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Gordon S. Wood

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REMARKS

THOMAS JEFFERSON, EQUALITY, AND THE CREATION OF A CIVIL SOCIETY*

Gordon S. Wood**

It is a distinct honor to be delivering the Robert Levine Lecture at Fordham Law School, and I am very grateful for the invitation to be part of this distinguished lecture series.

I spent last year in Washington D.C., and, as you New Yorkers know, it's a very strange place. Washington was, of course, a place that Thomas Jefferson never liked or put much stock in. To put it bluntly, Jefferson had very little faith in the capacities of the federal government to do much of anything, at least not after he had left the presidency. "Were we directed from Washington when to sow, and when to reap," he wrote in his autobiography in 1821, "we should soon want bread."1 But Washington, being a city that has no sense of irony, has ignored all these insults and has honored Jefferson with a magnificent memorial that is rivaled by only those of Washington and Lincoln.

Maybe public officials have such a special place in their heart for Jefferson because they know so little of what he actually believed in. Jefferson is so important to President William Jefferson Clinton that a year or so ago he and Mrs. Clinton held a dinner in Jefferson's honor, to which my wife and I were invited. I hoped it might be a dinner for eight, but it turned out to be a dinner for 180! It was held on April 12, the day before Jefferson's 251st birthday. Apparently the administration wanted to celebrate Jefferson's 250th birthday, but forgot about it until the last moment and just got in before Jefferson turned 251.

At any rate the President's dinner was a grand occasion. There were no lengthy speeches. The President introduced an impersonator of Jefferson who neither looked nor sounded like Jefferson looked or presumably sounded. The President seemed out of sorts, perhaps because of a gaffe that earlier I had committed in the receiving line. My wife and I were near the end of the long line of 180 guests, whose hands President and Mrs. Clinton were relentlessly shaking. When it

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** Gordon S. Wood is a University Professor and Professor of History at Brown University. This Address draws greatly from Professor Wood's book, The Radicalism of the American Revolution (1992); readers interested in the historical references of this Address should refer to this source.


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came my turn to shake the President's hand, with about a dozen or so guests to go, I decided I would say to him something other than the usual how-do-you-do. Feeling bad for him with all those hands to shake, I said to him: "Well, you don't have much longer." It wasn't quite what he wanted to hear—I know that because he looked very startled and gave me an icy stare. Mrs. Clinton, who was exchanging pleasantries with my wife, suddenly whipped around and likewise glared at me. It took me a moment to grasp what had happened and to mumble something about only a few more hands to shake in the receiving line. But it was too late: The deed was done.

I'm sure that President Clinton held his commemorative dinner because he believes he has a special kinship with Jefferson, for his name if for no other reason. But also because all politicians these days seem to want to get right with Jefferson. Although conservatives and Republicans have usually made Hamilton their hero, many of them have increasingly found affinities with Jefferson. George Will has called Jefferson the man of the millennium. Massachusetts Governor Weld describes himself as a Jeffersonian. So did Ronald Reagan: He called upon Jefferson in order to justify his attempts to reduce the size of the federal government; indeed, he urged us all to "pluck a flower from Thomas Jefferson's life, and wear it in our soul forever."

More recently Speaker of the House Gingrich has become very interested in Jefferson. And so has the Cato Institute. But during the past sixty years or so it has been the Democrats that have made the most of Jefferson.

Franklin Delano Roosevelt was the one who captured Jefferson for the Democrats. Of course, it was no easy task to turn a man who hated the federal government and believed in states rights into a symbol of the New Deal. But the Democrats pulled it off. Roosevelt put Jefferson into many of his speeches. In 1938 he personally manipulated to have Jefferson replace Lincoln on the three-cent stamp, the carrier of nearly every first-class letter at the time, and his administration saw to it that Jefferson was taken off the scarce two-dollar bill, where the Republicans had relegated him, and placed on the popular nickel. And in Jefferson's bicentennial year, 1943, Roosevelt dedicated the Jefferson Memorial, which certainly was the high point of this country's celebration of Jefferson. If you have been to the Memorial recently, you'll recall that on the four walls of the temple there are

some stirring quotations from Jefferson. Nothing, however, about minimal government, states rights, or the fear of executive power.

