

NOTES ON THE STATE OF VIRGINIA
(Selections)

Thomas Jefferson¹

1787



About this text:

Notes on the State of Virginia (1785) is Jefferson's compilation of extensive data about Virginia's geography, resources, economy, laws, and inhabitants. It is both a meticulous account of the state of Virginia and an inquiry into the nature of justice and of what it means to be a human being. Jefferson wrote the book as a response to questions put to him in 1780 by Francois Barbe-Marbois, the French delegate to the United States during the Revolutionary War. The following selections from *Notes* compare animal species in America and Europe, human beings in America (whites, Blacks, and Native Americans), and the nature of slavery, law, and justice. These pages give us a good idea of how Jefferson examined physical evidence in order to discover scientific and philosophical

¹ Thomas Jefferson was born on April 13, 1743 in rural Shadwell, Virginia. He was the third of 10 children born to Jane Randolph and Peter Jefferson, a surveyor and the owner of Tuckahoe Plantation. When he was 21 years old, Jefferson inherited roughly 5000 acres and three-dozen slaves.

principles. This reading is tricky: beware of Jefferson's long paragraphs and unusual spellings (which were acceptable in his time and place).

The following Notes were written in Virginia in the year 1781, and somewhat corrected and enlarged in the winter of 1782, in answer to Queries proposed to the Author, by a Foreigner of Distinction, then residing among us. The subjects are all treated imperfectly; some scarcely touched on. To apologize for this by developing the circumstances of the time and place of their composition, would be to open wounds which have already bled enough. To these circumstances some of their imperfections may with truth be ascribed; the great mass to the want of information and want of talents in the writer. He had a few copies printed, which he gave among his friends: and a translation of them has been lately published in France, but with such alterations as the laws of the press in that country rendered necessary. They are now offered to the public in their original form and language.

February 27, 1787

Query VI

"Productions mineral, vegetable and animal" ²

A notice of the mines and other subterraneous riches; its trees, plants, fruits, &c.

Animals

² At William and Mary, Jefferson reads John Locke (1632-1704), Francis Bacon (1561-1626), and Isaac Newton (1642-1727), the Enlightenment thinkers who would shape his lifelong commitment to rational inquiry into nature, morality, and politics. Jefferson describes his method of inquiry as: "A patient pursuit of facts, and cautious combination and comparison of them," which "is the drudgery to which man is subjected by his Maker, if he wishes to attain sure knowledge." Like Jonathan Edwards, Jefferson adopts Locke's view that we come to know the world by studying the evidence of our senses. He also accepts Newton's view of the universe as a mechanism made up entirely of natural matter, and he adapts Bacon's method of studying that mechanism by classifying and drawing conclusions about natural phenomena.

