Thomas Jefferson (1743-1826), third President of the United States, is most commonly remembered for having drafted the Declaration of Independence, but one of his most important works is the Act for Establishing Religious Freedom, otherwise known as the Virginia Statute for Religious Freedom. The statement, which was introduced into the Virginia General Assembly in 1779 and passed into law in 1786, is one of just three accomplishments that Jefferson asked be included in his epitaph. Not only was its passage in the state a landmark event, which is commemorated annually on January 16th, “Religious Freedom Day”; the statute also set the groundwork for the First Amendment to the United States Constitution.

By the time the Act for Establishing Religious Freedom was adopted, religious dissenters in Virginia—primarily Baptists, who were joined by Presbyterians and Methodists—had been petitioning for religious liberty for a decade. The members of these religious groups sought to disestablish the Church of England, which, since the first English settlers arrived in 1607, had been the official state church in colonial Virginia. Before Jefferson’s statute was passed, colonists were legally required to attend Church of England services, have their marriages performed by the Church’s ministers, and pay taxes to support its clergymen. Dissenters were actively persecuted.

In his statement, Jefferson spoke of an “Almighty God” who “created the mind free,” giving man the autonomy to choose his own way. Jefferson argued that though God is the “Holy author of our religion” and “Lord both of body and mind,” He does not propagate religion or coerce man into particular beliefs. Rather, the rulers and legislators, all of them “fallible and uninspired men, have assumed dominion over the faith of others,” imposing on people their own opinions, which they consider the only ones that are right and true. Jefferson asked that
the General Assembly enact his statute so that no man would be punished for his faith and every man would be able to attend any church he pleases and worship the way he likes. To force someone to support a place of religious worship or institution that propagates opinions he disagrees with, Jefferson called “sinful.”

The Virginia Statute for Religious Freedom distinguishes between civil rights and religious beliefs, stating that a man should not be judged fit or unfit for a particular office based on his religion. To do so would be to deprive him “injursiously of those privileges and advantages to which, in common with his fellow citizens, he has a natural right.” In it, Jefferson also addressed the “rightful purpose” of a civil government, which, he said, is to intervene only when certain acts disturb the peace and good order of things. He made clear that his statute would not be irreversible, because he did not think that any law should be, including the Constitution; he recognized that people have the right, through their elected assemblies, to change laws. Yet, Jefferson believed that the rights set forth in his statement “are of the natural rights of humankind,” and that any act passed to repeal this one “would be an infringement of natural right.”

The law’s language and its ideas changed the course of American history. As a consequence of the statute’s passage, the Church of England was indeed disestablished, or detached, from Virginia. And the Act for Establishing Religious Freedom guaranteed freedom of religious belief and practice to all Virginians—those who had led the charge, but also to Catholics and Jews, and others who were not Protestant Christians. Most importantly, religious disestablishment in the state became the model for freedom of religion at the national level. Congress drew on the Virginia law when drafting the Bill of Rights, a group of 10 amendments to the United States Constitution. Specifically, Jefferson’s statute was a precursor to the First Amendment’s protections for religious freedoms.

The principles of religious liberty found in the First Amendment clearly hark back to Jefferson’s document. The amendment opens with two religious clauses, the Establishment Clause and the Free Exercise Clause, that are meant to protect religious freedoms. Together, the clauses form a single sentence: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.” The first clause (the part of the phrase before the “or”) prohibits the American government from advancing or preferring any particular religion over another. It also prohibits the government from favoring religious people over non-religious people. The second clause (the part of the phrase after the “or”) prohibits the government from making a law that would curb the free exercise of religion. In other words, it guarantees Americans the right to freely exercise their religion.
The writing of the Establishment Clause was important to members of minority religions who were concerned that the federal government might establish a state religion. For instance, the Baptists in Virginia, who largely inspired Jefferson’s statute and suffered discrimination before the Church of England was disestablished, pointed out that the Constitution had no safeguard against the establishment of a new national church.

The words “separation of church and state” do not appear in the First Amendment. The expression “a wall of separation between church and state” can rather be found in a letter that Thomas Jefferson wrote as President of the United States to a group of Baptists assuring that their religious freedoms would be protected. Where exactly most of America’s Founding Fathers stood on the distance in the relationship between organized religion and the state remains unclear, and the subject has developed into a debate that continues to rage.

