



GRAAT On-Line issue #4 October 2008

The Perfect American Democrat Handbook

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In 1809, as Jefferson had just retired to Monticello, he received a manuscript from one of his acquaintances, the French philosopher Antoine Destutt de Tracy. This text was entitled “Commentaire de Montesquieu” and Jefferson received it with such enthusiasm that he soon wrote to the editor William Duane: “It is the most valuable political work in the present age.” He thought it should be published, as an anonymous translation, as “A Commentary and Review of Montesquieu’s Spirit of Laws,” which was done in 1811. Jefferson, to whom we can attribute the main part of the translation, had added to Tracy’s text “a short Proem to be prefixed to the book,”¹ in which the anonymous author claims to be “a Frenchman by birth and education, an early friend to the revolution of France,” who has fled to America “from the tyrannies of the monster Robespierre,” where he has found “safety, freedom, and hospitality.” (*Commentary*, 1) Tracy, indeed, had been thinking about an American publication while writing his book, as early as 1806, at a time when France was sinking into Napoleonic autocracy and liberal writers were not given the least chance of publishing any of their ideas. More importantly, America was, in 1810, a New World, a new society, free from Ancien Régime dregs. A new political regime was emerging in America, and in that context Tracy’s bold ideas could get a chance of being well received or understood. As Rose Goetz and Jean-Paul Frick state, “Tracy ties again the threads of time. The issue is to defend the democratic outcome in

history [...] in re defining the true face of democracy against its detractors, and also its inaccurate zealots." (43)

On the other side of the Atlantic, Jefferson had for a long time been wishing to disillusion his fellow citizens from Montesquieu's immoderate approval of England's mixed constitution, and false assertions such as: "Il est de la nature d'une république qu'elle n'ait qu'un petit territoire, sans cela elle ne peut guère subsister." (*Esprit des Lois*, III, 3). For Jefferson Montesquieu clinged to an ancient conception of republics, and it was time to elaborate a new conception, more appropriate to the needs of a republic, for the modern world and the challenges of its future. So he was most satisfied to discover in Tracy's text a coherent criticism of Montesquieu's "falsehoods" and "heresies"². Indeed, Jefferson let Tracy know "the satisfaction which [he] received from [the] perusal of his text", and added: "I had with the world, deemed Montesquieu's work of much merit; but saw in it, with every thinking man, so much of paradox, of false principle and misapplied fact, as to render its value equivocal on the whole."³ But according to Jefferson, Tracy's book also offered "substitution of true for false principle, and the true principle is that of republicanism."⁴ The publication of the *Commentary and Review* was extremely successful. Jefferson distributed it to his friends and had it adopted as a handbook at the College of William and Mary, as "the elementary and fundamental work on the science of government," wishing "to see it in the hands of every American student, because it contains the basis and elements of such an important branch of human knowledge."⁵

Jefferson's appreciation of Tracy's text, his efforts to translate and publish the *Commentary and Review*, and his recommendation of it as a handbook for every American student is interesting to us from at least two points of view. Firstly, it guides us in trying to solve questions of method in reading and understanding Jefferson's thinking. Jefferson was a prolific writer. He wrote many notes, speeches, and several thousands of letters. These texts frequently appear as scattered pieces and often seem to be suited for the occasion or sometimes written in a conciliatory mood, if not mere diplomatic rhetoric. So when Jefferson recognizes in Tracy's *Commentaire* "the elementary and fundamental work on the science of government"

and recommends it as a handbook, he gives us a precious indication of what the coherent treatise he himself never wrote could have been like. As Gilbert Chinard has it:

Alors que pour déterminer les principes de la *Jeffersonian democracy*, il faut aller chercher dans toute la correspondance (de Jefferson) les endroits où il a exposé ses idées, Destutt de Tracy en donnait un exposé clair, systématique, raisonné et, sans peut-être s'en douter, composait le manuel du parfait démocrate américain. (Chinard 46)

This appreciation might seem slightly exaggerated, but a comprehensive study of Tracy's text in the light of Jefferson's translation (with a few differences in this translation) should help to somehow reconstruct the coherence of Jefferson's thinking. However, we must bear in mind that they proceed in opposite ways. Jefferson almost always builds his ideas around facts, while Tracy infers the particular from principles, and the most fundamental principles at that, like those that belong to the very nature of the human mind, i.e. the method and philosophy of his "Idéologie." Hence it is rather astonishing to discover that Jefferson and Tracy sometimes not only approve or disapprove of exactly the same institutions, but also use the same arguments, and even the same expressions and words.

