

# The Struggle between “Religion and Nonreligion”: Jefferson, Backus, and the Dissonance of America’s Founding Principles

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*The prevailing view of both the U.S. Supreme Court and liberal theory in America is that liberal principles are neither essentially religious nor essentially secular, but somehow foundationally neutral, or in the words of the Court neutral between “religion and nonreligion.” This essay challenges the cogency of this view through a comparative examination of two strong defenders of religious freedom from the American revolutionary era: Thomas Jefferson and Isaac Backus. Jefferson, the Enlightenment rationalist, and Backus, the Calvinist-Baptist, may initially seem tailor-made for this foundational neutrality, but closer examination reveals that religious freedom for them was not only an extension of their radically opposed views on religion but also an instrument for the promotion of those views throughout society. The ambiguity of America’s founding principles is best understood, not through the notion of neutrality, but as the product of a yet unsettled struggle between devout religion and secular Enlightenment.*

Recent court cases in the United States concerning the display of monuments to the Ten Commandments on government property have highlighted a perennial and fundamental puzzle of constitutional jurisprudence and, indeed, of liberal theory. At bottom the issue is not religious freedom, on which all sides are in basic agreement, but rather the foundations of religious freedom and liberal constitutionalism more generally. Proponents of the monuments believe them simply to acknowledge what they take to be a fact, viz. that the principles of the American constitution are rooted in biblical revelation and are therefore essentially religious. The prevailing view of the Supreme Court in recent decades makes no such acknowledgment, maintaining instead that the “First Amendment mandates governmental neutrality between religion and religion, and between religion and nonreligion.”<sup>1</sup> The prevailing jurisprudence of the Court does not embrace the premise that liberal principles are essentially religious; but neither does the Court repudiate the premise and declare them to be essentially secular, since doing so would presumably require abandoning the posture of neutrality “between religion and nonreligion.”

The prevailing view of the Court is reflected in the prevailing view of liberal theory today, exemplified by John Rawls’s doctrine of “political liberalism.” According to Rawls, liberalism should be “political not metaphysical,” which means also “not theological.” It is instead “freestanding”—neither essentially religious nor essentially secular. Political liberalism as a matter of principle does not take a stand on the question of the foundations of that and other liberal principles.<sup>2</sup> Both political liberalism and the Court believe that liberal principle requires them to stay out of that de-

bate, though citizens as private individuals are free to enter it.

Is such a foundational neutrality theoretically cogent? Is it indeed possible for liberal principles to be neither religious nor secular, but instead some third sort of thing—in Rawls’s term, simply “political”?<sup>3</sup> This essay seeks to challenge the theoretical cogency (although not the prudence) of the prevailing foundational neutrality through a comparative examination of two particularly well-formulated and fundamentally divergent cases for religious freedom from the American revolutionary era that at first glance seem tailor-made for political liberalism: that of Thomas Jefferson, the Enlightenment rationalist politician of Virginia, and that of Isaac Backus, the Separatist Baptist minister of Massachusetts and Jefferson’s older contemporary.

Among the myriad positions on church and state at the time of the American Founding, those of Jefferson and Backus stand out for two reasons. First, both men were unusually strong opponents of religious establishment at a time when prevailing opinion, at least at the state level, supported some form of establishment, which, although extremely mild by earlier standards, would not pass constitutional muster today. Although they are not the most historically representative spokesmen on church and state in revolutionary America, something close to the strict disestablishment they favored has since come to prevail. Yet, Jefferson and Backus also stand out because the reasons that each supported disestablishment differed radically. However *politically* compatible their views at first seem to have been, the basis of their views—for Backus, a distinctly Calvinist theology, and for Jefferson, a distinctly rationalist political science—were fundamentally antagonistic to one another. They are thus representatives of the two most basic alternative grounds of liberal

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<sup>1</sup> *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968). This passage was cited as a statement of the Court’s “touchstone” in its recent decision in *McCreary County v. ACLU of Ky.*

<sup>2</sup> See especially Rawls 1985 and 1996. Cf. Owen 2001, 97–128.

<sup>3</sup> The notion of liberal neutrality has been criticized by an array of political and legal theorists, from critics of liberalism like Stanley Fish (1994) and Stephen Carter (1987) to defenders of it like Joseph Raz (1986) and Brian Barry (1990). Fish and Carter go too far in their identification of liberalism with neutrality, neglecting liberal doctrines such as Jefferson’s and Backus’s. Cf. Owen 1999 and 2001, 1–14.

principles, not to say human life as such, viz. human authority and divine authority, reason and revelation.

It is tempting in the case of Jefferson and Backus simply to draw a line between the public–political principle of religious freedom and their private views on religion, along the lines of Rawls’s political liberalism, which may hope to embrace both of them. The attractive possibility of political liberalism, presented in Jefferson and Backus, is that of citizens who are profoundly at odds in their views on religion and yet remain compatriots in agreement on basic political freedoms. Backus has been called “a Jeffersonian in politics” (Backus 1968, 61), but never in religion.<sup>4</sup>

Although there are grounds for this claim, in the case of both men, the distinction between public–political and private–religious proves to be deeply problematic on closer examination. For both Backus and Jefferson viewed the policy of religious freedom, not only as extensions of their views on religion but also as *instruments* for the spread of those views in a struggle for the soul of the new republic. The question is not simply of the foundation of religious freedom, but of what it produces. Backus supported religious freedom in large part to remove human interference from the work of the Holy Spirit. Religious freedom would, he earnestly hoped, lead to revival and the spread of the true Church (Calvinist-Baptist) throughout New England and the New World. Jefferson, on the other hand, hoped that religious freedom would have nearly the opposite result. Jefferson despised Calvinism, and he hoped that religious freedom would bring with it the spread of a “religion of reason” or a rational Christianity. Or, as he put it in one letter, “I trust there is not a young man now living in the United States who will not die a Unitarian” (1904, 15: 385). Neither viewed the question of religion as simply a private matter, but rather as being of vital importance for the health of the polity. Jefferson and Backus were thus not merely antagonists in their private opinions but, despite their agreement on religious freedom, in politics as well.