Even today Jefferson has a special appeal for Democrats. Several years ago, in February 1990 to be exact, two other historians and I received a call from Congressman Steny Hoyer, who is chairman of the Democratic Caucus, inviting us to address the annual meeting of the Caucus, which is composed of the Democratic congressmen and congresswomen who sit in the House of Representatives. Every year the members of the Caucus retreat to a secluded hotel or resort for a couple of days, to hold committee meetings and plan party strategy. Normally after a busy day of talking and hearing committee reports the members were used to having some light entertainment in the evening. But this particular year, Congressman Hoyer told us, would be different. In the winter of 1990 the Democratic Party was in low spirits—perhaps not as low as it is right now, but low enough—and it needed to get a hold of itself, needed to get back to its roots and reinvigorate its thinking. So instead of dancing girls or whatever, the Caucus wanted three historians each to talk about one of the Democratic Party’s favorite presidents—Thomas Jefferson, Andrew Jackson, and Franklin Roosevelt. We were given ten minutes each.

I was to lead off and talk about Jefferson, the presumed founder of the Democratic Party. It was no easy task summing up Jefferson in ten minutes, especially to modern Democratic congressmen who have somewhat different ideas about government, especially the federal government, from those Jefferson had. I tried to get the members of the Caucus in a good mood by telling them that in Jefferson’s time they, the Democratic Caucus, would not just meet to issue committee reports to each other, but would actually nominate the Democratic presidential candidate. They liked that.

But then I had to tell these Democrats about Jefferson’s ideas of minimal government, that he fervently believed that the best government was the one that governs least, that he disliked all federal taxes, that he had no programs for the cities, and that he in fact hated all cities and wanted America not to develop any. I also had to tell them that he hated the Supreme Court and was more of a strict constructionist than Robert Bork, that he feared all governmental power, and often suggested that government was only a device by which the few attempt to rob, cheat, and oppress the many. Jefferson believed that the national government ought to concern itself only with foreign affairs and the mutual relations of the states; all other matters, he said—“the principal care of our persons, our property, and our reputation”—ought to be left to the states or to what he called “private

enterprise, which," he said, "manages so much better all the concerns to which it is equal."\(^8\)

After I finished telling the members of the Democratic Caucus that Jefferson was a slaveholding aristocrat who suspected that blacks were inferior to whites in body and mind, there did not seem to be much left for the modern Democratic Party to use.

But of course there is—and not just for the Democratic Party but for all Americans. Probably the Jeffersonian principle that the twentieth-century Democratic Party has been able to exploit most effectively has been the concept of equality. But the modern Democratic Party was not the first to do so, nor has it been the only group to use the idea of equality. The idea of equality lies at the center of most of our current public debates—at the heart of all our talk of affirmative action, bell curves, defenses of elitism, and identity politics. Equality is surely the most exploited and abused idea in American history. And Jefferson, as much as anyone, is the author of that idea.

Jefferson's proposition in the Declaration of Independence that all men are created equal is the most powerful proposition in American history, bar none. Once unleashed by the Revolution, the idea of equality tore through American society and culture with awesome force. It became what Herman Melville sardonically called "The great God absolute! The centre and circumference of all democracy!" The "Spirit of Equality," said Melville, did not merely cull the "selectest champions from the kingly commoners," but it spread "one royal mantle of humanity" over all Americans and brought "democratic dignity" to even "the arm that wields a pick or drives a spike."\(^9\)

Southerners and would-be aristocrats in the North vainly tried to argue that Jefferson could never have meant that all men were literally equal and that they all had equal rights. But that was precisely what most Americans, at least in the North, came to believe; and some came to say not just white men but black men had these equal rights; and some eventually went so far as to say that not just men but women as well had these equal rights. Within decades following the Declaration of Independence the United States became one of the most egalitarian nations the world has ever seen, and it remains so today, regardless of its great disparities of wealth.

At first sight, such statements seem exaggerated, if not outrageous. How can a nation of such ethnic and racial diversity with so many millionaires living cheek by jowl with so many poor even begin to think of itself as egalitarian? Of course, there are gross inequalities in American society, inequalities of income, of wealth, even of rights and opportunities. But in the most basic social sense, in the capacity of

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ordinary people to look others in the eye and treat them as equals and to expect to be treated as equals in return, in this most fundamental sense of self-worth and dignity, Americans are remarkably egalitarian.

