence of this letter to Roger C. Weightman was a reference to Jefferson's particular hatred of the apostle Paul, as well as of John Calvin, who preached a "predestinator God" who, in the words of Bolingbroke, "elects some of his creatures to salvation . . . and others to damnation even in the womb of their mothers."[115] Jefferson wrote to John Adams the following:

> I can never join Calvin in addressing his god. He was indeed an atheist, which I can never be; or rather his religion was one of daemonism. If ever man worshipped a false god, he did. The Being described in his 5 points, is not the God whom you and I acknowledge and adore, the Creator and benevolent Governor of the world but a daemon of malignant spirit. It would be more pardonable to believe in no god at all, than to blaspheme Him by the atrocious attributes of Calvin.[116]

Jefferson thus intended his great document of liberty, with its "theology born of 'Nature's God,'" to attack "two claims of absolute authority—that of any government over its subject and that of any religion over the minds of men."[117] Jefferson "saw the concepts of God and man upheld by orthodox theological circles in the colonies as antithetical to the Declaration's theological and political ideals."[118] His own "heterodox theology"—which rejected organized religion in general and the doctrines of orthodox Christianity in particular—"is insti-

tutionalized in the Declaration as a primary truth and necessary corollary of its political theory."[119] The Declaration's reliance on human reason and freedom of thought in place of "monkish ignorance and superstition" was indeed a radical departure from the manner by which European nations had governed, with its divine right of kings and its established hierarchical churches.

Many of those who seek to introduce the study of religion into the public schools quote Justice Lewis Powell's concurring opinion in the creationism case in which he said that he would "see no constitutional problem if schoolchildren were taught the nature of the Founding Fathers' religious beliefs and how these beliefs affected the attitudes of the times and the structure of our government."[120] I wonder what Powell's reaction would have been if the antibiblical and anticlerical views of Jefferson and Paine were honestly and fully presented to impressionable young schoolchildren. Indeed, several years ago, in a debate with a representative of the Religious Right who advocated Bible study in elementary school, I proposed—for argument's sake—that *both* the Bible *and* Thomas Paine's *The Age of Reason* be taught together in public schools, to present both sides. There was a nervous silence from my opponent. The last thing most proponents of teaching public school students "about" religion want is honest, objective *teaching*; what they want is exactly the kind of one-sided proselytizing in favor of religion that Jefferson so strongly opposed.

Why, Then, Did the Declaration Invoke God?

Why, then, did an "Enlightenment rationalist," "secular humanist," and "religious skeptic" such as Jefferson invoke God—even Nature's God—in his draft of the Declaration of

Independence? To the early-twenty-first-century reader, who sees all around him disputes between those who support the invocation of God in public declarations and ceremonies and those who oppose it, the inclusion of God in the Declaration of Independence would seem to support the conclusion that Jefferson came down squarely on the side of the former. But to the late-eighteenth-century reader, who saw a very different debate between those who supported organized religion and those who rejected clericalism in favor of free thinking and human reason, Jefferson came down unambiguously on the side of the latter. The Declaration of Independence was a resounding defeat for organized religion in general and traditional Christianity in particular. Indeed, the Declaration, and the godless Constitution as well, were subsequently criticized by influential clergymen who complained of their failure to acknowledge the Christian nature of the United States.[121]

Another challenging question is how Jefferson persuaded his colleagues—first, those on the committee appointed to draft the Declaration, and second, those in the Congress who eventually approved it—to accept his un-Christian and anticlerical reference to "Nature's God" and "Creator" in place of the more orthodox reference to "Almighty God," "Jesus," or even simply "God."