Jefferson and Backus thus draw our attention to what Stephen Macedo calls the “transformative agenda” of liberal constitutionalism, however deep the disagreement on what that agenda should be (Macedo 1998). Liberal principles, like all political principles, are not simply or even primarily the products of agreement or “overlapping consensus” among citizens. Liberal principles exert an influence on citizens, on the hearts and minds of those raised to take them as authoritative. The disagreement over what the influence of liberal principles should properly be is unavoidably linked to the disagreement over their foundation, and in the case of Jefferson and Backus is essential to the grounds of their attachment. This is no less the case if the ultimate source of the transformation sought is believed

to be God, who ordains the political order. Whatever plausibility a foundationally neutral account of liberal principles may have become questionable, because the influence of liberal principles cannot, of necessity, be neutral. As a consequence, the question of liberalism’s transformative influence tends to be neglected.<sup>5</sup> That influence, as we shall see, proves to be profoundly ambiguous, if not contradictory, in the American case. Yet the complexity of the American case is not the product of the neutrality of American principles; rather it is the product of the still unsettled struggle among competing interpretations of those principles. The struggle played out in American liberalism, though altered and even obscured over time, at bottom is the uneasy, yet fruitful struggle between devout religion and the Enlightenment.

### ISAAC BACKUS

The Reverend Isaac Backus was the leader of the Baptist Separatist movement in Massachusetts and the most prominent spokesman of the pietist case for religious freedom at the time of the American Revolution. “Separatist” was not, in the first place, a political designation, but a denominational one. The Separatists broke from the mainstream Baptists in the wake of the Great Awakening of the 1740s. Yet one cannot ultimately divorce this denominational separatism from the cause of political separation, or religious disestablishment,<sup>6</sup> which cause the Baptists Separatists, under the leadership of Backus, staunchly championed.

Backus’s theology was rooted in Calvinism, and central to all of his thinking was the notion of the election of individuals by God’s mysterious grace. The elect are those who have experienced God’s call and whose understanding has thus been illuminated by God for the first time. Owing to this emphasis on a radically new divine illumination, Backus and other like-minded Christians became known as the “New Lights” (a radically different sort of enlightenment). The true Church, according to Backus, is the body of true believers. Not all who call themselves Christians, nor all those who have been raised as Christians from birth, are true believers. Only those who have experienced God’s new light as mature adults and accepted it of their own volition are true believers and members of Christ’s Church. Backus thus stressed the purity of the Church, and he maintained that the Church could not be purified through reform, but only through separation by the elect. Only the Church of true believers was under the leadership of Christ, rather than of some merely human authority. The bogus church from which they separated was, in contrast, hopelessly mired in the intrusive institutions of man.

<sup>4</sup> The most famous documents of the political alliance between Jefferson and the New England Baptists more generally are the letter from the Danbury Baptist Association to the newly elected President Jefferson and Jefferson’s reply, in which he spoke of the “wall of separation between church and state.” For analysis, see Dreisbach 2002 and Hamburger 2002, 144–89.

<sup>5</sup> Macedo has tried to reconcile political liberalism with a strong notion of liberalism’s transformative agenda in the notion of “civic liberalism.” See Macedo 2000; cf. Owen 2001, 190–91.

<sup>6</sup> A number of scholars have distinguished separation of church and state from disestablishment, the latter not implying the rigid “wall of separation” of Jefferson’s metaphor. This amounts to a fundamental disagreement about the meaning of separation or disestablishment—the “dissonance” of this essay’s subtitle.

Backus's theology led to a doctrine of religious freedom because it mistrusted all attempts by man to direct Christ's church or otherwise lead human beings to God. In contrast, the theology that dominated Massachusetts Christianity—known as covenant theology and inherited from the early Massachusetts Puritans—viewed religious establishment as essential to the mission of both church and state. We can draw out the political implication of Backus's theology more clearly by setting it in contrast, as Backus himself does, to covenant theology.

Covenant theology formed the basis of Puritan Christianity and experienced its fullest bloom in America in the early Massachusetts Bay Colony under the leadership of John Winthrop and John Cotton. Although Puritanism maintained a distinction between secular and religious authority, both were emphatically understood to consist of ministers of God's will and to form two parts of a single orthodox Christian community. The model for Puritan covenant theology was the theocracy of the ancient Hebrews under the Mosaic Law. Although Winthrop's Puritans dedicated themselves to liberty, they did not by this mean "natural liberty" or natural right because, as Winthrop declared, "our nature is now corrupt." Natural liberty is "the liberty to do evil as well as good," whereas "civil or federal" liberty, which "may also be termed moral, in reference to the covenant between God and man . . . is a liberty to that only which is good, just, and honest" and is of a piece with "the liberty of the church under the authority of Christ, her king and husband" (*On Liberty*). Temporal authority was ultimately subordinate to spiritual authority, and the instruments of political and communal life were to be directed emphatically toward salvation as the ultimate end of human life, both individually and collectively. Covenant theology was thus emphatically communal—the community as a whole, though under the spiritual leadership of the clergy, was responsible for teaching, nurturing, and chastising children, youth, and those adults who strayed. Accordingly, the distinction between church and state for the Puritan entailed very limited religious freedom in the modern (not Winthrop's) sense and was not extended to, for example, Quakers, Baptists, or even dissident Puritans such as Roger Williams and Anne Hutchinson.

Although by Backus's time, covenant theology had been greatly moderated or diluted (critical changes occurred in Puritan thought in the late seventeenth and early eighteenth centuries owing to the influx of the new thinking of the Enlightenment) it retained an influence over the political theology of his chief Christian opponents. Vestiges of the old Puritan system remained in political institutions and in the opinions that supported them. Massachusetts maintained, for example, a parish system, with approved clergy (including the mainstream Baptists, but not the Separatists) receiving financial support from taxation. Backus opposed this system long before the Revolution, and he welcomed the Revolution in large part in hope of a providential overturning of the religious establishment. In the years leading to the revolution, he reports in his history of New England, the Baptist faith had spread in "revivals"

throughout the colonies: "Within seven years past several thousand had been hopefully converted from the errors of their ways," and these conversions "bespoke a design of final deliverance" of the true church from oppression (1871, II: 198).

Backus more fully developed the political implications of his theology after the war in the debates surrounding the new Massachusetts constitution, which sought to maintain the basic outline of colonial ecclesiastical law. The new constitution had provisions for the protection of religious free exercise, but as William McLoughlin notes with some exaggeration, "no one in New England, except the Baptists, thought that 'the free exercise' of religion implied separation of Church and State" (1967, 138), that is, full disestablishment. Backus rejected the Puritan notion of a covenant between God and a community that assumes responsibility for the salvation of individuals by enforcing God's laws. This, according to Backus, was indeed God's way to salvation before Christ. Yet the New Testament rejects all human attempts to enforce God's law. Puritanism, like any attempt at a Christian political establishment, was the product of "men's jumbling the Old Testament Church and the New together" (1968, 159); that is, of "confounding law and grace together" (413). The Christian revelation in the New Testament replaced law as a path to salvation with the direct dispensation of grace to individuals.

