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James M. Masnov, Portland State University, graduate student, “Religious Freedom Matters, At Home and Abroad: Thomas Jefferson in Paris in the 1780s”

Abstract: When Thomas Jefferson became minister to France in the mid-1780s, his time in Paris was defined in no small part by his enduring belief in religious liberty. His Statute for Religious Freedom saw considerable challenge in Virginia as it was deliberated in Jefferson’s absence by influential political forces in the state legislature. The battle over its passage pitted two prominent figures of the early republican era against each other. The celebrated rhetorician Patrick Henry fought against the secular aims of Jefferson and his political ally, James Madison, who ultimately helped to secure passage of the statute. As Madison championed Jefferson’s secular agenda in Virginia, the minister to France discovered an altogether different form of religious fundamentalism when the capture of American sailors by North African vessels was defended by the Ambassador of Tripoli through religious rationalizations. In response to naval aggression on the Mediterranean, Jefferson sought a military solution, informing Jefferson’s view that the United States needed to exert a strong, unified position in the world and rejecting the religious claims of the Barbary states.

“Jefferson at a Crossroads:
Domestic and International Secular Influence in the 1780s”

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In the 1780s, Thomas Jefferson and his country were at a crossroads. The United States had endured years of war throughout the second half of the previous decade and into the years that followed. Once the war was won and independence achieved, it faced new challenges in the form of economic crises at home and abroad. It likewise struggled with a lack of naval power to regulate and protect its commercial shipping interests. Tensions among states and between states and the national government festered. The principal author of the Declaration of Independence also found himself in an era of transformation and crisis. Thomas Jefferson had begun the 1780s as Virginia's governor, a role he did not perform well. He found himself a target of ridicule when he was forced to flee his own home of Monticello to evade British soldiers in 1780. The death of his wife, Martha, in 1782 was a devastating loss to him. She had fallen ill following the birth of their youngest daughter, Lucy Elizabeth, and died a few months later. On her death bed, she asked her husband never to remarry, unwilling to imagine another woman raising her children. Lucy Elizabeth died two years later, when Jefferson had just removed himself to Europe to conduct diplomatic negotiations on behalf of his country.

As Jefferson worked with Benjamin Franklin and John Adams in negotiations with European and North African states to secure treaties of amity and commerce, he was appointed as Franklin's replacement in the role of Plenipotentiary (Minister) to France. His reputation for being an important theorist on the vanguard of political philosophy also ingratiated him to fellow Enlightenment thinkers in Paris. From this geographic and ambassadorial position, Jefferson stoked the flames of republicanism among French contemporaries, came to recognize the significance of military strength in international relations, and championed secular governance on both sides of the Atlantic by challenging theocratic tendencies both in Virginia as well as on the world stage.

This paper explores significant moments of Jefferson's influence upon Virginian and American governance while in Paris. Jefferson's role in battling for secularism in domestic and international affairs is particularly emphasized. With this in mind, two theaters of political conflict are examined that underscore Jefferson's fight for religious liberty: debates over the financing of churches in Virginia and the disestablishment of religion in the state, and America's conflict with the Barbary states of North Africa who sought ransom to deter the kidnapping of American sailors. This paper is not a military history of the Barbary crisis nor an in-depth study of Jefferson's time in Paris. Rather, it is an analysis of key events during the period Jefferson was in Europe regarding the crisis which will help elucidate Jefferson's views on secularism.

Jefferson biographies of the past several decades have given little attention to the Barbary crisis. This is somewhat strange considering how much the issue rattled Jefferson and defined a good amount of his diplomatic work. It is further puzzling as Jefferson's secularism was challenged and energized in no small part due to this crisis. R. B. Bernstein's *Thomas Jefferson* (2003) gives the issue about a paragraph, stating that through "the 1780s, Jefferson received pitiful appeals from American prisoners held hostage in North Africa, but the United States had no money to ransom them."[1] William Howard Adams' *The Paris Years of Thomas Jefferson* (1997) simply offers that the "The Barbary pirates remained an unsolved problem that [Jefferson] would have to wrestle with later, both as secretary of state and as president of the United States."[2] Other works, such as Howard C. Rice Jr.'s *Thomas Jefferson's Paris* (1976), astonishingly have nothing to say about the Barbary crisis at all. The editor of the compendium of letters between John and Abigail Adams and Thomas Jefferson, Lester J. Cappon, simply offered in his editor's note in 1959 that it was "incomprehensible to the Americans" that the European states chalked ransom up to the cost of doing business with North Africa.[3]

