

Our third president's anti-aristocrat, pro-federalist impulses remain as timely as today's headlines

# What Is Still American in the Thought of Thomas Jefferson?

---

Kevin R. C. Gutzman

Asked fifty or one hundred years ago, Americans would have identified Thomas Jefferson as a great hero, perhaps *the* great hero, of American history. As democrat, intellectual, and revolutionary penman, the man who made the case against George III and defeated Alexander Hamilton had lit the path toward American republican success. In recent years, however, the general public and scholars alike have recast Jefferson—if not as a villain, at least as a disappointment. His name has been removed from several celebrations and at least one park, and few today recall what it was that past generations loved about the Master of Monticello. So what is still American in the thought of Thomas Jefferson?

The basis of Jefferson's famous democratic faith was a particular conception of human psychology. Every bit the Enlightenment polymath of myth, Jefferson reveled in cleaving to the latest discovery in math or science, linguistics or literature. He mocked his politi-

cal opponents, including his sometime friend John Adams, for believing that all man really needed to know had been known by their ancestors. Not at all, the Virginian insisted: our descendants will know more than we do.

Take human nature. Western Christianity,

---

**Kevin R. C. Gutzman** is professor of history at Western Connecticut State University and the author of *Thomas Jefferson—Revolutionary: A Radical's Struggle to Remake America*.

on the basis of a mistranslation of Romans 5:12, held that humans inherited sinfulness, or what Calvinists called “corruption.” Jefferson rejected this. Instead, he held, after Scottish Common Sense philosophy, that all men naturally had a moral sense. So what followed?

For a Calvinist, for example, man could not be trusted. If he was going to be good despite his innate sinfulness, it would have to be because he had a good reason—a selfish motivation. Thus, the syllogism went, if a republic was to survive, it would have to have a moral citizenry; for a citizenry to be moral, it would have to believe in a future state of rewards and punishments; if it was going to believe in a future state of rewards and punishments, that belief would have to be inculcated in it; thus, there should be a state church in which people were required to participate.

Jefferson’s belief in man’s moral sense led him to reject this reasoning. As he deliberately put it in his book *Notes on the State of Virginia*, “It does me no injury for my neighbor to say there are twenty gods, or no god. It neither picks my pocket nor breaks my leg.” He recognized no practical need for a state church.

Instead of the Western Christian Original Sin story, Jefferson used John Locke’s account of a state of nature as the basis of his political science. He never argued that there had been a presocial state of human existence; rather, he took that concept for granted. In the Lockean state of nature, there was of course no religious authority to which man was responsible, and when man left that state of nature by entering into a social compact, he did not confer religious authority upon government. He reserved authority over his religious life to himself.

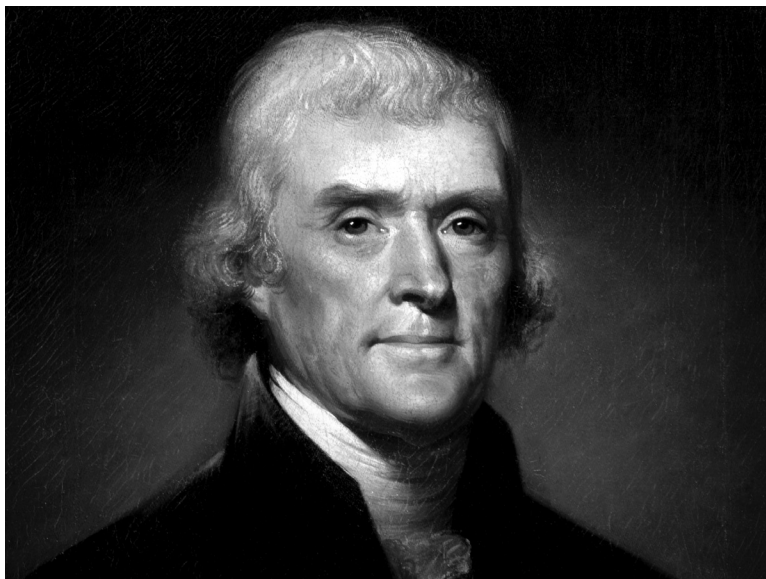
One finds this account of things in the first section of the Virginia Statute for Religious Freedom, his draftsmanship of which Jefferson had memorialized on his gravestone. For

him, following his conscience in regard to religion was man’s first responsibility, a more important one than any other. We see the residue of this old notion that spiritual matters are more important than government functions in, for example, our tradition of allowing conscientious objection to military service, as well as allowing those who object to oath-taking to “affirm” that what they are going to say is true rather than to swear it is.