We return, then, to Backus's theological starting point: individual salvation, understood to be accepted *directly* from God's mysteriously bestowed grace. Human attempts to enforce God's law, and thereby mediate between God's will and human responsibility, he saw as human usurpations of Christ's leadership of believers on earth. Backus's approach to the political doctrine of religious freedom and separation of church and state are therefore emphatically salvation and the "purity and life of religion" (1968, 333).

This does not mean, however, that Backus was unconcerned with the welfare of political society as well. His theological and political opponents insisted on state support and at least some degree of regulation of religion, not only as a means of guidance to salvation but also on the grounds that public morality and hence sound government depend on religion. Religion is vitally necessary for political society, and therefore political society ought to promote and even help guide it. Backus agreed on the political necessity of religion, and indeed of true Christianity: "true Christianity . . . is as necessary for the well-being of human society as salt is to preserve from putrefaction or as light is to direct our way and to guard against our enemies, confusion, and misery" (1968, 371). But true Christianity, he argued, and hence the sound morality that government requires, is found only in the true church, with Christ and Christ alone at its head. So although he supported public worship, he opposed the state either dictating or in any way favoring one Christian denomination over another. Backus did not object to Article Two of the proposed Massachusetts constitution, which began by asserting "the right as well as the duty of all men in society, publicly and at stated seasons to worship the

Supreme Being, the great Creator and Preserver of the universe.” Nor did he object to the beginning of Article Three, which stated that “the happiness of a people, and the good order and preservation of civil government, essentially depend upon piety, religion, and morality, and . . . these cannot be generally diffused through a community but by the institution of public worship of God, and of the public instruction in piety, religion, and morality” (quoted at McLoughlin 1967, 148). Backus never objected to the notion that Massachusetts was and should remain a Christian commonwealth, provided church and state were not conflated. He does not blame the Puritans for being “earnestly concerned to frame their constitution both in church and state by divine rule” (Backus 1871, I: 37), but instead objects to “how unscripturally they had confounded church and state together” (36). Allowing human government, which God set over temporal affairs, any hand in maintaining or regulating the church “evidently tends to destroy the purity and life of religion” (Backus 1968, 333). Backus did not view disestablishment as leaving religion to “the humors of the multitude,” as one political opponent put it, but rather to the leadership of Christ through the Holy Spirit. “How came,” asks Backus, “the kingdoms of *this world* to have a right to govern in Christ’s kingdom which is *not of this world!*” (333).

Although Backus’s theological disagreement with the Puritans made him a political ally of Enlightenment proponents of religious freedom, his radical difference from these allies is seen in the first place in his notion of what freedom means. His most systematic presentation came in a pamphlet written in 1778 entitled “Government and Liberty Described; and Ecclesiastical Tyranny Exposed.” Backus begins with an account of liberty that is closer to Winthrop’s than to the Enlightenment’s—Backus makes clear that the rights he speaks of are not natural rights (Backus 1968, 328). Liberty is not the freedom to do as one pleases: “Judgment and righteousness are essential to freedom . . . Freedom is not acting at random but by reason and rule,” which results from “the flow of mercy and grace from God to men,” as well as “its effects in them in producing obedience unto him” (350). Freedom properly understood requires government—there is no natural freedom or natural right prior to government. But freedom is also, as a product of “the flow of mercy and grace from God to men,” stronger than the merely human forces of tyranny and licentiousness. Government must provide order in temporal matters. But it must also remove all obstacles to true liberty (judgment and righteousness):

Streams and rivers are of great use and cause a constant flow of refreshment and blessing wherever they come; so does the exercise and administration of judgment and righteousness among all people that enjoy them. Hence, . . . the command of Heaven is, Let them run down; put no obstruction in their way. No, rather be in earnest to remove everything that hinders their free course. (350–51).

It is the duty—emphatically the Christian duty—of the civil rulers to prevent merely human institutions

from usurping Christ’s leadership. For Backus, church and state were distinct, but both—like all of God’s creation—were ultimately subject to God.

Thus liberty, for Backus unlike for the Enlightenment, did not mean “self-determination,” which he called a “horrid impiety” (1968, 404). Self-determination means that “men have assumed the judgment seat and have arraigned the sayings of God to their bar” (1968, 403). They (and “they,” as we will see, includes Jefferson) have “set up their reason above divine revelation” (1968, 402). But “all mankind in their natural condition is in a state of revolt against [the] heavenly ruler”; and “of themselves,” through their “unassisted reason,” are “never able to come to the knowledge of the truth” (1968, 402, 403).

Backus trusted that, if man would step aside, subordinate his reason and his pride to God’s revelation, which meant among other things permitting an unqualified freedom of conscience, God will work in hearts and minds. Backus insisted on religious freedom, because he trusted that the Great Awakening, “when God was pleased remarkably to pour out his Spirit and gloriously revive religion [in New England]” (1968, 424) would continue to spread in the New World. The American Revolution would issue in “the advancement and completion of the Redeemer’s kingdom,” for “the truth is great” (Backus 1968, 402; McLoughlin 1967, 186).

## THOMAS JEFFERSON

Although the Bill for Establishing Religious Freedom was written not as an expression of Jefferson’s own views but rather as legal document for Virginia, it nevertheless provides a helpful point of access to Jefferson’s doctrine.<sup>7</sup> The Bill is comprised mostly of a long list of justifications for religious freedom. Although Backus may have approved of the policy of religious freedom that follows, he would reject many of the claims on which Jefferson depends in his list of justifications. Perusing that list in search of common ground with Backus, we come upon two main points: the denial at the beginning of free will regarding religious belief and the affirmation near the end that “the truth is great and will prevail if left to herself” (1968, 947). But even here—indeed precisely here—in these two points, we see the theological gulf that separates these two political allies. For when Jefferson denies human free will in religious belief, he does not point to our bondage to sin on the one hand and our need for God’s grace on the other, as Backus would.<sup>8</sup> Instead, Jefferson says that “the opinions and belief of men depend not on their own will, but follow involuntarily the evidence proposed to their minds” (1968, 946). One’s beliefs are not freely chosen; they are, rather, dependent on evidence, as evaluated by the mind. Thus religion cannot be determined by legislation or compulsion, no matter

<sup>7</sup> It should be noted that Virginia did not adopt Jefferson’s draft in its entirety—including some of the elements to be discussed here. Our discussion will concern Jefferson’s full draft.

