

History:

THOMAS JEFFERSON AND THE DANGERS OF THE PAST

After completing his six-volume life of Jefferson, biographer Dumas Malone last summer allowed that he "could not hope to have done full justice to a virtually inexhaustible subject." Indeed, the complicated life and the wide-ranging intellect of America's third President have variously awed, dismayed, and exasperated scholars who try to explain them. Jefferson's ambiguous stand on slavery in his native Virginia, for example, did not conform with his own words on liberty or with the spirit of the Declaration of Independence. Yet this contradiction was only part of Jefferson's ambivalent attitude toward history. Here historian Marcus Cunliffe describes Jefferson's effort to reconcile the past with his revolutionary vision of the new American Republic that he helped to create.

by Marcus Cunliffe

One of Jefferson's most famous propositions, written in Paris in September 1789, was introduced in a letter to his fellow Virginian James Madison. The question he raised was "whether one generation of men has a right to bind another." His answer was an emphatic no: "*the earth belongs in usufruct to the living.*"

Each generation enjoys the use of its property, while alive. The laws of the society may permit such property to be bequeathed to those still living. But, he believed, the survivors have no natural right of inheritance; nor should the dead be allowed to dictate how the inheritance is to be used.

Jefferson then, characteristically, sought to quantify his as-

sersion. He assumed that those reaching 21, the age of maturity, could expect to live for another 34 years. He first supposed that 34 years was the span of a generation. However, he had to reckon with the fact that birth and death formed a continuous stream, and that life expectancy was merely an average figure. Adjusting his arithmetic accordingly, Jefferson argued that "half of those of 21 years and upwards living at any one instant of time will be dead in 18 years 8 months, or say 19 years as the nearest integral number." The real majority span of a generation was therefore 19 years.

Various consequences followed. National debts should be dischargeable within 19 years. Every constitution and every law "naturally expires at the end of 19 years." Copyrights and patents should be valid for that period, and no longer. Could not Madison, as a member of Congress, influence legislation in obedience to this principle?

On the evidence of his correspondence, Jefferson continued to believe that he had hit upon a fundamental truth, highly pertinent to the evolution of the new American republic. In 1816, he restated his theory in a discussion of the need for revision of the Virginia Constitution at regular intervals:

Each generation is as independent of the one preceding, as that was of all which had gone before. It has then, like them, a right to choose for itself the form of government it believes most promotive of its own happiness; . . . and it is for the peace and good of mankind, that a solemn opportunity of doing this every nineteen or twenty years, should be provided by the Constitution.

Jefferson expressed similar views to Thomas Earle (September 24, 1823) and yet again in a long reply to the English radical John Cartwright (June 5, 1824), composed at the age of 81 when he had only two more years to live: "Can one generation bind another, and all others in succession forever? I think not. The Creator has made the earth for the living, not the dead." Though these later letters no longer appeal to precise arithmetic, the essential idea remains—seemingly as a fixed Jeffersonian principle.

Are we entitled to assume that this principle indicates Jefferson's indifference to or even his detestation of past history? Such sentiments have been fostered, at least implicitly, by many an American progressive since Jefferson's day.

Some scholars contend that his doctrine flowed naturally, indeed inevitably, from beliefs Jefferson had cherished ever since he was a young man. Thus, in *A Summary View of the*

Rights of British America (1774), he had insisted that the settlement of the colonies was a labor undertaken by the colonists themselves, without significant aid from or obligation to the mother country; and that the Crown had no genuine title to lands in America, since feudal dues did not obtain there. In his draft Constitution for Virginia (1776), he had sought to abolish primogeniture and entail—old English legal impediments that limited inheritance to the eldest male heir and prevented the dispersal of estates. Laws to this effect were soon passed; Virginia's lead was followed by other states. As Jefferson later informed John Adams, he felt he had "laid the axe to the foot of pseudo-aristocracy," by preventing the dead from impairing the liberties of the living.

Heady Days in Paris

The same concerns seem evident in several comments by Jefferson, especially in 1787, on the healthiness of "a little rebellion, now and then." Societies must continually revivify themselves, by breaking with the status quo. Or, as he told another correspondent, "The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants. It is its natural manure."

Some historians—for example, Staughton Lynd in *Intellectual Origins of American Radicalism* (1968)—stress the socialist tendencies of "the earth belongs to the living," though they concede that Jefferson, like Thomas Paine, did not push leveling theories to the extreme. Nevertheless, Lynd and like-minded historians perceive an alignment, actual or potential, between past-veneration and conservatism on the one hand, and past-repudiation and radicalism on the other hand.