The "Jesus" part of the question is simple. Despite the repeated claims over the years that the United States was founded as a Christian nation, the evidence is clear that the opposite is true. Jefferson strongly opposed "a [proposed] reference to Christ in the Virginia Act Establishing Religious Freedom."[122] Shortly after the issuance of the Declaration and the adoption of the Constitution and the Bill of Rights, President John Adams—who was on the drafting committee of the Declaration—signed a treaty with the Barbary regime of Tripoli, which was ratified by the Senate. That treaty, which is

the best contemporaneous evidence, expressly declares that "the government of the United States is not in any sense founded on the Christian religion."[123] This disclaimer followed the view expressed by Roger Williams—the religious leader most responsible for separating church from state in colonial America—more than a century earlier: "No civil state or country can be truly called Christian, although the Christians be in it."[124] It would have been unthinkable for a Declaration drafted by Jefferson, with the approval of Adams and Franklin, to have invoked Jesus or Christianity. Indeed, the word "Christian" appeared only once in Jefferson's original draft: he referred derisively to King George as "the Christian king of Great Britain" who was responsible for the "execrable commerce" in slaves. This entire paragraph was stricken by the Congress.

As to the question of how the deistic, un-Christian reference to Nature's God could have gotten the approval of the drafting committee, it must be recalled that a *majority* of the five-man committee were deists and/or Unitarians—as were many leading colonialists at that time. In fact, Leo Pfeffer lists George Washington, Patrick Henry, George Mason, James Madison, Benjamin Franklin, Thomas Paine, John Adams, and, of course, Thomas Jefferson among the most prominent leaders of the time who were influenced by deism or Unitarianism. Three of those leaders were on the drafting committee, which consisted of Jefferson, John Adams, Benjamin Franklin, Roger Sherman, and Robert R. Livingston.

Washington often referred to the Almighty, but Bishop William White, who knew Washington in Philadelphia and in New York, said, "I do not believe that any degree of recollection will bring to my mind any fact which would prove George Washington to have been a believer in the Christian revelation."[125]

Franklin described himself as "a thorough deist"[126] and "reject[ed] his Christian upbringing."[127] Franklin also was a Freemason who subscribed to the notion of God as "the Great Architect." He supported the ideas of Thomas Paine and "never came to accept the Bible as the divine revelation or Jesus as the son of God."[128] Although he "seldom attended any public worship," he believed in a divinity—probably the same "clockmaker" God of Nature in whom Jefferson believed. "At one point he expressed a belief in a single supreme God who supervised a number of lesser gods, one of whom created our world,"[129] and he "ridiculed the idea that either Adam's sin or the righteousness of Christ could be inherited or 'imputed' to Adam's posterity."[130] There does not appear to be any inconsistency between Franklin's deistic religious beliefs and those reflected in the Declaration. Jon Meacham tells us:

> While Jefferson edited the Gospels, Benjamin Franklin rephrased and rearranged the Book of Common Prayer. Franklin may have rendered the Lord's Prayer into the eighteenth-century vernacular, but his piety had limits: on his first day in Philadelphia as a young man, Franklin recalled falling sound asleep in a Quaker meetinghouse. Many of the Founders were influenced by Deism, an Enlightenment vision of religion, which held that there was a single creator God; some Deists, including Jefferson and Franklin, believed this God worked in the world through providence. For them, Jesus of Nazareth was a great moral teacher—even the greatest in all history—but he was not the Son of God; the Holy Trinity was seen as an invention of a corrupt church more interested in temporal power than in true religion. The mind of man, not the mysteries of the church, was the center of faith.[131]

John Adams, too, questioned traditional religious views throughout his life. As a young man he sided with a controversial Congregationalist minister in his hometown of Braintree, Massachusetts, who rejected Calvinist teachings and preached that the "aim of God was to advance happiness in man." His views were, according to Peter Rinaldo's *Atheists, Agnostics, and Deists in America*, "similar to [those] of the deists in that both believed in the power of reason to establish religious beliefs." Adams's father was dismayed at his son's decision to support such "unorthodox religious views."[132] Adams's legal mentor was a brilliant and prominent local lawyer who believed that "the apostles were nothing more than a company of enthusiasts" who falsely claimed that they performed miracles, and whose word would be thrown out by any court of law. Adams was apparently influenced by these heterodox views. As he later wrote to a friend:

> The Priesthood have in all ancient nations, nearly monopolized learning. . . . And, even since the Reformation, when or where has existed a Protestant or dissenting sect who would tolerate a FREE INQUIRY? The blackest billingsgate, the most ungentlemanly insouciance, the most yahooish brutality is patiently endured, countenanced, propagated and applauded. But touch a solemn truth in collision with the dogma of a sect, though capable of the clearest truth, and you will soon find you have disturbed a nest, and the hornets will swarm about legs and hands and fly into your face and eyes.[133]

In the words of the Adams biographer David McCullough, Adams was repelled by the "spirit of dogmatism and bigotry" he saw in "clergy and laity" alike,[134] just as he was inspired by God's natural wonders and His gift to humans of "reason, to

find out the truth." Like Jefferson, he saw "our nobler powers of intelligence and reason" as "the real design and true end of our existence."[135]

Adams agreed with Jefferson in rejecting the doctrine of the Trinity and accepting the "God of nature." He wrote the following to Jefferson in 1815:

> The question before the human race is whether the God of nature shall govern the world by His own laws, or whether priests and kings shall rule it by fictitious miracles? Or, in other words, whether authority is originally in the people? Or whether it has descended for 1800 years in a succession of popes and bishops, or brought down from heaven by the Holy Ghost in the form of a dove in a phial of holy oil.[136]

Adams was critical of traditional Christianity, but he was downright bigoted toward Catholicism. His letters to Jefferson included the following:

> I do not like the reappearance of the Jesuits. . . . Shall we not have regular swarms of them here, in as many disguises as only a king of the gypsies can assume, dressed as printers, publishers, writers and schoolmasters? If ever there was a body of men who merited damnation on earth and in Hell, it is this society of Loyola's. Nevertheless, we are compelled by our system of religious toleration to offer them an asylum.[137]

Adams characterized Catholicism as "fraudulent" and having inflicted "a mortal wound" on Christianity. Finally he asked Jefferson, rhetorically, "Can a free government possibly exist with the Roman Catholic religion?"[138]

Jefferson may not have been correct in predicting that "there is not a young man now living in the United States who will not die an Unitarian,"[139] but apparently he was right about John Adams, who, along with his wife, Abigail, and their son, John Quincy, is buried in a crypt beneath a Unitarian church in Quincy, Massachusetts.

Although John Adams's religious views and practices were somewhat closer to conventional Christianity than Jefferson's and Franklin's, there is no inconsistency between what Adams apparently believed in 1776 and his approval of the deistic language of the Declaration of Independence. Nor can it be argued that Adams was unaware of Jefferson's un-Christian views when Adams approved the language of the Declaration. At about the time the Declaration was written, Adams had chastised Jefferson for "cast[ing] aspersions on Christianity"[140] during a debate over a proposed day of fasting. Adams was reminded of his actions in a subsequent letter from Benjamin Rush:

> You rose and defended the motion, and in reply to Mr. Jefferson's objections to Christianity you said you were sorry to hear such sentiments from a gentleman whom you so highly respected and with whom you agreed upon so many subjects, and that it was the only instance you had ever known of a man of sound sense and real genius that was an enemy to Christianity. You suspected, you told me, that you had offended him, but that he soon convinced you to the contrary by crossing the room and taking a seat in the chair next to you.[141]

Adams knew exactly what he was doing when he signed on to Jefferson's deistic language in the Declaration of Independence.