Monographs by leading historians in more recent years have similarly offered little regarding the Barbary crisis. That which is mentioned generally sheds light on the result of the North American colonies-turned-states no longer receiving naval protection from the British crown. Gordon S. Wood's *Empire of Liberty* (2009) reveals that by the end of the eighteenth century "the Barbary States of North Africa… were no longer a threat to the great powers of Britain and France, which simply bought them off with annual tributes…. As long as the American merchants had remained colonists of Great Britain, they had been protected by the British flag."[4] Ron Chernow's George Washington biography, *Washington: A Life* (2010), mentions only that as "American crews succumbed to these pirates and were threatened with forced conversion to Islam[,] Washington [like Jefferson] was offended by the need to pay bribes."[5] Alan Taylor's Pulitzer Prize-winning *American Revolutions* (2016) does little more than reiterate Wood. "Independence also deprived the United States of protection by the Royal Navy, which had secured colonial access to dangerous markets in the Mediterranean. Without that protection, merchant ships fell prey to Muslim pirates operating from the Barbary Coast of North Africa. Barbary's rulers offered to sell protection for tribute payments, which Congress could no more afford than it could afford a proper navy."[6] The surprising aspect of Taylor's analysis is not his repeating of the basic facts, but his decision not to go further. Taylor, after all, is influential in arguing for a more global perspective in the analysis of American history. Considering this, it is unfortunate that he did not see the first international crisis the United States faced as an independent nation to be worthy of further inquiry.

Among the earliest literature in the United States, and indeed in British Colonial America, were slave narratives of individuals abducted by Barbary pirates. As Paul Baepler suggests, the "story of the white slave in Africa, which pre-dates the publication of Indian

captivity narratives and American slave narratives, provides one of the defining contexts for comprehending the cultural exchange among Africa, America, and England."[7] Fears of Islamic peoples from Africa thus inform a Euro-American psychosis from the earliest days of North American colonization. This was transferred from Old-World Europe. Baepler asserts that "Colonial America, and later the United States, inherited the centuries-old ideological schism between Christianity and Islam… framed in Europe as a fight between Christian knights and Islamic pirates in which both sides justified enslaving each other."[8] Baepler further reveals that the majority of written captivity accounts of Americans at the hands of Barbary pirates appeared toward the end of the years of the American Revolutionary War "when the vulnerable new nation lost its British Naval protection."[9] Real accounts of captivity then inspired works of fiction which proved to be popular in America for many years. Novels exaggerated the threat and reinforced American fears of the people of the Barbary states. Jacob Crane suggests that North African characters in American fiction were generally relegated to any combination of "pirates, slave drivers, spies, or prisoners," and notes that some works of American fiction deliberately played on "widespread fears that Muslim pirates would cross the Atlantic to raid American shores."[10] Crane demonstrates that the Islamic African threat loomed large in American culture well into the 1930s in both literature and early motion pictures.

As minister to France, Jefferson opposed paying tribute to the Barbary states more vocally and stridently than minister to England John Adams, or than Jefferson's predecessor, Benjamin Franklin. He was also more resistant to the paying of tribute than his European colleagues. To appreciate Jefferson's rationale, as well as his secular worldview, understanding his outlook on Islam and the Qur'an becomes all the more vital.