On one side of the debate are those who maintain that the Founders did not intend to build a “wall” between church and state or even to forbid federal support for religious institutions, but that they only wanted to prevent the government from privileging one Christian denomination over the others. On the other side of the debate are those who hold that the Founders did intend for a separation of church and state, and sought to keep the federal government from supporting any particular religion.

What is certain is that the First Amendment sought to protect against the creation of a national church and ensure that citizens be free to practice their religion without interference from the government, so long as that practice does not threaten peace or the common good. The United States would not be like other countries in which one’s political rights were only safeguarded if one adhered to the state’s official religion. But this does not necessarily mean the Founders wanted to keep religion out of politics and law entirely. In fact, Jefferson ended his renowned letter to the Baptists in which he wrote of the “wall of separation” in this way: “I reciprocate your kind prayers for the protection and blessing of the common Father and Creator of man.”

Looking closely at some of the things the Founders did and said in their time can help determine how they thought about the separation of church and state. James Madison, the fourth President of the United States, who was instrumental in the passage of the Virginia Statute for Religious Freedom, said this when arguing that Virginia should ratify the new Constitution: “There is not a shadow of right in the general government to intermeddle with religion.”

It should be noted that Founding Father Patrick Henry thought that Jefferson’s Virginia Statute for Religious Freedom was too radical and resisted it. He responded by proposing a “general assessment” on all citizens to support Christianity as Virginia’s established religion. Madison’s
petition to the Virginia legislature, “A Memorial and Remonstrance,” argued against this suggestion, for, he wrote, “Who does not see that the same authority which can establish Christianity, in exclusion of all other Religions, may establish with the same ease any particular sect of Christians, in exclusion of all other Sects?”

Jefferson and Madison shared similar convictions. As Jefferson wrote in “Notes on the State of Virginia” in 1781, “The legitimate powers of government extend to such acts only as are injurious to others. But it does me no injury for my neighbor to say that there are twenty gods, or no God. It neither picks my pocket nor breaks my leg.”

In September of 1789, the House of Representatives passed a resolution calling for “a day of public thanksgiving and prayer to be observed by acknowledging, with grateful hearts, the many signal favors of Almighty God.” The resolution was passed on the same day the First Amendment was passed, indicating that Congress did not consider the amendment to conflict with its sanctioning of an official day of thanksgiving to God. Following this, on October 3, 1789, George Washington, the first President of the United States, issued his Proclamation of National Thanksgiving, part of which reads: “Now therefore I do recommend and assign Thursday the 26th day of November next to be devoted by the People of these States to the service of that great and glorious Being, who is the beneficent Author of all the good that was, that is, or that will be.”

The Founders’ interactions with various Jewish congregations in America serve as an indication of how they viewed religious liberty. In 1790, George Washington wrote a letter to the Hebrew Congregation in Newport, Rhode Island, that said the following: “It is now no more that toleration is spoken of, as if it was by the indulgence of one class of people, that another enjoyed the exercise of their inherent natural rights. For happily the Government of the United States, which gives to bigotry no sanction, to persecution no assistance requires only that they who live under its protection should demean themselves as good citizens, in giving it on all occasions their effectual support.” Washington stressed that all people possessed the same natural rights, no matter their religion. They had only to be “good citizens.”

Did the Founders believe that Congress could encourage religion so long as it did not disadvantage any religious groups? To what extent could religious ideas and observances play a part in civil life? Even Jefferson, who refused to proclaim national thanksgivings during his presidency, granted financial aid to Protestant missions. Thus, it is difficult to respond to these questions with certainty. The First Amendment is not entirely transparent on the separation of church and state, and the Founders differed in their opinions on the proper role for religion in public life, sometimes even contradicting themselves. What they did do with a single voice is affirm that religious liberty was an absolute, natural right.
1. Which Founding Father wrote the Act for Establishing Religious Freedom?

   A  George Washington  
   B  Thomas Jefferson  
   C  James Madison  
   D  Patrick Henry

2. What does the author describe in the passage?

   A  the views of Founding Fathers on the separation of church and state  
   B  how Thomas Jefferson’s views on the separation of church and state changed  
   C  a list of Thomas Jefferson’s political accomplishments during his presidency  
   D  the reason why people still celebrate Thanksgiving today

3. Jefferson’s Act for Establishing Religious Freedom is the basis for the First Amendment in the Bill of Rights. What evidence from the passage best supports this statement?

