

Drew University College of Liberal Arts

The Qur'an on Jefferson's Shelf: An Analysis of Thomas Jefferson's Engagement with
Islam and Its Influence on America's Religious Framework

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Submitted in Partial Fulfillment of the Requirements for the Degree of Bachelor in Arts
with Specialized Honors in Comparative Religion and History

May 2018

Abstract

Given the increase in religious tensions and rise of Islamophobia, questions are being raised about the role of Islam in American society. This paper explores Islam in the early stages of the nation. Specifically, the significance of Thomas Jefferson's ownership of a copy of a translation of a Qur'an and his engagement with Islam are explored. The study of Jefferson and his approach to religious freedom in America provides perspective to different ways religion and government can be discussed.

Table of Contents

- Introduction
- Chapter 1: Jefferson's Copy of the Qur'an
 - George Sale's Translation
 - Jefferson's Catalogue
- Chapter 2: The Enlightenment
 - Islam and the Enlightenment
 - Enlightenment Philosophers
- Chapter 3: Islam in International Relations and Law
 - Barbary States
 - Slavery
 - Law
 - Echoes in the Qur'an
- Conclusion

Introduction

On a cold winter day in the middle of Washington D.C. in the year of 2016, I hurried into the large building to find solace in the heat. This trip could not be postponed so I dusted the snow off my shoulders as I walked in to hear the bustling of guests and the voices of docents. We were there to see the exhibition that was advertised as follows:

In recognition of one of the world's extraordinary collections of Qur'ans, the Freer|Sackler is hosting a landmark exhibition, the first of its kind in the United States. Some fifty of the most sumptuous manuscripts from Herat to Istanbul will be featured in "The Art of the Qur'an: Treasures from the Museum of Turkish and Islamic Arts," opening this fall. Celebrated for their superb calligraphy and lavish illumination, these manuscripts—which range in date from the early eighth to the seventeenth century—are critical to the history of the arts of the book. They were once the prized possessions of Ottoman sultans and the ruling elite, who donated their Qur'ans to various institutions to express their personal piety and secure political power. Each manuscript tells a unique story, which will be explored in this once-in-a-lifetime exhibition.¹

It was indeed captivating and each manuscript was more beautiful than the last. The exhibit began with a room asking for silence as the first chapter, the Fatiha, of the Qur'an is recited. This was done to emphasize the importance of the oral history as well as the importance of reciting the Qur'an. Through the exhibit down the stairs, through many

¹ *The Art of the Qur'an: Treasures from the Museum of Turkish and Islamic Arts.*
<https://www.freersackler.si.edu/exhibition/the-art-of-the-quran-treasures-from-the-museum-of-turkish-and-islamic-arts/>

displays, interactive presentations, and videos, each one was more splendid than the last. There were so many Qur'ans, from ones made so utterly tiny it would take a magnifying glass to read, to a manuscript that captured the room at five by seven feet.

Surrounded by this rich history from manuscripts across several time periods and from different parts of the world, I struggled to find the relation to the location of Washington D.C. This exhibit seemed to be presented as a marvel of the Qur'an from the outside and was even largely borrowed from a museum outside of the country. The exoticism and beauty of these manuscripts was on display. There seemed to be no relevance to the United States or to its history or culture; even as an American who practices Islam, I failed to see a connection. What I thought would be my only and ultimate conclusion was the exhibit acts as a way to present Islam in new ways; embracing its history and combatting notions of Islamophobia.

As I continued to walk around exhibits I inevitably ended up in the gift shop, not expecting to find anything other than overpriced souvenirs. As I browsed, I stumbled across a book titled, *Thomas Jefferson's Qur'an: Islam and the Founders*, by Denise A. Spellberg. The title was striking because from my education and understanding of American history, the notion of any relationship between Islam and the Founders of America or Jefferson and Islam seemed absurd. If Thomas Jefferson did own a Quran, why did he? What place did Islam have in early America?

These questions lead to others and after reading Spellberg I began to wonder about Jefferson and the idea of Islam as meaning something more to him than an abstract religion or threat somewhere else in the world; as something other than a distant "other." Through the process of finding answers to these questions I have discovered that

Islam and other religions did hold a place in the conversations surrounding the founding of America. To better understand the relevance of Islam in the establishment of the United States I began with a study of the prolific Thomas Jefferson.

In times of discontent and tension in the nation people often resort to an imagined past and ideal time of America. The founding fathers are key icons that people cling to and religiously quote to emphasize the freedoms of people; in times of debate social media is often flooded with various pictures of quotations from various founding fathers. The common public narrative and the one strongly presented in elementary education, is that the founding fathers are unique, progressive thinkers, with a desire for freedom for all citizens. They had an unwavering commitment to freedoms and the Bill of Rights. The problem with this perception or rhetoric is it prevents growth and improvement. The mentality of the past and yearning to go back to that imagined time and those ideas deemed perfectly articulate is debilitating and misleading. The landscape of their time necessitated a mentality and language of religious toleration. Given the attachment and dedication to the lives of the founding fathers and their legislation, it is useful to hone into both the good and bad of their lives. Getting to the root of their legislation and language allows a better analysis and understanding of how the freedoms in the nation can improve and it allows the conversation in regard to religious freedom to grow towards pluralism.

Thomas Jefferson, revered for his contributions to the founding of the United States, is an essential figure in discussions surrounding religious pluralism. Public discourse honors him and the founding fathers as among the most progressive thinkers. Jefferson is thus a key figure in analyzing and observing the potential for religious

freedoms and rights in America. The narrative typically attached to Jefferson is that his great work has built a solid foundation of freedoms that the American society has enjoyed and carried forward. This more than optimistic narrative reflects a faulty perspective of history as an upward graph of constant progression. We impose this modality because we assume that we live in a time that is the most progressive our society has ever been and that everyday we continue on the coaster of constant upward change over time. This prevents us from realizing and analyzing the amount of change or lack of change that has happened over time and from assessing whether there has been a progression or digression in society.

The analysis of Jefferson's relationship and interactions with Islam through his ownership of the Qur'an, his understanding of religion and the Enlightenment, and his exchanges during the Barbary War provides a window into the complex understanding and fight for religious freedom in the early days of the Republic. This view forces an observation to the partial possibilities Jefferson envisioned and that can be expanded upon today. Jefferson, although imperfect, has no doubt been hugely impactful and has contributed to the legal language of freedom, most notably through the Declaration of Independence. With increasing tensions and heated debates taking place in our nation's capital, remembering Jefferson and the founding fathers as humans with flaws provides insight on how to deal with personal versus political views. Elected officials have an obligation to their constituents to protect their rights even if those officials do not personally agree with the choices of the citizens. Through the exploration of Jefferson and Islam, a thread of intellectual history becomes visible that can help us better understand the rhetoric of religious freedom during the colonial era; ultimately the

understanding of Jefferson offers a tension and room for conversation surrounding how legal language was and can be cultivated to instill a pluralistic society. Jefferson deserves neither adulation nor condemnation, but instead careful study into his abilities and contributions to the early days of shaping America. This paper will analyze how Jefferson's engagement with Islam through different avenues reveals his goal for a pluralistic state; his work challenges rooting the establishment of America's framework in Christianity and rather asserts a foundation based on legal theory and not faith.

Chapter 1: Jefferson's Copy of the Qur'an

George Sale's Translation

Thomas Jefferson's encounter with Islam begins in 1765 with the *Virginia Gazette*, the local newspaper in Williamsburg that also served as the only bookseller in the colony. In October of that year, the Gazette recorded that Thomas Jefferson purchased a copy of Sale's Koran for sixteen shillings and that it was shipped from London. This copy was titled *The Koran, Commonly Called the Alcoran of Mohammed* and was the third edition of the translation by George Sale printed in 1764.² What is important to note about this transaction is that Jefferson had to place an order and wait for his copy, it was not something available or something he stumbled upon and decided to pick up.

At this same time period there were other versions and translations of the Qur'an being sold. One of them was Alexander Ross' English translation of André Du Ryer's French version, essentially a translation of a translation. It was one of the first English

² Denise A. Spellberg, *Thomas Jefferson's Qur'an Islam and the Founders* (New York, NY: Vintage, 2014), 82.

translations available in the colonies and published in 1734. In his work he had played with the text to add and remove language; he begins by explaining he worked on the translation so that he could present the enemy. Ross even ensured to include a warning in the preface that the Qur'anic may be a danger and scandal to those Christians who may be weak of heart. He wrote:

Therefore (Christian reader) though some, conscious of their own instability in religion and of theirs (too like Turks in this) whose prosperity and opinions they follow... yet am I confident, if thou hast been so true a votary orthodox Religion, as to keep thy selfe unattained of their follies, this shall not hurt thee.³

This strong language in the introduction highlights the conversations surrounding the Qur'an and Islam and attitudes generally taken towards the text. John Adams like Jefferson owned a copy of the Qur'an. However, he owned an edition printed in 1806 in Springfield, Massachusetts. It was the First American Edition of Du Ryer's translation. In his copy the preface comments on Islam's "false prophets" and states "Thou will wonder that such absurdities have infected the best part of the world, and will avouch, that the knowledge of what is contained in this book, will render that law contemptible."⁴ Adams did not make the same efforts as Jefferson to obtain a copy of the translation by George Sale. These are two examples of prominent figures and founding fathers who owned copies of the Qur'an and is evidence of their familiarity with Islam. Jefferson's

³ Alexander Ross, "The Alcoran of Mahomet : Translated out of Arabique into French : Du Ryer, Andr, Ca. 1580-Ca. 1660 : Free Download, Borrow, and Streaming," Internet Archive, The Library Shelf, archive.org/details/alcoranofmahomet00dury.

⁴ "The Koran : Commonly Called the Alcoran of Mahomet : John Adams Library (Boston Public Library) BRL : Free Download, Borrow, and Streaming," (iv), Internet Archive, The Library Shelf, 1 Jan. 1970, archive.org/details/korancommonlycal00john.

special order and specificity for which translation he would own demonstrates a deeper interest in Islam.

There are rarely solid, unchallenged interpretations of holy texts. Across all different faith communities there are disputes and different understandings of passages or aspects of faith. In the “Art of the Qur’an” exhibit the oral recitation was emphasized because an important part of the Qur’an is for it to be in Arabic. Around the world for those who speak or do not speak Arabic, the Qur’an is memorized and recited in Arabic. The language is important to the text and thus the translations compromise the meaning because of the language barriers. It historically was further compromised, as translators’ purpose was to translate in order to refute.

Given the importance of the text of the Qur’an, the translation Jefferson owned is notable. Jefferson ordered George Sale’s translation of the Qur’an. Sale began his project when he was commissioned by the Society for Promoting Christian Knowledge, a British Anglican group. The objective of the translation was to show Christian readers that Islam was false, but in pursuing this goal Sale did not want to stray from the text of the Qur’an as previous translations had. Sale’s intent was to create an accurate, impartial, and scholarly text, although, certainly when the original role of the translation was to disprove the religion the author can seldom remain completely impartial.

The translation begins with a copy of his letter to the Honorable John Lord Carteret. Sale begins by explaining that he feels the need to apologize for his translation for not following the suit of other Christians in their translations that degrade Mohammad. He says that the “legislator of the Arabs” has been treated unfairly. Sale confesses he sees why Mohammad cannot have the same respect as Moses or Jesus who

really did have divine messages, but does not understand why he cannot be held to the same standard as Minos or Numa. Sale then also begins his message to the reader by apologizing and explaining his intent for this translation and including a preliminary discourse.⁵ This attitude and approach to the translation of the Qur'an immediately sets it apart from the translation of Ross and others.

