

Chapter 19: Close Up on Primary Sources

A Legacy of Religious Freedom



Religious freedom is a concept with deep roots in American history, stretching far back into the colonial period. Although some colonies did not at first encourage religious tolerance or diversity, others, such as Maryland, Rhode Island, New Jersey, and Pennsylvania, placed religious freedom as a cornerstone of their societies. In 1779, Thomas Jefferson wrote a bill for the Virginia Assembly providing very broad religious freedoms. It was passed into Virginia State law in 1786.

Jefferson's Bill

The bill that Jefferson wrote was divided into three sections. In the first section, Jefferson



Thomas Jefferson's tombstone notes his work for religious freedom in Virginia.

based the idea of religious freedom on the Enlightenment concept of a “free mind,” and extended this by arguing that any restraint of a free mind, including religious intolerance, was against God’s will. The second section established the specifics of the law for religious freedom in Virginia:

We the general Assembly of Virginia do enact that no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened [burdened] in his body or goods, or shall otherwise suffer, on account of his religious opinions or beliefs; but that all men shall be free to profess, and by argument to maintain, their opinions in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities.

In the third section, Jefferson stated that religious freedom was a “natural right” and therefore above the laws made by people:

...we are free to declare, and do declare, that the rights hereby asserted are of the natural rights of mankind, and that if any act shall be hereafter passed to repeal the present or to narrow its operations, such act will be an infringement of natural right.

Questions for Discussion

1. What does Jefferson’s bill say about people who do not wish to practice any religion at all?
2. Why did Jefferson assert that religious freedom is a natural right that can not be infringed upon?