Yet this priority of Ultimate Things over others seems to win less respect from our contemporaries than it did from our ancestors. Take for example the current question of whether a businessman who objects to contributing his craft to a marriage ceremony violative of his religious beliefs should be made to do so anyway. Many people seem not to consider this even a reasonable question. I have more than once heard “Bake the Cake!” proponents ask whether we ought to allow the craftsman to refrain from selling his services to a biracial couple—the implication of which question was that of course we prioritize a ban on race discrimination above “mere” freedom of conscience. Once we have agreed that freedom of conscience is not our first principle, we might as well not rank it second either, and so Bake the Cake! This judgment could hardly be more anti-Jeffersonian.

Our distance from Jefferson’s position in relation to freedom of conscience manifests itself not only in matters of current controversy but also in what we take for granted. For example, Jefferson consciously refrained from making proclamations of days of prayer or thanksgiving while in his state’s and the United States’ chief executive offices. Accustomed to such proclamations, people noticed his omission, and some of his supporters inquired of him about it.

Jefferson’s answer amounted to saying that even the most august civil office had limited cognizance. Freedom of conscience was for the Christian, the Jew, even the



*After decades of harsh reappraisal, is there anything about Thomas Jefferson's legacy that Americans can still admire?*

Hindu or the infidel. Civil officials should not undertake to instruct the citizenry when or whether to pray, in what fashion to pray, or to any other religious effect.

Jefferson kept his personal religious beliefs to himself while he was an active politician. He did, however, make public that he thought by adopting the Establishment Clause the American people had erected “a wall of separation between church and state,” and as Jeremy Bailey showed in his fine work *Thomas Jefferson and Executive Power*, he hoped that issuing such statements of principle from his presidential eminence would serve a didactic purpose. So much the better that this blast fell upon the Nutmeg State, whose Establishment continued to enjoy great social and political authority.

In retirement, Jefferson's bosom friend James Madison penned what historians have come to denominate “Detached Memoranda”—extended ruminations on important issues. The memorandum on church and state includes negative judgments on issuance of calls for prayer and fasting (which, unlike Jefferson, Madison had

issued), and it says there should not be either congressional or military chaplains. Madison's argument echoed that of the Virginia Statute for Religious Freedom, which Jefferson had drafted and Madison had pushed through the Virginia General Assembly.

Nowadays national politicians like Vice President Mike Pence and former senator Rick Santorum are outliers in their frequent invocations of God in official settings. Still, any prominent political figure who agrees with Madison that there should be no such events or behavior is apt to follow him in saying so only in retirement—perhaps in memoranda to be read only after his death. Maybe Jefferson and Madison held that the Lockean theory undergirding the Declaration of Independence meant that Hindus, animists, and infidels ought not to have to pay for invocations of or holidays dedicated to the Christian God, but this is not a live issue. That it soon will be seems about as likely as that the Berlin Wall will come down or that the federal government will declare homosexual marriage a constitutional right.

Jefferson's glowing appraisal of the average person's moral impulse and acceptance of Lockean social-compact theory as the best basis of an operative political philosophy naturally led him to another of his key political principles: federalism. First within the British Empire, then in the exclusively American context, Jefferson vociferously insisted that King George III or the United States government had only the limited powers Virginia, America, or the states had intentionally granted.