The religious views of Sherman and Livingston are less well known, though it seems likely that the former was a traditional Christian, while the latter was closer to Jefferson and had expressed religious views that have been characterized as "daring to the point of impiety."[142] In any event, only Jefferson, Franklin, and Adams—among the drafting committee—had any real input into the Declaration's language before it went to the Continental Congress for ratification. The Congress did make several important changes, but it did not tamper with Jefferson's deistic formulation of "Nature's God" and a watchmaking "Creator."[143]

Scholars agree that the debates in Congress over the Declaration are unrecoverable. The transcripts of the Continental Congress recorded neither the debates nor the amendments that were proposed. Only the changes finally adopted give us any evidence of what Congress may have thought of the Declaration as Jefferson submitted it on July 2. Carl Becker states that "since Congress sat, for these debates as a committee of the whole, the Journals give no account of either the debates or the amendments . . . only the form of the Declaration as finally adopted."[144] As the historian Pauline Maier describes it:

> Once again the curtain fell, concealing the delegates as they moved through the document, making changes as they went along, leaving no official record of their proceedings beyond its fruit—the Declaration that, reconstituted as the Continental Congress, they finally adopted. Even the private correspondence of delegates is remarkably silent on what the Committee of the Whole did and why. Only Jefferson's notes on Congress's proceedings discuss the subject in any detail, and Jefferson was anything but a dispassionate observer as the

> Committee of the Whole rewrote or chopped off large sections of his draft, eliminating in the end fully a quarter of his text.[145]

In any event, the words of the Declaration were not intended to reflect the ideas of its primary draftsman alone, or even of those members of the Continental Congress who revised and then signed the Declaration. According to the primary craftsman, it was meant to be an "expression of the American mind, and to give that expression the proper tone and spirit called for by the occasion."[146] The "American mind" of the time was willing to accept Jefferson's deistic formulation of the source of rights as a common denominator reflecting the diverse and often heterodox religious views of those who supported independence.

"Nature's God" was a God acceptable to the deists. So, too, was the "Creator" who endowed human beings with "unalienable Rights." Jefferson believed that his watchmaker God had "impressed on the sense of every man" an instinct for certain rights. This is what he wrote to a friend in 1817 about one particular right:

> My opinion on the right of Expatriation has been, so long ago as the year 1776, consigned to record in the act of the Virginia code, drawn by myself, recognizing the right expressly, and prescribing the mode of exercising it. The evidence of this natural right, like that of our right to life, liberty, the use of our faculties, the pursuit of happiness, is not left to the feeble and sophistical investigations of reason, but is impressed on the sense of every man. We do not claim these under the charters of kings or legislators, but under the King of kings. If he has made it a law *in* the nature of man to pursue his own

> happiness, he has left him free in the choice of place as well as mode. [Emphasis added.][147]

The Declaration's reference to the "Supreme Judge of the World," though added by the Congress to the original draft, also was consistent with Jefferson's deistic views of an un-Christian afterlife. He "saw the importance of a belief in eternal judgment for encouraging a moral life of service to society."[148] Jefferson's "Judge," unlike the Christian God, did not reward or punish based on beliefs or acceptance of Jesus. Nor was the afterlife determined by predestination or election. "What really aroused Jefferson's ire was the suggestion that God judged people in the afterlife by their correct belief rather than by their behavior."[149] By agreeing to appeal to the "Supreme Judge of the World," Jefferson was not seeking God's intervention in battle but rather his approval for the good deed of establishing independence.

Finally, the words "Divine Providence," which also were added by Congress, were not inconsistent with Jefferson's nonintervening watchmaker God. In a letter to Benjamin Rush, he wrote about the relationship between Providence and "the order of things": "When great evils happen, I am in the habit of looking out for what good may arise from them as consolations to us, and Providence has in fact so established the order of things, as that most evils are the means of producing some good."[150]

A distinguished student of church-state relations in America, Leo Pfeffer has argued that the framers' references to God in the Declaration of Independence should not be misunderstood to suggest that the framers anticipated—or were willing to accept—that these references be taken to justify practices being championed by the Religious Right today:

> It is reasonable to assume that many of the original framers of the document would have opposed the references [to God] if they had anticipated the use to which it was later put. For example, Justice [David J.] Brewer, in *Church of Holy Trinity* v. *United States,* cited the reference to Providence in the Declaration of Independence as one of the items in his long list of religious references and practice to support his conclusion that "this is a *Christian* nation." In view of Jefferson's strong opposition to the maxim that "Christianity is part of the common law," and to a reference to Christ in the Virginia Act Establishing Religious Freedom, it is quite unlikely that he would have approved this use by Justice Brewer of the reference to Providence in the Declaration of Independence.[151]

The un-Christian Declaration of Independence was followed eleven years later by what Isaac Kramnick and R. Laurence Moore have aptly called "the godless Constitution," in which God is never invoked and religion is mentioned but once, in the provision that "no religious test shall ever be required as a qualification to any office or public trust under the United States."[152] Yet the parochial partisans of the Religious Right who deliberately misread history in an effort to turn the Declaration into a Christian document do the same with the Constitution. As the founder of the Religious Right's Rutherford Institute said: "The entire Constitution was written to promote a Christian order."[153] Pat Robertson, Ralph Reed, James Dobson, and others have echoed this ahistoric fallacy.

The truth, according to the historians Kramnick and Moore, is that "Americans, in the era of the Revolution, were a distinctly unchurched people. The highest estimates for the

late eighteenth century make only about 10 to 15 percent of the population church members."[154] As Hector St. John de Crevecoeur reported: "Religious indifference is imperceptibly disseminated from one end of the continent to the other."[155] According to historians of that era, "churches would have been almost completely empty had it not been for women."[156] And considering the low status of women in those days, particularly with regard to politics, from which they were virtually excluded, it is fair to conclude that the churches did not have much of an impact on the Declaration, the Constitution, or other important political documents or actions of that period.

This is not to say that Americans were atheists, irreligious, or godless. "In a general way most of them were Christians," according to Kramnick and Moore, but "Americans in 1776 had a long way to go before making themselves strongly Christian or strongly anything else relating to a religious persuasion."[157] As Carl Becker observed, the "natural order" and non-Christian deistic theologies reflected in Jefferson's draft of the Declaration "were the accepted premises, the preconceptions of most eighteenth-century thinkers, not only in America, but also in England and France."[158] Even Alexis de Tocqueville, who is frequently quoted by the Religious Right to prove that nineteenth-century Americans were quite religious, argued that religion should not—and in America did not—involve itself in political parties or political controversies. Americans then, in truth, were far less traditionally religious, far less likely to belong to churches, and far, far less influenced in their politics by religious leaders than they are today.

Conclusion

What, then, can be fairly concluded from this history? Despite its references to "Nature's God," "Creator," "Supreme Judge,"

and "Divine Providence," the Declaration of Independence was a document designed to "burst the chains" with which organized religion—especially orthodox Christianity—had shackled previous governments. It was an anticlerical document that elevated nature, science, and human reason over "monkish ignorance and superstition." It represented a defeat for churches, clergymen, and faith, and a victory for "the rights of man," for the separation of church from state, and for reason. It marked the beginning of the end of the religious state and the emergence of the secular state based on the consent of the governed, rather than the revealed word of God. If they had been alive at the time, Falwell, Robertson, Dobson, and Keyes would surely have opposed it and joined with those who subsequently tried, and failed, to declare America to be a Christian nation ruled by "the Lord Jesus Christ."

According to Leo Pfeffer, attempts to constitutionalize or legislate the Christian God into our legal system have persisted throughout our history:

> Omission of reference to God or Christ in the Constitution was bitterly criticized by some during the debates in the states during its ratification. Indeed, two Presbyterian church groups resolved not to vote at elections until the Constitution should be amended to acknowledge the sovereignty of God and Christ. Others decided on more practical measures. In 1863 representatives from eleven Protestant denominations organized the National Reform Association, one of whose principal purposes was "to secure such an amendment to the Constitution of the United States as will declare the nation's allegiance to Jesus Christ and its acceptance of the moral laws of the Christian religion, and so indicate that this is a Christian nation, and place all the Christian laws,

> institutions, and usages of our government on an undeniably legal basis in the fundamental law of the land."

