

The Disease of Liberty



Thomas Jefferson, History, & Liberty
A Philosophical Analysis

M. Andrew Holowchak

Series in American History



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To my longtime friend David D.

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Preface

In a letter to Judge Spencer Roane (6 Sept. 1819), Thomas Jefferson writes of “the true principles of the revolution of 1800”: the principles of a second American Revolution. He adds: “That was as real a revolution in the principles of our government as that of 76. was in it’s form; not effected indeed by the sword, as that, but by the rational and peaceable instrument of reform, the suffrage of the people.” The difference between the first and second American Revolutions is stark. The first was a revolution by sword—a sanguinary, years-long uprising with intent to overthrow and success in overthrowing British yoke. The second was a revolution by reason—a willful and peaceable election by the American people of an executive and legislative aiming to place federal power where it belongs: in the people. “the nation, Jefferson adds, “declared it’s will by dismissing functionaries of one principle [Federalists], and electing those of another [Republicans], in the two branches, executive and legislative, submitted to their election.”

Over one year later (26 Dec. 1820), Jefferson writes to Marquis de Lafayette of the advance of liberty throughout the globe.

the light which has been shed on the mind of man thro’ the civilised world, has given it a new direction from which no human power can divert it. the sovereigns of Europe who are wise, or have wise counsellors, see this, and bend to the breeze which blows. the unwise alone, stiffen and meet it’s inevitable crush. the Volcanic rumblings in the bowels of Europe from North to South, seem to threaten a general explosion, and the march of armies into Italy cannot end in a simple march. the disease of liberty is catching: these armies will take it in the South, carry it thence to their own country spread there the infection of revolution & representative government, and raise it’s people from the prone condition of brutes to the erect attitude of man.

Jefferson’s prose is silver-tongued, perhaps overly so—that is, magniloquent. In a flush of excitement, he throws together metaphors of all sorts: light being shed, a blowing breeze, volcanic rumblings, the march of armies, and liberty as a “disease” that infects through revolution and leads to representative government—a contagion that raises prone brutes to erect men.

It is impossible to attempt a biography of Jefferson without saying much about Jefferson’s investment in liberty. No other American figure, perhaps no

other figure, has politically invested so fundamentally, so unremorsefully, so completely in the notion.

Yet that political investment, it is seldom recognized, is essentially a philosophical investment.¹ As a student of history and as a natural scientist, inasmuch as his time would allow for study of nature, Jefferson follows the naturalists and philosophers of his day and makes purchase of the view that there is a natural progression from the tribalism of Native Americans and Africans to civilized living in keeping with advances of human knowledge. That progression is an unfolding or maturation of human liberty—a term, like “gravity,” denoting something invisible and in Newton’s day inexplicable, yet vital and real. Liberty is the movement from the independency of tribal living, a vagarious sort of life without laws and with no efficient use of the land, to the civic liberty guaranteed by communal living in societies or states in which each is equal under the laws, in keeping with humans’ nature, and land is used most efficiently for human wellbeing.

The movement of liberty can be abetted by visionary humans or retarded by recalcitrant humans. Liberty, when unchecked, can go too far. Communal living, as Plato and his disciple Aristotle noted over two millennia ago, unchecked by just laws, can readily avalanche toward the bedlam of radical liberalism and radical equalitarianism, where each person perceives himself to be executor of his own laws.² On the other hand, liberty, when over-checked, cannot go sufficiently far. Communal living with surfeit of laws will choke the civic liberty for which it is intended to provide succor.

Jefferson’s solution to those extremes of unchecked liberty and over-checked liberty is representative government—a concession that not all citizens have the time and talent to legislate, though they do have time and talent to oversee their representatives. Representative government has the added benefit of being workable in a society or state of great expanse of land. In the America of Jefferson’s day, he envisages a federative nation over a large span of land with an executive and legislative, checked by the strictures of the Constitution, and a tenured judiciary, without sole power to interpret the Constitution. There then will be the several states, each sovereign concerning all issues not expressly mentioned in the Constitution, and next, the many counties of each state, each with its own government to oversee its parochial affairs, and the numerous wards of each county, each with powers to direct its affairs. In such a manner, liberty for each citizen can be guaranteed if, at each echelon of

¹ An exception being Adrienne Koch’s *The Philosophy of Thomas Jefferson* (New York: Columbia University Press, 1943).

² Plato’s and Aristotle’s notion of *demokratia*.

government, there are no paternalistic unconstitutional intrusions to its manner of governing by the echelons above it.

What guarantee is there that citizens will take the time to oversee their elected representatives at all echelons of governing?

That, of course, is a hefty problem. John Adams thought that the *hoi polloi* was too uninterested to care, and so his solution was to have checks and balances within the governmental system. The people simply could not be trusted. Jefferson, believing that each person was born with a moral sense that linked him to all others through a proclivity to beneficence, needed no checks and balances, but instead “incentives” to stimulate morally correct action. Those incentives in America included needed political reforms—e.g., riddance of entails and primogeniture, freedom of religion, free presses, and systemic educational reform—to ensure sufficient civic liberty to allow both for self-sufficiency in conduct of, and knowledge to conduct, citizens’ personal affairs and for the needed political space for benevolent actions. Jefferson successfully championed such reforms as a parochial ambassador for liberty in Virginia.