When Jefferson first came to other colonies' attention, the Imperial Crisis culminating in American independence was a decade under way. Sam Adams, Benjamin Franklin, Patrick Henry, John Dickinson, John Hancock, Richard Henry Lee, and Paul Revere already had embarked upon the careers that make their names familiar to us even now. Perhaps hoping to attend the coming (First) Continental Congress, Jefferson prepared draft instructions to the Virginia delegation. In his absence, House of Burgesses leaders published them as *A Summary View of the Rights of British America*.

That 1774 document struck a defiant, even pugnacious pose. Addressing His Royal Majesty directly, Jefferson said that the king—who might have flattered himself that God had selected him for the role—served as mere first magistrate of an empire that could be happy if well arranged. “Let those flatter who fear,” Jefferson thundered. “It is not an American art.”

The nub of *A Summary View's* argument was that Parliament had no right to legislate for the North American British colonies, or indeed for any other colony. From a colonial point of view, it was “foreign to our Constitution, and unacknowledged by our Laws.” Jefferson contended, on a footing established by his cousin Richard Bland, that Parliament had had no role in settling North America. The colonists had done that through their own effort and with their own money. Yes,

Parliament had recently given the colonies military assistance against the French, but its doing that had no more conferred legislative authority on Parliament in North America than similar aid in the same context had made Parliament the chief legislature of Portugal.

Instead, residents of the colonies anywhere in the world could look to their provincial assemblies for local legislation. The British Parliament was precisely, and only, that. The common military and diplomatic efforts fell to the king to lead. Parliament had nothing to do with it.

Here, two years before independence, Jefferson developed his theory of federalism. He would hold to it forcefully for the rest of his very long life. In 1776, famously, it fell to Jefferson to draft the Declaration of American Independence (as he called it on his gravestone). He described that famous statement as “my political creed in the form of ‘a declaration &c.’” The “&c.” is the part to which we tend to pay most attention now, with its Lockean philosophical introduction, long list of allegations against George III, and denial of responsibility for the rupture of ties of “consanguinity” between the colonies and Britain. The operative part, the actual declaration, is the concluding section. There, Jefferson dutifully follows the Revolutionary Virginia Convention's instructions to declare that “these colonies are, and of right ought to be, free and independent states.”

Nowadays, this part is a kind of afterthought. Yet it was the whole at the time. After all, Virginia's congressmen had been instructed to declare what the last section declared; the rest was mere surplusage.

One way of reading the last bit is as announcing that the states were independent. Another is as an announcement that their relation was federal—that each was a “state.” The word, denoting a sovereign entity, entered modern political science with Machiavelli's use of it in the sixteenth century. The plural meant that, as in *A Summary*

*View*, the highest authority was lodged not in an American people or government but in each of the former colonies individually. Whatever federal relation they might choose (and the Virginia Convention had instructed Virginia's congressmen to seek federal relations on the same day as it told them to have Congress declare independence—the day Virginia declared independence: May 15, 1776), they were sovereign.

Jefferson would insist to the death on the primacy of the states in the federal system. Some of his most significant political disputes centered on that issue. So, for example, in the famous debate over Treasury Secretary Alexander Hamilton's Bank Bill in 1790–91, Jefferson's position came down to "The states are sovereign, and they delegated the federal government a few powers. The Constitution must be read with these principles in mind. It always was understood thus. The pending Twelfth [we say 'Tenth'] Amendment makes explicit what already was implicit. Any reading of any provision of the Constitution that tends to violate these basic principles must be rejected."

No doubt Jefferson knew not only that his friend James Madison had made essentially this argument in the House of Representatives but also that his friend, former law student, and cabinet colleague Attorney General Edmund Randolph had explained the Constitution this way over and over again in the Virginia Ratification Convention of 1788. Yet Jefferson needed no support on this score: it was baked into the federal cake for him.

In the end, for whatever reasons, President George Washington signed the Bank Bill into law. (Historians assume that Hamilton persuaded him to do so, but we do not know that; perhaps the president bought Jefferson's advice that in case the constitutional matter seemed unclear, the chief executive should defer to Congress.) Over time, Jefferson became more certain of this matter

of constitutional interpretation's salience, I think because the full import of Hamilton's program became clearer to him.