<sup>8</sup> See McLoughlin’s account of Backus’s conversion experience at 1967, 14–15.

how great, but by “reason alone.” Although Backus at times employs language akin to Jefferson’s, speaking for example of each person’s “unalienable right to act in all religious affairs according to the full persuasion of his own mind” (1968, 487), he, unlike Jefferson, places that mind in relation to God’s “revealed will.” Jefferson speaks of Nature’s God, not the revealed God, because, according to Jefferson, “reason is our only oracle” (Letter to Carr). As McLoughlin explains, whereas Jefferson “trusted entirely to man’s reason and free will, Backus “insisted that only through the supernatural grace of God would men find the Truth that is in Jesus Christ” (1968a, 144; cf. McLoughlin 1967, 170 and Yarbrough 1998, 183–84).

Thus too, when Jefferson affirms alongside Backus that “truth is great” and therefore in no need of state sponsorship, he does not mean, as did Backus, that the truth of God’s revelation will triumph over the folly of man’s attempt to establish himself as judge. Rather “the truth [itself] is the proper and sufficient antagonist to error, and has nothing to fear from the conflict unless by human interposition disarmed of her natural weapons, free argument and debate” (1968, 947). Human folly does indeed provide the obstacle; but the solution lies precisely in the free judgment of unassisted human reason.

Jefferson provides a fuller account of this confidence in unassisted truth to defeat error in his Notes on the State of Virginia, the second most public elaboration of his doctrine of religious freedom. In Query 17, we see Jefferson repeating his claim: “It is error alone which needs the support of government. Truth can stand by itself” (1904, 675). Again the gulf separating the grounds of Jefferson’s confidence from those of Backus is clear: “Reason and free inquiry are the *only* effectual agents against error. Give a loose to them, they will support the true religion by bringing every false one to their tribunal, to the test of their investigation” (my emphasis). Jefferson suggests, not merely that the truth in religion is discernible by human reason, but that the success of human reason in determining the true religion will become evident to all. Just as the discoveries in the natural sciences are stifled or hindered by government interference, so too in the case of religion. Even the true religion is not served by government interference, because the truth is more firmly established where reason, and not faith, is free and sovereign: “the Newtonian principle of gravitation is now more firmly established, on the basis of reason, than it would be were the government to step in, and to make it an article of necessary faith.” For Jefferson, a student of the philosophy of the Enlightenment, there is a gulf between reason and faith.

In these published accounts of his position, the size of the gulf separating Jefferson from Backus is somewhat obscured by the fact that Jefferson leaves it as an open question just what religion will pass the bar of reason—indicating in the Bill only that it is “our religion.” Perhaps their disagreement, however profound in itself, is limited to whether or not the true religion, on which they generally agree, can and must be vindicated by reason. This ambiguity may serve

Jefferson’s rhetorical purpose (particularly in the Bill), but we must turn to Jefferson’s private correspondence in order to explore more fully just what in religion he thought could and could not be rationally vindicated, or, in other words, what this true religion was that Jefferson supposed would triumph publicly as a result of religious freedom.

As he indicates on more than one occasion in his correspondence, Jefferson rarely permitted himself to discuss religion, “and never but in a reasonable society” (1904, 14; 233). Yet some of his letters provided the occasion, it seems, for reasonable society, and thus offer many revealing discussions of his views on religion, including his views on the religion that he hoped would come to prevail in American society. Jefferson identified that religion alternatively as rational Christianity, primitive Christianity, and Unitarianism. It was, he at times would claim, the religion of Jesus himself, as opposed to the various strands of Christianity that followed. Jesus’ religious teaching, according to Jefferson, was simple and incomparably better for society than the multifarious Christian creeds that arose after Jesus’ time, and even among his followers. Indeed, those followers who provide us our only access to Jesus’ teaching had already miserably corrupted it. We are forced to sift through “the groundwork of vulgar ignorance, of things impossible, of superstitions, fanaticisms, and fabrications” laid down by Jesus’ “biographers” (15: 259). Mixed with these “follies and falsehood” (1904, 258) is a simple religion, which Jefferson reduces to three main doctrines: (1) that there is only one God, and that he is perfect, (2) that there is a future state of rewards and punishments, and (3) That to love God with all your heart and your neighbor as yourself is the sum of religion (15: 384). These doctrines “are far beyond the powers of [the] feeble minds . . . of the groveling authors who relate them” (1904, 15: 259). Jefferson’s praise of Jesus is dependant on a harsh critique of the Gospels. Jefferson went so far as to extract those portions of the gospels that he thought worth preserving—by literally cutting up Bibles—and compiling the results, a task he apparently completed in the White House while president. The task, he wrote to William Short, involved “abstracting what is really His from the rubbish in which it is buried, easily distinguished by its luster from the dross of His biographers, and as separable from that as the diamond from the dunghill” (1904, 15: 220).

Jefferson set this “primitive Christianity” most vividly against the Christianity of Calvin (among whose followers Backus counted himself), whom Jefferson called an “impious dogmatist” (15: 384). Jefferson opposed, in particular, Calvin’s “demoralizing” denial that good works count toward salvation, his repudiation of reason in religion, his notion of mysterious election by grace, and what Jefferson called “tritheism,” that is, the belief in the Trinity—Father, Son, and Holy Spirit. These are doctrines in which Backus also believed; and Jefferson shows no signs that he knew of Backus or those strands of Calvinism, such as Baptist Separatism, that supported religious freedom. Jefferson associated Calvinism instead with the

Presbyterians, who Jefferson thought accepted religious freedom only reluctantly and who would eagerly establish their own religious tyranny if they could. Indeed, Presbyterian Calvinism seems to have epitomized for Jefferson the fanaticism that endangers religious freedom and republican government.

The deeper problem, however, lay not with Calvin, but with the "deliria of crazy imaginations" that have plagued Christianity from the start. The recovery of Jesus' own religion would mean that "we shall have unlearned everything which has been taught since His day" (1904, 15: 323). Among the "artificial systems, invented by ultra-Christians" (15: 221) that must be "unlearned," as Jefferson casually lists in a footnote, are "e.g. the immaculate conception of Jesus, His deification, the creation of the world by Him, His miraculous powers, His resurrection and visible ascension, His corporeal presence in the Eucharist, the Trinity, original sin, atonement, regeneration, election, orders of Hierarchy, etc." (1904, 15: 221). In opposing such traditional, and it seems in many cases elemental, Christian doctrines, Jefferson denied that he was anti-Christian as many accused him of being. "I am a Christian," Jefferson wrote to Benjamin Rush, "in the only sense in which [Jesus] wished anyone to be; sincerely attached to his doctrines, in preference to all others; ascribing to him every *human* excellence" (1904, 10: 380; Jefferson's emphasis).