Through this process of engaging with material about Islam its history and the Qur'anic text, Sale also learned Arabic. He never left England and instead learned the language from two Syrian Christians in London who had previously worked on a translation of the New Testament to Arabic for the Arab Christian Communities.⁶ The Sale translation was influential and became the standard, as it was a shift from translations that were highly opinionated and made clear their intent.

In the translation Sale included a preface, the "Preliminary Discourse on the History of Islam," that amounted to over two hundred pages. In it Sale footnotes and cites many references including hadith by the Sunni commentator Al-Bukhari. The preface was rich with information that was relevant and accurate on Islamic history, ritual practices, and laws.⁷ The translation came to Jefferson as a two Volume set, the majority of the first volume being the preface. It is in fact almost the same length as the actual translation itself. The preface included history as well as two pages folded in that can be pulled out. One reveals a beautiful map of the Ka'aba with a chart titled "Plan of the Temple of Mecca" and the image beside it "View of the Temple of Mecca." The other is

⁵ George Sale, "The Koran A Preliminary Discourse." Internet Archive, The Library Shelf, archive.org/stream/in.ernet.dli.2015.217744/2015.217744.The-Koran.

⁶ Spellberg, *Thomas Jefferson's Qur'an*, 86.

⁷ *Ibid.*, 84-86.

large chart titled “A Genealogical Table of Tribes of Naturalized Arabs, being Descendants of Ismael son of Abraham by a Daughter of Modâd Jorhamite.” There is also a map of Arabia that shows the seas, parts of Egypt, Syria, Ethiopia, and Persia. This is important because other translations disregarded and even wrote in contradiction to the historical relevance of the Qur’an. Sale’s engagement with the history and including it as a part of his translation acts as a buffer to those who charge at the text with great hostility. The context helps the reader comprehend the religious text that is dense even for believers of the faith who debate the interpretation of the text. Sale’s work quickly became the most well known translation of the Qur’an and was widely read well into the twentieth century.⁸

The translation reached many influential and prominent scholars. Even Voltaire was familiar with it and commented, “There is a devil of an Englishman who has done a very beautiful translation of the holy Alcoran, preceded by a preface much more beautiful than all the alcorans of the world.”⁹ Voltaire noted the accomplishments of the translation and value of the text. Nonetheless, he was critical of the translation as he is critical of religion generally and ironically calls Sale the devil. Regardless of people’s personal attitudes towards religion, the value of the translation was understood. The text of the Qur’an ranges from stories about Adam and Eve to Mary and Jesus; it tells the stories of different prophets across different times and is the word of God. Hadith is a collection of narrations of the advice and life of the Prophet Mohammad; it is a crucial part of understanding the history of Islam and the first Muslim community. For that reason the

⁸ Alexander Bevilacqua, “The Qur’an Translations of Marracci and Sale,” *Journal of the Warburg and Courtauld Institutes* 76 (2013): 93-130.

<http://www.jstor.org/stable/24395514>.

⁹ *Ibid.*, 93.

preface served for many, including Jefferson, as a great resource on the topic of Islam. It also would have provided the eager law student with examples and precedents in other cultures of how certain legal matters were handled.

An important aspect of Sale's translation is his link to Ludovico Marracci's translation published thirty-five years earlier. Marracci was a Catholic priest and for his polemic arguments, he noted that one had to know Islam to be able to properly condemn it. Sale acknowledged the translation, but also noted its faults. The group Sale was a part of that commissioned him to translate had anti-Catholic sentiments and thus for Sale, Islam and Catholicism were both forms of heresy. Sale was adamant that only Protestants could fulfill the role of attacking the Qur'an and Islam successfully. The two men's approaches and intentions for the translation of the Qur'an were very different. For Marracci, it was a way to combat heresy and a tool for debate to better condemn Islam. For Sale, the translation was a utility, a tool for better understanding a historic civilization. Although he also wanted a way to criticize Islam as false faith, Sale did not want to do so by misconstruing the text. The rationale for the interest in Islam is, as Sale explained, "if the religious and civil Institutions of foreign nations are worth our knowledge, those of Mohammed, the lawgiver of the Arabians, and founder of an empire in which in less than a century spread itself over a greater part of the world than the Romans were ever masters of, must needs be so."¹⁰ This would have sparked Jefferson's interest in Islam and Mohammed as a leader. He studied precedents across culture and time period and studied different philosophies to aide him in his own legal work and establishment of American law.

¹⁰ Bevilacqua, "The Qur'an and Translations of Marracci and Sale," 93.

Despite the differences in the two translators' intent, Sale does adhere in many ways to Marracci's translation. Marracci reports on different commentaries of the Qur'an and in one instance during the translation decided to follow and report only one interpretation. Sale also does the same and followed the model of Marracci, despite not referencing him explicitly. Marracci's method was to use almost exclusively Muslim sources. A method used by Muslim commentators to better understand and interpret the Qur'an is called *al tafsir al Qur'an bi-l Quran*, understanding the Qur'an through the Qur'an. Marracci wanted to translate the same way and stated, "I attack the enemies with their own weapons," and "thus far I have tried to fight the Alcoran with the Alcoran and to slaughter Mahomet with his own sword insofar I am able."¹¹ The understanding of this was important because through this method Marracci gained a lot of knowledge of different Islamic commentators and opinions and referenced them in his work.

The influence of Marracci is valuable because his resources inevitably seep into the Sale translation. Sale did not give credit to Marracci because of their differences and because Marracci was a Catholic priest. Despite this, Marracci's translation provided information and a wide selection of information on Muslim sources that Sale would not have had access to otherwise. Marracci wrote his translation in Latin, and he worked from manuscripts in the Vatican. If Jefferson and others only had access to Marracci's translation and those written in a similar vein, the biased perception and understanding of Islam would have been heightened.

Sale was revolutionary in including a dense historical preface to the Qur'an. Most prefaces referenced other translations or mentioned Islam in a demeaning or derogatory

¹¹ Ibid., 107.

language. In the case of the Robert of Ketton's *Lex Mahumet pseudoprophete*— *The Religion of Muhammad the Pseudo-prophet* his translation became the most widely read Latin translation of the Qur'an in the twelfth century. He wrote the preface in the form a letter to Peter the Venerable who was the one who recruited Robert as part of the larger team to translate a number of Muslim work from Arabic to Latin. In the preface he comments on Islam as the “death religion” and enemy to Christianity. His translation is more of a paraphrase of the text rather than a literal translation.¹² Juan de Segovia became interested in the Qur'an and was frustrated with the lack of availability of well-written translations. In the late 1450s he commissioned and helped produced a trilingual Qur'an that included the original Arabic, Castilian, and Latin. Unfortunately, it has been lost but the preface survived.¹³ In the preface he criticizes Robert of Ketton's translation for being inadequate and Juan asserts his translation as superior for its commitment to the style of the Arabic language. Juan worked with and paid a Muslim Scholar, Içe de Gebir or Iça Gidelli, who taught him Arabic. Içe also wrote the Castilian translation that Juan translated to Latin. Juan's preface was focused on the gap of other scholars and fault with the Arabic language. He describes in some detail his encounters with the Qur'an and overall the polemic approaches to translation.¹⁴ For Marracci his translation was also an explanation and refutation of the Qur'an. The preface is filled with a large introduction on the faults of Islam. Even in the text he includes commentary on the Qur'anic texts and

¹² Thomas E. Burman, *Reading the Qur'an in Latin Christendom, 1140-1560* (Philadelphia Pa: University of Pennsylvania Press, 2007), 40, <http://site.ebrary.com/id/10491995>

¹³ Ibid., 44.

¹⁴ Ibid.

adds a section for “Refutations.”¹⁵ These examples highlight the overall trend of the history of translations of the Qur’an. For these reasons Sale’s objective goal and preface of over two hundred pages was significant in the history of translations. The preface was unlike its predecessors and the context was a revolutionary introduction to the translation of the Qur’an.

Background knowledge for any text allows for a more insightful reading of the text. Sale’s preface laid a foundation for understanding the significance and role of the Qur’an. The history and background of Islam as a religion and the Qur’an as a text allows for a more comprehensive reading. Sale created a space for reading the Qur’an in a more academic tone that differed from his predecessors. By approaching the different materials with an attempt to be objective Sale slightly let his guard down. He also had to interact with the two Syrian men to learn Arabic. Although they were not Muslim he experienced their traditions and culture by interacting with them. The proximity to them, although maybe not as strong as interacting with practicing Muslims, certainly would have provided Sale with different insights and experiences. These men would have become colleagues if not friends and these Arab men would cease to be a part of an abstract and menacing culture.

Thomas E. Burman in his book, *Reading the Qur'an in Latin Christendom: 1140-1560*, details the translations of Robert of Ketton, Juan de Segovia, and others. He also makes the point that:

Latin readers had found in the Qur’an not only a false scripture to be attacked polemically and a difficult text to be understood philologically, but a book whose

¹⁵ Ibid., 164.

elegant Latin form communicated prestige or whose exotic contents engendered desirability. Among its many readers in Latin Christendom, the Qur'an was, like the powerful, feared, dynamic, and attractive civilization that it inspired, far too complex a thing to be approached or experienced in only one way.¹⁶

In a similar vein, Sale's experiences at bare minimum would have allowed for a shift in his thoughts towards believing there exist exceptions to the stereotypes he may have adhered to. Whereas eloquent language in the translation appealed to the scholars as they tried to refute the complex text, Sale's stirring preface appealed to the interest in understanding Islam. The preface was as impactful as previous Latin translations had been. Sale's work became the canon of the time. For these reasons, it is significant Jefferson owned Sale's translation instead of other versions.

Jefferson's Catalogue

Purchases are a window into a person's interests and to an extent, into their character. Indeed there may be random or impulse purchase, but with Jefferson in particular when it came to his books his purchases were deliberate and carefully crafted. The Sale translation was no coincidence or mistake. Jefferson interacted with this book not only through his purchase choice, but also through his method of how he handled and catalogued his books. Jefferson did not write in his books, and there was no marginalia in his copy of the Qur'an. Instead, if Jefferson wanted to comment on what he read he wrote notes, which are now preserved as the *Jefferson Papers*. There are no notes explicitly on Sale's writings or translation, but there are references to the Qur'an, Islam, and Muslims

¹⁶ Ibid., 197.

in different notes and writings. Furthermore, there is other evidence of his relationship with this two-volume Qur'an set that he ordered and purchased. Jefferson was meticulous and it is seen through his work. Instead of signing or initialing the Qur'an in the front or back Jefferson initialed it on both volumes in different places. In the first volume on page 113, there is an "T" that is one of the signatures; letters were commonly used to help printers keep the printing in order. Jefferson added a "T" in front of it for T.J. In the second volume on page 289 there is a "T." that Jefferson places a "J." next to. For someone who is not looking the page looks like any other page, seamless with no traces of markings. These additions can be seen with a closer look at the bottom of each of these pages.

These specific markings are evidence of Jefferson's effort, time, and care that he took to initial each volume. This process is very unique to Jefferson and there are not many book owners at least to the knowledge of the Library of Congress that also initialed their possessions in this way. Jefferson would have needed to have enough time and interaction with each volume to find the proper spot to initial. This establishes a minimum amount of time he would've interacted with these two books. It indicates that the books were not merely purchased to be left on a table or to be immediately placed on a shelf. Jefferson physically engaged with his copy to initial each volume.