Accordingly, the next year the Association formally petitioned Congress to amend the preamble of the Constitution as to read

> We, the People of the United States, *humbly acknowledging Almighty God as the source of all authority and power in the civil government, the Lord Jesus Christ as the Ruler among the nations, His revealed will as the supreme law of the land, in order to constitute a Christian government*, and in order to form a more perfect Union, establish justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, *and secure the inalienable rights and the blessings of life, liberty, and the pursuit of happiness to ourselves, our posterity, and all the people*, do ordain and establish this Constitution for the United States of America. [Emphasis added.]

As late as February 1951, Senator Ralph Flanders of Vermont introduced a proposal to amend the Constitution to add an article reading:

> Section 1. This nation devoutly recognizes the authority and law of Jesus Christ, Saviour and Ruler of nations through whom are bestowed the blessings of Almighty God.[159]

Every such effort has failed. Yet those who today seek to Christianize America now—falsely—claim that the Declaration supports their very un-Jeffersonian vision of a Christian America based on the divinity of Jesus and the authority of the Bible. The language of the Declaration was as

unbiblical and un-Christian as could achieve the level of consensus required to serve its purposes—it is close to the theology that got Spinoza excommunicated from Judaism. It distorts the historical record and insults the memory of those who drafted the Declaration to believe that Jefferson, Franklin, and Adams would have anything in common with today's evangelical Christian fundamentalists who invoke their names while rejecting the findings of science—including those of Darwin and Einstein—because they appear to conflict with a literal reading of the Bible. Jefferson, Franklin, and Adams would be turning in their graves if they knew how their views were being misused by today's Religious Right.

Jon Meacham summarizes the history in the following nuanced manner:

> The nation's public religion, then, holds that there is a God, the one Jefferson called the "Creator" and "Nature's God" in the Declaration of Independence. The God of public religion made all human beings in his image and endowed them, as Jefferson wrote, with sacred rights to life, liberty, and the pursuit of happiness. What the God of public religion has given, no king, no president, no government can abridge—hence the sanctity of human rights in America. The God of public religion is interested in the affairs of the world. The God of public religion may be seen as capable of rewarding or punishing individuals or the nation either here and now or later, beyond time. And the God of public religion is sometimes spoken of as a God bound to the American nation, in Jefferson's words, "as Israel of old."
>
> Properly understood, the God of public religion is not the God of Abraham or God the Father of the Holy Trinity. The Founding Fathers had ample opportunity to

> use Christian imagery and language in the Declaration of Independence and Constitution, but did not. At the same time, they were not absolute secularists. They wanted God in American public life, but, given the memory of religious warfare that could engulf and destroy whole governments, they saw the wisdom in distinguishing between private and public religion. In churches and in homes, anyone could believe and practice what he wished. In public business of the nation, however, it was important to the Founders to speak of God in a way that was unifying, not divisive. "Nature's God" was the path they chose, and it has served the nation admirably. Despite generations of subsequent efforts to amend the Constitution to include Jesus or to declare that America is a "Christian nation," no president across three centuries has made an even remotely serious attempt to do so.[160]

It is important that today's secularists not engage in a mirror-image distortion of what the Religious Right is now seeking to do. It would be wrong to conclude that the Declaration of Independence supports the entire agenda of those who would remove all references to God from public pronouncements. Although that would be my own strong personal preference, I cannot find support for it in the history or text of the Declaration. The Declaration was drafted at a different time in our history, when our population was far more homogeneous—especially with regard to religion. Almost everyone in the colonies was a Protestant of some sort, at least nominally, and believed in some kind of God. The contentious issues of the day were different from those of our own. Whether generic references to "God" might be deemed offensive to some atheists, agnostics, separationists, or adherents to non-

theistic religions was not a pressing issue. It is impossible to know for certain what its drafters and ratifiers would say about all of today's diverse church-state issues if they were living in today's very different world. Contentious special pleaders can find snippets of writings that can be cited in support of, and in opposition to, the agendas of each side, especially in the numerous letters written over so long a period by the likes of Jefferson, Adams, and Franklin. What can be said, with some degree of confidence, on the basis of a fair reading of the relevant record, is that the Declaration's primary drafters—though they believed in God—would not be on the side of those who would govern by religious authority and biblical revelation rather than by principles of democracy and reason.

