剑桥政治思想史原著系列（影印本）

CAMBRIDGE TEXTS IN THE HISTORY OF POLITICAL THOUGHT

杰弗逊政治著作选

Jefferson Political Writings

Edited by
JOYCE APPLEBY
and
TERENCE BALL

中国政法大学出版社

THOMAS JEFFERSON

杰弗逊政治著作选

Political Writings

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图书在版编目(CIP)数据

杰弗逊政治著作选/(美)杰弗逊著.—北京:中国政法大学出版社,2003.5

剑桥政治思想史原著系列(影印本)

ISBN 7-5620-2382-4

Ⅰ.杰… Ⅱ.杰… Ⅲ.政治思想史—美国—近代—英文

Ⅳ.D097.124

中国版本图书馆CIP数据核字(2003)第036169号

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书　　名	《杰弗逊政治著作选》
出 版 人	李传敢
经　　销	全国各地新华书店
出版发行	中国政法大学出版社
承　　印	清华大学印刷厂
开　　本	880×1230mm　1/32
印　　张	21.5
版　　本	2003年5月第1版　　2003年5月第1次印刷
书　　号	ISBN 7-5620-2382-4/D·2342
印　　数	0 001-2 000
定　　价	48.00元
社　　址	北京市海淀区西土城路25号　　邮政编码　100088
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Jefferson: Political Writings

Thomas Jefferson (1743–1826) is among the most important and controversial of American political thinkers: his influence (libertarian, democratic, participatory, and agrarian–republican) is still felt today. A prolific writer, Jefferson left 18,000 letters, *Notes on the State of Virginia*, an unfinished *Autobiography*, and numerous other papers. Joyce Appleby and Terence Ball have selected the most important of these for presentation in the *Cambridge Texts* series: Jefferson's views on topics such as revolution, self-government, the role of women, and African-Americans and Native Americans emerge to give a fascinating insight into a man who owned slaves, yet advocated the abolition of slavery. The texts are supported by a concise introduction, suggestions for further reading and short biographies of key figures, all providing invaluable assistance to the student encountering the breadth and richness of Jefferson's thought for the first time.

JOYCE APPLEBY is Professor of History at UCLA, and a former President of the American Historical Association.

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剑桥政治思想史原著系列

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在政治理论领域，“剑桥政治思想史原著系列”作为主要的学生教科丛书，如今已牢固确立了其地位。本丛书旨在使学生能够获得从古希腊到20世纪初期西方政治思想史方面所有最为重要的原著。它囊括了所有著名的经典原著，但与此同时，它又扩展了传统的评价尺度，以便能够纳入范围广泛、不那么出名的作品。而在此之前，这些作品中有许多从未有过现代英文版本可资利用。只要可能，所选原著都会以完整而不删节的形式出版，其中的译作则是专门为本丛书的目的而安排。每一本书都有一个评论性的导言，加上历史年表、生平梗概、进一步阅读指南，以及必要的词汇表和原文注解。本丛书的最终目的是，为西方政治思想的整个发展脉络提供一个清晰的轮廓。

本丛书已出版著作的书目，请查阅书末。

CAMBRIDGE TEXTS IN THE HISTORY OF POLITICAL THOUGHT

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Preface

Thomas Jefferson is surely among the most original, complex, and important of American political thinkers. He wrote the Declaration of Independence, served two terms as President, founded the Library of Congress and the University of Virginia, and was also an architect, inventor, scientist, and – amongst his many other complexities – a slave-owner who advocated the abolition of slavery. There is in American political thought a distinctly "Jeffersonian" strain – "small-l" libertarian, democratic, participatory, and agrarian–republican – that has long locked horns with an alternative "Hamiltonian" vision (nationalist, commercial and credit-based, and relying on a strong central government). This tension, sometimes described as "Main Street *vs.* Wall Street," has been a staple of American political thought for more than two centuries. The purpose of the present volume is to give the former a full and fair hearing by letting its main proponent speak at length for himself.

To edit Jefferson's political writings is no easy task. Indeed it is doubly difficult. First, Jefferson was a prolific writer. His complete *Papers*, edited by Julian P. Boyd *et al.* (Princeton, 1950–), have so far taken up twenty-seven fat volumes, bringing that series up to 1793 with no end in sight – he was to live another thirty-three years, during eight of which he was President of the United States. Second, Jefferson wrote no systematic treatise on politics. While he did have a political philosophy, he did not present it whole, as a more systematic thinker might, but expressed his views in a scattered, unsystematic and piecemeal way in his massive and meandering *Notes on the State of Virginia*, a posthumously published

Autobiography, several of his state papers, some 18,000 letters, and elsewhere.