Thus the most salient answer to our question of what the true religion is that Jefferson supposed would win out is what he calls primitive Christianity, that is, the religion of Jesus himself, which would reject nearly all traditional Christian doctrines. This in fact radically novel Christianity would replace the authority of Scripture with the authority of reason. It would, as Jefferson's amended gospel makes clear, reject the miracles reported in the Bible, as well as Jesus' divinity and resurrection. His *Life of Jesus* ends this way: "Now in the place where he was crucified, there was a garden; and in the garden a new sepulcher, wherein was never man yet laid. There laid they Jesus, and rolled a great stone to the door of the sepulcher and departed" (1943, 147). Jeffersonian Christianity would nevertheless affirm the existence of one God; it would be theologically unitarian. Jefferson, in fact, comes close to identifying this primitive Christianity with contemporary Unitarianism. Be that as it may, he clearly viewed Unitarianism as the vanguard of reasonable religion in America.

Jefferson saw America as embroiled in a religious struggle, which he followed with great interest, between the forces of superstition and intolerance on the one hand and reason and toleration on the other (Jefferson 1904, 15: 265, 323, 383, 391, 403, 430). "The atmosphere of our country," he wrote to Thomas Cooper in 1822, "is unquestionably charged with a threatening cloud of fanaticism, lighter in some parts, denser in others, but too heavy in all" (1904, 15: 403). Yet, despite this threatening cloud, Jefferson repeatedly iterates his hope, and indeed confidence, in the ultimate defeat of fanaticism, a defeat that could be brought about in part through the advance of Unitarianism. Later in his letter to Cooper, Jefferson writes: "The diffusion of instruction, to which

there is now so growing an attention, will be the remote remedy for this fever of fanaticism; while the more proximate one will be the progress of Unitarianism" (1904, 405). A month later, in a letter to James Smith that he urges be kept private, Jefferson gives a brighter assessment: "The pure and simple unity of the Creator of the Universe, is now all but ascendant in the Eastern states; it is dawning in the West, and advancing towards the South; and I confidently expect that the present generation will see Unitarianism become the general religion of the United States" (1904, 409; cf. Luebke 1963, 346). In June, he had gone further: "I trust that there is not a young man now living in the United States who will not die a Unitarian" (385).

Thus "the genuine doctrine of the one only God [i.e., the rejection of Jesus' divinity] is reviving," Jefferson wrote, owing to "free inquiry and belief" (1904, 15: 385). Whereas Backus trusted that religious freedom would lead to a widespread revival of Calvinism, Jefferson trusted it would lead to death of the entire "artificial scaffolding" of the Christian religion, including Calvinism above all: "We may hope that the dawn of reason and freedom of thought in these United States, will do away all this artificial scaffolding, and restore to us the primitive and genuine doctrines of [Jesus] the most venerated Reformer of human errors" (1904, 430). What is more, not only does freedom of thought in religion lead to the eradication of fanaticism and superstition, genuine religious freedom—that is, the freedom to reason for oneself—exists only as they wane. That is, Jefferson distinguishes between a merely legal religious freedom and genuine religious freedom: "If the freedom of religion, guaranteed to us by law in theory, can ever rise in practice under the overbearing inquisition of public opinion, truth will prevail over fanaticism, and the genuine doctrines of Jesus, so long perverted by His pseudo-priests, will again be restored to their original purity" (1904, 288). True freedom of religion does not entail simply a legal right, but moreover a free mind, subject to neither priests nor dogma nor public opinion, but to reason alone (cf. Cooke 1973, 568).

There is a loose thread remaining, however, that is worth noticing. Despite Jefferson's promotion of primitive or rational Christianity and despite his profession that "I am a Christian," Jefferson admits that he does not subscribe to Jesus' religion without qualification. Commenting on his "syllabus" of Jesus' doctrines, Jefferson wrote to William Short: "But while this syllabus is meant to place the character of Jesus in its true light and high light, as no impostor Himself, but a great Reformer of the Hebrew code of religion, it is not to be understood that I am with him in all his doctrines. . . . The syllabus is therefore of *His* doctrines, not *all of mine*" (1904, 15: 244, 245; Jefferson's emphasis). Jefferson, for example, identifies himself as a materialist, whereas Jesus "takes the side of spiritualism" (1904, 244). It is "very possible" that Jesus might have to be included among the deluded and superstitious interpreters of his own genuine excellence. All blame may not lie with his biographers, for Jesus may have "believed himself inspired from above," having mistaken "the coruscations of His own fine genius for

the inspirations of an higher order" (1904, 15: 261). In a pedagogic letter to his nephew Peter Carr, Jefferson offers two alternative claims about Jesus to be considered: "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 pretension of divinity, ended in believing them and was punished capitally for sedition." In weighing these claims, "keep your reason firmly on the watch . . . your own reason is the only oracle given you by heaven" (1904, 6: 260–61). Moreover, being a materialist, Jefferson is willing to identify himself as an Epicurean (1904, 15: 219). The Epicurean believes in "matter and void alone"—nothing spiritual—and that "the universe is eternal"—no creation (1904, 223).

Jefferson attempted at one point to defend materialism as a Christian doctrine, going so far as to speak of the "heresy of spiritualism," introduced into Christianity at some unknown time (1904, 15: 266). But given his admission that Jesus himself was a "spiritualist," the question arises whether, not just this attempt to defend Christian materialism, but Jefferson's primitive Christianity as a whole must be taken with a grain of salt. Is even primitive Christianity, in Jefferson's view, true? Is it the "true religion" that reason and free inquiry will firmly establish? Or is "rational Christianity" only a feasible, though revolutionary, approximation of and pointer toward a fully rational human life, given the deep and millennia old roots of the Christian religion? Is it, like Unitarianism, only a proximate remedy? Moreover, if this is merely an approximation, is it then a stepping stone to the ultimate predominance of a fuller rationality that is not necessarily Christian, or that does not have to claim as a chief authority any single human being, especially one who, however great his genius, was nevertheless of "an enthusiastic mind," and who, though he "set out with no pretensions to divinity, ended in believing them" (1904, 6: 260; cf. 1904, 10: 376–77)? Or, given that "for every scientist there are a thousand who are not," is an approximation the best Jefferson though he could expect as "the general religion of the United States"?