The Virginia General Assembly had led the way, resolving in 1790 that federal assumption of state debts ran up against Randolph's repeated Ratification Convention assurances that Congress would have only the powers "expressly" granted. Interaction with others concerned that Hamilton wanted to remake America stiffened Jefferson's spine. Thus, although he disliked the idea of a Virginia-chartered bank to compete with the Bank of the United States, Jefferson in 1792 privately broached a radical response to Hamilton's bank: anyone who participated in Bank of the United States activities in the Old Dominion should be executed. One hears an echo of Patrick Henry's famous legislative resolutions against the Stamp Act in 1765, in which the great orator had warned that officials helping implement that offensive act would be treated as enemies to His Majesty's colony. From allowing passersby to punish wrongdoers, in Henry's conception, to having the Old Dominion's government do it, in Jefferson's, was not much of a stretch.

Hamilton's dominance of the federal government drove Jefferson from the cabinet in 1793. With news of Washington's retirement in 1796, he agreed to be the standard-bearer of the Republican Party—or proto-party, if you will. A close Electoral College loss to his friend John Adams meant that he would spend the next four years with a front-row seat at a show in which he had essentially no role.

He remained First Citizen of Albemarle County, however, and had considerable influence over his neighbors. Thus he could respond when John Adams's U.S. attorney for Virginia had a federal grand jury in Richmond hand up a presentment against Jefferson's own U.S. representative for the common-law crime of seditious libel—of

saying something that tended to bring the U.S. government into ill repute.

Jefferson waxed apoplectic. How dare they! What kind of society was this! What of the Revolution! Grasping at common-law jurisdiction meant that the federal courts, staffed entirely by Federalist appointees, would have a wide sea of powers from among which to choose. Never had the people agreed that federal judges would have unlimited power.

Jefferson and his own neighbors might take action in response. By petitioning the General Assembly, they could bestir the Old Dominion's legislators to punish those grand jurors for so overwhelming an effrontery. Matters of federal constitutionalism—the Tenth and First Amendment arguments against federal common-law jurisdiction related to seditious libel—would have to be worked out in federal courts, Congress, or the executive branch. But there was another aspect to this, as Jefferson understood it: Virginians had a natural right to communicate with their representatives. That right did not come under federal jurisdiction. Rather, it had been retained by Virginia in ratifying the federal Constitution. Thus, regardless of whether Congress corrected the grand jurors' behavior somehow, the General Assembly ought to address this violation of Virginians' right. It could do that by impeaching the grand jurors.

Under George Mason's 1776 Virginia Constitution, the governor "and others offending against the state, either by maladministration, corruption, or other means, by which the safety of the State may be endangered" were "impeachable by the House of Delegates." So far as Vice President Jefferson was concerned, that included grand jurors who had used their office to try to deprive Virginians of freedom to communicate uninhibitedly with their representatives.

In the event, only one house of the General Assembly acted on the Albemarle County cit-

izens' petition. Their congressman was never indicted. Yet the following year, even more urgent action became necessary. Congress passed, and John Adams on Bastille Day signed, the Sedition Act. Far from a single grand jury's dangerous demarche, this law actually banned saying anything that tended to bring the federal government into disgrace.

One aspect of the Republicans' response were resolutions adopted by the Virginia and Kentucky legislatures and drafted by Madison and Jefferson respectively. Jefferson's draft for Kentucky said that the states had entered into the federal union of their own accord and for limited purposes, carefully delegating only the enumerated powers. In addition, should the common government adopt policies that were unconstitutional and dangerous, "a nullification" was "the rightful remedy." The two states called on their sisters to join them. In general, the line between supportive and opposed responses was geographical: the legislatures of Georgia and Tennessee, plus one house of the North Carolina legislature, adopted the kinds of resolutions Republicans hoped they would. The governor and legislative leaders of South Carolina said that if they had received Virginia's resolutions sooner (they got them on the last day of their legislative session), they would have responded positively, too. Meanwhile, states north of Virginia objected—Massachusetts and Connecticut with great gusto, in fact calling for more sedition prosecutions.