From Tocqueville in the 1830s to scholars in the twentieth century, European observers have distinguished between what commentator Mickey Kaus has called "money equality" and "social equality." 10 R. H. Tawney, for example, realized that America "is marked indeed by much economic inequality; but it is also marked by much social equality." 11 In his classic 1906 account Why Is There No Socialism in the United States? German economist Werner Sombart illustrated this social equality by contrasting the American worker with the European one: "He carries his head high, walks with a lissom stride, and is as open and cheerful in his expression as any member of the middle class. There is nothing oppressed or submissive about him." 12 Perhaps it was Ronald Reagan, of all people, who put it best: "Whether we come from poverty or wealth . . .," he said in 1992, "we are all equal in the sight of God. But as Americans that is not enough—we must be equal in the eyes of each other." 13 Common ordinary Americans have more of this feeling of social equality than most other peoples, and Thomas Jefferson and the American Revolution were crucial in creating it.

It certainly is the greatest irony of American history that this powerful, nation-defining doctrine of equality should have been articulated by a slaveholding aristocrat. In every obvious respect Thomas Jefferson was the most unlikely of democratic and egalitarian spokesmen—not merely because of the two hundred or so slaves he held throughout his life, but also because of his aristocratic or what we today would call his elitist tastes: his love of classical literature, his playing of fine music, his obsession with the right wine. He seems to be anything but a popular democrat and common man, and yet, through the Declaration, he remains the supreme spokesman for America's idea of equality.

Jefferson, of course, neither invented nor originated the idea of equality in 1776. As he quite rightly reminded his countrymen, he never intended to say anything original in the Declaration but only "to place before mankind the common sense of the subject, in terms so plain and firm as to command their assent." 14 Most of the Revolutionary leaders talked about equality. John Adams wrote in 1766, a

decade before the Declaration, that “all men were born equal.” The idea of equality was part and parcel of the Revolution from the outset.

But why? Why was equality so important to Jefferson and to the Revolutionary generation? Of course, equality under the law was long a part of their English heritage. And there was always the Christian tradition of the equality of all souls, in death if not in life. But the American invocation of equality was new and different from these. It was not just equality under the law and not just the Christian equality of all souls under God. It was equality in the here and now, in the society of this world. This new meaning of equality, as an integral part of the eighteenth-century Enlightenment, represented a major and radical shift in Western consciousness. From the very beginning of recorded history the inequality of people simply had been taken for granted.

Few in the premodern world ever doubted the existence of profound inequalities among people, particularly those inequalities between aristocrats and commoners, patricians and plebeians, gentlemen and ordinary folk, officers and common soldiers. So distinctive and so separated was the aristocracy from ordinary folk in the premodern world that many thought that the two groups represented two orders of being: Gentlemen and commoners had different psyches, different emotional makeups, different natures. Ordinary people were like cattle; they were made only “to be born and eat and sleep and die, and be forgotten.” Like Mozart’s Papageno, as one commentator said, they knew “little of the motives which stimulate the higher ranks to action—pride, honour, and ambition. In general it is only hunger which can spur and goad them on to labour.” Ordinary people were thought to be different physically, and because of varying diets and living conditions, no doubt in many cases they were different. People in the premodern world often assumed that a handsome child, though apparently a commoner, had to be the bastard offspring of an aristocrat.

The ancien régime generally assumed that the distinctions between the aristocracy and commoners were natural, and that they were usually passed on in the blood. The old society did not know about genes, DNA, and IQs, but many people living in that society certainly knew about heredity and inherited characteristics. They knew how to breed plants and animals, and they assumed that humans were bred the same way. That is why kin, blood, and family counted for so much in that society. It was this belief in blood that made a hereditary monarchy and aristocracy so meaningful to the ancien régime.

16. Id. at 27.
THOMAS JEFFERSON AND EQUALITY

It was against this old society and its centuries-old values that Jefferson and his enlightened colleagues launched their revolutionary assault. What made Jefferson's revolution radical was his attempt to substitute merit and talent in place of the older social attributes of kin and blood.