Our quadrupeds³ have been mostly described by Linnaeus and Mons. de Buffon.⁴ Of these the Mammoth, or big buffalo, as called by the Indians, must certainly have been the largest. Their tradition is, that he was carnivorous, and still exists in the northern parts of America. A delegation of warriors from the Delaware tribe having visited the governor of Virginia, during the present revolution, on matters of business, after these had been discussed and settled in council, the governor asked them some questions relative to their country, and, among others, what they knew or had heard of the animal whose bones were found at the Saltlicks, on the Ohio. Their chief speaker immediately put himself into an attitude of oratory, and with a pomp suited to what he conceived the elevation of his subject, informed him that it was a tradition handed down from their fathers, 'That in antient times a herd of these tremendous animals came to the Big-bone licks, and began an universal destruction of the bear, deer, elks, buffaloes, and other animals, which had been created for the use of the Indians: that the Great Man above, looking down and seeing this, was so enraged that he seized his lightning, descended on the earth, seated himself on a neighbouring mountain, on a rock, of which his seat and the print of his feet are still to be seen, and hurled his bolts among them till the whole were slaughtered, except the big bull, who presenting his forehead to the shafts, shook them off as they fell; but missing one at length, it wounded him in the side; whereon, springing round, he bounded over the Ohio, over the Wabash, the Illinois, and finally over the great lakes, where he is living at this day.' It is well known that on the Ohio, and in many parts of America further north, tusks, grinders, and skeletons of unparalleled magnitude, are found in great numbers, some lying on the surface of the earth, and some a little below it. A Mr. Stanley, taken prisoner by the Indians near the mouth of the Tanissee,⁵ relates, that, after being transferred through several tribes, from one to another, he was at length carried over the mountains west of the Missouri to a river which runs westwardly; that these bones abounded there; and that the natives described to him the animal to which they belonged as still existing in the northern parts of their country; from which description he judged it to be an elephant. Bones of the same kind have been lately found, some feet below the surface of the earth, in salines opened on the North Holston, a branch of the Tanissee,⁶ about the latitude of 36 1/2x North. From the accounts published in Europe, suppose it to be decided, that these are of the same kind with those found in Siberia. Instances are mentioned of like animal remains found in the more southern climates of both hemispheres; but they are either so loosely mentioned as to leave a doubt of the fact, so inaccurately described as not to authorize the classing them with the great

³ Four-legged animals

⁴ These are two famous scientists who greatly influenced how we study the natural world. Carl Linnaeus was a Swedish botanist and zoologist who developed taxonomy, the work of naming and classifying species. Georges-Louis Leclerc, Comte de Buffon, was a natural historian who used Linnaeus's taxonomic method as he studied and documented species in their natural environments. Buffon believed that nature in the New World (which included America) was inferior to nature in the Old World (Europe).

⁵ The Tennessee River

⁶ The North Holston is a fork of the Holston River, which runs through southwest Virginia and east Tennessee.

northern bones, or so rare as to found a suspicion that they have been carried thither as curiosities from more northern regions. So that on the whole there seem to be no certain vestiges of the existence of this animal further south than the salines last mentioned. It is remarkable that the tusks and skeletons have been ascribed by the naturalists of Europe to the elephant, while the grinders have been given to the hippopotamus, or river-horse. Yet it is acknowledged, that the tusks and skeletons are much larger than those of the elephant, and the grinders many times greater than those of the hippopotamus, and essentially different in form. Wherever these grinders are found, there also we find the tusks and skeleton; but no skeleton of the hippopotamus nor grinders of the elephant. It will not be said that the hippopotamus and elephant came always to the same spot, the former to deposit his grinders, and the latter his tusks and skeleton. For what became of the parts not deposited there? We must agree then that these remains belong to each other, that they are of one and the same animal, that this was not a hippopotamus, because the hippopotamus had no tusks nor such a frame, and because the grinders differ in their size as well as in the number and form of their points. That it was not an elephant, I think ascertained by proofs equally decisive. I will not avail myself of the authority of the celebrated anatomist,⁷ who, from an examination of the form and structure of the tusks, has declared they were essentially different from those of the elephant; because another anatomist,⁸ equally celebrated, has declared, on a like examination, that they are precisely the same. Between two such authorities I will suppose this circumstance equivocal. But, 1. The skeleton of the mammoth (for so the incognitum has been called) bespeaks an animal of five or six times the cubic volume of the elephant, as Mons. de Buffon has admitted. 2. The grinders are five times as large, are square, and the grinding surface studded with four or five rows of blunt points: whereas those of the elephant are broad and thin, and their grinding surface flat. 3. I have never heard an instance, and suppose there has been none, of the grinder of an elephant being found in America. 4. From the known temperature and constitution of the elephant he could never have existed in those regions where the remains of the mammoth have been found. The elephant is a native only of the torrid zone and its vicinities: if, with the assistance of warm apartments and warm clothing, he has been preserved in life in the temperate climates of Europe, it has only been for a small portion of what would have been his natural period, and no instance of his multiplication in them has ever been known. But no bones of the mammoth, as I have before observed, have been ever found further south than the salines of the Holston, and they have been found as far north as the Arctic circle. Those, therefore, who are of opinion that the elephant and mammoth are the same, must believe, 1. That the elephant known to us can exist and multiply in the frozen zone; or, 2. That an internal fire may once have warmed those regions, and since abandoned them, of which, however, the globe exhibits no unequivocal indications; or, 3. That the obliquity of the ecliptic, when these elephants lived, was so great as to include within the tropics all those regions in which the bones are found; the tropics being, as is before observed, the natural limits of habitation for the elephant. But if it be admitted that this obliquity has really decreased, and we adopt the highest rate of decrease yet pretended, that is, of one minute in a century, to transfer the northern tropic to the Arctic circle, would carry the existence