In this context, it is sometimes asserted that "the pursuit of happiness"—the phrase Jefferson chose for his draft of the Declaration of Independence—appealed to him for more than merely stylistic reasons. "Life, liberty, and property" was the common-

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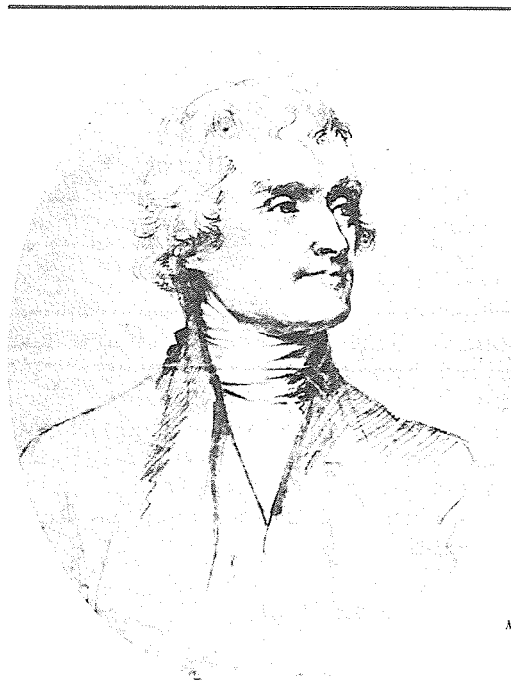
est enumeration of natural rights, made familiar to Americans by the writings of John Locke and others. Subsequent statements by Jefferson show, however, that he usually preferred to regard "property" as a civil or legal rather than a natural right. In *Inventing America: Jefferson's Declaration of Independence* (1978), Garry Wills contends that Jefferson disliked the "possessive individualism" of Locke's 17th-century *Second Treatise of Government*. Jefferson, he thinks, opted instead for the communal values recommended by David Hume and the other Scottish moral rights philosophers of his own century.

Others note the circumstances in which Jefferson composed his 1789 letter to Madison. As a scholar-intellectual, and American minister to France (1784–89), he was intimately associated with reform circles during the heady days of the opening stages of the French Revolution; with Paine, who was also in Paris; and with an English republican, Dr. Richard Gem, who had already formulated the view "that one generation of men in civil society have no right to make acts to bind one another," and had found a receptive listener in Jefferson.

Madison's Tactful Reply

Still others have treated Jefferson as a person of "visionary" opinions, a radical ideologue all too susceptible to the naive hypotheses of Parisian intellectuals. In the aftermath of the French Revolution, John Adams, an American statesman-diplomat who had also served in Europe, listed the *philosophes* Condorcet, Turgot, and Rochefoucauld as characteristic examples of "the profoundest science, most extensive literature, united with total ignorance and palpable darkness in the science of government"—in other words, as learned idiots. Though Adams stopped short of including his friend-adversary in such an indictment, others were less charitable. Jefferson's contemporary opponents portrayed him as a "Galloman" with a reckless trust in the efficacy of revolutions, and with religious ideas verging, like those of the *philosophes*, on atheism. The charge was to be repeated in later decades. President Theodore Roosevelt, for instance, dismissed Jefferson as a sentimentalist with no real understanding of human behavior or strong government.

To such critics, Jefferson's "earth belongs to the living" letter furnishes useful ammunition, especially when set beside Madison's tactful yet firm rejoinder. "Further light," Madison replied to Jefferson, possibly with some irony, "must be added to the Councils of our Country before many truths which are seen through the medium of Philosophy become visible to the



Pencil sketch of Jefferson by Benjamin Latrobe (ca. 1799). The portrait was drawn from life approximately two years before the "Sage of Monticello" became the third President.

Maryland Historical Society, Baltimore.

naked eye of the ordinary politician."

Madison divided the problem of continuity into three aspects: the fundamental constitution, laws not normally subject to repeal, and laws that could be repealed. Under the first heading, he asked whether governments limited in duration would not be dangerously unstable and unpopular. Under the second heading, he pointed out that "*improvements* made by the dead form a debt against the living, who take the benefit of them." The inheritance was not static:

Debts may be incurred with a direct view to the interests of the unborn, as well as of the living. Such are debts for repelling a Conquest, the evils of which descend through many generations. Debts may even be incurred principally for the benefit of posterity. Such, perhaps, is the debt incurred by the United States. In these instances the debts might not be dischargeable within the term of 19 years.