One of Jefferson's many goals was to craft an extensive library; it was a dedication and hobby. In 1770, a fire destroyed his books. He lamented the loss in a letter to his friend John Page writing: "My late loss may perhaps have reached you by this time, I mean the loss of my mother's house by the fire, and in it, of every paper I had in the world, and almost every book." He also later stated, "Would to God it had been the

money; then had it never cost me a sigh.”¹⁷ The fire is dated five years after Jefferson purchased his copy of Sale’s translation. For this reason, Spellberg speculates that this current copy of the Qur’an in the Library of Congress may be a second copy Jefferson purchased to replace the first. If this is indeed the case it further solidifies the importance Jefferson put on having a place for the Qur’an in his library. The fire, however, did not deter Jefferson, a young true bibliophile at only twenty-six years old. He set out to continue to collect books and enhance his personal library. Jefferson studied law and endeavored to have knowledge of various subjects. He possessed books in various fields. By 1783, Jefferson had acquired a remarkable number of 2,640 books. Later in his life he traveled to Europe, where one of his priorities abroad was to collect more books and further expand his collection. This was a life-long commitment, and by 1815 he had a total of 6,700 books in his possession.¹⁸ With such a large number of books, Jefferson kept records and catalogued them all. His collecting habit necessitated the use of a specific system to categorize and keep track of each book in his collection.

The magnitude of Jefferson’s library demanded meticulous organization. His system was based on Francis Bacon’s table of science as outlined in his *Novum Organum*. Bacon divided the categories into Memory, Reason, and Imagination. Each is further broken down into subcategories. They were broken down as explained by the Library of Congress as follows:

Memory was divided into four parts: natural (which consisted of technology and information about inanimate and animate things), civil, ecclesiastical, and literary.

¹⁷ Spellberg, *Thomas Jefferson's Qur'an*, 83.

¹⁸ James Gilreath and Douglas L. Wilson, eds. “Introduction to Thomas Jefferson's Library” (Washington, DC: Library of Congress, 2001).
http://catdir.loc.gov/catdir/toc/becites/main/jefferson/88607928_intro.html.

Reason was broken down into divine, natural, and civil sections. Lastly, Imagination was arranged according to narrative, representative (drama), and parabolical (allegory). Jefferson renamed Bacon's three categories History, Philosophy, and the Fine Arts. In the section devoted to History, Jefferson relegated Bacon's major division of Ecclesiastical History to a subsection of Civil History and eliminated altogether the section reserved for literary matters. In Philosophy, he combined Bacon's Civil and Divine Reason categories into a new division entitled Moral Philosophy... Jefferson expanded Bacon's Imagination section into a Fine Arts category that embraced not only literary works but also such decorative and fine arts as gardening, painting, architecture, and music.¹⁹

Jefferson's categories, "History," "Philosophy," and "Fine Arts," were further divided into forty-four "chapters" specific to his interests. Different modern histories including foreign, British, American and Ecclesiastical history were chapters included under "History." The category also included chapters for books that fell under agriculture, chemistry, surgery, and botany. Under "Philosophy" were jurisprudences on equity, common law, foreign, and ecclesiastical law as well as chapters on religion, politics, mathematics, astronomy and geography. Music, poetry, comedy, logic, and criticisms of theory, languages, and bibliography fell under the category of "Fine Arts".²⁰ The categories and chapters are a reflection of Jefferson's involvement in politics and legal matters. He acknowledges that someone else who was a physician or a theologian would have had a very different library and created and organized chapters according to their

¹⁹ Gilreath and Wilson, "Introduction to Thomas Jefferson's Library."

²⁰ "Contents of Thomas Jefferson's Library".

<http://catdir.loc.gov/catdir/toc/becites/main/jefferson/88607928.toc.html>.

profession.²¹ Given that information, it is clear that the order and creation of the chapters are unique to Jefferson and can provide insight into his thought process. Dumas Malone, the American historian known for his multi-volume biography on Jefferson, wrote in *The Sage of Monticello* that Jefferson was “one of the most systematic of men,” and that, “he was in character as a cataloguer.” The activity of cataloging and classifying a massive collection of books allows for a unique insight into Jefferson’s mentality.

Given the importance of the catalogue of each of Jefferson’s books the cataloguing of Sale’s translation of the Qur’an is illuminating. Sale’s translation is listed under the chapter “Religion” under the category of Philosophy, which corresponds to Reason. He could have easily placed a chapter on religion under “History” corresponding to Bacon’s category of Memory since he did include foreign histories and ecclesiastical history. “Fine Arts” may have been a stretch but there are criticisms of theory under that category so the chapter on religion would not have stood out as completely out of place. If Jefferson had no regard for religion then he would have not collected those books and would not need a chapter for it. He clearly placed a level of importance on it and saw a need for information regarding religion. The significance of different faiths went beyond history for Jefferson because it was under Philosophy; it was placed among the category of books of reason. Jefferson focused on the rationality of religion and picked on different strands of logic in religions rather than dismissing the field of religion completely; he categorized the field as a study of behavior not beliefs. He saw that the books under this category were significant for theorizing and the chapter for religion was placed immediately after “Ethics” and before the chapters on “Jurisprudences” and

²¹ Gilreath and Wilson, “Introduction to Thomas Jefferson's Library”.

politics. In the original catalogue under the “Religion” chapter, the Sale translation of the Qur’an is listed as the fourth in the list. The three books that preceded it are *Sibyllina Oracula, Historical Account of Heathen Gods and Heroes, and the New Pantheon: Or, Fabulous History of the Heathen Gods, Goddesses, Heroes & c.*, respectively. All the books listed are a mix of religious beliefs from Greek and Roman times. The books that followed the copy of the Qur’an on the list are a collection of copies from the Old Testament, editions of the Bible, and also copies of the New Testament. It may seem chronological, but Jefferson was well aware that the Qur’an and Islam, as a religion, historically arose after the coming of Jesus and the New Testament. Therefore, the list pointed to an analytical pattern that developed for Jefferson. It was an implication that Islam comes after paganism and the worship of several gods. In that order, Islam is an improvement over polytheism, but ultimately not as advanced as the Christian faith and its scripture.²² Jefferson would have had to have enough information to have formulated this analysis either from his own experiences or by reading or skimming through Sale’s preface. This placement establishes a certain amount of knowledge and conclusion about the Qur’an and Islam to list it in this manner.

An event that further highlights Jefferson’s regards for his library is his reaction to the burning of the congressional library in Washington in 1814 after the invasion of British Army. Jefferson, familiar with the effects and damages of fire, offered his collection for whatever price Congress deemed appropriate with the stipulation that they purchase the entire collection.²³ His personal library had been carefully crafted and he

²² Kevin J. Hayes, "How Thomas Jefferson Read the Qur’ān," *Early American Literature* 39, no. 2 (2004): 247-61. <http://www.jstor.org/stable/25057350>.

²³ “Introduction to Thomas Jefferson's Library”

saw an importance for every single book and made an effort for his collection to stay together. There was a value for Congress to have access to a wide range of books and categories and he did not want them to be selective or browse through which books were unnecessary because this was already a curated version. Congress approved the purchase in 1815 for \$23,950. George Watterson was the Librarian of Congress and he wrote to Jefferson asking what the best way was to organize the books. There were different methods of organizing and cataloguing, but Jefferson wrote back and expressed how he preferred to categorize them by subject based on Bacon's method. He included his own catalogue which actually was a book over one hundred pages listing each book in its proper category, then chapter, then the numerical order, even though they were shelved according to size. When Watterson published the catalogue, he compromised by keeping the chapters but rearranging the books within the chapter to be listed in alphabetical order. Upon seeing this Jefferson was angry and wrote, "The form of the catalogue has been much injured in the publication; for although they have preserved my division into chapters, they have reduced the books in each chapter to alphabetical order, instead of the chronological or analytical arrangements I had given them."²⁴ This irritated him to the point that he had to comment on the great insult and injury the act resulted in. It also confirmed that if the books were not listed chronologically then they were in order of a specific analysis. The emphasis on his catalogue further confirms and supports that the placement of the Qur'an is significant.

George Sale's translation of the Qur'an is noteworthy in its own right among the history of translations of the Qur'an. Its importance heightens the significance of

²⁴ Hayes, "How Thomas Jefferson read the Qur'an," 253.

Jefferson's special order of a copy of Sale's translation. Jefferson's interaction with the physical copy and the manner in which he initialed each book of the two-volume set indicate the amount of care he devoted to the copy. He also carefully picked a position to catalogue the book. For Thomas Jefferson, the edition, the marking of ownership, and position the book would hold on his shelf were all carefully crafted. His ownership of the Qur'an was no accident, and he had to have enough interaction with the text and recognized Islam as a faith in order to place the holy text of Islam in his collection as he did.

Chapter 2: The Enlightenment

Islam and the Enlightenment

Enlightenment philosophy dominated Jefferson's atmosphere. His commitment to crafting an extensive library that holds a breadth of knowledge is an example of adherence to Enlightenment principles. The founding fathers prided themselves on being dedicated to Enlightenment thinking. In *The Enlightenment in America*, Henry F. May observes two main ideas of the Enlightenment in the eighteenth century in America. The first derives from doctrines of Protestantism specifically Calvinistic Protestantism from the sixteenth and seventeenth century Europe that was developed and established mostly in New England. The second group was rooted in seventeenth and eighteenth European ideas.

May is critical of the broad definition of the Enlightenment and attempts to paint the philosophy as one idea that resonated with many scholars across time periods. Certain definitions exclude major scholars and other definitions are too narrow to encompass

individuals with more complex perspectives. He confesses that there are many ways for the Enlightenment to be treated but details his approach as follows:

My book, then, does not deal equally with the two main clusters of ideas influential in early America: the Enlightenment and Protestantism, but rather about the Enlightenment, with Protestantism always in the background as matrix, rival, all, and enemy. It is not about the Enlightenment and religion, but rather about the Enlightenment *as* religion.²⁵

The Enlightenment thus is not a movement in tension with religion, but rather is in a sense its own religious movement. It was a commitment and devotion for many figures of the time. May describes how this resonated at the time stating,

Men of the late eighteenth century, whether they were Calvinists or Arminians, deists or atheists, seldom thought about any branch of human affairs without referring consciously to some general beliefs about the nature of the universe and man's place in it, and about human nature itself. In this sense Jefferson and Paine were as religious as any New England Congregationalist.²⁶

The historical importance of religion in the lives and thought process of various figures of Early America is significant. As May writes, Jefferson is a figure that participated in the experience of the Enlightenment as religion. The concept of religion and Jefferson's exploration of it is a key principle to understanding how the Enlightenment shaped his perspective and approach to different matters.

²⁵ Henry Farnham May, *The Enlightenment in America* (New York: Oxford University Press, 1978), xiii.

²⁶ *Ibid.*, xiv.

Protestantism as a background and foundational shaper of the Enlightenment is important to acknowledge and understand. There are biases that exist in the study of the Enlightenment and May confesses to his own Christian leanings. He references the historian A.J.P. Taylor's comments on Peter Gay's study of the Enlightenment when Taylor notes that the "Enlightenment is still interesting only to those who are still worried about Christianity."²⁷ However, the Enlightenment was also a time of exploration and analysis of classic work. Jefferson is even regarded as an Orientalist as evidenced by his fascination with the Arabic language. Despite Protestantism being the background of this time period, the founding fathers and those in conversation about religious freedoms in America were aware of many other religions. Jefferson himself would go on to cite the Jews, Hindus, Pagans, and Muslims. Whether or not other faiths were prominent or practiced regularly in early America, they did seep into debates regarding religious freedom.