Kevin Hayes contends in his article, "How Jefferson Read the Qur'an" (2004) that Jefferson approached the Qur'an and Islam as first and foremost a collection of legal philosophy. While his own legal instruction was nearing an end, on a visit to the *Williamsburg* "*Gazette* office … Jefferson purchased a copy of the Qur'an, specifically, George Sale's English translation."[11] That it was Sale's translation is crucial. Many of the legal and political works that had been influential upon Americans in the eighteenth century generally cast the Islamic world as an undesirable realm against which to compare British, and later American, liberty. Unlike other versions of the Qur'an, however, Hayes asserts that Sale's "was a landmark of scholarship, and his translation would remain the standard English version into the twentieth century."[12] According to Hayes, reading Sale's translation gave Jefferson the opportunity "to receive a fair view of the religion."[13] Furthermore, Sale's introduction to the book encouraged readers to approach it as a book of law. Denise Spellberg's monograph, *Jefferson's Qur'an: Islam and the Founders* (2014), itself inspired by Hayes' article, observes that given "the dominance and popularity of… anti-Islamic representation [including American literature about Barbary pirates discussed above], it was startling that a few notable Americans [Jefferson specifically] not only refused to exclude Muslims, but even imagined a day when they would be citizens of the United States, with full and equal rights."[14]

Jefferson viewed religious belief as intimate, personal, and beyond the prerogatives and powers of government. It becomes more reasonable to recognize that Jefferson approached the Qur'an as a book of historical, legal, and moral instruction when it can be ascertained that he did the same with the Christian Bible. In a letter to his nephew, Peter Carr, he had recommended to read "the bible then, as you would Livy or Tacitus."[15] For Jefferson, religious works were

examples of deep contemplation and meditations of legal and moral philosophy rather than sacred texts.

Jefferson's fight for religious freedom in Virginia becomes useful for understanding his opposition to the Barbary states thereafter, as they were both responses to theocrats rationalizing their behavior and laws through arguments resting on supposedly superior religious precepts. Considering the proximity in time and concept regarding his aims for Virginia and diplomacy with the Barbary states, noting similarities between the two crises facilitates an understanding of each. Thomas Jefferson had little patience for religious justifications, by Christians and Muslims alike.

Annual tribute toward the Barbary states of North Africa—Morocco, Algiers, Tunis, and Tripoli—had become routine business for European powers for many years. There is little evidence that the security of international shipping interests was a concern of the American government during its initial triumph of independence. It did not take long, however, for it to become one of the first foreign crises for the new nation. Without the support of the naval power of the British crown, American ships were targeted by the Barbary states and the result must have pleased England. Americans, especially Jefferson, found the idea of paying tribute to bribe the Barbary states to refrain from attacking American ships absurd.

In a letter Jefferson wrote in March 1786 to John Jay, he recounts a meeting he and John Adams held with the ambassador from Tripoli, Abd Al- Rahman, to discuss the matter. Jefferson describes the essence of the discussion. His restrained outrage is evident.

> We took the liberty to make some inquiries concerning the Grounds of their [Tripoli's] pretensions to make war upon Nations who had done them no Injury, and observed that we considered all mankind as our friends who had done us no wrong, nor had given any provocation.
>
> The Ambassador answered us that it was founded on the Laws of their Prophet, that it was written in their Koran, that all nations who should not have acknowledged

> their authority were sinners, that it was their right and duty to make war upon them wherever they could be found, and to make slaves of all they could take as Prisoners, and that every Musselman who should be slain in battle was sure to go to Paradise.[16]

Just three months prior to the writing of this correspondence, Jefferson had achieved one of the greatest accomplishments of his life and career. His Virginia Statute for Religious Freedom was passed in the state assembly, through the work of James Madison, in January 1786. After the failure to pass the statute in 1779, and after Jefferson left for Europe in 1784, Madison continued to push for secular governance in Virginia. A bill to financially support Christian churches through state funding had been proposed earlier in the decade. In June 1785, James Madison wrote his *Memorial and Remonstrance Against Religious Assessments*. In the document, Madison argued that the proposed legislation "is a departure from the generous policy… [of] offering an Asylum to the persecuted and oppressed of every Nation and Religion… It degrades from the equal rank of Citizens all those whose opinions in Religion do not bend to those of the Legislative authority."[17] Madison's efforts were instrumental in the eventual passage of Jefferson's Virginia Statute for Religious Freedom in 1786. His work in preventing Patrick Henry and others from establishing the funding for Christian churches also contributed to the success of Jefferson's statute. In a letter that he wrote to Jefferson just after the successful passage of the religious freedom bill, Madison stated, "I flatter myself have in this Country [Virginia] extinguished forever the ambitious hope of making laws for the human mind."[18]