⁷ Jefferson's note: Hunter.

⁸ Jefferson's note: D'Aubenton.

of these supposed elephants 250,000 years back; a period far beyond our conception of the duration of animal bones left exposed to the open air, as these are in many instances. Besides, though these regions would then be supposed within the tropics, yet their winters would have been too severe for the sensibility of the elephant. They would have had too but one day and one night in the year, a circumstance to which we have no reason to suppose the nature of the elephant fitted. However, it has been demonstrated, that, if a variation of obliquity in the ecliptic takes place at all, it is vibratory, and never exceeds the limits of 9 degrees, which is not sufficient to bring these bones within the tropics. One of these hypotheses, or some other equally voluntary and inadmissible to cautious philosophy, must be adopted to support the opinion that these are the bones of the elephant. For my own part, I find it easier to believe that an animal may have existed, resembling the elephant in his tusks, and general anatomy, while his nature was in other respects extremely different. From the 30th degree of South latitude to the 30th of North, are nearly the limits which nature has fixed for the existence and multiplication of the elephant known to us. Proceeding thence northwardly to 36 1/2 degrees, we enter those assigned to the mammoth. The further we advance North, the more their vestiges multiply as far as the earth has been explored in that direction; and it is as probable as otherwise, that this progression continues to the pole itself, if land extends so far. The center of the Frozen zone then may be the Achmé of their vigour, as that of the Torrid is of the elephant. Thus nature seems to have drawn a belt of separation between these two tremendous animals, whose breadth indeed is not precisely known, though at present we may suppose it about 6 1/2 degrees of latitude; to have assigned to the elephant the regions South of these confines, and those North to the mammoth, founding the constitution of the one in her extreme of heat, and that of the other in the extreme of cold. When the Creator has therefore separated their nature as far as the extent of the scale of animal life allowed to this planet would permit, it seems perverse to declare it the same, from a partial resemblance of their tusks and bones. But to whatever animal we ascribe these remains, it is certain such a one has existed in America, and that it has been the largest of all terrestrial beings. It should have sufficed to have rescued the earth it inhabited, and the atmosphere it breathed, from the imputation of impotence in the conception and nourishment of animal life on a large scale: to have stifled, in its birth, the opinion of a writer, the most learned too of all others in the science of animal history, that in the new world, "La nature vivante est beaucoup moins agissante, beaucoup moins forte";⁹ that nature is less active, less energetic on one side of the globe than she is on the other. As if both sides were not warmed by the same genial sun; as if a soil of the same chemical composition, was less capable of elaboration into animal nutriment; as if the fruits and grains from that soil and sun, yielded a less rich chyle, gave less extension to the solids and fluids of the body, or produced sooner in the cartilages, membranes, and fibres, that rigidity which restrains all further extension, and terminates animal growth. The truth is, that a Pigmy and a Patagonian, a Mouse and a Mammoth, derive their dimensions from the same nutritive juices. The difference of increment depends on circumstances unsearchable to beings with our capacities. Every race of animals seems to have received from their Maker certain laws of extension at the time of their formation.