Secondly, this *Commentary and Review* is a guide to Jefferson's thinking for much more than methodological reasons. Joyce Appleby considers that this *Commentary* "offers us an Ariadne's thread through the ideological labyrinth of the early national period." (1986, 287) I will not embrace so large an ambition, but if we take Jefferson's keen interest in this text seriously, we are considerably helped in our examination of Jefferson's thinking, especially when it comes to the question of its historical sense. Is Jefferson, as is often said, most notably by the historians of the 70s, one of the ultimate tenants of the civic humanist tradition, and an agrarian theorist – an interpretation initiated by John Pocock? More generally, Joyce Appleby refers to "the recent scholarly effort to construe the Jeffersonians as an American version of the English Country party". She somewhat disagrees with this interpretation, precisely by leaning on Tracy's text, to bring out the "commercial" dimension of

Jefferson's idea of farming. Similarly, Onuf relies on the agreement between Jefferson and Tracy to understand "Jefferson's thinking about the national idea." (22 - 34)

As Rose Goetz suggested, when she supervised my own research on Jefferson, I will try to delineate here the main reasons why I believe we should think of Jefferson not as the defender of an old model of republicanism, nor as an adept of agrarian nostalgia, but, just like Destutt de Tracy, as a thinker of modern forms of liberty and republic. It is with reference to their model of what a republic should be in modern times, for large states and societies, that both Jefferson and Destutt de Tracy write "a fairly coherent description of the kind of economic base that would support a democratic republic." (1986, 294) As for Jefferson, he thought from the very beginning of his engagement, as he wrote in the *Notes on the State of Virginia*, that "cultivators of the earth are the most virtuous and independent citizens."⁶ It is mainly this assumption I intend to interpret here, in the light of Tracy's *Commentary* as translated by Jefferson.

The "representative democracy"

Jefferson almost always translates Tracy's "gouvernement représentatif" as "representative democracy," bringing a personal touch to his correspondent's proposed new classification of governments, boldly adding the term "democracy" at a time when it was still something of a pejorative word (Rosanvallon, 22). First, Tracy and Jefferson agree on the "defectiveness" of Montesquieu's "division of governments, into republican, monarchical, and despotic." (II, 11) Beside the disproportionate importance Montesquieu gives to monarchy and the strange admission of despotism to the rank of a "government," Jefferson and Tracy agree with Helvétius, who had as early as 1749 replied to Montesquieu, "I know only two kinds of government, the good and the bad." Tracy refines the concepts:

I will divide all governments into two classes, one of these I denominate *national*, in which social rights are common to all;

the other *special*, establishing or recognizing particular or unequal rights. [In national governments] all rights and power originate in, reside in, and belong to, the entire body of the people of the nation. (II, 12)

When reading in Tracy's work, in 1809, that "all rights and power originate in, reside in, and belong to, the entire body of the people of the nation," Jefferson may have remembered his own words in 1799, at the time of the "republican" battle. He then stressed the importance of the principle of national sovereignty, even over the principle of the separation of powers: "The whole body of the nation is the sovereign legislative, judiciary and executive power for itself."⁷

So both Tracy and Jefferson tend to minimize the importance of Montesquieu's assumption of liberty as guaranteed by the separation of powers. Instead they prefer to define the "righteous" form of government by its foundation on national sovereignty—which is unerringly modern, as modern societies do not admit privileges and "false aristocracies" any longer.

This definition leads them to give a fundamental role to representation.⁸ According to the main political thinkers of the time, for example Madison, there exists "simple democracy," consisting in national sovereignty directly exerted by all the citizens in person, or "pure democracy", only suited to ancient and *small* republics.