Jefferson's correspondence from those days with the sometime U.S. senator from Virginia Wilson Cary Nicholas shows him discussing the context in which secession might become necessary. Kentucky would reply to those northern states' objections with a new set of resolutions, this time only limned by Jefferson, saying it would only secede in extreme circumstances. Lest we think this moderate, note that the idea had not been officially broached earlier in the controversy.

In 2018 it has become customary to say that secessionism was “Calhounite” and to associate it with Confederates. In reality it was Jeffersonian, and Virginia Federalists had explained ratification as entailing a right to secede in the Richmond Ratification Convention of 1788. When Thomas Jefferson said “my country,” he meant Virginia, and he was not alone. In later years, the idea of “a scission” of the union came to his mind repeatedly, typically in the context of considering the future of the gigantic trans-Mississippi River empire he had obtained from France. He variously said that forcing a state to stay within the union would be against Republicans’ principles and that if the more westerly states and the eastern ones opted to sever their union, it would be merely a family quarrel, and both groups should be wished well by their fathers. Because we are accustomed to think a transcontinental empire essential to our happiness, Jefferson’s attitude can seem quite jarring. For him, the American republican experiment remained experimental.

Not only might the Union prove temporary, but so he hoped would state and federal constitutions. Jefferson wanted to join in the work of writing the Virginia Constitution of 1776—the first written constitution adopted by any people’s representatives in the history of the world—in fact writing three drafts. Owing to the indispensability of his presence in Congress, however, he had to look on longingly from afar. Among other effects of his noninvolvement was the absence of any emotional attachment to that constitution from his mind. He lamented elements of the Virginia Constitution even before it was adopted, and he would continue to do so ever after. The new draft he composed by 1783 appeared as an appendix in *Notes on the State of Virginia*, and he leant his private encouragement to constitutional reformers in western Virginia to his dying day.

Jefferson calculated that a generation lasted about nineteen years. This led him to conclude that a constitution should sunset at that age too. Every man was entitled to live under a government to which he had consented, and the way to ensure that happened was to sunset all laws and constitutions at intervals no greater than nineteen years. Whereas his friend and ally Madison hoped that the U.S. Constitution would come with time to have a certain purchase upon Americans’ affections, and thus opposed ready amendment of it, Jefferson saw a periodic reconstitution of American politics, state and federal, as both mandated by principle and necessary to ensure that Americans remained fully engaged in civic life. The average Joe would be less attentive to politics as the Revolution faded into memory, he counseled, and one solution to that problem was to suck him back into civic engagement by throwing the entire system up into the air again.

One of Jefferson’s great errors—which, typically of his errors, had a Madisonian air about it—was shrugging off Edmund Pendleton’s counsel in 1801 that Republicans’ early days in control of the federal government ought to be the occasion for extensive constitutional amendment. Each of the leading unconstitutional Federalist measures of the 1790s should be explicitly prohibited by an amendment to the Constitution, he said, else future nationalists might draw upon these precedents in making further inroads into Americans’ freedom.

Alas, significant as their reforms were, Jeffersonians undertook no amendment agenda. They did however take other significant steps, such as repealing recent legislation expanding the number of federal judgeships, canceling a Supreme Court term, and impeaching a Supreme Court justice for rank partisanship on the bench. While Justice Samuel Chase’s able counsel bamboozled the Senate into a narrow acquittal, Chase’s close scrape seems to have moderated his behavior

through the rest of his tenure. We could use a few more such reckonings for federal judges.

In our own day, constitutional amendment has become anathema to conservatives and unnecessary to the left. Thus American constitutional history has been the story of innovation followed by stasis, then new innovation and new stasis. In general, progressives believe that federal courts—far more apt to agree with them than the electorate is—should just declare that the Constitution means whatever they want it to mean, and conservatives never amend the Constitution to the contrary, let alone respond in kind. In his seventeen years of retirement, Jefferson discerned this trend's development, and he encouraged important opponents of the trend, but he could do little about it.