The selection of Jefferson's political writings presented here includes excerpts from his *Notes on the State of Virginia* as well as a generous sampling of his letters, arranged chronologically and by topic (natural rights, revolution, self-government, civic education, the Constitution and Bill of Rights, slavery, religious liberty and toleration, etc.). The present edition also reprints several of Jefferson's most important public papers, including of course his draft of the Declaration of Independence – a more radical document which differed in several significant respects from the version approved by the Congress.

In our Introduction we have tried – not always successfully, we fear – to deal forthrightly with some of the more troubling aspects of Jefferson's life and thinking, including his views about women, race and slavery. This is not a ritualistic bow to the false god of "political correctness"; it stems instead from a recognition that we do in fact, and perhaps inevitably, view and pass judgment on the past from the perspective of the present – including our own understandings of liberty, justice, and equality. In many respects Jefferson was well ahead of his time; in other ways he was very much a man of his time, with all the partialities and prejudices of his age. To recognize and acknowledge this is not to exonerate Thomas Jefferson, and still less ourselves. Quite the contrary. It is also to recognize that we, too, will be judged by our descendants for faults that we fail to see in ourselves. As Vershinin, in Chekhov's *The Three Sisters*, says:

> The things that seem great, significant, and very important to us now will no more seem to be important with time. It's certainly an interesting fact that we cannot possibly know today what in the future will be considered great and important or just pitiful and ridiculous . . . It is quite likely that our present life, to which we are so reconciled, will in time appear to be odd, uncomfortable, stupid, not particularly clean and perhaps even immoral.

Happily, no white Americans of the present generation own slaves; most abhor the evils of racial and sexual discrimination; but we are not without faults of our own, about which we are at best only dimly aware. One of these, about which future generations

could conceivably and justly complain, concerns our excessive present-mindedness and our corresponding failure to take their well-being into adequate (or any) account. And on this and other scores, perhaps, Jefferson still has something to teach us.

We are much indebted to a number of people, and none more than the editors of the Cambridge Texts series. Quentin Skinner and Raymond Geuss have been characteristically generous with their time and their suggestions for improving the present volume. Richard Fisher, our editor at Cambridge University Press, has been himself, which is to say, unfailingly supportive, enthusiastic, and endlessly patient with our delays. James Farr read an early draft of our Introduction and made many helpful suggestions for improving it. We are differently but no less deeply indebted to our extraordinarily able research assistant, Robert W. T. Martin, for his help in identifying and tracking down sometimes elusive sources, and to Barbara Dagger, Michael Mitchell and John Zumbrunnen for further research assistance. We are also grateful to the librarians at the Library of Congress, the Massachusetts Historical Society, the University of Virginia, and to Lucia C. Stanton and her staff at Monticello for supplying several references and items of information.

Finally, though not least, each of the editors wishes to thank the other for the pleasure of the collaboration.

J.A.
T.B.

Introduction

Thomas Jefferson (1743–1826) wrote no systematic treatise on political theory. And yet there is order and system in his unsystematic observations and reflections as found in his only book, in parliamentary manuals, legislative reports, public addresses, executive orders and a voluminous correspondence consisting of some 18,000 letters. It is from these disparate sources that we must glean his political philosophy. He, like the fox, knew a great many things; but, like the hedgehog, he knew and was guided by one big thing – his unswerving belief that people are by nature, and ought to be by law, free to govern themselves. Everything else is either a means or an obstacle to this single overriding end. Tyrannies deny and virtuous republics promote it; ignorance undermines and education encourages it; censorship obscures and a free press reveals it; invasive government negates and self-rule affirms it – but when all is said and done the truth and value of this end is so obvious as to be "self-evident." Jefferson changed his mind about many things; but on this single point his conviction never wavered.

Life and times

Jefferson was born at Shadwell, in Albemarle County, Virginia, in 1743. His father, Peter, a self-educated man of many talents and interests, made his living as a surveyor, map-maker, and farmer. He was also an amateur scientist and musician who passed his love of these and other interests to his son Tom. His mother, Jane Randolph, was of a higher social station than her husband. Several

members of her family feared that she had married beneath her, but by the time of his death in 1757 Peter Jefferson had allayed all doubts about his prospects for worldly success. He bequeathed to his widow and children a sizeable estate, which included more than sixty slaves. It was, as inheritances go, a decidedly mixed blessing.

