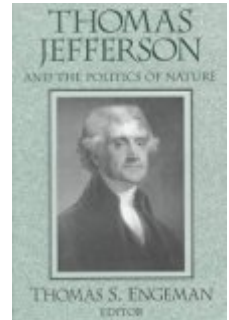


Thomas S. Engeman, ed.. *Thomas Jefferson and the Politics of Nature*. Loyola Topics in Political Philosophy. Notre Dame: University of Notre Dame Press, 1998. ix + 218 pp. \$20.00, paper, ISBN 978-0-268-04211-0.



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The Rights Stuff: Jefferson and American Democracy

Most recent reviews of new books on Thomas Jefferson begin with a comment to the effect that Jefferson and his reputation have fallen on hard times. Judgments about his ownership of slaves, his probable fathering of children by one of them, his support for revolutionary violence, his supposed allegiance to French theory, and his hedonistic lifestyle, while hardly new, have been accompanied in recent years by a revival of the Adams family view of history, most notably in books by Joseph Ellis and David McCullough, in which Jefferson's supposed failings are implicitly or explicitly used to highlight the virtues of the man from Braintree. At issue here are legacies: that of Jefferson, of the other founders, and in turn the question of what sort of America we think they have passed on to us. Jefferson, we are told by some pundits, is no longer relevant for our America, although some are willing to grant the power of a few ringing phrases in the Declaration of Independence. Thomas Engeman, the editor of this collection of essays, thinks otherwise, claim-

ing that from the pantheon of American political leaders, only Jefferson and Lincoln still seem to capture mass attention or affection. He goes on to cite Lincoln's praise of Jefferson, in particular his claim that "I have never had a feeling politically that did not spring from the sentiments embodied in the Declaration of Independence," in order to claim priority for Jefferson as the founder and Lincoln as the renewer of the theory and practice of American democracy.

This claim is elaborated by the keynote essay of the collection, Michael P. Zuckert's "Founder of the Natural Rights Republic," an edited version of Chapters 1 and 7 of his *The Natural Rights Republic: Studies in the Foundation of the American Political Tradition* (Notre Dame: University of Notre Dame Press, 1996). Zuckert sees a coherent belief in the natural rights of the individual at the Jeffersonian core, and his concern is to work out the logic by which Jefferson was able to move from a concern with the psychology of liberty to a larger social and political vision. He offers a more sophisticated version of the liberal, Lockean reading of the Declaration and of Jefferson, arguing for

the priority of individual rights in a uniquely Jeffersonian vision of the republic that implicitly or explicitly rejects competing republican models, be they the classical model described by Pocock, the contemporary model embodied in the revolutionary-era Virginia Constitution, or the Madisonian version more or less embodied in the U.S. Constitution. Zuckert sees Jefferson as able to integrate creatively Madison's concerns for safety, competence, and energy in government in order to set forth in his plan for ward republics a radically democratic version of republicanism. Jefferson's democratic theory is complex, claims Zuckert "because he derives the right to democracy both from an argument of principle and an argument of practice" (p. 51), grounded in egalitarian notions of natural rights and in the right of each individual to exercise proprietary rights in the state that is his (or her?) possession. Zuckert's initial argument for the Declaration's claim for each individual's equal right to enjoy life, liberty, and the pursuit of happiness and a consequent logical necessity to recognize the same rights in all other individuals culminates in his final move to identify Jeffersonian republicanism with democracy and differentiates his reading from more narrowly libertarian/liberal views that focus on the rights of a self-contained individual. While he does not deny the significance of the Scottish moral sense theorists, he works out a Jeffersonian concern for others from within the logical implications of the natural rights claim as based on Locke. At the end, however, we must ask ourselves whether we are being entertained with an image of Jefferson as political philosopher or with a sight of a sophisticated political philosopher working out possibilities contained within a few selected passages cast into a Lockean matrix.

An intellectually coherent Jefferson is crucial for Zuckert's argument that Jefferson is a political philosopher with a powerful legacy. (He does, however, see contemporary American republicanism as a not entirely successful synthesis of Jeffersonian and Madisonian versions that does not fos-