But by promoting democracy from the concept of "simple democracy" to the one of "representative" democracy or government, neither Tracy nor Jefferson simply agree with what we could consider as the typical political movement of the time, which consisted in somehow depriving the people at large of the true exercise of sovereignty, as it instituted representation as a filtering system by basing the suffrage on property qualification, as Madison, or Emmanuel Sièyes⁹, or Benjamin Constant recommended. But neither do they agree with more radical tenants of popular democracy, who wanted to institute a strict dependence of the representative on the electors, by the means of imperative instructions, as the

Jacobins and the Montagnards did in France, and the “Antifederalists” in America¹⁰. In this *Commentary and Review*, Jefferson and Tracy elaborate quite an original conception of representation.

First, Jefferson and Tracy, almost alone in their time, favor what can be seen, in those days, as universal suffrage, considering that they wish to grant this right to every head of family. Secondly, both Jefferson and Tracy think that the best elected representatives are elected through a two-degree system, so that we can see, at the more profound level of their idea of republic, a desire that the “general will of the nation” should be elaborated through a process of rational discussion. As for the representatives, they must be, as the *Commentary and Review* says, “men of more information than the great mass of the people, better educated, of more comprehensive views, less subjected to local prejudices [...]; this is what may be styled a good aristocracy.” (XI, 2, 121)

The “great mass of the people,” for their part, definitely deserve two specific conditions for the true exercise of their suffrage and sovereignty rights:

The greatest advantage of moderate and limited authorities, being that of leaving the general will the possibility of forming and making itself known, and the manifestation of this will being the best means of resisting oppression; *individual liberty and the liberty of the press, are the two things most indispensable* for the happiness and good order of the society. (XI, 2, 141)

These two conditions, “individual liberty and liberty of the press,” obviously show the desirability of a true consideration of the general will, that is to say the real way people can exercise their right of suffrage. We know how constantly Jefferson fought to preserve the freedom of the press. But to be exercised these liberties also depend on the general and public education of the people. As early as 1787, Jefferson had already said:

The basis of our governments being the opinion of the people, the very first objects should be to keep that right; and were it left to me to decide whether we should have a government without newspapers or newspapers without a government, I should not

hesitate a moment to prefer the latter. But I should mean that every man should receive those papers and be capable of reading them.¹¹

And in 1805, while overseeing the progress of the University of Virginia, he wrote:

I have looked on our present state of liberty as a short-lived possession unless the mass of the people could be informed to a certain degree. (And specially) such a degree of learning given to every member of the society as will enable him to read, to judge and to vote understandingly on what is passing.¹²

Tracy explains the impossibility of representative government in the first stages of humanity in a very similar way: “Indeed ignorant and rude men cannot be presumed capable of combining principles of social organization.” (VI 47). These primitive stages can only be organized as pure democracies or monarchies; only “civilized” modern societies are capable of encompassing a representative government:

Nor has there been any other government in the world, until this enlightened time, when entire nations, renouncing inequality as established, have united themselves by the means of representatives freely elected from among their equals, and constituted the authority of the general will, carefully collected, and clearly expressed [...] a representative government. (VI, 49)

So we can understand more clearly the mutual opinion-making process of the public and the representatives through the election and public deliberation of the representatives:

[On the one hand] this assembly, being composed of members approved in different parts of the territory [...], whatever it may determine upon will be very likely to be more acceptable in practice.

[On the other hand] everything being naturally and fully discussed by [the Assembly of Representatives], the motives of its determinations will be known and examined; and as it itself

formed upon a knowledge of public opinion, it will be in fact the opinion of the public¹³; so that it will very much contribute to the rectification of general ideas. (XI, 2, 112)

Republican virtue, farmers' virtue.

After having shaped the different sorts of governments, Tracy discusses the famous “principles” that, according to him, Montesquieu “considered as moving principles of each government” (III, 15). Tracy sees interest, honor and virtue together in every form of government, even in a representative democracy—but on condition that they be given an appropriate and exact meaning. If Montesquieu posits virtue to be the principle only of republics, it is because in his conception, virtue is totally misrepresented. “Then what is this virtue which is applicable to republics alone? Can true virtue be anywhere out of its place?” (III, 17) And here it is striking to discover how Tracy and Jefferson converge. Tracy writes: “Montesquieu makes this [republican] virtue to consist in voluntary privations, in self-denials.” Then he expresses very virulent objections to this “virtue”:

It does not accord to my conceptions, that in order to live in society, a man must render violence to himself and to nature, and speak only the language of mystics. I look upon all the effects of this gloomy enthusiasm, as false virtue, as splendid imposition, which, by exciting men to hardihood and devotedness, renders them at the same time malignant, austere, ferocious, sanguinary, and above all unhappy. This, in my opinion, never was nor even can be the object of society. Man requires clothing, not hair cloth; his dress ought to comfort and protect him, without causing pain. (IV, 24)

Further down he renders his comparison between Sparta, as the classical model of ancient republics, and of the monastery La Trappe more explicit:

Montesquieu makes the political virtue of his democracy agree so well with the self denial and renunciation of all natural sentiments, that the rules of the monastic orders are presented

as models, and particularly those which are the most austere and best calculated to eradicate in individuals every human feeling (V, 35).

In 1786 Jefferson wrote: "Let the gloomy monk, sequestered from the world, seek unsocial pleasure in the bottom of his cell!"¹⁴ These words offer the same idea: a monk's pleasures are unsocial. At that point in his life, Jefferson was in Paris, mingling with the "philosophers," frequenting the salons of Mme de Tessé and of Mme Helvétius, like Condorcet and Lafayette (whose son married Tracy's daughter). Certainly at that time, Jefferson's thinking was modeled along the same images and assumptions as Tracy's: man is by his very nature a social being, and he will, in consolidating representative government, or representative democracy, realize "nature," not "true nature" in its primitive stage, but nature in its "perfect state" (III, 19), which is a social nature.

According to Appleby, "the writings of Tracy that Jefferson so ardently promoted, undercut the interpretation of the Jeffersonians as a Country party, for Tracy explicitly attacked the civic-humanist tradition. When he ridiculed Montesquieu's concept of virtue, he rejected its civic character." (1986, 306) We can thus understand why Jefferson and Tracy cannot accept Montesquieu's conception of virtue as the principle of republics. For Montesquieu, such "virtue" consists mainly in a sort of sacrifice of the citizens' private interests to the common good of the republic. But in a modern society one cannot escape the prevalence of the private sphere, of private property, of private preoccupations, that necessarily result from the new value accorded to the individual.¹⁵ But does this mean that the citizens of modern republics entirely abandon "virtue" in itself to the garbage heap of history? Do they only calculate their self-interest, leaving the care of public liberty to some "professional" politicians, to whom the citizens should delegate by representation the one and only task of ensuring the security of their private interests? Such is Benjamin Constant's hypothesis, in his definition of the "liberté des Modernes," and such is the assertion of many of our contemporaries—but this is certainly too short and too quick an assertion. Some thinkers of the modern republic, among whom

Jefferson and Tracy, wish to maintain the principle and the necessity of virtue in republics – virtue conceived in entirely new ways. Tracy delineates the virtue in “the representative government, which [he considers] as the democracy of enlightened reason” as follows:

This form of government does not call for nor need the constraint of the human mind, the modification of our natural sentiments, the forcing of our desires, nor the excitement of imaginary passions, rival interests, or seductive illusions; it should, on the contrary, allow a free course to all inclinations which are not depraved, and to every kind of industry which is not incompatible with good order and morals: being comfortable to nature, it requires only to be left to act. (V, 41)

Virtue is indeed the main “principle” of republic, if it does not consist in “voluntary privations” and “self-denials,” but on the contrary in a kind of righteous self-development. This definition is very close to what Jefferson uses to depict as the farmers’ virtue: some frugality, but above all, *industry*. According to Jefferson’s accurate translation of the *Commentary and Review*, Tracy characterizes virtue as:

The people, under such a government, would seem to be naturally more engaged in preserving and enjoying what they already possess, than solicitous of acquiring what was not necessary to their security or happiness [...]

Simplicity, habits of industry [habitudes de travail] a contempt for frivolity, the love of independence so inherent in every being endowed with a rational will, naturally dispose men to such sentiments [that is to say “liberté et égalité” for Tracy, and for Jefferson “love of country, and equality of rights,” and both add “love of peace and justice”].

If these had been the definitions of republican virtue, given by Montesquieu, there would be no difficulty in assenting his principle.” (III, 20).