Islam specifically was of relevance to many in conversations concerning religious freedom. Notably Jefferson owned a Qur'an and his interactions and encounters with Islam would progress during his career. My study of Jefferson's relationship with Islam in terms of the Enlightenment may also reveal my own biases as a practicing Muslim. In my education and experiences at museum exhibits and learning about the Enlightenment, Islam was never of any relevance. There is a gap regarding the significance of Islam and other religions deemed as a minority and irrelevant to the social and political climate of the time. As will be seen in the observation of Jefferson and Islam, the faith had a

²⁷ Ibid., xvii.

presence and it is historically significant and an important part of understanding Islam as a part of the Enlightenment philosophy which would later impact legal language.

Ziad Elmarsafy details the complex nature of the Qur'an and the politics of translation in *The Enlightenment Qur'an: The Politics of Translation and the Construction of Islam*. The attitude of the Enlightenment shifted the role of Qur'an translations and even the manners in which they were translated. Elmarsafy writes that the "very possibility of seeing Islam as a legitimate religion (or at least set of laws worthy of respect) grows out of the leveling perspective adopted by the Enlightenment."²⁸ The Enlightenment as religion thus also encompasses Islam and elevates its status to consideration and study by scholars. There was also an understanding of Islam as a set of laws in which Sale's preface would have also been influential in laying out. Elmarsafy continues to comment that.

George Sale turned the argument on its head and made the case that all religions are thereby worthy of serious study instead of polemical dismissal. Furthermore, Sale's repeated description of Muhammad as a legislator on par with Minos and Numa adds further emphasis on the idea that certain aspects of Muslim life and law might usefully be compared to their counterparts in Greece and Rome-and, finally, that the Muslim state is less a monstrous scourge on humanity than a republic that gains from being compared with Rome and Venice.²⁹

The unique approach of Sale underscores the importance of Jefferson owning this specific translation. Jefferson's study and interest in the classics would have made the

²⁸ Elmarsafy, Ziad. *The Enlightenment Qur'an: The Politics of Translation and the Construction of Islam* (Oneworld, 2009), 30.

²⁹ Ibid.

Prophet Muhammad an interesting figure in terms of legislation and leadership rather than as a religious figure. Yet, the images of Muhammad that Jefferson was exposed to were varied and certainly not always positive.

Enlightenment Philosophers

The environment of early America among the founders was heavily inundated with Enlightenment ideas and reference to figures deemed Enlightenment thinkers. Its influence thus seeped into several genres and categories overlapping in all things from religion and ethics to politics and law, but also literature and drama that were highly influential and popular. Peter Gay writes about the Enlightenment and details Thomas Jefferson's influences. He states that Jefferson:

Was notoriously dependent on Europe. Adams' comment, malicious in intent, that Jefferson 'drank freely of the French philosophy, in religion, in science, in politics,' is not so much inaccurate as it is incomplete; Jefferson was open to his Virginian experience and drank as freely from English as he did from French thought, and more freely from English than from French literary models. It is well known that he called Bacon, Newton, and Locke his "trinity of the three greatest men the world had ever seen" – a trinity, we should note, not merely of Europeans, but worshipped by Europeans; it was precisely the trinity adored by Voltaire, d'Alembert, Hume, Lichtenberg, and Kant. Jefferson was, like the British *philosophes*, a Francophile; and he was, like the French and German *philosophes*, an Anglomaniac.³⁰

³⁰ Peter Gay, "Enlightenment," in: *Comparative Approach to American History*, ed. C. Vann. Woodward. (New York: Oxford University Press, 1997), 4-5.

The influences on Jefferson's ideologies and identification as an Enlightenment thinker are complex. The impact of these various figures on Jefferson is seen in his reference to them in his writing. Their various works and ideas would have been well known to him and studied. Among the material he was exposed to was how these men discussed Islam. One important figure is Voltaire and his public usage of Islam as a tool of expression.

Voltaire, like Jefferson, owned a copy of Sale's translation of the Qur'an that he acquired around 1738, which as mentioned earlier he ironically described as an evil but beautiful rendition.³¹ One of Voltaire's tendencies as a philosopher was to advocate for freedom; another was to attack the Catholic Church. A way in which he did this was through his play *Le Fanatisme, ou Mahomet le Prophète*. The play is set during Islam's founding era, but it does not follow any historical events and included fictional characters. It was performed in Paris in 1742 and hit London the same year and again in 1776. In the play Islam was a tool to critique the Catholic Church and avoid the censorship. His play was eventually banned for some time. However, it is important to note that although Voltaire is a well-known figure and influenced Jefferson and many other scholars and philosophers, his message was not always gracious to all people and all faiths. The play gained popularity despite it being halted for some time and was translated.

The play's influence spanned across different countries and reached several leaders. Even Napoleon years later was exposed to the play and commented on the criticism of Mohammad stating:

³¹ Spellberg, *Thomas Jefferson's Qur'an*, 29.

Voltaire in the character and conduct of his hero, has departed both from nature and history. He has degraded Mahomet, by making him descend to the lowest intrigues. He has represented a great man, who changed the face of the world, acting like a scoundrel, worthy of the gallows. He has no less absurdly travestied the character of Omar, which he has drawn like that of a cut-throat in a melodrama. Voltaire committed a fundamental error in attributing to intrigue that which was solely the result of opinion. Those who have wrought great changes in the world never succeeded by gaining over chiefs, but always by exciting the multitude. The first is the resource of intrigue, and produces only secondary results: the second is the resort of genius, and transforms the face of the universe!³²

Napoleon continues to say that there was more than fanaticism to Mohammad because it was a miracle to conquer and gain momentum around the world starting from the desert in just a span of fifty or sixty years. If it were fanaticism it would have ended after the death of Mohammad. Yet, despite this, Napoleon expresses amazement at how people continue to adapt Voltaire's drama for readings.³³ It is important to note dramas and literature were one of the ways in which Islam was presented and expressed; Orientalism played a heavy role in the spread of certain perceptions of Islam. Edward Said popularized this notion in his work, *Orientalism*; Voltaire's work is a key example of the sentiments Said explains.

³² *Emmanuel-Auguste-Dieudonné Comte De Las Cases, Memoirs of the Life, Exile, and Conversations of the Emperor Napoleon*, 44 vols. (New York: Redfield, 1855), 2:94. <https://books.google.com/books?id=5XUuAAAAMAAJ&pg=PA94#v=onepage&q&f=false>

³³ *Ibid*, 2: 95.

Regardless of the fact that Voltaire used Islam as a tool, the denigration of the faith happened in the process and was not seen as something concerning; it was accepted by most as common and a casualty of the cause. Napoleon is not remembered for his inclusivity or pacifism, yet here he recognized the faults in Voltaire's drama compared to the historical account of Mohammad's great leadership and honest character. Jefferson like Voltaire, Napoleon, and other historical figures had complex views and acted in ways that were at times hypocritical or diverged from their usual rhetoric. This is played out in Jefferson's view on religion, as we will see specifically with the example of Islam. Through his interactions with readings as well as political events, Islam played a role in his life and politics that is not linear. The definition of religion, as Jefferson understood it, can be expressed by the chapter in his catalogue dedicated to religion; the number of different religious holy texts and ancient texts he listed there expresses his classification of the subject. The time he dedicated to religion suggests its importance regardless of what shape or form religion ultimately took in his personal life.

Jefferson's exploration and tensions with religion lead scholars' to categorize him as a Deist. The practice of Deism eliminates all traces of anything supernatural or which seems to defy reason or logic. There is a belief in a supreme being but one who does not intervene in the universe or with humans. Henry F. May explains one concept of Enlightenment thinking as a "curious idea of an immortal but material soul [that] was to have an important career in America: Thomas Jefferson would pick it up from Joseph Priestly."³⁴ Jefferson was influenced by Priestly and read his two-volume *An History of the Corruptions of Christianity* where Priestley argues that Jesus never claimed to be a

³⁴ May, *The Enlightenment in America*, 9.

member of the godhead; rather, God showed his favor of Jesus by performing miracles through him. Jesus was a moral teacher, but worship belongs to one God. Jefferson was convinced by his arguments; however, he still found faults in the assertion of miracles because they violated nature.

Gerald R. McDermott discusses Jefferson's critiques of Christianity in his article "The Eighteenth-Century American Culture War: Thomas Jefferson and Jonathan Edwards on Religion and the Religions." McDermott comments on Priestley's impact stating:

Jefferson was persuaded by Priestley that Jesus was indeed sent by God for a special work, but he rejected Priestley's belief in miracles and the resurrection since these would violate the laws of nature, which he knew to be uniform. He was also inspired to launch his own quest for the historical Jesus – or, as he put it, "The Philosophy of Jesus." With remarkable self-confidence, Jefferson separated Jesus' authentic words and deeds from what he considered both the innocent mistakes and deliberate deceptions committed by the "groveling [gospel] authors." A one-man precursor to the Jesus Seminar, Jefferson declared, "I separate therefore the gold from the dross; restore to him the former, and leave the latter to the stupidity of some, and roguery of others of his disciples." The true passages were "as easily distinguishable as diamonds in a dunghill."³⁵

The process of refining the Bible resulted in what is today known as *Jefferson's Bible*. He physically and painstakingly cutout parts of the Bible he found unnecessary. The cuts are

³⁵ Gerald R. McDermott, "The Eighteenth-Century American Culture War: Thomas Jefferson and Jonathan Edwards on Religion and the Religions." *Litteraria Pragensia*, 15, no. 29 (2005): 52.

very neat and exact, sometimes taking out whole sections in the middle of a page. That Jefferson went through this arduous process is evidence that he did not agree with the Bible fully, but also that he recognized its significance to the extent that he was invested enough to read it and make these edits. Jefferson did not merely dismiss the text or religion; he saw a place for it, however refined or curated it may be.

One of the most noteworthy traits of Jefferson was his conviction in his beliefs and thoughts. He was married to the idea that all who could recognize it would adopt the truth that would assert itself with its own validity and accord. In Jefferson's mind the height of ideas had come with the Enlightenment and this ultimate mindset would dominate America. The extent of his determination was described by McDermott as a man who was:

Convinced that this proto-Unitarianism would gradually displace traditional Christianity in America. In 1822 he predicted: "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."³⁶

Despite Jefferson's inaccurate predictions, it points to his unwavering belief that he had the proper outlook in life. To Jefferson it was a simple matter of common sense that everyone would adopt these ideas because they are clearly supreme. He held his own views and beliefs, but was confident that "Truth is great and will prevail if left to

³⁶ McDermott, "The Eighteenth-Century American Culture War," 53-54.

herself.”³⁷ This mentality is established in his language on law and his interactions. Despite personal determinations or beliefs, Jefferson would always hold that everyone has the right to choose and practice their own faith or ideas.

The study and analysis of the Bible is evidence of Jefferson’s rejection of Orthodox Christianity. He was firm in the beliefs about Christianity that he eventually formulated and concluded based on his own readings and analysis of various material and the Bible. May highlights in his study the personal tendencies of Jefferson regarding religion; he writes of Jefferson as: “in almost all his discussions of religion with his friends he asks for confidentiality. This was not alone a matter of prudence; he sincerely believed that religion should be a private matter.”³⁸ This is crucial to Jefferson’s arguments and legal writings for religious freedom that will be explored in the next chapter. The privatization of religion allows for the introduction of other religions into the landscape of America including Islam.

The introduction of religion into legal language would rely heavily on Jefferson’s understanding of natural law. Writers of the eighteenth-century like Vattel made clear that the purpose of natural law was to understand the laws of human constitution. Natural law was the foundation for a language that would theoretically allow universal recognition and understanding.³⁹ The theory of natural law is essentially a basic idea to ensure basic human rights that span over time and across all societies. Jefferson was devoted to this concept and would go back to this basic principle for the foundation of his laws. Ultimately, the concept of natural law and Enlightenment ideas fueled Jefferson’s

³⁷ Ibid., 54.