ter the best qualities of either.) Jean Yarbrough's contribution here, "Thomas Jefferson and Republicanism," similarly projects a coherent Jefferson, like Zuckert's a Lockean Jefferson but one more concerned with the duties of citizenship than with natural rights. She differentiates her version of Jefferson by asserting his supposed "appeal to pride in the capacity for self-government," his failure to "unequivocally" state that property is a natural right, and his "appeal to the social as well as the selfish passions" (p. 61). Readers of her *American Virtues: Thomas Jefferson on the Character of a Free People* (Lawrence: University Press of Kansas, 1998) will find her argument familiar since it draws on that volume. Unlike Zuckert, however, who makes a point of trying to read Jefferson's words closely, Yarbrough more often summarizes by telling us "Jefferson believed ..." and providing a footnote citation. Yarbrough's Jefferson thus ultimately seems to contain nearly as much of the thought of Harvey Mansfield, Thomas L. Pangle, and James Q. Wilson as it does of Jefferson himself. Where Zuckert wants to ground Jeffersonian rights in the mere fact of being human, Yarbrough grounds them "in the most permanent and powerful human passions" (p. 74), allowing her to insist on various limits in the name of "rational liberty," which in turn can be defined for us by an intellectual and moral rational elite.

The argument of Garrett Ward Sheldon's "Eclectic Synthesis: Jesus, Aristotle, and Locke" will also be familiar to readers of his previous work on Jefferson. He argues that Jefferson's civic philosophy coherently synthesized Christian, Lockean, and Classical Greek ethical and political world views. His argument for a Christian Jefferson, however, seems dubious in view of Jefferson's constrained notion of what is true in the teachings of Jesus—few Christians would accept a definition of Christianity that did not include the idea of redemption—and pays no attention to Jefferson's ability to announce himself also as an Epicurean. Sheldon, and perhaps Yarbrough as well, makes his version of the moral Jefferson

hang too strongly on a few texts, particularly the 1814 letter to Thomas Law, similar to the ways in which other interpreters spin grand political theories out of the 1816 letter to Samuel Kercheval. Sheldon devotes only a perfunctory page to the influence of Locke and sees his "mature political theory" as shaped by classical sources, likening Jefferson's ward republic to the Greek polis, in contrast to his earlier revolutionary theory derived from Locke. This last turn, as Zuckert later points out, seems to contradict the earlier claim for a coherent Jeffersonian synthesis. More important, this essay tends to make Jefferson merely a passive recipient of previous ideas and not a thinking agent responding to historical contingency.

Michael Dawidoff's "Rhetoric of Democracy" derives from his "Thomas Jefferson as a Man of Letters" in Merrill Peterson's *Jefferson: A Reference Biography* (New York: Scribners, 1986), although it has here been reshaped to address concerns about the Jeffersonian legacy expressed elsewhere in this volume. He quotes Zuckert on Jefferson's own view of his role in writing the Declaration, "Jefferson as scrivener to the American mind—that and only that," effectively to change the frame of reference from Jefferson as political philosopher to Jefferson as provocative and engaging writer. Dawidoff addresses the Jeffersonian character problem by portraying him as an embodiment of American conflicts between principle and interest that are continually being negotiated in language that is situational and contingent. Dawidoff, an historian, is a shrewd interpreter of Jefferson as a literary practitioner, and he offers the closest thing this volume contains to a post-modern Jefferson, a site of language whose conflicts and aporias are his greatest gift to later generations. Jefferson matters less here as an architect of democratic ideas than as a stimulus to democratic thinking and practice.

Robert Booth Fowler's "Mythologies of a Founder" asserts that Jefferson's image both as a

founder and as a person "is in steep decline" (p. 123) and denies any real value or philosophical weight to Jefferson's political thinking, which he sees as fragmented and unoriginal. Jefferson for Fowler is for the most part a gifted writer of other people's ideas. His Jefferson is ultimately an Epicurean pragmatist, taking the easiest way out of any crisis and "warning us away from too much stress on Jefferson as a political thinker" (p. 137). Fowler's essay, unlike some of the others, attempts to respond to Zuckert's argument, but his sweeping dismissal of Jefferson as a political philosopher prevents a full engagement with that argument.

Joyce Appleby's "Economics: The Agrarian Republic" reprints her 1982 *Journal of American History* article, originally titled "Commercial Farming and the 'Agrarian Myth' in the Early Republic." Her portrayal of Jefferson as a capitalist in a different voice supplies an alternative representation of Jefferson as a post-Lockean liberal, thus implicitly supporting Zuckert's political philosophical argument with one more solidly grounded in historical fact.