Three years after his father's death, Jefferson, at age seventeen, enrolled in the College of William and Mary. There he came under the gentle but demanding tutelage of Dr. William Small, a Scotsman who carried his considerable learning lightly and left a deep impression on his pupil. The young Jefferson, already an able classical scholar, was exposed to new discoveries and developments in physics, chemistry, astronomy and botany. He retained throughout his life a keen interest in the natural sciences. No less interesting were the "moral sciences" of ethics, politics, and jurisprudence. Jefferson was schooled in Scottish "moral sense" theory which held that the sense of right and wrong, of just and unjust, is no less real than the physical senses of sight, touch, smell, taste, and hearing. This view, as we shall see, played an important part in forming Jefferson's democratic political sympathies.

After three years at William and Mary, Jefferson turned to the study of law. To the works of Coke, Blackstone, and other legal scholars were added those of Grotius, Pufendorf and Locke, amongst other political theorists. By the time he was admitted to the bar in 1767 Jefferson's learning in the law and allied areas was both wide and deep. Throughout his life he remained a voracious reader and avid bibliophile.

Jefferson's small but growing legal practice was curtailed by his election to the Virginia House of Burgesses, the colonial state legislature, in 1769. Five years later, in 1774, that body was dissolved by the British authorities for its outspoken protests against the "Coercive Acts" passed by Parliament. The Burgesses reconstituted themselves as a revolutionary convention, transforming Jefferson the politician into Jefferson the revolutionary author and activist. *A Summary View of the Rights of British America*, written to give guidance to members of the convention and later published as a pamphlet, consists of a characteristically Jeffersonian mixture of themes and arguments drawn from the tradition of English constitutionalism and from the theory of natural law and natural right.[1] Although

[1] See *infra*, selection II.1.

A Summary View ended on a conciliatory note, the convention believed the language too strong, the tone too strident, and accordingly declined to adopt it. They did, however, elect Jefferson a delegate to the Second Continental Congress in 1774, then meeting in Philadelphia.

When in the following year Jefferson took his seat in the Continental Congress, the first shots had already been fired at Lexington. Revolution was in the air. Ideas and arguments deemed too radical only a year earlier now seemed more acceptable. The young author of *A Summary View* arrived in Philadelphia with, as John Adams later put it, "a reputation for literature, science, and a happy talent of composition."[2] Recognizing this talent, the Congress gave to Jefferson the delicate and dangerous task of drafting a reply to Lord North's last-ditch efforts to damp down the fires of revolution. His second assignment was to write (with John Dickinson of New Jersey) the *Declaration of the Causes and Necessity of Taking Up Arms*.[3] Neither has any of the conciliatory tone of the *Summary View*. The measured militancy of Jefferson's prose prefigures the language of the Declaration of Independence.

On June 7, 1776 Richard Henry Lee of Virginia introduced a resolution in Congress stating "That these United Colonies are, and of right ought to be, free and independent States, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved." Three days later Congress appointed Jefferson to a committee of five of its most eminent members to draft a declaration of independence. The other four – Benjamin Franklin, John Adams, Roger Sherman, and Robert Livingston – deferred to Jefferson, who set to work immediately and soon produced a first draft modeled in part on the English Declaration of Rights of 1689 and on George Mason's early draft of the Virginia Declaration of Rights. Adams and Franklin suggested several small changes, which Jefferson incorporated along with his own revisions before presenting it to the five-man committee. It was approved without amendment and sent at once to the Congress which, after two days of debate, made various changes – several of them quite substantial – to Jefferson's draft. On July 4, 1776 the duly revised Declaration of Independence was adopted by the Congress.

[2] John Adams to Timothy Pickering, Aug. 22, 1822, repr. in Appendix B *infra*.
[3] See *infra*, II.2.

Jefferson's draft Declaration does not coincide at all points with the Declaration as we now know it.[4] To be sure, the famous phrases are the same, as are the overall design and structure – a statement of general principles followed by a bill of particulars detailing the acts of atrocity and tyranny perpetrated by the Crown, and concluding with a pledge of mutual allegiance and solidarity. But Jefferson's draft Declaration is a more strident and radical document than is the one revised and adopted by Congress. Most radical of all, perhaps, is his denunciation of the slave trade, which was struck out of the version edited and approved by the Congress. Thus the document that begins with a ringing affirmation of liberty and equality remains silent on the subject of slavery – a deafening silence noted with particular relish by British critics. "Why is it that we hear the loudest *yelps* for liberty from the drivers of negroes?" asked Samuel Johnson.[5]

Jefferson's Declaration had to do several things at once. He had first and most obviously to declare America's independence to the world. He also had to state the reasons for America's resorting to revolution, and to ground these reasons in principle and in fact. The principles come first, and the facts follow. These are tied together with a Lockean thread.[6] And, not least, Jefferson's task was the rhetorical one of calling upon his countrymen to come together in the common cause of revolution – to risk life, limb and estate for the sake of liberty. To accomplish this, his prose had to persuade and inspire his audience, many of whom could not read. Many Americans would hear the Declaration read aloud at a coffee-house or tavern, or on a street-corner, or sometimes even from a pulpit. Its striking beginning, its measured cadences, its memorable phrases – all are meant to stir republican passions, to instill civic pride, and to kindle revolutionary ardor. The ideas and principles articulated in the Declaration therefore could not be, and were not,

[4] See the alterations highlighted by TJ in his *Autobiography*; *infra*, II.5.