Still, Jefferson was not merely a parochial ambassador for liberty, he was also a global ambassador for liberty. There was inevitability to the spread of liberty, hence, Jefferson’s employment of “disease,” was used harmlessly to connote contagion. The key to contagion was overthrow of authorities like Aristotle and the Catholic Church that shackled people to dogmata, at odds with reality. Once people were shown by experience that their authorities were fallible, because their views were false, it was time to use human reason and the human senses for disclosures about the way nature works. The prize was the republicanizing of the globe—*viz.*, the mating of liberty and reason—and the liquidation of barbarism on it.

For the light of human enlightenment to shine brightest, the partnership of government and sectarian religion needed to be broken—Anglicanism in England and in parts of Colonial America—and in its place, there needed to be partnership of government and science. Hence, educational reforms to advance government of and for the people were essential to accommodate the rapid growth of knowledge at the time. There is today no greater symbol of partnership of knowledge and Jeffersonian republicanism than Jefferson’s crown jewel of University of Virginia: the Rotunda. It occupies the most prominent and privileged position between the two rows of pavilions—a spot where one might have expected a church or chapel to occupy—and its chief function was to be the school’s library.

In this book, thus, I tell the story of Jefferson’s dream of a global community of nations, interacting amicably and peacefully, and held together by their

natural feelings toward each other of benevolence, inspired by a naturalized Christianity.

In the first part, “The Meaning of History,” I focus on the significance of a study and preservation of history, practiced aright, in preparation for critical discussion of Jefferson’s notion of liberty. It has three chapters. Part II’s focus is an explication of how liberty, for Jefferson, has come to be the axial concept driving his political philosophy—how liberty has become hypostatized (a thing, or something real, and not merely a notion or a phlizz). It comprises three chapters. In the last part, I cover Jefferson’s conception of liberty as the dynamic force behind the American Revolution, his “ascendance” to the presidency in 1800—what he calls in 1819 “the revolution of 1800”—his vision of the spread of liberty across the continent, the hemisphere, and, he hoped, even the globe. In the epilog, I proffer discussion of why the lofty vision failed to enroot, even in the United States.

Before ending, readers who are familiar with my work might wonder why I write another book on what essentially concerns Jefferson’s political philosophy, after having written *Thomas Jefferson’s Political Philosophy and the Metaphysics of Utopia*. The reason is this. Since publication of that book in 2017, I have become fascinated, if not ensorcelled, by Jefferson’s almost pathological obsession with “liberty.” Like John Stuart Mill after him, Jefferson recognized the real worth of that meaty concept, and he aimed to tackle the selfsame question with which Mill obsessed in *On Liberty*: How can humans be “free” in any meaningful sense of the word, and yet live as social animals? And so, unlike my 2017 book, the focus of this book concerns Jefferson’s obsession with liberty, which here, I claim, was not merely an inspirational notion, but something *real*. Hence, unlike my 2017 book, this book is essentially philosophical, analytically so.

How can liberty be real? Is the question mere rot?

I wax philosophical here. It is impossible to make sense of Jefferson’s obsession with liberty unless one presumes that liberty for Jefferson is something, in some sense, real—that it is an actual, realizable state of persons and, derivatively, of states, as well as a driving force in nature. The scenario for Jefferson is like that of Aristotle, for whom humans have both formal and final *aitia* (roughly, “causes”). For Aristotle, an axe is, by its formal nature, a chopping thing and it reaches its final nature when it chops. Likewise, for Jefferson, we might say that a human is, by nature, a free animal and he reaches his final nature when he is free—*viz.*, there are no obstacles to him acting in pursuance of his volitions in a social setting.

Liberty, for Jefferson, is as real as virtue, a state of moral being for virtue-ethics theorists for a person, and the particular virtues: e.g., justice, courage, self-

control, generosity, and wisdom. For the ancients and for modern virtue-ethics philosophers, virtue describes a state of an organism that has achieved a sort of moral perfection, or moves asymptotically toward it—a capacity for a human, doing the right thing, at the right time, in the right place, and for the right reason and a disposition that other virtuous persons easily perceive.³ A person, for Aristotle, is generous if and only if he gives what he can give to those in need of just what they need.⁴ In that regard, virtue is comparable to physical health. To say, “Person *P* possesses physical health,” is to say, “Person *P* is in such-and-such an optimal physical state, given his (unique) physical constitution.” One physically healthy is identifiable by robustness, cheeriness, energy, and activity—qualities that other physically healthy people recognize more readily than those physically debilitated. Likewise, to say, “Person *P* possesses virtue,” is to say, “Person *P* is in such-and-such an optimal psychical state, given his (unique) psychical constitution.”