Possible evidence that Jefferson was completely sincere in his professions of Christianity is the fact that they occur in private letters, in which he repeatedly pleads that his comments on religion in particular be kept from the public. He never published his expurgated gospel. Although we do not know how open Jefferson felt he could be with these correspondents, or in any letter, which may well someday be made public, there is little sign that he did much to promote publicly this "rational Christianity." Advanced in years, he wrote: "Happy in the prospect of a restoration of primitive Christianity, I must leave to younger athletes to encounter and lop off the false branches which have been engrafted into it by the mythologists of the middle and modern ages" (1904, 15: 391).

Yet, though Jefferson clearly followed with great interest "the progress of reason in its advances towards rational Christianity," he acknowledged that

the United States was early in that progress—at the "dawn of reason and freedom of thought" (1904, 15: 430). In a letter to Thomas Cooper on the University of Virginia, Jefferson agreed with Cooper that "a professorship of Theology should have no place in our institution"—that is, not even a professor primitive Christianity. Yet Jefferson continues: "Those with whom we act, entertaining different views have the power and the right of carrying them into practice. Truth advances, and error recedes step by step only; and to do to our fellow men the most good in our power, we must lead them where we can, follow where we cannot, and still go with them, watching always the favorable moment for helping them to another step" (1904, 14: 200). "The establishment," Jefferson wrote to William Short, "of the innocent and genuine character of this benevolent Moralist [Jesus], and rescuing it from the imputation of imposture . . . *would in time, it is to be hoped, effect a quiet euthanasia* of bigotry and fanaticism which have so long triumphed *over human reason*, and so generally and deeply afflicted mankind; but *this work is to be begun* by winnowing the grain from the chaff of the historians of His life" (1904, 15: 221; my emphasis). Perhaps Jefferson supposed that euthanasia would be made quiet by leading Americans toward what he claimed to be the original Christianity, Jesus' own religion, disinterred under the sole guidance of reason. Attracted by the authority of a reinterpreted Jesus, Christians who followed Jefferson's lead would find that authority quietly replaced by the sole authority of reason.

## HAS JEFFERSON TRIUMPHED?

It seems that the hopes of neither Backus nor Jefferson for religious freedom have been realized. Considering Backus first: although there have been subsequent "great awakenings" and other revivals of devout Protestant Christianity, they have remained, even if defined in broader theological terms than Backus might allow, outside of the mainstream, and in large part as reactions against it. Perhaps Backus would be content that at least some version of the "New Lights" still exists in significant numbers and are free to evangelize in the United States. Yet from a Backian point of view, the need for revival remains despite that freedom, and the religion to be revived appears, to the American mainstream, as a remnant of an ever more distant past. As for Jefferson, even the proximate remedy of Unitarianism, to say nothing of the "religion of reason," has made little headway. Indeed, so far is Unitarianism from being the general religion of the United States, American Unitarianism may have enjoyed its heyday in Jefferson's lifetime. Moreover, many of the "spiritualist" beliefs that Jefferson considered vulgar superstitions remain widely held by Americans.

Perhaps, then, both Backus and Jefferson retain their own minority constituencies, or at any rate heirs—those earnestly devout and earnestly secularist. Yet, even though the exceptions may attract attention, the mainstream seems to be neither one nor

the other—a third alternative or perhaps some compromise between the two extremes—despite the fact that the large majority has come to embrace the more thoroughgoing disestablishment that set Jefferson and Backus apart at the time of the Founding.

Yet the case can be made that the United States has taken a far more Jeffersonian turn than a “Backian” one. One clear victory for Jefferson concerns the specific legal implications of religious freedom, where Jefferson’s view has largely won the day. As we noted earlier, for Backus religious freedom was directed toward bringing human beings to lives in conformity with God’s will, rather than a Jeffersonian indifference so long as one’s own leg is not broken or pocket picked (1943, 943). Accordingly Backus never opposed the fact that the Westminster Confession of Faith was mandatory for all Massachusetts school children, nor did he object to laws against “profanity, blasphemy, gambling, theater-going, and desecration of the Sabbath, which [he] accepted as within the domain of the government in its preservation of a Christian society” (McLoughlin 1968a, 149). Jefferson opposed all such laws, and the courts have sided squarely with him.<sup>9</sup>

Moreover, it is likely that “the general religion of the United States”—mainstream American religion—is far closer to what Jefferson hoped for than what Backus or other devout believers of his day hoped for. Central to Jefferson’s critique of traditional Christianity was the critique of theology as a whole, and in particular the exploration and articulation of religious doctrine—dogma or creeds. Jefferson’s attempt to return to primitive Christianity is less an attempt to restore the true Christian doctrines as it is an attempt to set aside questions of “true Christian doctrine.” In his letters, Jefferson repeatedly inveighs against the “metaphysical insanities” (1904, 15: 288), the “mysticisms, fancies, and falsehoods” (1904, 323), the “deliria of crazy imaginations” (384), and the “hocus-pocus phantasms” (1904, 409) discussed by “the metaphysical heads” (13: 378) and “commentators” (1904, 15: 384). Concern with creeds—with truths regarding spiritual matters—was at best a waste of time, since human beings are incapable of knowing any truths in spiritual matters. Jefferson wrote to the Reverend Isaac Story:

The laws of nature have withheld from us the means of physical knowledge of the country of spirits, and revelation has, for reasons unknown to us, chosen to leave us in the dark as we were. When I was young I was fond of the speculations which seemed to promise me some insight into that hidden country, but observing at length that they left me in the same ignorance in which they had found me, I have for very many years ceased to read or to think concerning them. (1904, 10: 299)

<sup>9</sup> Concerning his famous reply the Danbury Baptist Association, Jefferson wrote to Attorney General Levi Lincoln that replying offered him “the occasion . . . of sowing useful truths and principles among the people, which might germinate and become rooted among their political tenets,” which in this case included “saying why I do not proclaim fastings and thanksgivings, as my predecessors did” (Dreisbach 2002, 43). Dreisbach 2002 and Hamburger 2002 offer evidence supporting the speculation that the Danbury Baptists were put off by Jefferson’s reply.

Jefferson told Story (who had sent him some of his own theological reflections) that such speculations may be fine if “only the amusement of leisure hours.”