⁹ Jefferson's note: Buffon. XVIII. 122. ed. Paris. 1764.

Their elaborative organs were formed to produce this, while proper obstacles were opposed to its further progress. Below these limits they cannot fall, nor rise above them. What intermediate station they shall take may depend on soil, on climate, on food, on a careful choice of breeders. But all the manna of heaven would never raise the Mouse to the bulk of the Mammoth.

Hitherto I have considered this hypothesis as applied to brute animals only, and not in its extension to the man of America, whether aboriginal or transplanted. It is the opinion of Mons. de Buffon that the former furnishes no exception to it: "Although the savage of the new world is about the same height as the man of our world, this does not suffice for him to constitute an exception to the general fact that all living nature has become smaller on that continent. The savage is feeble, and has small organs of generation; he has neither hair nor beard, and no ardor whatever for his female; although swifter than the European because he is better accustomed to running, he is, on the other hand, less strong in body; he is also less sensitive, and yet more timid and cowardly; he has no vivacity, no activity of mind; the activity of his body is less an exercise, a voluntary motion, than a necessary action caused by want; relieve him of hunger and thirst, and you deprive him of the active principle of all his movements; he will rest stupidly upon his legs or lying down entire days. There is no need for seeking further the cause of the isolated mode of life of these savages and their repugnance for society: the most precious spark of the fire of nature has been refused to them; they lack ardor for their females, and consequently have no love for their fellow men: not knowing their strongest and most tender of all affections, their other feelings are also cold and languid; they love their parents and children but little; the most intimate of all ties, the family connection, binds them therefore but loosely together; between family and family there is no tie at all; hence they have no communion, no commonwealth, no state of society. Physical love constitutes their only morality; their heart is icy, their society cold, and their rule harsh. They look upon their wives only as servants for all work, or as beast of burden, which they load without consideration with the burden of their hunting, and which they compel without mercy, without gratitude, to perform tasks which are often beyond their strength. They have only few children, and they take little care of them. Everywhere the original defect appears: they are indifferent because they have little sexual capacity, and this indifference to the other sex is the fundamental defect which weakens their nature, prevents its development, and – destroying the very germs of life – uproots society at the same time. Man is here no exception to the general rule. Nature, by refusing him the power of love, has treated him worse and lowered him deeper than any animal."¹⁰ An afflicting picture indeed, which, for the honor of human nature, I am glad to believe has no original. Of the Indian of South America I know nothing; for I would

¹⁰ This passage has been translated from the original French by Merrill D. Peterson and appears in *The Portable Thomas Jefferson* (New York: Penguin Books) 1975. Jefferson cites Buffon, XVIII. 146.