   A  “The writing of the Establishment Clause was important to members of minority religions who were concerned that the federal government might establish a state religion.”  
   B  “The words ‘separation of church and state’ do not appear in the First Amendment. The expression ‘a wall of separation between church and state’ can rather be found in a letter that Thomas Jefferson wrote as President of the United States to a group of Baptists assuring that their religious freedoms would be protected.”  
   C  “The law’s language and its ideas changed the course of American history.”  
   D  “Congress drew on the Virginia law when drafting the Bill of Rights, a group of 10 amendments to the United States Constitution. Specifically, Jefferson’s statute was a precursor to the First Amendment’s protections for religious freedoms.”

4. Read the following sentences from the passage: “It should be noted that Founding Father Patrick Henry thought that Jefferson’s Virginia Statute for Religious Freedom was too radical and resisted it. He responded by proposing a ‘general assessment’ on all citizens to support Christianity as Virginia’s established religion.”

   Based on this evidence, how do Patrick Henry’s views on religious freedom compare to Thomas Jefferson’s views?

   A  Patrick Henry wanted the state to be less involved in religious matters than Thomas Jefferson.  
   B  Patrick Henry favored less religious freedom than Thomas Jefferson.  
   C  Patrick Henry generally agreed with Thomas Jefferson about religious freedom.  
   D  Patrick Henry only supported one sect of Christianity, whereas Thomas Jefferson supported the freedom to be in any sect.
Questions: Jefferson, Church and State

5. What is this passage mainly about?
   A  the establishment of religious rights in early American politics
   B  Thomas Jefferson’s three favorite political accomplishments
   C  the personal opinion of George Washington regarding religious freedom
   D  the disestablishment of the Church of England from the state of Virginia

6. Read the following sentences from Jefferson’s “Notes on the State of Virginia”: “The legitimate powers of government extend to such acts only as are injurious to others. But it does me no injury for my neighbor to say that there are twenty gods, or no God. It neither picks my pocket nor breaks my leg.”

What does “it” refer to in the last sentence?
   A  a thief or criminal
   B  the religious freedom of others
   C  a government that controls its citizens’ religion
   D  the Church of England

7. Choose the answer that best completes the sentence below.

Not all of the Founding Fathers believed that the state should be totally separate from religion; __________, Patrick Henry wanted Virginia to adopt Christianity as its official state religion.
   A  obviously
   B  for instance
   C  finally
   D  thus

8. The passage states that Madison and Jefferson shared similar convictions about the separation of church and state. What evidence from the passage supports this statement?

______________________________________________________________________
______________________________________________________________________
______________________________________________________________________
______________________________________________________________________

ReadWorks.org  THE SOLUTION TO READING COMPREHENSION
© 2014 ReadWorks®, Inc. All rights reserved.
9. Describe the attitudes of both George Washington and Thomas Jefferson towards the Thanksgiving holiday.

______________________________________________________________________
______________________________________________________________________
______________________________________________________________________
______________________________________________________________________

10. To what extent did Thomas Jefferson support a complete separation of church and state? Use information from the passage to support your answer.

______________________________________________________________________
______________________________________________________________________
______________________________________________________________________
______________________________________________________________________
Teacher Guide & Answers

Passage Reading Level: Lexile 1430

1. Which Founding Father wrote the Act for Establishing Religious Freedom?
   - A George Washington
   - B Thomas Jefferson
   - C James Madison
   - D Patrick Henry

2. What does the author describe in the passage?
   - A the views of Founding Fathers on the separation of church and state
   - B how Thomas Jefferson’s views on the separation of church and state changed
   - C a list of Thomas Jefferson’s political accomplishments during his presidency
   - D the reason why people still celebrate Thanksgiving today

3. Jefferson’s Act for Establishing Religious Freedom is the basis for the First Amendment in the Bill of Rights. What evidence from the passage best supports this statement?
   - A “The writing of the Establishment Clause was important to members of minority religions who were concerned that the federal government might establish a state religion.”
   - B “The words ‘separation of church and state’ do not appear in the First Amendment. The expression ‘a wall of separation between church and state’ can rather be found in a letter that Thomas Jefferson wrote as President of the United States to a group of Baptists assuring that their religious freedoms would be protected.”
   - C “The law’s language and its ideas changed the course of American history.”
   - D “Congress drew on the Virginia law when drafting the Bill of Rights, a group of 10 amendments to the United States Constitution. Specifically, Jefferson’s statute was a precursor to the First Amendment’s protections for religious freedoms.”