Jefferson, like nearly all of the revolutionary leaders, was the first generation in his family to go to college, and that fact lay behind his feelings against the ascribed statuses of the old society and his radical celebration of achievement. Jefferson always felt the power of genealogy. As a young man of twenty-seven he asked an English correspondent to search the Herald's office in London for the arms of his father's family; "It is possible there may be none," he admitted. He never forgot the insignificance of his father's ancestry. Although he was not one to let his feelings show, we can sense even today beneath the placid surface of his autobiography written at the age of seventy-seven some of his anger at all those Virginians who had prided themselves on their ancestry and had judged men by their family background. In the opening pages of his autobiography Jefferson tells us that the lineage of his Welsh father was lost in obscurity: He was able to find in Wales only two references to his father's family. His mother, on the other hand, was a Randolph, probably the most important and distinguished family in Virginia. The Randolphs, Jefferson said with about as much derision as he ever allowed himself, "trace their pedigree far back in England & Scotland, to which let every one ascribe the faith & merit he chooses."18

Growing up living with his Randolph cousins as he did, Jefferson must have heard many snide references to the obscure and unrefined character of his father's family, and it angered him. He tended to romanticize his father, who was wealthy but uncultivated and who died when Jefferson was only fourteen; but he scarcely mentions his mother in his writings. He certainly felt very differently about his father than he did his mother, towards whom, several historians have suggested, he felt real hostility. Perhaps more than anything else, this experience with the Randolph family enabled him, aristocrat that he was, to believe in equality and to identify with the anger felt by common ordinary folk against the pretensions of an aristocracy.

At any rate he went on in his autobiography to describe his efforts in 1776 in Virginia to bring down that "distinct set of families" who had used the legal devices of primogeniture and entail to form themselves into what he called "a Patrician order, distinguished by the

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From our vantage point this "Patrician order" does not appear all that different from its challengers. But Jefferson clearly saw a difference, and it rankled him. The privileges of this "artificial aristocracy," wrote Jefferson, needed to be destroyed in order "to make an opening for the aristocracy of virtue and talent," for the "natural aristocracy," of which he considered himself a prime example. We will never understand the young Jefferson until we appreciate the intensity and earnestness of his desire to become the most cosmopolitan, the most liberal, the most genteel, and the most enlightened republican gentleman in all of America. It was almost as if he were out to show the Randolphs what real breeding was about. Through his earnest self-cultivation Jefferson became the very model of an eighteenth-century republican gentleman—learned and cultivated and yet at the same time sincerely devoted to the idea of equality.

To Jefferson and the other revolutionary leaders this equality possessed several layers of meaning. It meant first of all what we might call equality of opportunity. The revolutionary leaders believed that talent was not inherited but was randomly distributed in the population, and that an enlightened society ought to search out and encourage that talent to develop free from the ancestor worship and patronage of the old order. Above all, they wanted a society in which who one's father was, whom one married, and whom one knew would no longer matter. They anticipated a society in which mobility up and down would be constant.

Although Jefferson was by our lights an unabashed elitist, at the same time, like the other revolutionary leaders, he also believed in a rough equality of condition for a republican society—with every man an independent property-holder. He took for granted that a society with the gross disparities of wealth and the great numbers of landless laborers and dependent people that he witnessed in monarchical France in the 1780s could not be republican. Equality for Jefferson was related to the personal independence of each citizen, which was essential for republicanism. Indeed, his original draft for the Declaration of Independence stated that "all men are created free & independent." Men should be equal in that no one of them should be dependent on the will of another, and property made this independence possible. Hence his proposal in 1776 that every adult white male Virginian be given at least fifty acres of land, if he did not have that many.

Yet in the end equality meant more than even this to Jefferson. Indeed, if equality had meant only equality of opportunity or even a
rough equality of property holding, it could never have become, as it has, the single most powerful and radical ideological force in all of American history. Equality became so potent for Americans because it came to mean that everyone was really the same as everyone else, not just at birth, not in talent or property or wealth, and not just in some transcendental religious sense of the equality of all souls. Ordinary Americans came to believe that no one in a basic down-to-earth and day-in and day-out manner was really better than anyone else.