³⁸ May, *The Enlightenment in America*, 295.

³⁹ Jay Fliegelman, *Declaring Independence: Jefferson, Natural Language & the Culture of Performance* (ACLS History E-Book Project, 2005).

insistence for religious inclusion and not an overwhelming sense of wanting to build bridges between communities or foster diversity.

Chapter 3: Islam in International Relations and Law

Barbary States

Morocco was the first country to recognize America's independence in 1778. During the time, the government did not respond to the gesture with an envoy or attempt to establish a treaty of peace; the relationship between the two countries was set to a rocky start. A few years later in 1784, still no treaty established, Moroccan pirates captured the American merchant ship *Betsey*. The ruler of Morocco at the time was Sultan Muhammad ibn Abd Allah and he ruled from 1757 to 1790. Jefferson's attitude at the time was that the delay of the treaty was only due to "unlucky incidents," but he had his reservations about a treaty. In private letters he expressed how a treaty or negotiations would weaken the status of America and demote its standing in the eyes of the pirates and European countries. The American prisoners from *Betsey* were released in August of 1785 as a gesture of goodwill before a treaty was established. At that point it was the only vessel captured by any of the Barbary States. Yet, this was the beginning of Jefferson's interactions with Morocco and the other Barbary states. Between 1784 and 1816, North African States would capture a total of thirty-six merchant ships and one American naval vessel.⁴⁰ The interactions and private correspondence reveal a time in Jefferson's life when he was actively politically engaged with Muslim rulers and people.

⁴⁰ Spellberg, *Thomas Jefferson's Qur'an*, 133.

In 1784, Jefferson was a plenipotentiary in Paris tasked with establishing the terms of peace and commerce with the Ottoman Empire, the North African states of Tripoli, Tunis, Algiers, and Morocco and sixteen other European countries. The following year Jefferson sent John Adams a draft for the treaty with the Barbary States, which in America and Europe categorized the four countries, Morocco, Algiers, Tunis, and Tripoli. In the treaty he used the notes of Benjamin Franklin; “A Treaty of Amity and Commerce” was exhaustive including twenty-nine articles more than the majority of other treaties in the eighteenth century.⁴¹ Throughout the process of negotiating and engaging with the countries abroad Adams and Jefferson had different approaches and perspectives on how the situation should be handled. Adams believed it would be best to pay the amount requested and achieve peace following the procedure of most other countries and their dealings with the Barbary States. On the other hand, Jefferson leaned toward a military response and felt strongly that America should not fall for piratical extortion.⁴² In 1785, he commented, “The question is whether their peace or war will be cheapest? But it is a question which should be addressed to our Honour as well as our Avarice?”⁴³ It was an economic issue, but for Jefferson the political stance and reputation of the nation weighed heavily in his decision as well. The historian Bernard Bailyn remarked on the contradictory behavior of Jefferson as a “pacifist in principle,” but who “argued for a retributive war against the piratical Barbary states.”⁴⁴ In fact Adams, had calculated that peace, although expensive and requiring a raise in taxes, would be much cheaper in comparison to a war that would annually cost ten times as much. Jefferson had

⁴¹ Spellberg, *Thomas Jefferson's Qur'an*, 134.

⁴² *Ibid.*, 125.

⁴³ *Ibid.*, 133.

⁴⁴ *Ibid.*, 136.

a bigger picture in his mind and saw the situation as the perfect opportunity for growth and establishing America as a great power.

Publicly, Jefferson and Adams needed to stand together but privately Jefferson expressed to Adams his opposition to paying for peace and his preference for war.⁴⁵ He argued against the European precedent of agreed payment for peace:

Surely our people will not give this. Would it not be better to offer them an equal treaty. If they refuse, why not go to war with them? Spain, Portugal, Naples and Venice are now at war with them. Every part of the Mediterranean therefore would offer us friendly ports. We ought to begin a naval power, if we mean to carry on our own commerce. Can we begin it on a more honourable occasion or with a weaker foe? I am of the opinion Paul Jones with half a dozen frigates would totally destroy their commerce; not by attempting bombardments as the Mediterranean states used to do, wherein they act against the whole Barbary force brought to a point, but by constant cruising and cutting them to pieces [sic] by piecemeal [sic].⁴⁶

When it came to terms of rhetoric and supporting the cause for war he used honor as a tactic, but the motive was clearly also a power move. Jefferson stuck to this plan and on May 5, 1801 Jefferson as President with his cabinet voted to send a squadron of four vessels to the Mediterranean. By 1803 the number grew to seven vessels patrolling. During this time of tensions with these countries one of Jefferson's tactics was to send the diplomat William Eaton for negotiations with Ahmed Qaramalnli, also known as

⁴⁵ Spellberg, *Thomas Jefferson's Qur'an*, 151.

⁴⁶ *Ibid.*, 137.

“Hamet,” who was Tripoli’s ruler.⁴⁷ Eaton wanted a strict and more aggressive foreign policy and commented on the situation “that millennium was to usher upon us as the irresistible consequence of the goodness of heart, integrity of mind, and correctness of disposition of Mr. Jefferson. All nations, even pirates and savages, were to be moved by his influence of his persuasive virtue and masterly skill of diplomacy.”⁴⁸ Although he expressed frustration, he clearly admired Jefferson’s abilities and recognized his effective demeanor. Here is an instance of Jefferson’s complexities and his public versus private display. As a politician and a leader he had reason and cause for not simply agreeing to pay for peace and to not follow the precedent. Through his private letters and interactions with Adams, however, it was clear his intention was for gain, and he saw the opportunity for America as a naval power from his days in Paris and carried it out as President. The navy became his main focus politically. The interactions, approach, and language he used along the way revealed his focus or lack of focus on religion and how it related to matters of law.

Essential to Jefferson’s approach to policy are the laws of nature. To Tsar Alexander of Russia in 1803 Jefferson wrote, “The Barbarians habitual violations of the laws of nature had forced the United States into waging that war.”⁴⁹ The description of the Barbary States as “barbarians” emphasizes his view of them as lawless in comparison to the United States. The goal for Jefferson was to build an international system heavily rooted in European Enlightenment ideas specifically the concept of natural-law. The

⁴⁷ Ibid., 214-15.

⁴⁸ Mark Kennedy Gallimore, "Thomas Jefferson, the "Barbary Pirates" and the Law of Nations" (2003). Theses and Dissertations. 787. 2.
<https://preserve.lehigh.edu/etd/787>

⁴⁹ Ibid., 3.

various Mediterranean States did not always agree with Jefferson's definition of international justice. Ultimately a war occurred, although never officially declared by Congress. As Mark Gallimore writes in his dissertation, "Thomas Jefferson, the 'Barbary Pirates' and the Law of Nations," "Jefferson was proved right in his suspicion that force would be necessary to achieve his objectives in North Africa perhaps speaks less to Barbary's uncompromising nature, than to his own."⁵⁰ Years before his presidency he had his eye set on building a navy regardless of cost. As we see in his language he did not hail these people or see them as equal. Despite this lack of respect he did acknowledge that the country deserved the same right and wanted to essentially force them into his belief system of free waters. For him along with the politics came an assertion of moral principle and some historians have missed the complexity of Jefferson's ideology and have seen only pragmatism instead.⁵¹ In order for Jefferson to affirm and lead this new nation as he imagined, countries abroad also had to abide by his understanding of laws and trade. Jefferson attempted to force the Barbary States into recognizing and respecting America's rights as they chose to define international rights and laws. Yet, Jefferson did not respect the years of traditions and their own interpretation of rights the countries had understood and followed for years. The goal for Jefferson was to push the agenda of a navy citing protecting from hostile country when in reality, America as a new nation was being very aggressive. The laws of nature were so central to his philosophy that it guided his actions and approaches more than any other ideology.

⁵⁰ Gallimore, "Thomas Jefferson, the "Barbary Pirates" and the Law of Nations," 4.

⁵¹ Ibid., 9.

For Jefferson, natural law was a revered guide to the proper manner in which to lead a nation and achieve ideal results. In one letter to Edmond Genet, the minister of France, Jefferson wrote:

It will be acknowledged that you have never troubled us with quotations from Grot[ius],. Puff[endorf],. Vattel or any other authority antient or recent. Had you endeavored to learn from these respected authors what the rest of the world have thought of the different positions you have thought proper to advance, you would have found them entirely against you. Nor could indeed any other authority be quoted for them but the exalted source from whence they have flowed. Those who have not right on their side sometimes think they save appearances by resorting to ridicule. But men of sense reason while others are contented to laugh.⁵²

Here Jefferson acknowledges authors like Grotius, Pufendorf and Vattel who write on the law of nations. He is even critical that Genet has not mentioned them because for Jefferson these authors' works are strong and reputable; so clearly for Jefferson citing them strengthens an argument and ignoring them warrants criticism of the argument.

As a law student, Jefferson read and became very familiar with Freiherr Von Pufendorf's *Of the Law and Nature and Nations*. He cited this work frequently and no other source was referenced as often in Jefferson's legal writings.⁵³ Pufendorf in his work reflects a certain prejudice against Islam, which was common to the era. However, he still referenced the Qur'an for precedents on a variety of topics including murder, theft, marriage, the laws of succession, validity of war and more. Jefferson also read Vattel,

⁵² "Founders Online: From Thomas Jefferson to Edmond Charles Genet, [15–22 November ...]" National Archives and Records Administration, National Archives and Records Administration, founders.archives.gov/documents/Jefferson/01-27-02-0344.

⁵³ Hayes, "How Thomas Jefferson read the Qur'an," 248.

who argued that there are both imperfect and perfect obligations between states. Those that are imperfect are not mandatory and are not just causes for war if violated. On the other hand perfect obligations such as respect for sovereignty need to be upheld. Treaties can make imperfect obligations perfect and in those cases violations can be a cause of war. Essentially he argued for an enlightened system based on mutual respect instead of a hierarchy between different states.⁵⁴

In this case, Morocco was one of the first nations to respect the sovereignty of the newly founded American nation. Although Jefferson and other leaders may have seen the capture of *Betsey* as an infringement of their sovereignty, the precedent in Morocco's viewpoint was for payment to be made as other countries have respected and adhered to. Vattel wrote that in diplomacy "natural law is the sole rule of treaties in nations; religious differences are entirely foreign to them. Nations treat with one another as bodies of men and not as Christians or Mohammedans." At the same time, he also did assert that if fanatics threatened international order with militant religious war, then they needed to be shut down.⁵⁵

Jefferson viewed natural law as the "head and heart of every rational and honest man," and that it should govern individuals and nations.⁵⁶ The principle for Jefferson was that his ideologies were correct and as a matter of legalities everyone should have rights and be respected. He acknowledged his own personal leanings and indeed was critical of those who did not share the same beliefs, but still attested to their rights to hold whatever beliefs correct or not. As Gallimore asserts, it was not an issue of religion for

⁵⁴ Gallimore, "Thomas Jefferson, the "Barbary Pirates" and the Law of Nations," 23.

⁵⁵ *Ibid.*, 24.