Missing in all of these essays is any real attempt to come to terms with Jefferson's positions on race and on slavery, and as James W. Ceaser cogently observes in regard to Jefferson's notorious comments on the hierarchy of the races of man in Query XIV of *Notes*, "Any project to revive natural rights that rests on Jefferson as an authority cannot go much further until something is said about this passage" (p. 166). Ceaser's "Natural Rights and Scientific Racism" usefully interrogates Jefferson's attempt to support a fundamentally political claim (after emancipation, blacks need to be moved beyond the reach of whites) with scientific observation and analysis (blacks may be inferior in mind and body to whites). Ceaser contends that many interpreters have assumed that Jefferson's claims for natural rights and his claims for a hierarchy among the races must be in conflict, whereas "Nothing could be clearer from the text

of the *Notes* than that Jefferson holds to the doctrine of natural rights and to the possibility (more likely the probability) of strong differences among the races" (p. 177). According to Ceaser, Jefferson was clearly aware of what appeared to be a tension between the two positions and tried to reconcile them. His attempt to combine natural history and natural rights, however, undermined the political science necessary to support natural rights republics. For Ceaser the problem is not that Jefferson's science was flawed—he thinks it by and large held up to the standards of its time—but that it put natural history in the place of judgment that ought to be occupied by political science and that its introduction of racial hierarchies threatened the cause of a natural rights republic that ought to depend, as Zuckert shows, on "a situation of as-sertable equality" (p. 185). Jefferson's social science putatively based on natural history shifted the terms of discussion of rights from the individual to the group, which reduced the role of consent and contract in government, threatened to displace the political regime with the social group of family or ethnicity, and encouraged "tribal" thinking.

Most of these essays present arguments familiar to readers who have been keeping up with scholarship on Jefferson or on questions of natural rights and citizenship in the early republic, but Ceaser's essay raises a central question for this collection when he makes his final argumentative turn to call for a respect for disciplinary boundaries. The function of political science in his view is to "establish a solid foundation in human reason for a society that promotes the equal rights of individuals" (p. 186), and while it needs to pay attention to conceptions of equality that go beyond natural rights doctrine and arise from other fields, it is "clearly not in a position to dictate what the findings of other fields must be" (p. 187). Ceaser subtly changes the course of the discussion of this book, or perhaps recovers it from drift, by implicitly suggesting that the Jefferson problem is one not so much of facts but of theory and inter-

pretation. While the recent DNA report demonstrates that there is always the possibility of new historical evidence emerging, the facts on Jefferson are pretty much in, an enormous amount of them given his record-keeping habits, and the question before us is what to make of them. Ceaser shows the advantages to be had by considering a topic like race with a political scientist's reasoning, and it is the stronger for not claiming to have discovered an essential Jefferson. Where Dawidoff values the power of Jefferson's ambiguities to make us think harder, Ceaser seems to value the power of disciplinary constraints to generate reasoning about Jefferson from different perspectives.

In a final response Zuckert returns to comment on the essays here, and he sees a crucial difference among them whether they present a coherent or fragmented Jefferson and counts himself among the interpreters of coherence. He makes a good case for a natural rights Jefferson, but his best case for coherence lies perhaps not in a consistent philosophical position but in a psychological continuity driven by the belief that, as Zuckert has it, "Being equal means...that by nature no man is 'subjected to the will or authority of any other man'" (p. 18). Independence on the most basic personal level, liberty, was a central value for Jefferson from the time of his early letter asking the executors of his father's estate to free him from the constraints of childhood to his last written letter. It does not need to be explained in terms of "growth" or "contradictions." It informed his political writings from the Declaration through the Statute on Religious Freedom and the Kentucky Resolutions to his final heartfelt assertion that "the mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately, by the grace of God." That said, however, it is worth noting that the other most successful recent attempt to portray a coherent Jefferson on psychological grounds, Andrew Burstein's *Portrait of a Grieving Optimist*, grounds that coher-

ence not in feelings of independence but of benevolence and sentiment. Zuckert offers hints at how a student of Locke might be led to include thoughts of others into his own moral calculations, and many of those eighteenth-century sentimentalists were also Lockean liberals. The search for a coherent Jefferson may elude us yet until someone can work out a connection between Lockean liberalism and post-Shaftesburian sentimentalism that is stronger than a mere "and also."

The value of this collection lies in its bringing together a set of texts that resonate with each other more or less successfully, although the collection would have been stronger if several of the essays had spoken more directly to what a "politics of nature" might actually look like and how Jefferson's legacy, if there is one, might engage the present moment on some level beyond the continuation of democratic attitudes and impulses. With the exception perhaps of Ceaser's essay, the essays here offer lines of argument and analysis that will be familiar to readers of the contributors' previous work, although for some it might offer a useful introduction. Zuckert's interpretation of what might be made out of Jefferson's thinking about natural rights as a basis for a republican regime is interesting enough, and perhaps sufficiently problematic as well, so that readers might better go directly to his *The Natural Rights Republic*.

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