Madison went on to remark that the "*descent of obligations*" is a complex affair: "And all that seems indispensable in stating the

account between the dead and the living, is to see that the debts against the latter do not exceed the advances made by the former."

Under the third heading, Madison invoked the rule of practicality. There would be chaos, he maintained, if the rights of property were to vanish after a period of years. It was necessary to assume that the members of a society gave tacit assent to its government and laws, on the ground that these had been approved by a majority.

Recommending the Ancients

There can be no doubt that Madison had the better of the debate. Jefferson had exposed himself to the charge, frequently leveled by his critics, that he was inconsistent as well as illogical. For instance, two years before his letter to Madison, he claimed that "by the law of nature" Congress was empowered to compel money contributions from the states of the Union, although the Articles of Confederation, the existing instrument of government, did not vest Congress with that authority.

Jefferson was a complicated man. His early education grounded him in the classics. In 1771, he supplied his fellow Virginian Robert Skipwith with a list of books suitable for a private library. His catalogue made generous provision for drama, poetry, and fiction; among novelists, he included Henry Fielding and Laurence Sterne. Nevertheless, he found room among the ancients for Xenophon, Cicero, Livy, Tacitus, Plutarch, and others, together with historical dictionaries and surveys. Half a century later, he was still keenly interested in classical antiquity. In a letter of October 25, 1825, discussing the history curriculum at the new University of Virginia, he recommended the ancient historians "in their originals if understood."

He was more deeply versed in, and engaged by, the presumed lessons of the past than were the majority of his contemporaries. A case in point is his passion for classical architecture, which he was able to indulge during his years in Europe. He fell in love with the old Maison Carrée in Nîmes, a Roman structure that had been restored by Louis XIV, and drew up plans to reproduce its main features for the new Virginia state capitol in Richmond. He described the Maison Carrée as "the most perfect model of ancient architecture remaining on earth," a building that has "obtained the approbation of fifteen or sixteen centuries, and is therefore preferable to any design which might be newly contrived."

Nearer home, Jefferson was fascinated by the prehistory of

the American continent, speculating in his *Notes on the State of Virginia* (1785) on the significance of fossil remains. In the same book and in other writings, he theorized as to the origins and evolution of the American Indians. His aim in the *Notes* was partly to refute those European savants, above all Buffon, who proved to their own satisfaction the inferiority (in size, beauty, energy, etc.) of American flora and fauna, and of the aborigines. As an American patriot, Jefferson insisted upon the antiquity of his hemisphere. The bones of extinct mammoths *proved* that huge animals had formerly inhabited North America. He tentatively suggested that Asia may have been peopled from America, rather than the other way round.

1066 and All That

A comparable blend of antiquarian curiosity and patriotic pride stimulated his interest in the history and language of the Anglo-Saxons. In 1774, Jefferson's *Summary View* had introduced the argument that Anglo-Saxon England was a kind of paradise of democratic freeholders, ruined by the arrival of William of Normandy in 1066, when the "Norman yoke" of aristocratic feudalism was fastened upon the country.

He claimed to have become absorbed in the Anglo-Saxon language as a young student of law in Williamsburg. His enthusiasm survived. He wrote an essay on Anglo-Saxon in 1798, revised it in 1818 as an outline for the study of the language at the University of Virginia, and added a postscript in 1825. His argument was that Anglo-Saxon was a beautiful and flexible tongue, and a truer ancestor than Greek or Latin (or Norman French) of modern English.

Clearly, it is too crude to maintain either that Jefferson sought to obliterate the past or conversely that he was, in his heart, an indiscriminate respecter of tradition. We must seek some sensible middle ground.

One way is to define Jefferson as a figure of the Enlightenment (that larger philosophical movement criticizing the doctrines and institutions of the "Old Regime"), though with certain peculiarly American features.

Not all men of the Enlightenment viewed human history in exactly the same way. They tended, however, to agree on some broad conceptions. For most, human nature remained a constant, though subject to the pressure of environmental factors such as social organization and climate. Despite setbacks, the movement of history was progressive, so that the scholar could trace a gradual improvement in moral and material well-being.

Most believed, too, that admirable eras had alternated with deplorable ones. The civilization of Greece and Rome had as a whole been a great and good age. Subsequently, Europe had retrogressed into a prolonged Dark Age. Secular and sometimes fiercely anticlerical in outlook, the French *philosophes* denounced the obscurantism of the medieval church. Light had begun to return with the Renaissance. Its bright glow bathed the 18th century, "*le siècle des lumières*."