Elsewhere, however, Jefferson appears concerned that taking such questions too seriously poses a danger. Jefferson wrote to the Reverend Thomas Whittemore:

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 Christendom a slaughter-house, and to this day divides it into castes of inextinguishable hatred of one another. (1904, 15: 373–74).

Thus, although the primitive Christianity Jefferson hoped to promote can be said to be characterized by certain doctrines—for example, the rejection of trinitarianism, and the primacy of reason over faith—he is also concerned to identify primitive Christianity with an indifference to doctrinal questions, owing to the “mischief of creeds and confessions of faith” (1904, 374).

The promotion of this indifference entailed severing the link between correct belief (orthodoxy) and salvation. Although our utter ignorance of “the country of spirits” would seem to entail ignorance of the way to salvation or even the possibility of salvation (i.e., the existence of an afterlife), Jefferson seems not to have been opposed to the notion that belief in an afterlife may provide an inducement to morality.<sup>10</sup> When he did refer to an afterlife, he insisted that what one *believes* is of no importance for securing it. Only the observance of basic, commonly accepted moral principles matters: “I believe . . . that he who steadily observes those moral precepts in which all religions concur, will never be questioned at the gates of heaven, as to the dogmas in which they differ” (1904, 13: 377). Even the most elementary religious dogmas, such as the belief in God, do not matter. When Jefferson encouraged his nephew Peter Carr to “question with boldness even the existence of a God,” he reassured him that whatever he determined in this or any religious inquiry, there is no reason for “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” (1904, 6: 258, 260; cf. Yarbrough 1991, 99–100).

Carr, of course, may have feared for his soul at least as much as for the inducements to virtue. But it is the latter—morality, judged by its utility—that most concerns Jefferson. To be more precise, when Jefferson makes morality alone the standard for judging religion,

<sup>10</sup> Whether Jefferson believed in an afterlife is far less clear. Adrienne Koch writes: “It is difficult to determine whether Jefferson approved the argument of immortality only as an extra incentive to moral behavior, a kind of Benthamite ‘religious sanction,’ but without literal or ascertainable truth value, or whether he actually believed in its promise. Unfortunately, Jefferson was reluctant to air his views on this subject” (1943, 33). Regardless of whether Jefferson’s reluctance in itself suggests an answer, Koch does offer more concrete grounds for speculation: Jefferson felt “that the belief in an immaterial, immortal soul would open all avenues to mysteries, miracles, and incomprehensible ‘logomachies’” (35). Confer Yarbrough 1998, 180.

he most often judges with a view to what is good for society, not what is good for the salvation of one's soul. "The interests of society," he wrote to James Fishback, "require the observation of those moral precepts only in which all religions agree (for all forbid us to murder, steal, plunder, or bear false witness) and that we should not intermeddle with the particular dogmas in which all religions differ, and which are totally unconnected with morality" (1904, 12: 315). The loss of interest in "particular dogmas" is in the interest of society.

In this light, Jefferson's predictions about the rise of Unitarianism appear not so far off as they might at first glance. Unitarianism remains a small sect today, to be sure. Yet if by "Unitarianism" we mean in part the placement of toleration and simple morality above doctrinal and institutional orthodoxy, could we not say that, for example, today's Episcopalians and Presbyterians are far closer to the Unitarians of Jefferson's day than the Episcopalians and Presbyterians of Jefferson's day? If Jefferson was wrong that Unitarianism would become the general religion of the United States, perhaps American religion has generally "unitarianized."

We arrive, then, at the following question. Is not the toleration, peace, and morality Jefferson hoped for in American religion possible without conformity to primitive Christianity or Unitarianism? In a letter to Thomas Cooper, in which he hopes for "the progress of Unitarianism," he nevertheless observes that in Virginia (where Unitarianism had made little progress), "Episcopalian and Presbyterian, Methodist and Baptist, meet together, join in hymning their Maker, listen with attention and devotion to each others' preachers, and all mix in society with perfect harmony" (1904, 15: 405). In the *Notes on the State of Virginia*, moreover, immediately after suggesting that the true religion will prevail if government allows free reign to rational inquiry, Jefferson suggests that it is best if no religion prevails: "Is uniformity of opinion desirable? No more than of face and stature. . . . Difference of opinion is advantageous in religion." Note that Jefferson does not say that difference of opinion is advantageous *for religion*, but rather *in religion*. As the paragraph proceeds, it becomes clear that he means that difference of opinion in religion is advantageous for society. New York and Pennsylvania, he notes, "flourish infinitely" without any religious establishment: "Religion is well supported; of various kinds, indeed, but all good enough; all sufficient to preserve peace and order" (Jefferson, 1943, 676). In that chapter, Jefferson points, not to a conformity to primitive Christianity or Unitarianism, but to religious pluralism. Yet the pluralism favored by Jefferson subordinates the importance of doctrinal disagreement for the sake of peace and order in society. There was, he reports, a variety of religious groups in New York and Pennsylvania, "but all good enough." Whatever you believe, if you are peaceful and tolerant, your religion is good enough. In a letter to John Adams, Jefferson wrote that, if one's life "has been honest and dutiful to society, the religion which has regulated it cannot be a bad one" (1904, 15: 103).

No simple conclusion can be drawn from these observations. In the struggle for the American soul

between the Enlightenment and devout religion, the Enlightenment seems to predominate, insofar as Americans on the whole place peaceable moral traits, especially toleration, above doctrinal orthodoxy. More than this, Americans are typically almost as far from preoccupation with doctrinal differences as Jefferson had hoped. Yet, something like the "old-time-religion," although a minority and basically tolerant, remains alive and well nearly 200 years after Jefferson's death—from evangelical and fundamentalist Christians to orthodox Jews to conservative Catholics, Muslims, and Mormons. Such can be found, moreover, not only in America's remote corners, but also in its prestigious universities, corporate boardrooms, as well as Congress and the White House.<sup>11</sup>

A similar relation reigns in constitutional jurisprudence: Backus's view of liberal freedoms as essentially religious (and indeed Christian) is as unlikely to disappear from the American political landscape in the foreseeable future as it is to become the cornerstone of the Supreme Court's jurisprudence. The Court does not, of course, appeal to the full scope of Jefferson's views on religion and politics, the most controversial aspects of which he tried to keep from public view. Nevertheless, the fact that the Court takes Jefferson (together with his fellow Enlightened Virginian, Madison)<sup>12</sup> as an authoritative interpreter of the Constitutional approach to religion indicates the predominance, though not the triumph, of Jeffersonian liberalism.<sup>13</sup>

## CONCLUSION

This leaves us, however, with an ambiguity in the prevailing foundational neutrality of liberal thought. For, although the Court identifies governmental neutrality between religion and nonreligion with the Enlightenment-wing of the American Founding—with Madison's "Memorial and Remonstrance" and especially Jefferson's metaphor of "the wall separating church and state"—Rawls makes a point of distinguishing political liberalism from Enlightenment

<sup>11</sup> Confer President George W. Bush's Second Inaugural address, which grounds liberal freedoms in God.