By 2018, conservatives had come to join progressives in holding outlandish constitutional innovations of yesteryear sacrosanct. Think for example of the response of right-wing intellectuals to presidential candidate Donald Trump's call for reform of the libel laws: they joined progressives in lambasting him for his "attack on the Constitution," in the process essentially equating the Warren Court's decision in *New York Times v. Sullivan* with the Constitution. One supposes the sons of these conservative admirers of Justice William Brennan's handiwork will one day stand up in praise of Justice Ruth Bader Ginsburg's legacy.

Another of Jefferson's public-policy initiatives somewhat foreign to our context were his repeated efforts to establish public schools. While president, he persuaded Congress to establish the U.S. Military Academy at West Point, and he more than once endeavored to father a national university. Congress rejected the latter idea, in whatever guise.

Within the Old Dominion, Jefferson wrote a Bill for the More General Diffusion of Knowledge in the 1770s. Here he looked

to the creation of primary and secondary schools serving as feeders to a restructured College of William and Mary. While there had been no public primary or secondary education in colonial Virginia, Jefferson would have seen all children, including girls (he said even slaves could fit into this scheme), sent for three years of schooling at public expense. After those three years the best student in every precinct's elementary school would go off to a regional school for three more years at public expense. At that stage the best in each region would be sent to college for three years at public expense. Wealthy people would remain free to send their sons on as well.

Jefferson believed that while wealth was concentrated, intelligence was dispersed across the population, and so the public lost out by not enabling the lower sort to develop their intellects. Besides that, the three years of education all would receive would include not only the three Rs but also a smattering of historical tales useful to a voter in defending the public liberty against rapacious office holders. Society did not need, however, to pay for everyone to go to college. That would be superfluous.

Today Jefferson's meritocratic approach to these questions sounds strangely foreign. It is rather akin to the way that the young are tracked through school in France, say, or Germany. In America, where all kids are above average, expansion of the higher-ed bubble is a moral (certainly a political) imperative. Perhaps it is good to note here that Jefferson once said if he could have only one change to the Constitution, it would be to insert a ban on government borrowing. People would tolerate more government where the expense to them was not obvious, and so borrowing would logically expand to the fullest extent feasible. Americans in our own day make Jeffersonian noises on this score, but they seldom follow through at the voting booth—or in legislative chambers.



The one area in which Jefferson's thought seems most unlike ours is in regard to the then-intertwined race and slavery questions. Jefferson expressed doubts about blacks' mental endowments. Infamously, he explicated at length in *Notes on the State of Virginia* concerning their musical, artistic, mathematical, and poetic achievements, from which he made inferences concerning their aptitudes. Alas, he concluded, they likely were whites' inferiors on most of these scores.

However, he continued, Isaac Newton's intellectual superiority to others did not entitle him to command them. So in regard to whites and blacks: whatever their mental endowments, blacks were equally endowed with moral sense, and thus were "created equal" to whites when it came to the right of self-government.

Unfortunately, Jefferson wrote, the legacy of slavery meant that blacks likely would always hate whites, while whites were prejudiced against blacks. The only solution to the probable inability of the former masters and former slaves to live free side-by-side in Virginia was "colonization": sending blacks somewhere else. He tried over a long period of time to find somewhere else to which Virginia slaves could be sent—the Midwest, Canada, Spanish America, Sierra Leone, Haiti—without success. He did live to see his political ally President James Monroe sponsor establishment of the West African nation of Liberia to be the "receptacle" to which former American slaves might be sent, but by then Jefferson had become a proponent of "diffusing" the coastal South's black population across the continent. A lower slave density would facilitate abolition, he hoped.

Nowadays, unhistorical evaluation leads people to castigate Jefferson as an awful racist for this line of reasoning. He did prove mistaken in predicting a terrible American race war in case freedom for the slaves (which he insisted was inevitable) came without mass

deportation—though the bloody Haitian Revolution seemed to bear out his concerns in his day.