Like his American contemporaries James Madison and Alexander Hamilton, Jefferson shared a number of the enthusiasms and aversions of the European Enlightenment. While he was in France, and for some years in the 1790s, he was in fact, as his political opponents alleged, prejudiced in favor of French notions of reform. Yet, though he had long castigated the British monarchy, he did not urge the overthrow of Louis XVI in the early stages of the French Revolution. To judge from his correspondence, he was in sympathy with those *philosophes* such as Voltaire who upheld the *thèse royale*, according to which the monarchy was the agent of modernization, embodying the hopes and needs of the entire population.

What was "British" rather than "European" in Jefferson's attitude toward the past was his attachment to the Commonwealth or Real Whig doctrines of constitutional liberty. Here lies the significance of his interest in Anglo-Saxondom. Whig reformers in Britain firmly believed that the nation had been democratic before the Norman conquest.

Retaining the Beautiful

So, as we have seen, did Jefferson. In one letter in 1824, though, Jefferson goes on to claim: "Our Revolution commenced on more favorable ground. It presented us an album in which we were free to write what we pleased."

The inconsistencies are understandable, and not serious deficiencies in logic or integrity. We discover from other revolutions that, in the act of repudiating the past, those who proclaim a new order also make certain demands on history. They need to establish a justification for extreme measures, which entails presenting a persuasive analysis of past events. Karl Marx felt impelled in effect to compile a history of the world in order to explain why the future must lead to better things. Revolutionaries try to legitimize the new order by providing a sort of pedigree, complete with a pantheon of heroes and martyrs, a contrasting set of villains, and if possible a historical folklore of bygone golden ages and prophetic achievements. Revolutionar-

ies sense a need too for appropriate new literary and artistic modes. Commonly, however, these turn out to be a compromise with venerable traditions—classical with *neo* as a prefix. Nor of course do political revolutionaries tend to approve of radical aesthetic innovation. Marx and Lenin distrusted *avant-garde* tastes. Confessing his lack of appreciation of “expressionism, futurism, cubism, and other isms,” Lenin urged, “We must retain the beautiful . . . even though it is ‘old’ . . . Why worship the new as the god to be obeyed, just because it is ‘the new’?”

The Unwisdom of the Past

Jefferson, then, did love some aspects of the past. But, like others of his era, he drew upon it selectively. The test was whether its materials were relevant for current purposes. He had little use for Aristotle and even less for Plato, because he believed that they had failed to think deeply enough about first principles. The ancient Greeks “had just ideas of the value of personal liberty, but none at all of the structure . . . best calculated to preserve it,” since they had not (he rather inaccurately held) recognized the possibilities of *representative* democracy. “The introduction of this new principle . . . has rendered useless almost everything written before on the structure of government.”

Jefferson had some of the instincts of an antiquary for whom the past was a rich miscellany of marvels and mysteries. If the American Revolution had never occurred, perhaps he would have been content to exist as a speculative Virginia squire, exchanging information on mammoth bones, Epicureanism, Indian customs and dialects, agriculture, science, the history of English constitutionalism, and so on with congenial savants in America and across the Atlantic. The coming of the Revolution, and his subsequent involvement in the establishment of the American republic, made his speculations more focused and polemic.

The rift with the mother country obliged him to define Americanness. His ideological inheritance was, as we have seen, in the main that of a fairly cosmopolitan British Whig, indoctrinated in some of the standard notions of the Enlightenment. Among these was the view that, under their mixed constitution (king, lords, and commons), the English had achieved a stability and liberty that were the envy of other lands. But Britain had become corrupt beyond redemption and had tyrannical designs upon the American colonies. At first, like other colonists, Jefferson blamed Parliament. His draft of the Declaration of Independ-



Courtesy of The New-York Historical Society, New York City.

Two portraits of Osage warriors by Fevret de Saint-Mémin (ca. 1807), commissioned by Meriweather Lewis. Fearing the extinction of native culture, Jefferson had asked the explorer to collect information on Indian life.

dence shows that by 1776 he had shifted the onus to the crown, in the person of George III, coupled with an indictment of the British people for their acquiescence in the oppression and dishonesty of the royal administration.