“La simplicité, l’habitude du travail—which Jefferson translates as “industry,” le mépris de la vanité, l’amour de l’indépendance,” all these terms, in Tracy’s text, are typically Jeffersonian, and they characterize precisely the virtues of the American farmer, as Jefferson sees him. When Jefferson, in one of his most famous but most enigmatic sentences, declares that “cultivators of the earth are the most virtuous and independent citizens,” he is certainly thinking, as Joyce Appleby shows, of “industrious, self-reliant farmers” (1986, 294) who “participate in the world market without seeking self-sufficiency. Their rising standard of living would lift them from the miserable life of their European counterparts.” (295)

For my part I will not focus on the economic and national(ist) aspects of Jefferson’s thinking, but rather on the meaning we can confer to his conception of the republic, when he asserts that there must be a democratic republic to keep the country secure and healthy. Let me once again quote Appleby’s very clear analysis: “More than any other figure of his generation, Jefferson integrated a program of economic development and a policy for nation building into a radical moral theory. What emerges from his own writings is a fairly coherent description of the kind of economic basis that would support a democratic republic.” (1986, 294) “A moral theory” and an “economic basis” are the “support for a democratic republic.” Appleby’s statement helps us understand Jefferson’s famous pronouncement, that “Cultivators of the earth are the most virtuous and independent citizens”: it is through the nature of their virtue that we can understand why these Jeffersonian cultivators are the best citizens of the republic. This virtue is not founded on some kind of heroic morality, abstracted from their personal life, but on the contrary, it develops itself in that real economic condition Jefferson calls “independence”: “The husbandman looks up to heaven, to (his) own soil and industry for (his) subsistence” say the *Notes* (Query XIX). One must note in particular the word “industry,” so often used by Jefferson, and often substituted for Tracy’s “travail.” “Industry” means for Jefferson a conjunction most favorable to economic independence, as it associates the property of a productive capital and the laboring of this capital, all of this at the scale of a single family’s labor force. And if their industry, through the economic independence it allows, places the American farmers in the position of being the

most virtuous, hence the best citizens, it is because, first, they do not have to sell their votes; secondly, because they can elaborate sound social relations of commerce, in the wider sense of the term; and above all, because they maintain a social and economic system opposed to that of “banking,” which is, on the contrary, the vector of corruption in and of the republic.

So is Jefferson an agrarian thinker, as Pocock explicitly ventures to say?¹⁶ Or on the contrary, can we say with Appleby that “nothing in Jefferson’s statements or politics suggests that he adhered to the agrarian conservatism implicit in classical republican thought” (1986, 303)?

In his *Commentary*, Tracy writes, and Jefferson translates: “This false idea of a sort of magical virtue attributed to the earth, has led these philosophers into several consequences yet more false; among which was the notion that there are no true citizens in a state but the proprietors of land, and that they alone constitute society” (XIII, 186), which seems to be diametrically opposed to Jefferson’s famous assertions! But this faithful translation, offered to the American public, is not the mark of inadvertence or complacency on the part of Jefferson. The “philosophers” Tracy is speaking of are the Physiocrats, or Economists, whom Jefferson also met in Paris, and to whom his friend Dupont de Nemours was very close. However, Jefferson never agreed with them, and this clearly means that it is not agriculture as a real activity of soil cultivating he is talking about when he claims that “cultivators” are the best citizens. While he praises their economic independence, made up also (contrary to what Appleby reads) of some if not only self subsistence, Jefferson is not at all an agrarian thinker, because he does not make agriculture the real basis of a strong republic, but its paradigmatic basis. “Cultivators of the earth” are not the best citizens because they really cultivate the earth, as the Agrarians may think, taking advantage of the Physiocratic exclusive valorization of agricultural production. Instead they are described by Jefferson as the best citizens because they are the paradigmatic models of independent citizens, i.e. sound and good ones.