⁵⁶ *Ibid.*, 27

Jefferson but rather in his mind the “war with the Muslim, African Maghrib and Christian, European Great Britain was centered on the same grounds; injuries done to the United States according to the law of nature and of nations.”⁵⁷ Gallimore explains that Jefferson' complex inconsistent judgments “must not mask the fact that Jefferson was not simply attaching moral constructions to each decision he made, but rather was making decisions heavily influenced by a comprehensive ideology summarizes Jefferson’s complex stance. If natural law did not tell Jefferson how to chart his course, it dictated how he read the chart.”⁵⁸ The philosophy was the foundation to his thought process and decision-making in both individual matters and larger national interactions.

In cases of international relations today, a lot of the cultural aspects and differences are constantly highlighted in the media. Politicians and officials comment on the otherness of foreign countries in relation to America. In times of war and conflict those religious difference are also brought into play. In the case of Jefferson, he had a clear political agenda in his relations with the Barbary States. There was a motive for his actions, but his language and rhetoric did not revolve around language concerning religion. Jefferson was concerned with establishing laws for what he deemed a fit system internationally. The benefits or flaws to his political approach aside, he did not involve religion. Yet, today we have cases of decisions being made on the basis of religion and there are questions about a Muslim ban. Jefferson is not the poster figure of character and desire for inclusivity, however his approach to separation of religion and state is notable. His application of natural law divides the personal and the public; which includes the

⁵⁷ Ibid., 35.

⁵⁸ Ibid., 47.

privatizations of religion. Ultimately, Jefferson asserts that ethics and legal philosophies should trump dogma in matters of government.

Slavery

Morality and etiquette with individuals followed the same rules as those with nations as natural law asserts. Despite personal biases or racist tendencies, Jefferson still saw a need for the law to be established with strong language and protections. Jefferson as a human being was complex and so his pronouncements of his stance on religion versus his actions and tendencies do not all line up. His dealings with Islam, the Qur'an, and interactions with the Barbary States are examples of where there were direct and indirect interactions as well as implicit and explicit acknowledgments of religion.

One major aspect of interactions with Muslims is Jefferson's interactions with slaves. By 1774 he owned 187 slaves and the number fluctuated throughout his life. He kept a record of his slaves in his *Farm Book*, which also kept the names of his horses and animals.⁵⁹ This degradation is clear and Jefferson would have been meticulous in his inventory as with his catalogue. He saw these humans as property. With his personal library he saw it best to give it to Congress. And yet during his life he only freed three slaves and five after his death, compared to George Washington who owned three hundred slaves and freed them all in his will.⁶⁰ Takaki explains that although scholarship is expanding as it becomes more evident that the American identity expands well beyond White European descendants, there is a huge lack and fragmentation of history. He

⁵⁹ Spellberg, *Thomas Jefferson's Qur'an*, 121.

⁶⁰ *Ibid.*, 122.

argues for a new angle and a study of America's history from a comparative history and writes:

What men like John Winthrop, Thomas Jefferson, and Andrew Jackson thought as well as did mattered greatly to all of us and was consequential for everyone. A broad range of groups has been selected: African Americans, Asian Americans, Chicanos, Irish, Jews, and Indians. While together they help to explain general patterns in our society each has contributed to the making of the United States.⁶¹

He continues to discuss African Americans as the central minority of American history. The importance of this is often in discussions surrounding the founding fathers or early America, slavery is a footnote or separate discussion entirely. The fact is society does not develop in a way where one history emerges in the absence of the other or that two histories progress with no impact on one another. Rather slavery is an essential part and dynamic to people's lives. Slaves, despite being disregarded and treated like cattle at times, were human beings who had very active roles in the day-to-day activities and lives of individuals like Jefferson. Yet, the people who were slaves and their stories, although not always known, are continuously pushed to the side as if the people of the time also disregarded them. The lives of slaves were in fact ignored as well as their humanity and their rights, but slaves played major roles in society and interactions.

The erasure of slavery from history is also an erasure of Islam. Many people living in North and West Africa were victims of the slave trade. People living in those regions were most likely Muslim and were brought to the "New World" in chains. In America there was an attempt to disassociate the people from Africa from any association

⁶¹ Ronald Takaki, *A Different Mirror: A History of Multicultural America* (New York: Back Bay Books, 2008), 7.

with their country and home. It is often known as de-Africanization or de-negrofication and Muslims also faced de-Islamicization. The process of de-Islamicization often included conversions to Christianity and many complied hoping for better conditions.⁶² Many enslaved Muslims were literate and could read and write Arabic. This became diplomatically valuable during the United States' interactions with the Barbary States. One slave 'Abdul Rahman's letter in Arabic was sent and shown to the Pasha of the Moroccan ruler who later wanted him to be freed. John Adam's administration would be criticized for using 'Abdul Rahman as a tool but nonetheless here was an African Muslim who was well known and utilized by the government in foreign relations.⁶³

The debates and fight for freedoms and rights was the core of the founding father's lives and mission. There is a gap in defending the rights of those who were enslaved. Even politically, today we are facing the reality that the definition of the freedom of "all people" has historically been a protection of white males and needs to continue to progress to encompass all human beings. Jefferson owned slaves and even commented on the inferiority of black people to white people in his *Notes on the State of Virginia*. Despite his participation in slavery and racism, he did make legal attempts against slavery. In different letters and writings he would call the system of slavery a "moral depravity" and a "hideous blot." He believed that it did indeed go against the concepts of the laws of nature that asserted the right to personal liberty. Jefferson even recognized that slavery presented the greatest threat to the survival of the new American

⁶² Kambiz Ghanea Bassiri, *A History of Islam in America: from the New World to the New World Order* (Cambridge: Cambridge University Press, 2011), 28.

⁶³ *Ibid.*, 26.

nation.⁶⁴ He saw it as a violation of natural law, but ultimately an issue that could divide the country.

In support of abolition, Jefferson was active in legislatively. In 1778 he drafted a law for Virginia that would prohibit the importation of enslaved African people. Later in 1784 he would also propose an ordinance that would ban slavery in the Northwest Territories. Jefferson had a process and steps to abolish slavery detailed by the Thomas Jefferson foundation as follows:

First, the transatlantic slave trade would be abolished. Second, slaveowners would “improve” slavery’s most violent features, by bettering (Jefferson used the term “ameliorating”) living conditions and moderating physical punishment. Third, all born into slavery after a certain date would be declared free, followed by total abolition. Like others of his day, he supported the removal of newly freed slaves from the United States.⁶⁵

His plan was a gradual removal of slavery rather than a sudden end to it. Others would use Jefferson’s words and idea to “improve” slavery as a means to continue to hold on to the system instead of eventually ending it. This effort to end slavery was not a humanitarian issue for Jefferson, but rather a necessity to preserve the nation. He wrote that to maintain slavery would be like holding “a wolf by the ear, and we can neither hold him, nor safely let him go.”⁶⁶ Jefferson in fact feared a war that would threaten the union over the issue of slavery; his fear eventually came true during the Civil War.

⁶⁴ “Thomas Jefferson's Monticello.” Thomas Jefferson's Attitudes toward Slavery, Thomas Jefferson, Foundation, Inc, www.monticello.org/site/plantation-and-slavery/thomas-jeffersons-attitudes-toward-slavery.

⁶⁵ Ibid.

⁶⁶ Ibid.

On Jefferson's comments in the *Notes on Virginia*, May comments on Jefferson's realization of "not only the existence of tragic and unresolved paradoxes but even the possibility of divine judgment."⁶⁷ The *Notes of Virginia* state:

What a stupendous, what an incomprehensible machine is man! Who can endure toil, famine, stripes, imprisonment and death itself in vindication of his own liberty, and the next moment be deaf to all those motives whose power supported him thro' his trial, and inflict on his fellow men a bondage, one hour of which is fraught with more misery than ages of that which he rose in rebellion to oppose.

Indeed I tremble for my country when reflect that God is just: that his justice cannot sleep for ever: that considering numbers, nature and natural means only, a revolution of the wheel of fortune, an exchange of situation, is among possible events: that it may become probable by supernatural interference! The Almighty has no attribute which can take sides with us in such a contest.⁶⁸

These notes reaffirm Jefferson's thought process and writing in terms of Enlightenment as religion. He reflects on God, but also invokes him in fear of the stability of the country. The complexities and inconsistencies of Jefferson attest to his human nature. He changes his opinion and focus on abolition during the span of his life; he attempts to run a plantation for self-interest in order to gain profit; and adheres to the overall social norm of the time. Even if briefly, Jefferson does reflect on the circumstances and injustices of human enslavement. His Enlightenment thinking influences how he understands the issue of slavery relative to law and the nation.

⁶⁷ Cited in May, *The Enlightenment in America*, 300.

⁶⁸ Ibid.

Slavery remains one of the biggest injustices that affected generations of people. A comprehensive understanding of slavery and slaves' lives reveal a range of faiths and ways people tried to maintain their faith despite their circumstances. Islam was a part of many people who were enslaved, and to better understand the landscape of Islam in early America, a deeper study of slavery must be considered. Dismissing this would disregard the earliest Muslims in America. An in-depth analysis of its effects and daily interactions of those who were slaves and how they navigating through their society and how they were restricted, would provide a more comprehensive understanding of Jefferson's complex interaction with slavery and his own slaves. This is outside the scope of this paper, but I would be remiss not to address the Muslims living in America who were ignored and robbed of their personhood.

Law

Jefferson began his career as a law student and the study of law is the foundation of his work. One fundamental idea that Jefferson focused on was writing legal language for the establishment of religious freedom. In legal conversations and personal notes he asserts the necessity of this protection in the law. In 1779, Thomas Jefferson drafted a Bill for Establishing Religious Freedom, which is also referred to as the "Statute of Virginia for Religious Freedom". The proposed bill states,

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 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 argument to maintain, their opinions in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities.⁶⁹

And then it continued to secure the right stating, “yet 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 operation, such act will be an infringement of natural right.”⁷⁰ Jefferson protected the rights of people to worship, but also to worship in public. His bill protected people from being attacked when they go to worship and also prevented people from being monitored and forced to attend religious services. The added note that an opposition to the bill will be an “infringement of natural right” further solidified the bill; it asserted both protective and positive rights.

Jefferson wrote the bill in an assertive tone and one that affirmed these rights of people. The Bill for Establishing Religious freedom also stated

our civil rights have no dependence on our religious opinions, any more than our opinions in physics or geometry; that therefore the proscribing any citizen as unworthy the public confidence by laying upon him an incapacity of being called to offices of trust and emolument, unless he professed or renounced this or that religious opinion, is depriving him injuriously of those privileges and advantages to which, in common with his fellow citizens, he has a natural right.⁷¹

⁶⁹ Thomas Jefferson, "A Bill for Establishing Religious Freedom" *Daedalus* 132, no. 3 (2003): 49.

⁷⁰ Ibid.

⁷¹ Ibid.

This reiterates the notion that religion is a private matter that should be of no concern to others. Jefferson noted that labeling a person unfit for public office because of the religion they profess is an injustice, but religion also is not a testament to their ability to hold the position. Jefferson wrote a platform in which the rights and capabilities of people should be on an individual level rather than associated with broad categories or labels. It also established the right for anyone to hold public office and any person of any faith to be president. His language echoes the notions of the natural laws and protects an individual's religious choices regardless of what they may be.