[5] Samuel Johnson, *Taxation No Tyranny: An Answer to the Resolutions and Addresses of the American Congress* (London, 1775); quoted in James Boswell, *Life of Johnson* (1791; Oxford, 1960), p. 876.

[6] Richard Henry Lee stretched the truth only slightly when he said that the Declaration had been "copied from Locke's treatise on government": TJ to Madison, Aug. 30, 1823; *infra*, II.16. For a systematic comparison of the Declaration and Locke's *Second Treatise of Government*, see Garrett Ward Sheldon, *The Political Philosophy of Thomas Jefferson* (Baltimore, 1991), pp. 46–9.

novel. They formed a distillation and articulation of ideas already widely shared.[7] As Jefferson later wrote,

> the object of the Declaration of Independence [was] not to find out new principles, or new arguments, never before thought of, not merely to say things which had never been said before; but to place before mankind the common sense of the subject, in terms so plain and firm as to command their assent . . . Neither aiming at originality of principle or sentiment, nor yet copied from any particular and previous writing, it was intended to be an expression of the American mind . . . All its authority rests then on the harmonizing sentiments of the day, whether expressed in conversation, in letters, printed essays, or in the elementary books of public right, as Aristotle, Cicero, Locke, Sidney, &c.[8]

But if the ideas were well known and widely shared, it was Jefferson's unique way of shaping and articulating them that gave the Declaration its great rhetorical power and lasting fame. Jefferson's Declaration, along with Paine's *Common Sense* and other rousing pro-revolutionary pamphlets, had the desired effect. Independence was declared. The American Revolution had begun.

During the Revolution, Jefferson served as governor of Virginia and as a delegate to the Continental Congress where his draft of a Northwest Ordinance first suggested banning slavery from the American territories to the west.[9] He also undertook a revision of the state's laws and drafted the Virginia Statute for Religious Freedom.[10] On the whole, however, these were calamitous years for him. A British raid on Richmond forced him to flee on horseback carrying the state's most critical records and stirred up charges of cowardice, not quieted until after a formal inquiry. His beloved wife died in 1782, leaving him a widower with three daughters to raise. Monticello, the estate he had designed and built on one of the rolling hills of the Virginia Piedmont, then became his domestic retreat, and rebuilding and adorning it his solace and most consistent passion.

[7] See Pauline Maier, *American Scripture: The Making of the Declaration of Independence* (New York, 1997),.esp. ch. 2.
[8] TJ to Henry Lee, May 8, 1825; *infra*, II.17.
[9] "Report of Government for the Western Territory," March 22, 1784; *infra*, IX.1.
[10] Jefferson ranked this statute (*infra*, VII.1) as one of his three greatest achievements.

In 1784 Congress appointed Jefferson minister to the court of Louis XVI. For the next four years he fully indulged his tastes for travel, music, literature, architecture, science, and high politics. Naturally gregarious and charming, and a talented violinist and good dancer as well, Jefferson throve in the salons of a Paris teetering on the brink of revolution. Succeeding Benjamin Franklin, he also inherited his friends: Lavoisier, Condorcet, DuPont de Nemours, the Ducs de La Rochefoucauld, and the alluring (and married) Maria Cosway, who prompted Jefferson to pen a poignant colloquy between his head and his heart.[11]

During Jefferson's absence from the United States, his friend and closest political ally, James Madison, spearheaded a movement to replace the wartime Articles of Confederation with a constitution that would rein in the powers of the virtually sovereign thirteen states. Sharing Madison's vision of America's destiny as a continental nation, Jefferson disagreed with those who feared the political awakening of ordinary men which the states' autonomy had fostered. When he heard that an armed band of indebted farmers in western Massachusetts had closed the county courts, Jefferson penned some of his most memorable lines: "The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants. It is it's natural manure."[12] Shays's Rebellion, which fearful conservatives and creditors viewed as part of a larger plot being hatched by democrats and debtors, was seen by Jefferson as a useful purgative of the body politic.