In this evolution, we may discern a dual reaction, which to some extent persisted in Jefferson's mind for the rest of his life. On the one hand, he viewed the American Revolution as conservative. His countrymen were restoring constitutionalism to its proper form; they were abiding by principles that the British had neglected and distorted. Hence, his devotion to Anglo-Saxondom. Hence too, his almost bizarre readiness to argue that the English common law, while no longer suitable for America, had been an excellent system until deterioration set in—in the 13th century! His post-1776 commitment to republicanism, and detestation of monarchy, perhaps also was in a way conservative. At the zenith, the classical civilization of the Greeks had been republican; the Americans would recover that glory by removing the latter-day excrescences of monarchy and aristocracy. The American farmer would read Homer. The local

American community would re-enact the democracy of the Anglo-Saxon folk assemblies.

On the other hand, if the Americans stood upon the shoulders of the past, they did so to see further than their ancestors. Indeed, Jefferson thought that—with certain exceptions—during most of human history people had been blindfolded. The wisdom of the past was limited; worse, much of it was fallacious and therefore actively harmful for the new nation. Writing to the English radical, Dr. Joseph Priestley, Jefferson derided the idea that “we are to look backwards instead of forwards for the improvement of the human mind.” In another letter to Priestley, on the day of his inauguration as President of the United States (March 21, 1801), Jefferson exulted: “The great extent of our Republic is new. Its sparse habitation is new. The mighty wave of public opinion which has rolled over it is new.”

Keeping Slaves, Teaching Liberty

Believing this, Jefferson was perturbed to think that most of the theories of the past ran counter to the tenets of American republicanism. He wanted Americans to be educated—a *sine qua non* of representative democracy. But which voices from the past were trustworthy? In 1771, writing to Skipwith, Jefferson could without hesitation recommend the standard works of English literature, including Shakespeare's *King Lear*. After the Revolution, it is hard to find any appreciative references in Jefferson's letters to the acknowledged masters of English fiction and drama. Almost all assumed the rightness and permanence of hereditary social divisions, and the vulgarity of the lower orders. Walt Whitman was to object to Shakespeare's plays on these grounds. Possibly Jefferson also feared the effect of such subtle poisons upon the new America.

In sum, Thomas Jefferson could not altogether shake off the past. Indeed, some portions intrigued and pleased him. Others provided cautionary tales, and so at least negatively were instructive. His “canine appetite” for reading embraced them all. Yet he went further than most of his American contemporaries in his insistence on looking forward instead of backward. The lexicographer Noah Webster, a robust reformer-patriot in the 1780s, later became convinced that Jefferson's future-mindedness, so evident in his letter to Madison, was disastrous: It encouraged irreligion, disobedience among the young, demagoguery, and bad faith in commerce.

We may agree that Jefferson was sometimes injudicious, sometimes too sanguine, and possibly sometimes a little dis-

ingenuous. Attacking inheritance, he was, after all, the inheritor of a sizable landed estate, thanks to the efforts of his forebears. Preaching liberty, he relied on the labor of Negro slaves. His detractors may in some degree have been correct when they alleged that he was at once dogmatic and devious.

America was not in truth able to start afresh on a pristine continent. The American heritage was British and European: Americans were colonists, not aborigines, and their ideas of liberty and resistance had traveled with them, along with other baggage, from across the Atlantic. As invaders and slaveholders, they could not with entire conviction proclaim themselves innocents. As a churchgoing people, increasingly hostile to deism or free thought, they clung to convention more than Jefferson would have liked, but with a vehemence he was forced to recognize. In relation both to Europe and to public opinion in the United States, then, Jefferson inevitably appeared to be somewhat equivocal.

Nevertheless, he remained generally faithful to the principles of his youth. Unlike Webster, he retained his belief in popular democracy. Having once repudiated the creeds of aristocratic Europe, he did not repudiate his repudiation. He surrendered gladly to an ideological imperative. His emphasis on the view that the earth belongs to the living expressed not only a hope that this should be so but a conviction that it *must* be so.

To admit the dominance of the past was to admit the possibility, even the probability, that the American experiment was unsound. Jefferson has been criticized for claiming that Hamilton and his allies in the 1790s wanted to resurrect monarchy in the United States. It is true that they did not. It is also true that they lacked his sure confidence in the viability of representative republicanism. If he had too much confidence in human nature, when liberated from the physical and psychological trammels of the Old World, Jefferson's critics were too grudging, and at least as guilty as he, in the opposite direction, of having patched together a perverse assembly of opinions as to the proper relation between past and present. He did not pretend the past had never existed or was beneath contempt. He did continually insist, with good reason in the American context, that history in America was an open book whose later chapters were still unwritten.