Appleby also says that “decoding old conceptual languages helps us to reconstruct a past reality, but meanings can change while terms remain the

same.”(1986, 307) By saying that “cultivators of the earth are the best citizens” Jefferson seems to sing an old antiphon, for example the Aristotelian credo of Harrington, asserting that *Oceana* must constantly limit property of the land by agrarian laws to maintain all citizens as landholders, but in reality he assumes a very different republicanism from the Agrarians’. For Jefferson, the farmer is independent because he is secure in his subsistence, thanks to the independence of his “industry,” but he also leans toward comfortable living through the channel of commerce, a term to which we must give not only an economic meaning, but its full social meaning. Indeed, Jefferson very happily translated Tracy’s affirmation that “commerce is not only the foundation and basis of society, it is in effect the fabric itself; for society is nothing more than a continual exchange of mutual succors, which occasion the concurrence of the powers of all for the more effectual gratification of the wants of each.” (XXI, 206) Tracy will go much further in his economic and social analysis, speaking in favor of the development of some kind of middle class, pointing much further than Jefferson does toward the development of commerce in human history. Yet Tracy does not develop such a profound analysis of the relation between society and the construction of the republican body Jefferson calls “democracy”. For Jefferson, independence and instruction allow sound social relations and public discussion of the common good. In return, a democratic republic assures by its political means, the development of a society composed of independent citizens. Here the conception of representation defended by Tracy and Jefferson—consisting in the definition of the common good by citizens who can take part in the public discussion thanks to their economic independence and moral virtue—takes its full meaning.

To conclude this short survey of some points of what Jefferson’s endorsement of Tracy’s text can teach us about the substance of his thinking, I will once more appropriate Appleby’s words: “The assertion of theoretical differences in the meaning of republicanism deserves investigation” (1986, 293). A more extensive study of this kind of “twin text,” written by Tracy and translated by Jefferson, would certainly show that there really are “theoretical differences in the meaning of

republicanism,” and that Jefferson and Tracy are a special kind of republicans and of liberals: they agree in their conception and defense of the modern republic, not in the sense given to it by classical liberals as Sièyes, Constant or Guizot in France, or the Constituents of 1787 in America, but in another liberal, individualistic sense that imperatively requires that political decisions be righteously made by the citizens themselves.

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NOTES

¹ Jefferson, to Duane, January 18, 1811, Chinard 63.

² Jefferson, to Thomas Mann Randolph, May 30, 1790, L B VIII, 31.

³ Jefferson, to Tracy, January 10, 1811, Peterson 1242.

⁴ Jefferson, to Duane, August 12, 1810, Chinard 55.

⁵ Jefferson, to Thomas Cooper, January 16, 1814, L. and B. XIX 63.

⁶ Jefferson, *Notes on the State of Virginia*, Query XXII, Peterson 301.

⁷ Jefferson, to Edmund Randolph, Peterson, 1067.

⁸ This paper is greatly indebted to the analyses of Rose Goetz and Jean-Paul Frick, *op. cit.*

⁹ Usually called l'Abbé Sièyes.

¹⁰ But on this point Jefferson is more ambiguous, as he says: "A "republic" means a government by its citizens in mass, acting directly and personally, according to rules established by the majority" (to John Taylor, May 28, 1816, Peterson 1392), and as, continuing to see, in some sense, representation only as a last resort for large republics, he admits a "power of removal": "We believe that this proximate choice and power of removal is the best security which experience has sanctioned us for ensuring an honest conduct in the functionaries of society." (To Dupont de Nemours, April 24, 1816, Peterson 1385).

¹¹ Jefferson, to Edward Carrington, Jan. 16, 1787, Peterson 880.

¹² Jefferson, to Littleton Waller Tazewell, Jan. 5, 1805, Peterson 1150.

¹³ "It will be in fact the opinion of the public." Tracy actually writes: "Elle formera l'opinion publique." (XI, 2, 180, italics mine).

¹⁴ Jefferson, to Maria Cosway, October 12, 1786, Peterson 873.

¹⁵ « The private came first. Instead of regarding the public arena as the locus of human fulfillment where men rose above their self-interest to serve the common good, Jefferson wanted government to offer protection to the personal realm where men might freely exercise their faculties. » says Joyce Appleby, 293. For a precise study of this argument, see "Indépendance et citoyenneté..." 149-150.

¹⁶ Jefferson is a conduit through which a concept of civic virtue entered the whole tradition of American agrarianism and populist messianism", Pocock, "Virtue and Commerce", 133.