It is the same with liberty—which is, for Jefferson, a state of being, like virtue. There is *personal liberty*, which is the freedom to make and act on choices. To say, “Person *P* possesses personal liberty,” is to say, “Person *P* is in such-and-such an optimal condition, given his (unique) physical constitution, to lead a self-sufficient life.” There is also *civic liberty*. In the civic state, to say, “State *S* possesses civic liberty” is to say, “State *S* is in such-and-such optimal condition to afford all its members to have personal liberty, insofar as circumstances allow.” For Jefferson, there is more than that to the story. The aim of Jeffersonian republicanism is to provide a schema of government, tailored to circumstances, that allows for each citizen, equal in rights, to have optimal personal freedom for the expression of virtue—that is, to create a political milieu in which all persons have the largest possible personal freedom and are incentivized to act virtuously. Civic liberty occurs when a state or society champions basic human rights—such as freedom of religion, freedom of presses, and access to basic education for all citizens—and when it creates avenues for its citizens to act intelligently, honestly, and beneficently, but otherwise refrains from intervention in citizens’ affairs. Civic liberty, like a person’s physical health, is an ideal to be approximated, yet that does not make it, like health, any less real.

³ Aristotle, *Nicomachean Ethics*, trans. H. Rackham (Cambridge: Harvard University Press, 1990), 1106b17–22.

⁴ For the ancient Stoics, virtue was a matter of seeing things as they are, forming corresponding judgments without the intrusion of the passions, and acting accordingly, though they argued that actions were determined. I leave in abeyance the prickly notion of whether virtue can be completely actualized, like Plato, Aristotle, and the Greeks and Romans believed.

It is difficult for anyone who has spent his whole life in a country, where he is free to do as he chooses to do, to understand, and appraise correctly, the true worth of liberty—a genuine state of a person's or state's being. Those things cannot be done until liberty is lost. In that regard, liberty is like water. When water is plentiful, it is not valued; when it is scarce, it is valued above all other things.

Proof of the worth of liberty—that liberty might really be something actual—comes through the testimonies of those who first experience civic liberty when they have never before experienced it. The feeling is typically too sublime and too oily for words. I offer two illustrations.

The sublimity of liberty is illustrated by the arrival of Petro Grigorenko—the only Soviet general to have been exiled, though many were killed, by Soviet dictator Joseph Stalin—and his wife to New York City, after being exiled. He sums thus the experience. “America is a sea of light where night is turned into day.” He and his wife, he adds, “had traveled not just to another country but to another planet.”⁵ Grigorenko describes a feeling, not arbitrary and subjective, but generated reflexively, naturally, and without the consent of will. It is the feeling that all persons feel, when living for a time in an oxygen-depleted milieu, who then enter an oxygen-rich milieu.

The oiliness of liberty is illustrated by the testimony of Victor Kravchenko in his autobiography, *I Chose Freedom*. While trying to express his feelings about removal to a free country, the United States, he adds: “The citizens of a free country have nothing in their personal experience to make my feelings and my behavior credible. The utterly tragic must seem to them merely eccentric.” The tragedy to which he refers is his life in the unfree USSR. He gives in a subsequent chapter the advice that his father gave to him, while still a boy. “Always remain true to the fight for freedom. There is no life without liberty. . . . We are either swine or we are men, and if we are men we cannot submit to be slaves.”⁶

Before ending, I add two points: one procedural, the other editorial. First, I have adopted the convention here, as in other publications, of labeling Jefferson's epistolary writings by reference only to his correspondent and to the date of the letter, if known, thereby giving readers the opportunity to refer to the edition of Jefferson's writings that is most readily available to them. There are several major compilations of Jefferson's writings, the most widely used are the following: *The Writings of Thomas Jefferson: Being his Autobiography,*

⁵ Petro G. Grigorenko, *Memoirs* (New York: W.W Norton & Co., 1982), 451.

⁶ Victor Kravchenko, *I Chose Freedom* (New York: Charles Scribner's Sons, 1946), 4 and 16.

Correspondence, Reports, Messages, Addresses, and Other Writings, Official and Private: Published by the Order of the Joint Committee of Congress on the Library, from the Original Manuscripts, Deposited in the Department of State, 9 Vols., ed. Henry Augustine Washington (Washington: Taylor & Maury, 1853-4); *The Works of Thomas Jefferson*, ed. Paul Leicester Ford, 12 Vols. (New York: Putnam, 1902); *The Writings of Thomas Jefferson, Definitive Edition*, 20 Vols., ed. Andrew Adgate Lipscomb and Albert Ellery Bergh (Washington: Thomas Jefferson Memorial Association, 1907); and *The Papers of Thomas Jefferson*, 42 Vols. (to date), ed. Julian Boyd et al. (Princeton: Princeton University Press, 1950-). There are also several one-volume compilations of Jefferson's writings—the best of which is Merrill D. Peterson's *Thomas Jefferson: Writings* (New York: The Library of America, 1984). Moreover, many of Jefferson's writings are readily available online—e.g., Hathi Trust Digital Library, The Online Library of Liberty, and Founders Online. Non-epistolary writings, in contrast, are fully referenced throughout this book. Second, I thank the two anonymous reviewers for their aidful comments, leading to the improvement of this work.

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