Despite his commitment to social distinctions, Jefferson contributed mightily to this broader conception of equality. His stress on the ability of common people to elect a natural aristocracy presumed a certain moral capacity in the populace as a whole. Indeed, on most things Jefferson trusted ordinary people far more than he trusted the aristocratic few, even the natural aristocratic few, who, he believed, were very apt to become wolves if they could. Unlike the elite, common people were not deceptive or deceitful; they wore their hearts on their sleeves and were sincere. An American republican world dominated by common folk would end the deceit and dissembling so characteristic of courtiers and monarchies. "Let those flatter, who fear," he said: "it is not an American art."23

But Jefferson went further. By assuming that ordinary people had personal realities equal to his own, Jefferson, like his revolutionary colleagues, gave birth to what perhaps is best described as the modern humanitarian sensibility—a powerful force that we of the twentieth century have inherited and further expanded. He and the other revolutionary leaders shared the liberal premises of Lockean sensationalism, that all men were born equal and that only the environment working on their senses made them different. These premises were essential to the growing sense of sympathy for other human creatures felt by enlightened people in the eighteenth century. Once the liberally educated came to believe that they could control their environment and educate the vulgar and lowly to become something other than what the traditional society had presumed they were destined to be, then enlightened elites like Jefferson began to expand their sense of moral responsibility for the vice and ignorance they saw in others and to experience feelings of common humanity with them.

Thus, despite all their acceptance of differences among people—differences created through the environment's operating on people's senses—many of the revolutionaries concluded with Jefferson that all men were basically alike, that they all partook of the same common nature. It was this commonality that linked people together in natural affection and made it possible for them to share each other's feelings. There was something in each human being—some sort of moral sense or sympathetic instinct—that made possible natural compassion and

affection. Even the lowliest of persons, it was assumed, had this sense of sympathy or moral feeling for others. A young divinity student and schoolmaster of Sheffield, Massachusetts, Thomas Robbins recounted in his diary in 1796 the incident of a black boy of about four who asked Robbins about a cut on his thumb. The boy said to him, "If I had some plaster I would give you some to put on it." Robbins was overwhelmed by the boy's sympathy. "He appears to act from the pure dictates of nature without the least cultivation," said Robbins. "If in anyone, I think we can see nature in him." The conclusion for Robbins was obvious: "Is there not then in human nature a principle of benevolence?" he asked.24

Although most enlightened revolutionaries like Jefferson believed in Lockean sensationalism, they were not such out-and-out sensation- alists that they counted on men and women being able by reason alone to control the environment's chaotic bombardment of their senses. Something else—some sort of moral gyroscope identified with Scottish moral or common sense thinking and resembling Kant's categories—was needed to structure their experiences in a confused and chaotic world. As Jefferson said, "The Creator would indeed have been a bungling artist, had he intended man for a social animal, without planting in him social dispositions."25 Jefferson, like others in these years, modified his stark Lockean environmentalism by positing this social disposition, a moral instinct, in every person's heart or conscience, however humble and however lacking in education that person may have been. "State a moral case to a ploughman and a professor," said Jefferson. "The [ploughman] will decide it as well, and often better than the [professor], because he has not been led astray by artificial rules."26

This belief in the equal moral worth and equal moral authority of every individual was the real source of America's democratic equality, an equality that was far more potent than merely the Lockean idea that everyone started at birth with the same blank sheet. Jefferson's assumption that people were naturally equal and sociable and possessed an innate moral sense had important implications.

Most important perhaps of these implications was the creation of what we today call civil society—all those autonomous voluntary social institutions and activities that mediate between the individual and the state. Although this civil society has existed for two centuries in the United States, only recently have we come to appreciate fully its value. Partly through the experience of the new democratic states of Eastern Europe, we have come to realize that crude and stark market

relationships on one hand and government processes on the other hand cannot by themselves create a successful functioning democratic society. Instead, such a society requires the free and spontaneous gathering of people in a multitude of associations, men and women coming together on their own to carry out a variety of social and philanthropic tasks without the coercion of law and government. Although he may have never used the term, Jefferson knew only too well the worth of this sort of civil society. In fact, he was the central figure in making America of the early nineteenth century what Daniel Bell has called "the complete civic society, perhaps the only one in political history."  

Like many other eighteenth-century liberals, Jefferson had little or no confidence in government or state power. He believed that government was the source of most of the social evils in the world, including poverty and all invidious privileges and distinctions, and he wanted to make it as small and as insignificant as possible. In this respect he was very different from Hamilton and the Federalists of the 1790s, who tried to erect a European-like state with a strong central bureaucratic government, whose authority ultimately rested on coercion and which reached to all parts of an integrated nation and possessed a powerful army and navy that commanded the respect of all the world.