To dramatize this point, I have gathered various questions sent to candidates by groups representative of the current Religious Right. These questions are designed to determine whether these candidates, who seek the endorsement of the Religious Right, pass various "litmus tests." Those who respond—and some who do not—are given scores and these scores are then released to the public. It will be revealing to see how Thomas Jefferson would have scored on these tests. As I have previously noted, it is impossible to know for certain how eighteenth- or nineteenth-century politicians would answer every question about current issues, but we can be very close to certain on those issues about which Jefferson felt strongly and left a substantial written record.

Virtually every litmus test asks about religious practices in public schools. We know that Jefferson was adamantly opposed to teaching the Bible to schoolchildren and to public prayers in schools.

The test also asks about the teaching of evolution and creationism. We can be relatively certain how Jefferson would

have responded to these issues if he were alive today, based on what I have shown he believed. He thought that the biblical story of creation was an ignorant human contrivance, and although he lived before Darwin, he corresponded extensively with scientists about fossils, extinction, and other issues of paleontology. His beliefs were based on the findings of science, not the revelations in the Bible. He surely would have favored the teaching of scientific evolution, not biblical creationism. But what about "scientific" creationism that purports to rely not on biblical accounts but rather on the findings of science? Here we can be less certain. In one respect, Jefferson can be characterized as a nonbiblical, scientific creationist. He believed that the God of Nature had created human beings (as well as the rules of human and physical nature). This belief was based on his understanding of science. The difference between Jefferson and most contemporary religious creationists is that Jefferson was willing to be proved wrong by science, whereas most of today's creationists generally use—misuse—science to confirm what they already "know" to be true, because the Bible says so. If Jefferson was convinced, as is the deeply religious Professor Stephen Carter, that creationism is "bad science,"[161] he would reject it, as Carter does. But in Jefferson's day, proof of God's creation "by design" seemed like good science, and Jefferson accepted it. I don't know whether he would accept it today.

Another question is about the governmental funding of religious schools. Jefferson was adamantly opposed to the government compelling anyone, through taxation, to support religion, even one's own religion. He called it "sinful and tyrannical" to require "a man to furnish contributions of money for the propagation of opinions which he disbelieves," and wrong to force him even to support "this or that teacher of his own religious persuasion," unless he chose to

make a contribution.[162] Jefferson would almost certainly oppose current efforts to divert taxpayer money to religious schools.

Yet another question asks whether the candidate would, if elected president, place a Nativity scene on the lawn of the White House. Jefferson, who did not believe in the virgin birth or any of the other alleged miracles surrounding the birth of the very human Jesus, would not have approved of crèches, but even if he did, he would be opposed to governmental displays of peculiarly Christian symbols.

Another common question revolves around the invocation of God on coins, in the Pledge of Allegiance, and in other ceremonial settings. Jefferson himself invoked God in the Declaration and even in his bill for establishing religious freedom in Virginia. But so did Thomas Paine and other more radical anti-Christians. Invoking God was simply not controversial in Jefferson's day, because to Jefferson it meant "Nature's God," not the Bible's God. It is impossible to know what Jefferson would think today, when invoking God is quite controversial and divisive, because it tends to mean the Judeo-Christian God of the Bible. To lean over backward, I will say that Jefferson might have received a positive score from the Religious Right on this question.

He probably would not have been in favor of abolishing, as the Religious right is, the Department of Education, the National Endowment for the Arts and Humanities, or the Office of Surgeon General, since he was so supportive of education, science, medicine, philosophy, and the arts, though he was wary of federal involvement in matters left, by the Constitution, to the states.