Jefferson himself saw the passage of his religious freedom statute as one of the greatest accomplishments of his life. He seemed to know that the document would firmly cement his place in history as a champion of secular government. The statute established that:

> no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or bothered in his body

> or goods, nor shall otherwise suffer, on account of his religious opinions or belief; but that all men shall be free to profess and by account to maintain, their opinions in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities.[19]

It is possible to know that Jefferson considered the passage of the religious freedom statute as one of his greatest achievements because it is listed as one of only three accomplishments he willed to be included on his gravestone, along with his authorship of the Declaration of Independence and his founding of the University of Virginia. With this in mind, and by observing the closeness temporally between the passage of the statute in Virginia and the crisis he faced regarding the Barbary states only a few months later, Jefferson's frame of mind can be reasonably understood. Just as he successfully shut the door on undue religious influence at home, he faced an entirely new yet not altogether dissimilar threat on the international front. This experience hardened his secular views and brought him an appreciation for foreign threats and military preparedness that he may well have not otherwise possessed.

After Jefferson's disappointing meeting with Tripoli's ambassador, he advocated a military solution to the Barbary crisis almost immediately. In a letter to John Adams in July 1786, Jefferson acknowledges that "I very early thought it would be best to effect a peace thro' the medium of war."[20] Though specifically discussing the Algerines, Jefferson supported military action against all of the North African states who were attacking American ships. In his letter in response, Adams revealed agreement but countered that Congress (and the individual states) had neither the funds nor the nerve to sanction such action.

Jefferson largely distrusted concentrations of power, specifically in regard to the Confederation Congress and, later, the Federal government. Considering the general distrust Jefferson possessed toward the national government and the executive branch later in the 1790s, his support for strong naval power in the hands of the central U.S. government might seem rather

surprising. The reason it is not surprising, however, is because the Barbary crisis forced Jefferson to face the ramifications of a weak government and an isolationist view of the world.[21] It begs the question of whether Jefferson would have supported a strong military presence if he had never gotten the international experience he received in Europe.

Thomas Jefferson left Paris in September of 1789. He expected that he would soon return. He never did. He was appointed Secretary of State by President George Washington and was thus compelled to turn to other affairs of state. His refusal to accept religious rationalization by the Barbary states for attacks on Americans in the Mediterranean derived from the same impulse to battle theocratic elements—through his proxy James Madison—in Virginia. Too often historians have analyzed Jefferson in America and Jefferson in Europe with mutually exclusive lenses. His fight for secular governance in Virginia and refusal to accept the rationalization of the Barbary states have frequently been presented in isolation from each other, as if there were two Jeffersons: the Virginian and the foreign dignitary. This is all the more puzzling in light of the events in Virginia and Europe occurring in close proximity in time, and indeed overlapping.

The Barbary crisis did not end with the 1780s. It would go on to define, at least in part, the foreign policy of several presidents, including Jefferson's. A treaty with Tripoli was reached toward the end of President Washington's second term. It was unanimously supported by the U.S. Senate and signed into law under President Adams in 1797. It included language in its eleventh article that underscored America's secular mission.

> As the government of the United States of America is not in any sense founded on the Christian Religion,-as it has in itself no character of enmity against the laws, religion or tranquility of Musselmen,-and as the said States never have entered into any war or act of hostility against any Mehomitan nation, it is declared by the parties that no pretext arising from religious opinions shall ever produce an interruption of the harmony existing between the two countries.[22]

During his tenure as President, Jefferson sent a newly built navy to the Barbary coast in response to the Pasha of Tripoli's breaking of this treaty in 1801. The First Barbary War officially commenced. Jefferson did not seek congressional approval in sending forces to attack the Barbary coast. It is just one more of many contradictions that it was President Jefferson, who feared the abuse of executive power, who was first to employ the U.S. military without seeking approval from Congress. The Barbary crisis did not end there, however. A peace would not finally be reached until the resolution of the Second Barbary War in 1816 and the official end of hostilities in 1822, decades after Jefferson first argued for military action. It was during his time in Europe, however, that Thomas Jefferson's reputation—and no small part of his legacy—was articulated, built upon championing secular government at home and developing American commercial and political influence abroad. His advocacy for American policy that declined to engage in, and refused to acknowledge, religious zealotry as an acceptable modus operandi for government action was what Jefferson brought to the United States and the world in the 1780s.