The language of the bill was precise and intentional. Jefferson wanted it to be inclusive and one phrase threatened the overall perspective of the bill. Jefferson wrote in his autobiography,

Where the preamble declares, that coercion is a departure from the plan of the holy author of our religion, an amendment was proposed, by inserting the word "Jesus Christ," so that it should read, "a departure from the plan of Jesus Christ, the holy author of our religion."⁷²

The insertion of the phrase "Jesus Christ," was a threat to the essence of the document for religious toleration. For those who proposed it and others reading it, the bill was a proposal for religious tolerance amongst Christians. The divisions in Christianity were numerous and anxieties and persecution amongst sects arose. The bill would have protected everyone and allowed practice of any denomination. Jefferson, on the other hand, saw the insertion of "Jesus Christ" as problematic. As the author of the document his intent was not to remain within the realms of Christianity when declaring religious

⁷² Spellberg, *Thomas Jefferson's Qur'an*, 118.

freedom. He wanted it to be more inclusive. In commenting on the clause in his autobiography, he continued to state, “the insertion was rejected by a great majority, in proof that they meant to comprehend, within the mantle of its protection, the Jew and the Gentile, the Christian and Mahometan, the Hindoo, and infidel of every denomination.”⁷³ Jefferson was pleased and proud of the fact that the phrase did not stick. It was a vision of progress and one that included people of all faiths. He explicitly stated that the protection of the bill was to encompass Christians, Muslims, Jews, and he even included Hindus and infidels. The attention to the language and the comments in his autobiography pointed to Jefferson’s determination for an all-inclusive bill for religious freedom, not prejudice to any denomination. Infidel was used as a derogatory term, it represented a person following a heretical faith; yet, Jefferson chose to include the term. This emphasized again his comprehension of the laws of nature and people having the right to believe no matter how incorrect others may view it. This event and change in legal language was important enough for Jefferson to include it in his autobiography and comment on the selectivity of the language. The word choice or lack thereof in this case points to legal inclusivity and legal protection. Despite personal beliefs, Jefferson was adamant about all-encompassing legal language.

Jefferson’s word choice and language lay a foundation for his understandings of key concept and philosophies. The *Jefferson Papers* provide us with extensive notes on the various documents and works he has read. Among his notes are comments on John Locke’s works. Jefferson held Locke in high regard, and Locke was one of the top three people that Jefferson admired. One of Jefferson’s papers are the “Notes on Locke and

⁷³ Spellberg, *Thomas Jefferson's Qur'an*, 119.

Shaftesbury” dated October 11th to December 1776. Jefferson took notes on Locke’s *A letter Concerning Toleration* where at one point Locke wrote

Thus if solemn assemblies, observations of festivals, public worship be permitted to any one sort of professors, all these things ought to be permitted to the Presbyterians, Independents, Anabaptists, Arminians, Quakers, and others, with the same liberty. Nay, if we may openly speak the truth, and as becomes one man to another, neither Pagan nor Mahometan, nor Jew, ought to be excluded from the civil rights of the commonwealth because of his religion. The Gospel commands no such thing.

In Jefferson’s personal notes on this passage he wrote

[he] sais ‘neither Pagan nor Mahamedan nor Jew ought to be excluded from the civil rights of the Commonwealth because of his religion.’ shall we suffer a Pagan to deal with us and not suffer him to pray to his god?[wh]y have Xns. been distinguished above all people who have ever lived for persecutions? is it because it is the genius of their religion? no, it’s genius is the reverse, it is the refusing toleration to those of a different one. which has produced all the bustles & wars on account of religion.”⁷⁴

In his abbreviation and annotations, Jefferson ignored Locke’s inclusion of various Christian sects. Jefferson also removes the reasoning that the Gospel is the source of these decisions. Although he agrees with the premise, the method once applied to law lacks the backing of any religious authority. He goes on to interpret the other lines of Locke’s work, making the case that even if there was a religion that was guaranteed to be

⁷⁴ VI. Notes on Locke and Shaftesbury,

correct, the state has no business in forcing them to worship, as no one would accept that situation for himself. It would also lead to problems and war as had happened in the past. Jefferson accepts Locke's theories and conclusions; however, the premise and backing of the philosophies for Jefferson should be rooted in natural law and legal theory, not religion.

In Locke's method of writing he used different sects of Christianity to lead up to the inclusion of Muslims and Jews. On the other hand, Jefferson excluded the sects of Muslims and Jews stand as a representation of encompassing all religions. He went the extra step to include Muslims and Jews and stepped out of the sects of Christianity and thus away from the framework of a faith needing to be specified in order to be protected. Jefferson wanted to be general and broad to point to greater inclusion. Additionally, if other religions that are considered heretical and completely removed from the scope of Christianity can be accepted with equal legal fairness, then the acceptance of differences among Christians should not be problematic. This was a time period when many Christians were being persecuted because of their beliefs and there was a great history of numerous divisions. America was founded by those fleeing religious persecution and by sidestepping divisions in Christianity. By explicitly mentioning Islam Jefferson is setting a landscape that avoids hostile environments and establishes the freedom for any faith.

Jefferson read Locke's work carefully, and, although it contained "inclusive" theories, there were also critiques of Islam and Muslims. In the same document, *A Letter Concerning Toleration*, he wrote

It is ridiculous for any one to profess himself to be a Mahumetan in his Religion, but in every thing else a faithful Subject to a Christian Magistrate, whilst at the

same time he acknowledges himself bound to yield blind obedience to the Mufti of Constantinople; whom himself is intirely obedient to the Ottoman Emperor, and frames the feigned Oracles of the Religion according to his pleasure. But this Mahumetan living among Christians, would yet more apparently renounce their Government, if he acknowledged the same Person to be Head of his Church who is the Supreme Magistrate in the State.⁷⁵

It is clear that Locke had anxieties about Muslim citizens and where their allegiance would lie. This also points to an important misconception. Locke links all Muslims to the Ottoman Emperor and although a great number of Muslims resided under the control of the emperor, there were Muslims around the globe living in various countries with the leadership of different rulers, kings, and other governments. This assumption points to a lack of understanding of Islam and the role of the Ottoman Emperor as a religious figure. Jefferson was familiar with Locke's work and revered him, but he did not express the same anxieties. Instead, in his notes he proposed the situation of "two churches one of Arminians another of <Lutherans> Calvinists in Constantinople. has either any right over the other? will it be said the orthodox one has? every church is to itself orthodox, to others erroneous or heretical."⁷⁶ Jefferson rightly points out that no one viewed his or her own religion as heterodox.

Locke in his work argues whether it would be possible for a country to be tolerant of other faiths, like Islam. He expresses that Catholicism can be tolerable, but Atheism should not be tolerated. Jeremy Waldron in his book, *God, Locke, and Equality: Christian Foundations of John Locke's Political Thought*, explores philosophies of John

⁷⁵ VI. Notes on Locke and Shaftesbury,

⁷⁶ Ibid.

Locke. Waldron believes that Locke's work provides a "well-worked-out a theory of basic equality as we have in the canon of political philosophy." However, his theories are challenging because its foundations are unabashedly religious.⁷⁷ Jefferson recognizes that Locke's work is important and does establish certain freedoms that should be fought for. He also recognizes the foundation and premise in which the arguments are built is faulty because the basis is on a specific Christian framework. Locke wants to divide Church and State; yet, this divide between religion and state is a division of Christianity and State not including any other religions. This leaves room for the State to deem which religions do and do not qualify as tolerable. Jefferson is clearly not writing in the same tone and his life work and education is also a testament to that.

People make the personal choice to follow their faith because they believe it to be the truth. In theory, in all lands and places, personal belief should be a personal choice and freedom as the laws of nature assert. The notes continued from those lines to describe how people are very involved in others' faith. However, if the standard should be the opposite. In the same fashion that everyone ignores a person who neglects their own self-care or estate, the matters of church and religion should be left in the home; ultimately it is for the judgment of God. His stance also diverged from Locke's argument that a Muslim could not also be faithful to the country in which they resided. Jefferson made the case in which religion should be an opinion, a personal matter of the home. The concern of religion should lie with each individual and should not be a concern of the community and certainly not the government. Jefferson's thought process laid the foundation for the fundamentals of religious freedom in the country.

⁷⁷ Jeremy Waldron, *God, Locke, and Equality: Christian Foundations of John Locke's Political Thought* (Cambridge: Cambridge: University Press, 2002)

There is a division in defining religious freedom as toleration versus pluralism. Those conversations shape how legislation should be written. Locke makes it clear that he envisions a space for other faiths, but one that is limited and merely tolerates the different religions. Jefferson on the other hand seeks a larger understanding and division between the States involvement of the religions in a country. Diana Eck Diana L. Eck, a scholar of religious studies who is Professor of Comparative Religion and Indian Studies at Harvard University, explains what defines pluralism. She expresses that it is an engagement with diversity, an active seeking of understanding across lines of difference, an encounter of commitments, and is based on dialogue.⁷⁸ In this definition of pluralism, Jefferson did indeed engage throughout his life with faiths. His library is certainly a testament to an attempt of understanding differences across various culture and religious barriers and even across time periods. Jefferson may have not been pluralistic in the sense that he might not dive into conversations of theology. However, in terms of law and establishing legislation for a diverse nation he certainly engaged in work and writing for a space that would step beyond toleration and include positive rights to set the stage for a pluralistic nation.

The commitment of Jefferson to the Bill for Establishing Religious Freedom and his personal notes of encompassing all faiths all point to his belief in the importance of religious freedom. It is evident that he found this principle central to a government and that it would help prevent a lot of future issues and wars as well as alleviate some of the anxieties and concerns people had to religious persecution. Given the landscape and population of the state the inclusivity was not immediately pertinent outside the

⁷⁸ Diana L. Eck, "What Is Pluralism?" *The Pluralism Project*, Harvard University, 2006, pluralism.org/what-is-pluralism/.

acceptance of Christian branches. Therefore, the laws could be paving the way for a future of a diverse nation but in reality it was established as a law for a model nation. Jefferson did not set out to establish laws or create a utopia where he envisioned people from faiths all over the world living. The goal was not an all-inclusive country; rather, it was to establish a country that would be an example for the rest of the world. He was aware of the unique and revolutionary position him and other founding fathers were in. Jefferson had widely read on matters of law globally, and now could use that knowledge and experience to build a new nation.

Religion was historically an issue of concern that had caused rebellions and wars when citizens could not practice freely and safely. Jefferson was thinking about the big picture, he studied and read extensively because he was aware of the momentous process he was involved in. The legislation he wrote and contemplated was one for a nation that would need to survive different societal changes. In the case of slavery he was aware of its threat to the nation; the same held with religion and the risk of restricting practice. He envisioned a time of people living in America with a diverse and wide range of faiths as trade and immigration increased. Religious freedom to Jefferson was an essential component to the foundation of the nation and to further solidify his commitment to it, his tombstone reads “Author of the Declaration of American Independence of the Statute of Virginia for Religious Freedom and Father of the University of Virginia.”⁷⁹ The importance of religious freedom was something he recognized as being as valuable and great an accomplishment to be written next to his authorship of the Declaration on his tombstone. Religion and the right to practice it freely was a concept he held to the utmost

⁷⁹ Spellberg, *Thomas Jefferson's Qur'an*, 159.

importance his entire life. His reading and understanding of Islam and other faiths outside of Christianity gave him a heightened perspective into global diversity. His engagement abroad with diplomats and exchanges with Barbary leaders, helped him envision a country we would today categorize as pluralistic and not just tolerant.