Jefferson would have none of this. He came to power in 1801 determined to destroy this kind of traditional state. He in fact repudiated the very idea of a modern state. He not only refused to recognize the structure and institutions of a modern state, but he scarcely accepted the basic premise of a state, that is, its presumed monopoly of legitimate control over a prescribed territory. For him, during his presidential administrations the United States was really just a loosely bound confederation, not a modern nation-state at all. Hence his vision of an expanding empire of liberty over a huge continent posed no problems for his relaxed idea of a state. "[W]ho can limit the extent to which the federative principle may operate effectively?" he asked in his second inaugural address. In fact, Jefferson always conceived of his "empire of liberty" as one of like principles, not like boundaries—similar to the way some eighteenth-century German and Italian intellectuals conceived of their cultural nations. As long as Americans believed certain things, they remained Americans, regardless of the territorial boundaries of the government they happened to be in. At times he was remarkably indifferent to the possibility that a western confederacy might break away from the eastern United States. What

did it matter? he asked in 1804. "Those of the western confederacy will be as much our children & descendants as those of the eastern." 

Jefferson's scorn for a modern idea of the state as an entity possessing a life of its own distinct from both rulers and ruled came from his great confidence in the virtue of the American people, but modern, not ancient, virtue. Unlike ancient virtue, this modern virtue accepted modernity and commerce; and it could do so because of its reliance on civil society, which in turn depended on the natural equality of all people.

In the course of the eighteenth century many thinkers in the English-speaking world had concluded that classical republican virtue was too demanding, too martial, and too severe for the commercial and civilized societies of Europe. Although many Americans in 1776 talked of the need for this manly and martial sort of ancient virtue, others realized that it would never work in America. Such classical virtue was too transcending of the demands of human nature and thus resembled the Christian conquest of self, ultimately achieved only by divine grace. Nevertheless, although human nature in America might not be able to sustain the austere self-sacrifice of antiquity, it did seem capable of a new kind of modern virtue—if only people could be freed of corrupting monarchical influences. Kings were "unnatural," said the enlightened physician Benjamin Rush, which was why their authority had to be "imposed by oaths, garters, guards, pictures on coin &c."

Without kings and other unnatural interference, however, a free egalitarian republican society could develop a virtue that depended on what Rush called the natural "affections" appropriate to a modern enlightened commercial world.

Such a new modern virtue was associated with affability and sociability, with love and benevolence, indeed, with a new emphasis on politeness. In this new reckoning virtue became less the harsh self-sacrifice of antiquity and more the willingness to get along with others for the sake of peace and prosperity. Modern virtue became identified with civility and decency. Where the ancient classical virtue was martial and masculine, as revealed, for example, in David's painting The Oath of the Horatii, the new virtue was soft and feminized, and capable of being expressed by women as well as men; indeed, some thought it was even better expressed by women.

Although this new social virtue has often been associated with the Scottish Enlightenment, its sources in the English-speaking world were broader than that. Joseph Addison was speaking its sentiments well before Francis Hutcheson and Adam Smith. It became central to the British Enlightenment and to the images that many Americans

had of a new and better world emerging. Superstition would disappear, barbarism would recede, and all parts of the globe would become civilized and be gently bound together through commerce.

Many were optimistic and confident of social harmony and progress because the new modern virtue was no utopian fantasy but an enlightened conclusion of the modern science of society. Educated and enlightened people found in human nature a scientific imperative for the Christian faith of loving one's neighbor as oneself. Ultimately they aimed at nothing less than discovering the hidden forces in the moral world that moved and held people together, forces that could match the great eighteenth-century scientific discoveries of the hidden forces—gravity, magnetism, electricity, and energy—that operated in the physical world.

