

on Wm. et al
W. H. W. W.

"ment," and tactfully told him so. "We want your Industry and Abilities here extremely. . . . Pray come and help Us, to raise the Value of our Money, and lower the Prices of Things. . . . Your Country is not yet, quite Secure enough, to excuse your Retreat to the Delights of domestic Life. Yet, for the soul of me, when I attend to my own Feelings, I cannot blame you."⁷⁴

Actually, far from enjoying the "Delights of domestic Life," Jefferson had thrown himself into a fury of legislative activity in Williamsburg, introducing a whole galaxy of reforms to make Virginia a thoroughly democratic state.⁷⁵ He hoped to extend the suffrage, to abolish primogeniture and entail, to make land acquisition easy for the independent yeoman in the west, thus smashing at the power of the Virginia gentry, of which he was himself so conspicuous a member. Almost singlehanded he worked out a revision of the harsh, antiquated criminal code of the colony, abolishing except for murder and treason the death penalty which had been freely used against horse thieves and minor felons.

Remembering with dissatisfaction his years in private schools with Anglican clergymen, he proposed a statewide system of tax-supported elementary schools for boys and girls, secondary schools for the ablest talents, and a system of scholarships for the highly talented, and their education at the college level. He proposed a state library, and the reform of the curriculum at William and Mary College to transform it from a divinity school to a modern college, with emphasis on science, mathematics, and modern languages.

As we have seen, Jefferson never spoke specifically of the bigotry of the clergymen of his adolescence; his hatred of the Anglican church was generalized rather than specific, but no less deadly. As a lawyer, and new critic of the whole Virginia legal code, he had learned if he did not know it as a child that heresy to the Church of England could be punished by death, that

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denial of the Trinity was punishable on the third offense by three years in prison, that freethinkers and Unitarians could be declared unfit parents and deprived of their children. Though such laws were dead letters at the moment, he knew they could be revived with a different "spirit of the times." He had come to believe, with John Locke, that religion consists in the inward persuasion of the mind, that "the care of every man's soul belongs to himself," that no man should be abused because his "hair is not of the right cut," or because he follows "a guide crowned with a mitre & clothed in white."⁷⁶

Destruction of the power of the Anglican clergymen now became a private crusade occupying enormous reserves of his energy. It was the toughest of all his battles in the Virginia assembly, and winning it, which took some years, gave him such special satisfaction that he counted it one of the three greatest achievements of his life. The measured cadences of his famous Bill No. 82 demanding the total separation of the ancient, established powers of church and state rank second only in world impact to those of his Declaration of Independence.⁷⁷

Almighty God hath created the mind free. . . . To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors, is sinful and tyrannical. . . . Our civil rights have no dependence on our religious opinions, any more than our opinions of physics or geometry. . . .

*The opinions of men are not the object of civil government, nor under its jurisdiction. . . . Truth is great and will prevail if left to herself. . . . She 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; errors ceasing to be dangerous when it is permitted freely to contradict them.*⁷⁷

Jefferson was consumed with a sense of urgency. Recognizing that great reform can come only in the white heat of revolution, he worked fanatically for clarification, purification, and democratization. Later, in 1781, he would write, "The time for fixing every essential right on a legal basis is while our rulers are honest and ourselves united. From the conclusion of this war we shall be going down hill. It will not then be necessary to resort every movement to the people for support. They will be forgotten, therefore, and their rights disregarded. They will forget themselves, but in the sole faculty of making money. . . . The shackles, therefore, which shall not be knocked off at the conclusion of this war, will remain on us long, will be made heavier and heavier."⁸⁸

If one looks at the record of reform as finally enacted, one stands in awe at the Jeffersonian impact on his own state, and subsequently upon the democracies of the world. No one since has left much more than a fingerprint in comparison with his massive hand. But one must remember that this phenomenal record of legislative reform was not enacted in the Virginia assembly which Jefferson attended from October 1776 to June 1779. One by one in these years his great reform bills went down to defeat.

His only real success was the passing of a bill abolishing primogeniture and entail, making possible, as he said, "instead of an aristocracy of wealth, of more harm and danger, than benefit, to society . . . an opening for the aristocracy of virtue and talent." The landholder could now, Jefferson wrote somewhat ambiguously, "divide property among his children equally, as his affections were divided."⁸⁹ (Peter Jefferson, it will be remembered, had not divided his property equally, but had won permission to divide "as his affections were divided," with Thomas Jefferson getting the preferred land over his brother, and his sisters getting none at all.)

Aside from this success, his immense labors resulted only in the passage of a bill partly curtailing the power of the established church to stifle dissenting sects. The conservatives under Benjamin Harrison remained in the saddle, and when Jefferson's name was put up for Speaker in May, 1778, he lost by an ignominious 23 to 51. His legal reforms with which he himself was not satisfied were splintered and adopted piecemeal; his land reform program, badly conceived, was manipulated into a windfall for speculators. Church and state were not to be sundered in Virginia till 1786, and his program for state-wide free schools would not be enacted until after the Civil War. His cautious plan for gradual emancipation and colonization of slaves was considered so revolutionary it was not even introduced.

It would be easy to surmise why Jefferson, seeing these enlightened blueprints pigeonholed and mutilated by his own revolutionary patriot friends, living with the recognition that he wielded influence, but no power, turned his back on the whole Virginia political scene in disgust.⁹⁰ He did abandon it for long periods, and his record of legislative innovation is all the more astonishing if one counts up how many days he was absent from the Williamsburg sessions. He was extremely conspicuous about attendance when Martha was with him in the autumn of 1776, but in the spring of 1777, when she was not, he remained in the legislature only sixteen days out of the eight-week total. Again, however, the abandonment had to do with personal tragedy. Martha bore a son on May 28; he lived only until June 14, and was buried without even being given a name. Jefferson's wife had now lost three children, two sons and a daughter. Only the sturdy Patsy, age six, had survived.

We know nothing of the impact of these deaths upon Jefferson except that he stayed closer to his wife than ever. When the Marquis de Chastellux came to Virginia seeking out Jefferson in April 1782, he stayed at the tavern of a Mr. Boswell whose wife had seen four-