Echoes in the Qur'an

Beyond inserting Islam in the legal language concerning toleration, Jefferson was interested in the Arabic language. He engaged with the language and attempted to learn Arabic. Among the books Jefferson acquired were *Historie de Timur-Bec* by Yazdi Sharaf al-Din Ali; *History of the Revolt of Ali Bey* by Sauver Lusignan; and the *History of the Present State of the Ottoman Empire* by Paul Rycaut.⁸⁰ His efforts to be more familiar with Islam and Islamic countries and government did not stop there. Samuel Henley was a professor of moral philosophy at William and Mary and an expert Orientalist. He was well known for his translation and annotation of William Beckford's *Vathek*, a gothic novel about an Arabian tale, a history of the Caliph Vathek. His notes on it pointed to his familiarity with Sales' translation but also knowing the Qur'an in its original form. This friendship would have given Jefferson opportunities to gain insight on a wide range of topics and also access to texts. Thomas Jefferson was also interested in poetry and he procured a book titled, *Poeseos Asiaticae Commentariorum*, which was a Latin text by Sir William Jones and also included a critical and historical survey of Arabic, Persian, and Turkish Poetry.⁸¹ There's evidence of Jefferson making an effort to learn Arabic in the ways he used to learn languages as a student. He purchased books on basic Arabic

⁸⁰ Hayes, "How Thomas Jefferson read the Qur'an," 257.

⁸¹ *Ibid.*, 258.

grammar including *Rudimenta Linguae Arabicae* by Thomas Erpensus and *Simplification des Langues Orientales* by C.-F. Volney. The list continued including a copy of a gospel with Arabic and Latin text on opposite pages and Euclid's *Geometry* in Arabic.⁸² It is very interesting that Jefferson acquired all these books and made such an effort to familiarize himself with Arabic in a time when a handful of people, if anyone, in America spoke Arabic as their native language. The Muslim population was nonexistent as far as the government was concerned as the enslaved population was ignored. The main reason may be the interactions with the Barbary States, but even then the Arabic dialect in Morocco greatly differs from standard or Qur'anic Arabic. Nonetheless Jefferson acknowledged the importance of learning Arabic and wanted Americans to have the opportunity to learn it. In the late 1770s Jefferson made an effort when revising the laws of Virginia to actually draft a bill proposing an expansion of the curriculum to include Oriental languages at William and Mary.⁸³ This gesture pointed to a level of attention and care Jefferson gave to the matter. His exposure to the poetry and language would have given him more insight into Islam. It also shows his fascination rather than fear of Islamic associations and culture.

Jefferson's interactions abroad, his understanding of Arabic, and assertion of Islam in legal language are supported by his ownership of Sale's translation. Sale's preface allows for great connections to law. He called Muhammad, "the legislator of the Arabs" and the one who "gave his Arabs the best religion he could, as well as the best laws, preferable, at least, to those of the ancient pagan lawgivers."⁸⁴ This language

⁸² Ibid.

⁸³ Ibid.

⁸⁴ Ibid., 251.

presents the Qur'an as a document that is progressive and advanced for the time period. In the sixth section of the preface was titled "of the Institutions of the Koran in Civil Affairs," Sale begins by comparing Islamic and Jewish law. Through the section he explained the different Islamic laws of inheritance, private contracts, theft, and more. In one section as Sale explains the penalties of theft he writes,

Theft is ordered to be punished by cutting off the offending part, the hand; which, at first sight, seems just enough: but the law of Justinian, forbidding a thief to be maimed, is more reasonable; because stealing being generally the effect of indigence, to cut off that limb would be to deprive him of the means of getting his livelihood in an honest manner.⁸⁵

Under Islamic law and explanations of hadith, there are many restrictions and clarifications to the punishment. In a more general sense, in the 45th verse of Chapter five of the Quran, surat l-maidah, it states

“Wakatabnā AAalayhim feehā anna alnnafsa bialnnafsi waalAAayna bialAAayni waalanfa bialanfi waalothuna bialothuni waalssinna bialssinni waaljurooha qisasun faman tasaddaqa bihi fahuwa kaffaratun lahu waman lam yahkum bima anzala Allahu faolaika humu alththalimoona.”

A modern translation of the verse is,

And We ordained for them in that [Torah]: A life for a life, and an eye for an eye, and a nose for a nose, and an ear for an ear, and a tooth for a tooth, and a [similar] retribution for wounds; but he who shall forgo it out of charity will

⁸⁵ Ibid., 252.

atone thereby for some of his past sins. And they who did not judge in accordance with what God has revealed - they, they are the evildoers!

The translator pointed the reference to the Torah as a part in Exodus pertaining to the harsh Mosaic Law.⁸⁶ George Sale's translation of the verse is,

We have therein commanded them, that *they should give* life for life, * and eye for eye, and nose for nose, and ear for ear, and tooth for tooth; and *that wounds should also be punished* by retaliation: * but whoever should remit it as alms, it *should be accepted as* an atonement for him. And whoso judgeth not according to what GOD hath revealed, they are unjust.⁸⁷

The two asterisks pointed to footnotes Sale included, *m* and *n*. *M* noted that the original word was soul, not life, and *n* states "See Exod. Xxi.24 & c."⁸⁸ Sale's translation was very similar to a more modern translation and also the footnote referenced other religious texts. This allowed Jefferson to see connections between scripture and their conceptions of law. In his career Jefferson revised the laws of Virginia and at one point was thinking of a suitable punishment to crime for the "Bill for Proportioning Crimes and Punishments." In a letter he wrote to a friend about the bill and his ideas for it, Jefferson wrote, "an eye for an eye, and a hand for a hand will exhibit spectacle in execution whose moral effect would be questionable."⁸⁹ Although it cannot be determined for certain the extent of Sale's influence on Jefferson's in this

⁸⁶ "Surah 5. Al-Maida, Ayah 45." Surah 5. Al-Maida, Ayah 45 | Alim.org. Accessed March 30, 2017. [http://www.alim.org/library/quran/ayah/compare/5/45/laws-of-aurat-\(torah\)-and-those-who-do-not-judge-by-the-laws-of-allah,-they-are-unbelievers,-they-are-wrongdoers](http://www.alim.org/library/quran/ayah/compare/5/45/laws-of-aurat-(torah)-and-those-who-do-not-judge-by-the-laws-of-allah,-they-are-unbelievers,-they-are-wrongdoers).

⁸⁷ "The Koran translated by George Sale: Muhammad, 570-632.

⁸⁹ Hayes, "How Thomas Jefferson read the Qur'an." 252.

instance, there are echoes in the language and Jefferson constantly drew from his readings to debate a proper set of laws.

From another set of Jefferson's notes there are further traces of echoes from Sale's translation of the Qur'an. Jefferson wrote:

[co]mpulsion in religion is distinguished peculiarly from compulsion in every other thing. I may grow rich by art I am compelled to follow, I may recover health by medicines I am compelled to take agt. my own judgmt., but I cannot be saved by a worship I disbelieve & abhor."⁹⁰

This line echoes the Quran in Chapter 2, Al-Baqara, verse 256 that states there is no compulsion in religion. The verse reads:

La ikraha fee alddeeni qad tabayyana alrrushdu mina alghayyi faman yakfur bialttaghooti wayumin biAllahi faqadi istamsaka bialAAurwati alwuthqa la infisama laha waAllahu sameeAAun AAaleemun.

The translation is

There shall be no coercion in matters of faith. Distinct has now become the right way from [the way of] error: hence, he who rejects the powers of evil and believes in God has indeed taken hold of a support most unfailing, which shall never give way: for God is all-hearing, all-knowing."⁹¹

The majority of translations use the word "compulsion" instead of "coercion." Sale's translation reads,

⁹⁰ "VI. Notes on Locke and Shaftesbury.

⁹¹ "Surah 2. Al-Baqara, Ayah 256." Surah 2. Al-Baqara, Ayah 256 | Alim.org. Accessed March 30, 2017. <http://www.alim.org/library/quran/ayah/compare/2/256/there-is-no-compulsion-in-religion-and-wali-of-allah-vs-wali-of-shaitan>.

Let there be no violence in religion. * Now is right direction manifestly distinguished from deceit: whoever therefore shall deny Tagut,* and believe in GOD, he shall surely take hold on strong handle, which shall not be broken; GOD is he who heareth and seeth.”⁹²

The footnotes *s* and *t* read as follows, “ This passage was particularly directed to some of Mohammed’s first proselytes, who, having sons that had been brought up in idolatry or Judaism, would oblige them to embrace Mohammedism by force.” Footnote *t* states, “ This word properly signified an idol, or whatever is worshipped besides GOD particularly the two idols of the Meccans, Allat and al Uzza; and also the devil, or any seducer.”

In his writing Jefferson again pointed to religion as a personal matter. No one should be compelled to believe in anything, just as no one should be compelled to take basic measures of necessity like being forced to eat healthy and exercise. Although worshipping God may be the proper thing, specifically worshipping in a Christian sense, it should not be forced. The echoes between the text point to a possibility of Jefferson having read the passage in Sale’s translation. It may or may have not been subconsciously influenced by his prior readings. Alternatively, the reading of Sale could have affirmed Jefferson’s broad experiences. He may have observed that people follow their faith in a way that is personal to them or as a part of their tradition, culture, or given historical or geographical circumstances. Regardless of reasoning no one can be compelled to a faith and to freely practice is a natural right.

⁹² *The Koran*, trans. George Sale. Internet Archive, The Library Shelf, archive.org/stream/TheKoranTranslatedByGeorgeSale/GSale-Quran.

Conclusion

The founding fathers and the legal documents of the United States are a sacred subject to many citizens; nothing ill can be said about the founding of the nation without causing uproar. Other times an analysis or critiques of the foundation of the nation are dismissed because they were all people of their time. Patriotism at times is spiritualized through symbols of the flag and the high regard held for the founding fathers like Jefferson. The historian James Lewis commented “studies that test the decisions of the first two generations of American policymakers against modern standards of ‘realism’, ... have provided only partial insights into the thinking that shaped them at the time.”⁹³ The reality is policy would not be much different today. The attitude and belief that today is inherently better and more progressive falls into the trap of believing the roller coaster is on a constant upward track of progress.

The popular image of the founding fathers is a pristine image of men who were progressive and fought for equality is a comforting but false narrative. Improvements cannot be made if conversations are not had about the nature and truth of the history of the nation as having ups and downs and digressing at points. In the case of Jefferson it is clear that he had faults. His work for religious freedom is key for understanding the space in which it can exist today because he rooted it in political theory and natural law and attempted to divide it from a strict Christian framework. Religious freedom in America can improve and make an adjustment towards pluralism rather than toleration if that perspective is reaffirmed.

⁹³ Gallimore, "Thomas Jefferson, the "Barbary Pirates" and the Law of Nations," 8.

Two years after my trip to “The Art of the Qur'an” exhibit, I found myself again wandering the streets of Washington D.C. I visited the “Religion in Early America” exhibit showcased at the Smithsonian National Museum of American History. On display there in a small room were Torah scrolls, Jefferson’s Bible, and polished prayer beads from people who were enslaved. There were artifacts from various communities that highlighted the diversity in early America; communities the founding fathers were aware of and interacted with. Across the hall from the exhibit was a much larger exhibit that was drawing traffic. It was titled, “Many Voices, One Nation,” and it included a range of past and more recent artifacts from a range of different cultural communities. It included a section of different places of worship; it was colorful and lively and was a testament to how different cultures have flourished and made America their home.

The exhibit, “Many Voices, One Nation,” could not have existed without “Religion in Early America.” Communities have faced hardships and often times still do. The establishments of the protections in the law however assert the right of these communities to practice their religions freely. Regardless of how others may view or personally feel about certain beliefs each person has a right to practice the faith of their choosing. Jefferson upheld certain principles morally and personally and saw certain philosophies as the only truth. However, he still recognized the importance of everyone having the freedom to practice his or her own religion. His legislation did not just secure tolerance, but also positive rights like the freedom to also practice in public and congregate. Religion is a personal affair and this concept was established with an understanding not just of Christianity, but also of Islam, Hinduism, Judaism and even in a protection of those once called “infidels”.

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