<sup>12</sup> McConnell (1990) suggests an important distinction between Madison's view and Jefferson's: "Rather than promote an ecumenical spirit, the state allows each sect to promote its cause with zeal. The Madisonian perspective points toward pluralism rather than assimilation, ecumenism, or secularism, as the organizing principle of church-state relations. . . . The happy result of the Madisonian solution is to achieve both the unrestrained practice of religion in accordance with conscience (the desire of the religious 'sects') and the control of religious warfare and oppression (the goal of the Enlightenment)" (1516). As McConnell points out, however, the Madisonian solution depends on there being "a multiplicity of religious sects" (1479)—what Madison calls "factions" in *Federalist* 10—such that none can dominate the rest. It depends, in other words, on the failure of "each sect to promote its cause" beyond a very limited extent. This "desire of the religious sects," which is not limited to "unrestrained practice," would be frustrated in the Madisonian solution unless the sects did conform to some sort of ecumenism. On the Enlightenment roots of Madison's solution in comparison to Rawls's; see Owen 2001, 121–27.

<sup>13</sup> For an extended analysis of the Enlightenment project to transform religion and its ambiguous results, see Owen n.d.

liberalism (Rawls 1996, xl). Enlightenment liberalism, as Rawls sees clearly, was founded on a particular set of "comprehensive doctrines" that are incompatible with other, especially other religious, comprehensive doctrines. Both the Court and Rawls are partly correct. The Court is correct to trace the principle of governmental neutrality to its foundation in the Enlightenment, whereas Rawls is correct that the Enlightenment is at bottom not truly neutral. It is no coincidence that the outcomes of judgments based on the doctrine of neutrality are typically hard to distinguish from judgments that would be based frankly on "nonreligion." Not only is neutrality, being not religious, *ipso facto* nonreligious, but part of the Court's standard for determining neutrality to religion is "secular purpose." When, on the same day, the Supreme Court recently handed down one decision supporting the display of the Ten Commandments on government property in Texas (*Van Orden v. Perry*) and one opposing a similar display in Kentucky (*McCreary Co. v. ACLU of Ky.*), the difference hinged on whether the monument in question was displayed in the context of a broader and "predominantly secular message." Indeed, even finding that the monument in Texas did convey such a secular message, Justice Breyer (the swing-vote in these two 5-4 decisions) considered the case "borderline," because "the Commandments' text undeniably has a religious message, invoking, indeed emphasizing, the Deity" (03-1500).

As for "political liberalism," it is tempting to view its foundational neutrality as a product of the sort of transformation in the view of religion that Jefferson sought. For, as we have seen, Jefferson sought to promote (at least in part) an indifference to religious questions, as well as, more broadly, "metaphysical riddles." So long as one possesses a socially useful morality, including especially toleration, such questions are unimportant. The result of this new moral outlook would then seem to be a liberalism that is indifferent, not only to questions of religious doctrine but also to foundational questions as such, including the foundations of Enlightenment. "Political liberalism," according to this interpretation, would be a akin to Richard Rorty's promotion of "philosophical superficiality and light-mindedness," which is to "serve the same purpose as does the [Jeffersonian] encouragement of light-mindedness about traditional theological topics," viz. peace and toleration (Rorty 1991, 193). Political liberalism would raise such indifference to the level of a political theory or set of principles, one that would be most attractive and plausible to those whose opinions had been most affected by the Jeffersonian transformation and who were therefore poorly equipped to give it its due.

Although there are grounds for this suspicion, it would be a mistake to view the prevailing "neutrality" as simply as an extension of Enlightenment secularism, let alone as secularism in disguise (even disguised from itself). Although these are not altogether misleading formulations, they miss another crucial way in which a Jeffersonian triumph has failed to occur. For its part, the Court has on occasion shown some uneasi-

ness about the principle of governmental neutrality, since "untutored devotion to the concept of neutrality can lead to invocation or approval of results which partake not simply of that noninterference and non-involvement with the religious which the Constitution commands, but of a brooding and pervasive devotion to the secular and a passive, or even active, hostility to the religious." Citing this passage in the recent case of *Van Orden v. Perry*, Justice Breyer felt the need to place the word neutrality, to which he nevertheless appealed, in quotation marks (03-1500, citing *Abington School District v. Schempp*, 374 U.S., at 306).

Similarly, political liberalism seeks to be genuinely more open to the devout (if not to devotion) than Jeffersonian liberalism. This could even be said to be its starting point. Rawls identifies the "philosophical question [political liberalism] primarily addresses," and indeed sets out to solve, as this: "How is it possible for those affirming a religious doctrine that is based on religious authority, for example, the Church or the Bible, also to hold a reasonable political conception that supports a just democratic regime?" (1996, xxxix) Rawls extends this question to comprehensive views of human life that are both religious and "nonliberal" (xl). It is in this context that Rawls makes clear that "political liberalism is not a form of Enlightenment liberalism, that is a comprehensive doctrine founded on reason and viewed as suitable to the modern age now that the religious authority of Christian ages is no longer dominant." Jefferson's project for a universal "religion of reason" to be fostered by liberal democracy has failed: "the fact of religious division remains" (xl) and the divisions are often profound (xx). Moreover, indicating how far political liberalism is from Jeffersonian liberalism, profound religious division remains "as the natural outcome of the activities of human reason" (xxvi). Contrary to Jefferson's hopes, reason according to Rawls is incapable of guiding us to the truth in religion. It is, then, to embrace rather than transform nonliberal religion that political liberalism seeks to be "freestanding," to set aside foundational questions and occupy a plane above or apart from the one on which Jefferson and Backus struggle.<sup>14</sup> The appeal of foundational neutrality depends in part on the apparent standoff between the basic alternatives, or the apparent failure of either to obtain the right to claim victory in its struggle for hearts and minds.

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<sup>14</sup> See Rawls's "Introduction to the Paperback Edition" of *Political Liberalism* (1996) and Owen 2001, 114-17.

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