4. Read the following sentences from the passage: “It should be noted that Founding Father Patrick Henry thought that Jefferson’s Virginia Statute for Religious Freedom was too radical and resisted it. He responded by proposing a ‘general assessment’ on all citizens to support Christianity as Virginia’s established religion.”

   Based on this evidence, how do Patrick Henry’s views on religious freedom compare to Thomas Jefferson’s views?
   - A Patrick Henry wanted the state to be less involved in religious matters than Thomas Jefferson.
   - B Patrick Henry favored less religious freedom than Thomas Jefferson.
   - C Patrick Henry generally agreed with Thomas Jefferson about religious freedom.
   - D Patrick Henry only supported one sect of Christianity, whereas Thomas Jefferson supported the freedom to be in any sect.

5. What is this passage mainly about?
   - A the establishment of religious rights in early American politics
   - B Thomas Jefferson’s three favorite political accomplishments
   - C the personal opinion of George Washington regarding religious freedom
   - D the disestablishment of the Church of England from the state of Virginia
6. Read the following sentences from Jefferson’s “Notes on the State of Virginia”: “The legitimate powers of government extend to such acts only as are injurious to others. But it does me no injury for my neighbor to say that there are twenty gods, or no God. It neither picks my pocket nor breaks my leg.”

What does “it” refer to in the last sentence?

A a thief or criminal  
B the religious freedom of others  
C a government that controls its citizens’ religion  
D the Church of England

7. Choose the answer that best completes the sentence below.

Not all of the Founding Fathers believed that the state should be totally separate from religion; ____________, Patrick Henry wanted Virginia to adopt Christianity as its official state religion.

A obviously  
B for instance  
C finally  
D thus

8. The passage states that Madison and Jefferson shared similar convictions about the separation of church and state. What evidence from the passage supports this statement?

Suggested answer: Madison was instrumental in the passage of the Act for Establishing of Religious Freedoms, which Jefferson wrote. He supported Jefferson’s viewpoint on the separation of church and state. Madison also argued against Patrick Henry’s “general assessment” on all citizens to support Christianity as Virginia’s established religion. Madison stated, “Who does not see that the same authority which can establish Christianity, in exclusion of all other Religions, may establish with the same ease any particular sect of Christians, in exclusion of all other Sects?”

9. Describe the attitudes of both George Washington and Thomas Jefferson towards the Thanksgiving holiday.

Suggested answer: George Washington supported Thanksgiving, proclaiming a date on which it could be celebrated in 1789. Thomas Jefferson apparently did not support Thanksgiving, because he refused to proclaim it a national holiday during his presidency.

10. To what extent did Thomas Jefferson support a complete separation of church and state? Use information from the passage to support your answer.

Suggested answer: Answers may vary, as long as they are supported by the passage. Students may explain that one of Jefferson’s most famous works, the Act for Establishing Religious Freedom, is an important statute that prevents any man from being punished for his faith and allows every man to attend church as he pleases and worship the way he likes. In the same statute, Jefferson distinguished between civil rights and religious beliefs. Jefferson stated that no man should be judged fit or unfit for a particular office based on his religion and that civil government’s “rightful purpose” is to intervene only when certain acts disturb the peace and good order of things.

While Jefferson helped to establish religious freedom with this document, it does not necessarily mean that he and the other Founders wanted to keep religion out of politics and law entirely. In support of this conclusion, the passage quotes the end of Jefferson’s letter to the Baptists in which he wrote of the “wall of separation”: “I reciprocate your kind prayers for the protection and blessing of the common Father and Creator of man.” Furthermore, although Jefferson refused to proclaim national thanksgivings during his presidency, he granted financial aid to Protestant missions. Thus, while Jefferson supported a separation of church and state insomuch as it did not prevent religious freedom, it is not wholly clear how far he intended that separation to extend.