Other questions deal with abortion, homosexuality, pornography, assisted suicide, and stem cell research to cure diseases. There are simply insufficient data to know what Jefferson

would say about abortion. He appeared to favor the criminalization of homosexuality. His views on free speech probably would have placed him on the side of those who oppose governmental censorship, even of pornography, though that is not certain. He was sympathetic to suicide. And he believed in the progress of science to cure illness.

All in all, it is fair to conclude that Thomas Jefferson would have scored quite low—certainly less than 25 percent—on any Religious Right litmus test. He probably would have scored somewhere between Barney Frank and Bill Clinton. Jefferson surely would not have received the endorsement of the Religious Right for president based on his answers to their litmus test questions. Yet they now fraudulently claim his posthumous endorsement for their efforts to tear down the wall of separation between church and state, which was among his most enduring contributions to American constitutional theory and practice.

The out-of-context quotation of Jefferson that appears on his memorial in Washington, when placed back into its proper context, perhaps best summarizes Jefferson's views regarding God, on the one hand, and organized religion, on the other. The quote on the memorial invokes God: "I have sworn upon the altar of God, eternal hostility against every form of tyranny over the mind of man."[163]

These words were selected in 1943, according to Kramnick and Moore, to convey America's "enduring commitment, as a religious people, to oppose vigilantly political oppression and tyranny in all forms—be it that of George III, German Kaisers, Hitler or Japanese aggressors."[164] But when Jefferson wrote these words, in 1800, in the midst of his campaign for president, he directed them at the tyranny of the *clergy.* Benjamin Rush, a close friend and fellow religious skeptic, had written to Jefferson that the clergy were attacking him with

claims that his election would undermine their preeminent position in American life. Jefferson's reply reads in relevant part as follows:

> I promised you a letter on Christianity, which I have not forgotten. On the contrary, it is because I have reflected on it, that I find much more time necessary for it than I can at present dispose of. I have a view of the subject which ought to displease neither the rational Christian nor Deists, and would reconcile many to a character they have too hastily rejected. I do not know that it would reconcile the *genus irritable vatum* [the irritable tribe of priests] who are all in arms against me. Their hostility is on too interesting ground to be softened. . . . The successful experiment made under the prevalence of that delusion on the clause of the Constitution, which, while it secured the freedom of the press, covered also the freedom of religion, had given to the clergy a very favorite hope of obtaining an establishment of a particular form of Christianity through the United States; and as every sect believes its own form the true one, every one perhaps hoped for his own, but especially the Episcopalians and Congregationalists. The returning good sense of our country threatens abortion to their hopes, and they believe that any portion of power confided to me, will be exerted in opposition to their schemes. And they believe rightly: for I have sworn upon the altar of God, eternal hostility against every form of tyranny over the mind of man. But this is all they have to fear from me; and enough too in their opinion.[165]

The man who drafted the Declaration of Independence was a man willing to invoke his God—the God of Nature—

against organized churches and irritable clerics who would impose "tyranny over the mind of man" by establishing their religious doctrines—or any religious doctrine—as the only truth. As Kramnick and Moore summarized it: "Jefferson was not a godless man or intrinsically irreligious. While committed to the strict separation of church and state, to a godless politics, and thus fiercely anticlerical, he was also a man of deeply felt *private* religious conviction."[166]

It is this distinction between *private beliefs* and *public politics*—a distinction central to Jefferson and many of his contemporaries—that is ignored, even distorted, by today's public panderers of the Religious Right, who miscite the Declaration in support of their parochial causes—to borrow an apt phrase from Carl Becker—"without fear and without research."

John T. Noonan Jr., a federal judge and a deeply religious man, well summarized the creed of many of the founders of the Declaration and the Constitution when he reminded us that "nations do not worship, persons do."[167] Our Declaration of Independence may well have become, as one historian called it, "American scripture," but to its author it was secular scripture.