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[1] R. B. Bernstein, *Thomas Jefferson* (New York: Oxford University Press, 2003), 145.
[2] William Howard Adams, *The Paris Years of Thomas Jefferson* (New Haven: Yale University Press, 1997), 203.
[3] Lester J. Cappon, ed., *The Adams – Jefferson Letters: The Complete Correspondence between Thomas Jefferson & Abigail & John Adams* (Chapel Hill: University of Carolina Press, 1959), 15.
[4] Gordon S. Wood, *Empire of Liberty: A History of the Early Republic, 1789 – 1815* (Oxford: Oxford University Press, 2009), 634.
[5] Ron Chernow, *Washington: A Life* (New York: The Penguin Press, 2010), 713.
[6] Alan Taylor, *American Revolutions: A Continental History, 1750 – 1804* (New York: W. W. Norton & Company, 2016), 348.
[7] Paul Baepler, "The Barbary Captivity Narrative in American Culture," *Early American Literature* 39, no. 2 (2004), 217.
[8] *Ibid*., 219.
[9] *Ibid*., 220.
[10] Jacob Crane, "Barbary(an) Invasions: The North African Figure in Republican Print Culture" *Early American Literature* 50, no. 2 (2015), 334–335.
[11] Kevin J. Hayes, "How Thomas Jefferson Read the Qur'an" *Early American Literature* 39, no. 2 (2004), 247.
[12] *Ibid*., 251.
[13] *Ibid*.

[14] Denise Spellberg, *Thomas Jefferson's Qur'an: Islam and the Founders* (New York: Penguin Random House, 2014), 11.
[15] Thomas Jefferson, letter to Peter Carr, August 10, 1787.
[16] Thomas Jefferson, "American Commissioners to John Jay," letter to John Jay, March 28, 1786. *Founders Online*, National Archives. https://founders.archives.gov/documents/Jefferson/01-09-02-0315. Original source: *The Papers of Thomas Jefferson*, vol. 9, *1 November 1785–22 June 1786*, ed. Julian P. Boyd (Princeton: Princeton University Press, 1954), 357–359.
[17] James Madison, *Memorial and Remonstrance Against Religious Assessments*, 1785. Reprinted in *Jefferson and Madison on Separation of Church and State: Writings on Religion and Secularism* (Fort Lee: Barricade Books, 2004), 71.
[18] James Madison, letter to Thomas Jefferson, January 22, 1786. *Jefferson and Madison on Separation of Church and State*, 77.
[19] Thomas Jefferson, "Virginia Statute for Religious Freedom," 1786. Reprinted in *Jefferson and Madison on Separation of Church and State: Writings on Religion and Secularism* (Fort Lee: Barricade Books, 2004), 49–50.
[20] Thomas Jefferson, letter to John Adams, July 11, 1786. Reprinted in *The Adams – Jefferson Letters: The Complete Correspondence between Thomas Jefferson & Abigail & John Adams*, 142.
[21] This tendency of Jefferson to focus on the internal and shut his eyes to the rest of the world returned during the second term of his presidency, when he signed the Embargo Act in 1807. This act made illegal all international trade. It obliterated the American economy, blemished Jefferson's previously stellar reputation as a statesman, and contributed to his second term being seen as a failure of leadership.
[22] "Treaty of Peace and Friendship between the United States of America and the Bey and Subjects of Tripoli of Barbary," 1797. *Avalon Project: Documents in Law, History, and Diplomacy*, Yale Law School Lillian Goldman Law Library, https://avalon.law.yale.edu/18th_century/bar1796t.asp. The clause regarding the U.S. as "not in any sense founded on" Christianity has been disputed for years. Some have maintained the clause was included simply to facilitate a conciliatory tone. Others offer it as proof of a mission of church-state separation. Both can be true, and the unanimous vote by the Senate supports that there was general agreement among American statesman at the time.

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