This scientific investigation of the moral and social order in the English-speaking world was not simply the work of such great minds as Shaftesbury, Butler, Hutcheson, and Smith. There was hardly an educated person in all of eighteenth-century America who did not at one time or another try to describe the natural forces holding society together. Liberal clergy who were eager to bring reason and revelation together were especially ecstatic to learn that Christian love was natural to man and in accord with the teachings of science. "Just as the regular motions and harmony of the heavenly bodies depend upon their mutual gravitation towards each other," said the Reverend Jonathan Mayhew, so too did love and benevolence among people preserve "order and harmony" in the society.31 Love between humans was akin to gravity of the moral world, and it could be studied and perhaps even manipulated more easily than the gravity of the physical world. "Benevolence," said the Reverend Samuel Cooper of Boston in 1753, "is the Cement and Support—of Families—of Churches—of States and Kingdoms—and of the great Community of Mankind. It is the single Principle that constitutes and preserves all the Peace and Harmony, all the Beauty and Advantage of Society."32 If only the natural benevolent tendencies of man were allowed to flow freely, unclogged by monarchical impediments, society would prosper. There would be no need any longer for elaborate bureaucracies and overawing governments. The natural feelings of love and benevolence between equal individuals could become republican substitutes for the artificial monarchical connectives of family, patronage, and dependency. In place of the arrogance, mortification, and fear of the older monarchical society, people in an egalitarian republican society would love one another. It is still our liberal Enlightenment dream. We still yearn for a world in which everyone will love one another.

32. Id. at 219-20.
This new modern meaning of virtue marked a radical change in the republican tradition. Classical virtue had flowed from the citizen’s participation in politics; government had been the source of his civic consciousness and public spiritedness. But modern virtue flowed from the citizen’s participation in society, not government. “Society,” said Thomas Paine in a brilliant summary of this common enlightened viewpoint, “is produced by our wants, and government by our wickedness; the former promotes our happiness positively by uniting our affections, the latter negatively by restraining our vices. The one encourages intercourse, the other creates distinctions.”

Even someone as different politically from Paine as James Wilson agreed that government was simply the scaffolding for civil society, which was the real source of human flourishing.

It was society—the affairs of private social life—that bred sympathy and the new domesticated virtue. Mingling in drawing rooms and coffeehouses, joining clubs and associations—partaking of the innumerable interchanges in the daily comings and goings of modern life—created affection and fellow feeling. Some now argued that even the buying and selling of commerce—that traditional enemy of classical virtue—was in fact a principal source of modern virtue. Because it encouraged intercourse, confidence, and trust among people, commerce actually contributed to benevolence and fellow feeling and tied not only the members of a commercial nation together but the trading nations of the world as well.

Liberals like Jefferson and Paine thought that if the government would just get out of the way, people’s inherent sociability and moral instinct would create a natural ordering of the society—a civil society that would be free of the confusion and contentions of the past. What ultimately gave Jefferson confidence in the workability of this civil society was his belief in the equality of all people.

Jefferson’s idea that all people shared the same common nature and were linked together in natural affection made possible sympathy, compassion, and fellow feeling, made possible, in other words, a modern civil society. Only a nation in which everyone is assumed to have a personal reality equal to all others can sustain a civic society. Only then will the society have the trust that enables it to carry on trade, communication, and movement among a diverse variety of groups and individuals freely and peacefully without coercion from the state.

Jeffersonian America became such a civil society, a nation of joiners, and private associational life became central to all social activity. People saw themselves as equals participating in a variety of private organizations, but never fully, always partially. Unlike the ancient re-

publican states, which demanded the full devotion of their citizen, people in America's voluntary organizations had to be, in Michael Walzer's words, "only intermittently virtuous." People belonged to many associations at the same time, and often membership involved merely the giving of money rather than time and effort. In such a mobile pluralistic associational society there was no place for permanent hierarchical distinctions, no place for an exclusive Rousseau-like commitment to any group or any thing. In the United States even citizenship, that participation in the affairs of government that was at the center of the classical republican tradition, remained partial and incomplete, just another association among many. Americans in fact did not bother to define national citizenship until the aftermath of the Civil War.

And all the while equality was what made this civil society work. It became the central force of the culture and the source of modern associational life. Americans became the ultimate contract-making people, held together not by traditional tribal blood or hierarchical dependency but by the modern trust that came from treating everyone, even strangers, as equal individuals. This modern trust among equal individuals may not run deep, may not compare to the tribal ties for which men will die, and may not create the kind of romantic communities that some of us yearn for; but it is enough for a functioning, prosperous, democratic civil society. And it is the kind of trust that depends on a belief in the equality of all the participants, a belief in equality for which Jefferson has been the supreme spokesman.