The imperial trappings of the modern presidency were not for Jefferson. He even rejected the monarchical elements of the office his Federalist predecessors had established. While John Adams had arrived at his inauguration in a carriage-and-six, escorted, clad in a fine suit, and with a sword at his hip, Jefferson walked alone and unarmed from his boarding house to the unfinished U.S. Capitol, characteristically dressed downscale. Soon enough, he had discontinued Washington's and Adams's practice of delivering an annual State of the Union speech, instead initiating what would be a century-long custom of sending a written address to be read to each house of Congress by its clerk. There would be no bowing and scraping at the sight of President Jefferson if he had his way.

Jefferson carried his opposition to monarchical ceremony through his presidency. Thus, for example, he instituted a first-come, first-served rule of seating at White House dinners—much to the consternation of the British ambassador. And a common citizen who knocked on the White House door was likely to be answered by Jefferson himself. On more than one occasion, the president's down-at-the-heels habiliment misled visitors into thinking the tall, wiry man before them must be a footman.

No one referred to Jefferson as "the nation's commander-in-chief" while he was president or after, and we have no evidence that he kept the title of "president" after leaving office; to do so would have smacked of aristocracy. To contrast this with the imperial ceremony and manners surrounding the post-World War II American presidency is unnecessary. I am reminded of Cato the Elder complaining about the influence of Greek ways.

Jefferson's foreign policy has variously been described as foolishly ideological, lovably optimistic, and pragmatic. While pragmatism marked it in some regards, surely his decision to implement James Madison's program of leaning on economic coercion as America's chief diplomatic tool while drastically shrinking the military, all in the midst of a world war, proved a colossal flop.

What it came down to was that Jefferson—believing that large military establishments, with their high taxes, concentration of power in the central government, and concentration of power in the executive branch in particular, would distort American political culture beyond recognition—decided that he could avoid all these negative consequences by making the wish father to the thought. His great good fortune in falling into the Louisiana Purchase seemed to validate the idea that careful negotiation and appropriate palm-greasing would lead to fulfillment of the United States' peaceful destiny. North America—and why not South America?—would be ours! For many generations, Americans could be a nation of yeoman farmers.

In the wake of the War of 1812, Jefferson allowed that he had been mistaken. A significant military must be kept. Manufacturing, if on a small scale, would be part of America's future. The wartime tariffs might be retained, if at reduced levels, even in the absence of wartime revenue needs. The tariffs' protective function could be exploited. Still, while his post-1815 tariff preferences somewhat resemble Donald Trump's, even Jefferson's chastened approach to American defense stands in notable contrast to today's ongoing Pentagon spend-o-rama.

Like Madison, Jefferson repeatedly called as president for Congress to initiate the process of amending the Constitution so that

the federal government would have power to build roads, canals, and bridges. Madison on his last day in the White House vetoed an internal improvements bill, and he issued a message explaining that absent the amendment, the bill remained unconstitutional. Jefferson's commentary on that message came in the form of a new set of legislative resolutions he drafted in 1825—once again warning that Virginia considered congressional exercise of powers not granted by the Constitution violative of the federal compact and, if not repealed, possible grounds for further action. That Jefferson could become so anxious about keeping the camel's nose of loose constitutional construction away from the flap of the constitutional-government tent appears rather quaint now.

In his last public letter, Jefferson—without reference to the recrudescence of Federalism in the early weeks of the John Quincy Adams administration—made clear what underlay all these ideas. He was right back to that original faith in the common (moral) sense of the common man, along with that common man's right to the fruits of his own labor and control of his own destiny. Educated in Jeffersonian schools, common people could be prepared to sniff out the attempts of a self-admiring few to ride common men's backs "booted and spurred," as if "by the grace of God." We hear no references to "priestcraft" or kings in our day, unlike in Jefferson's. But career bureaucrats, Wall Street bankers, the One Percent, and the Deep State will do. Realize it or not, Americans have a deep-seated impulse to oppose aspiring aristocrats of whatever stripe. There's a certain Jeffersonianism in them.

So what is still American in the thought of Thomas Jefferson? Most of our better impulses. †