Despite his political foes' attempts to portray him as a lawless radical, Jefferson was in fact deeply committed to the rule of law – at least insofar as it served as a bulwark of the weak against the strong. After receiving the draft Constitution reported out of Philadelphia in 1787, Jefferson noted with dismay its failure to ensure civil liberties. To Madison he confessed his belief "that a bill of rights is what the people are entitled to against every government on earth, general or particular, & what no just government should refuse, or rest on inferences." He then went on to express his reservations about the extended powers created by the Constitution. "I

[11] TJ to Maria Cosway, Oct. 12 1786; *infra*, I.4.

[12] TJ to William Stephens Smith, Nov. 13, 1787; *infra*, II.9. We reproduce TJ's idiosyncratic spelling here and throughout.

own I am not a friend to a very energetic government. It is always oppressive."[13]

During his last days in Paris, Jefferson witnessed the revolutionary actions of 1789 when France's ancient Estates General transformed itself into a modern legislative body. Memories of the Tennis Court Oath, the storming of the Bastille, the abolition of feudal privileges, and the adoption of the Declaration of the Rights of Man and Citizen were still fresh in his mind when he arrived in New York City to take up his new duties as George Washington's Secretary of State. The great desideratum of the Federalists, who had recently shepherded the Constitution through the ratification process, was to preserve the fragile coalition of recently united states, to restore the dignity of government, and to attach the rich and well born firmly to the fledgling nation. Fearful that energetic government meant social oppression, Jefferson responded to this program with dismay. After dining with members of President George Washington's cabinet he wrote, "I cannot describe the wonder and mortification with which the table conversations filled me," going on to note that "Politics were the chief topic, and a preference of kingly over republican government was evidently the favorite sentiment. An apostate I could not be, nor yet a hypocrite; and I found myself, for the most part, the only advocate on the republican side . . ."[14] The chief champion of monarchy, and in Jefferson's view the most contemptible of his fellow cabinet members, was his arch-foe Alexander Hamilton, Washington's Secretary of the Treasury.

Despite the odium attached to political factions, Jefferson in the 1790s began to organize an opposition to the Federalists, which he believed to be "an Anglican monarchical, and aristocratical party."[15] His eye on the presidency, he set out, in league with Madison, to reach the voters directly and convince them that they should exert themselves as a sovereign people. At this crucial juncture news reached the United States that the French had executed the king and established a republic. Jefferson and his followers found in the fury of the French Revolution a confirmation that they were living in a revolutionary age and that the time for change had just begun,

[13] TJ to James Madison, Dec. 20, 1787; *infra*, VI.4.
[14] *Autobiography*; *infra*, VIII.13.
[15] TJ to Philip Mazzei, April 24, 1796; *infra*, VIII.4.

and not ended, as the Federalists so fervently wished. Jefferson's warm and early support of the French Revolution was roundly condemned by his Federalist foes who wished to paint him as a wild-eyed radical who, if elected president, would bring the country to anarchy and ruin.

The presidential election campaign of 1800 was among the most vicious in American history. Jefferson was reviled as a radical, a Jacobin, and an atheist. Undeterred by Federalist vilification, Jefferson and his followers engaged the Federalists in a sustained discussion of the most fundamental questions about democratic government. Public debates swirled around specific measures of the Washington and Adams administrations but the Jeffersonians turned the polemics to the larger theme of social distinctions and their political implications. They mocked the aristocratic pretensions of the Federalists and railed at their elitist contempt for ordinary people. They drew attention to the way that the gentry imposed its values, using tacit understandings among gentlemen to thwart literal readings of such terms as popular sovereignty, public servant, natural rights, and free association. They ridiculed the aristocratic norm of not discussing affairs of state "out of doors" by opening and then dismantling the doors that divided office-holders from electors. And, most decisively of all, they won the hard-fought and hotly contested election of 1800.

As President, Jefferson turned himself into an agent of profound and transformative change in the political forms of the new nation. There were many possible futures for the United States. Jefferson seized on one of them, imposing his will upon the federal government and his spirit upon the American electorate. This self-described enemy of "energetic government" proved to be a most energetic President. An extraordinarily attentive administrator, he eliminated domestic taxes, substantially reduced the national debt, let Federalist programs lapse, and shrank the size of the bureaucracy despite the growth in population and territory. Wishing to exorcise all taint of aristocracy, he removed an entire cohort of young Federalists from civil and military offices. Jefferson hastened the conveyance of national land to ordinary farmers and replaced Federalist formality with a degree of informality in matters of protocol that quite amazed foreign dignitaries.[16] He interpreted the Constitution narrowly and

[16] "Rules of Etiquette [for President Jefferson's White House]"; *infra*, 1.10.