

“**A**lmighty God hath created the mind free.” Thus Thomas Jefferson begins the “Virginia Statute for Religious Freedom.” The freedom of the human mind means that all individuals can choose between good and evil. The Founders believed that although human beings are capable of doing great good, they equally are capable of tremendous evil. In the words of Jefferson in the landmark Statute of 1786, all people, including rulers, are “but fallible and uninspired men.” The theological conviction of early Americans was that all human beings are fallen; politically, this meant that all are fallible.

The political, religious, and moral framework of the founding started with the affirmation of a common, enduring, and immutable human nature. Human beings are admixtures of roiling passions and calming reason. Regardless of time, place, and social or economic status, all share the same propensity to pride and to evil. Despite these strong tendencies, man is not condemned to a mere animal existence. With careful cultivation of his soul, attention to “the laws of nature and of nature’s God,” and the uplifting assistance of family, church, and local community, human beings are able to tame their passions and act worthy of the “blessings of liberty.”

As flawed but rational beings, humans should strive to let reason—a gift from God—rule their lives, the Founders urged, for with that rule comes the possibility of self-government. The implication for politics of this moral and religious conclusion is profound: Every person and every regime, or form of government, is imperfect and incapable of being perfected by mortal means.

The Founders concluded that we know the existence of human nature, natural law, and the mind’s freedom not because we are members of any particular church or denomination, but because we are able as human beings to follow reason’s path to these first principles. Reason’s dictates are not opposed to those of revelation; on the contrary, the vital truths of human existence are affirmed by both reason and revelation.

Reason and revelation both counsel religious liberty. This principle, upheld by all of the American Founders, is among the most revolutionary tenets advanced in the history of ideas. Whereas throughout most of human history religious minorities had lived with the fear of political persecution, and religious toleration if established was put in place as a revocable policy, in America the

*right* to religious liberty was established as a matter of principle. President George Washington expressed this new principle in a letter he sent in 1790 to the Hebrew Congregation of Newport, Rhode Island, included in this section.

Rights are the most precious possessions anyone may own. Our greatest property right, or claim to ownership, is found in our religious freedom, James Madison states in his 1792 article “On Property.” Religion’s role in social and political life is so important, Madison wrote in his “Memorial and Remonstrance Against Religious Assessments,” that the religious liberties of all Americans—and all peoples everywhere—must be guarded with special vigilance.

Together, Madison and Jefferson were a powerful force for religious liberty. Working from the mid- to late-1770s until the adoption of the Virginia Statute of 1786, Madison and Jefferson waged an all-out assault on Virginia’s establishment of the Anglican Church in what was the most pitched battle for religious liberty in American history. Their untiring work sought to establish the principle that no government in America could legitimately establish an official religion and compel taxpayers to support it to the exclusion of others.

If this conclusion about the sanctity of religious liberty calls to mind one of the most famous metaphors in American political and constitutional thought—“a wall of separation between church and state”—it is not because of the weight Jefferson himself placed upon the metaphor. Rather, the phrase, used by Jefferson in a letter in 1802, was freighted with enormous political and constitutional significance by the Supreme Court, which in the 1947 case *Everson v. Board of Education* transformed it into constitutional law.

For many Americans since then who have listened mainly to the Supreme Court for lessons about religious liberty, the wall separating church and state demands a strict separation of religion and politics. The Court’s misreading of Jefferson’s metaphor has contributed to a popular misunderstanding of politics, law, morality, and religion. This misreading is best corrected by allowing the Founders to speak for themselves, for their insistence upon religious liberty meant not the erection of a wall separating religion and politics, but the establishment of a principle that would let religion flourish.

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