not honor with the appellation of knowledge, what I derive from the fables published of them. These I believe to be just as true as the fables of Aesop. This belief is founded on what I have seen of man, white, red, and black, and what has been written of him by authors, enlightened themselves, and writing amidst an enlightened people. The Indian of North America being more within our reach, I can speak of him somewhat from my own knowledge, but more from the information of others better acquainted with him, and on whose truth and judgment I can rely. From these sources I am able to say, in contradiction to this representation, that he is neither more defective in ardor, nor more impotent with his female, than the white reduced to the same diet and exercise: that he is brave, when an enterprize depends on bravery; education with him making the point of honor consist in the destruction of an enemy by stratagem, and in the preservation of his own person free from injury; or perhaps this is nature; while it is education which teaches us to honor force more than finesse: that he will defend himself against an host of enemies, always chusing to be killed, rather than to surrender, though it be to the whites, who he knows will treat him well: that in other situations also he meets death with more deliberation, and endures tortures with a firmness unknown almost to religious enthusiasm with us: that he is affectionate to his children, careful of them, and indulgent in the extreme: that his affections comprehend his other connections, weakening, as with us, from circle to circle, as they recede from the center: that his friendships are strong and faithful to the uttermost extremity: that his sensibility is keen, even the warriors weeping most bitterly on the loss of their children, though in general they endeavour to appear superior to human events: that his vivacity and activity of mind is equal to ours in the same situation; hence his eagerness for hunting, and for games of chance. The women are submitted to unjust drudgery. This I believe is the case with every barbarous people. With such, force is law. The stronger sex therefore imposes on the weaker. It is civilization alone which replaces women in the enjoyment of their natural equality. That first teaches us to subdue the selfish passions, and to respect those rights in others which we value in ourselves. Were we in equal barbarism, our females would be equal drudges. The man with them is less strong than with us, but their woman stronger than ours; and both for the same obvious reason; because our man and their woman is habituated to labour, and formed by it. With both races the sex which is indulged with ease is least athletic. An Indian man is small in the hand and wrist for the same reason for which a sailor is large and strong in the arms and shoulders, and a porter in the legs and thighs. – They raise fewer children than we do. The causes of this are to be found, not in a difference of nature, but of circumstance. The women very frequently attending the men in their parties of war and of hunting, child-bearing becomes extremely inconvenient to them. It is said, therefore, that they have learnt the practice of procuring abortion by the use of some vegetable; and that it even extends to prevent conception for a considerable time after. During these parties they are exposed to numerous hazards, to excessive exertions, to the greatest extremities of hunger. Even at their homes the nation depends for food, through a certain part of every year, on the gleanings of the forest: that is, they experience a famine once in every year. With all animals, if the female be badly fed, or not fed at all, her young perish: and if both male and female be reduced to like want, generation becomes less active, less productive. To the obstacles then of want and hazard, which nature has opposed to the multiplication of wild animals, for the purpose of restraining their numbers within certain bounds, those of labour and of voluntary abortion are added with

the Indian. No wonder then if they multiply less than we do. Where food is regularly supplied, a single farm will shew more of cattle, than a whole country of forests can of buffaloes. The same Indian women, when married to white traders, who feed them and their children plentifully and regularly, who exempt them from excessive drudgery, who keep them stationary and unexposed to accident, produce and raise as many children as the white women. Instances are known, under these circumstances, of their rearing a dozen children. An inhuman practice once prevailed in this country of making slaves of the Indians. It is a fact well known with us, that the Indian women so enslaved produced and raised as numerous families as either the whites or blacks among whom they lived. — It has been said, that Indians have less hair than the whites, except on the head. But this is a fact of which fair proof can scarcely be had. With them it is disgraceful to be hairy on the body. They say it likens them to hogs. They therefore pluck the hair as fast as it appears. But the traders who marry their women, and prevail on them to discontinue this practice, say, that nature is the same with them as with the whites. Nor, if the fact be true, is the consequence necessary which has been drawn from it. Negroes have notoriously less hair than the whites; yet they are more ardent. But if cold and moisture be the agents of nature for diminishing the races of animals, how comes she all at once to suspend their operation as to the physical man of the new world, whom the Count acknowledges to be "about the same size as the man of our hemisphere,"¹¹ and to let loose their influence on his moral faculties? How has this "combination of the elements and other physical causes, so contrary to the enlargement of animal nature in this new world, these obstacles to the developement and formation of great germs,"¹² been arrested and suspended, so as to permit the human body to acquire its just dimensions, and by what inconceivable process has their action been directed on his mind alone? To judge of the truth of this, to form a just estimate of their genius and mental powers, more facts are wanting, and great allowance to be made for those circumstances of their situation which call for a display of particular talents only. This done, we shall probably find that they are formed in mind as well as in body, on the same module with the "Homo sapiens Europaeus."¹³ The principles of their society forbidding all compulsion, they are to be led to duty and to enterprize by personal influence and persuasion. Hence eloquence in council, bravery and address in war, become the foundations of all consequence with them. To these acquirements all their faculties are directed. Of their bravery and address in war we have multiplied proofs, because we have been the subjects on which they were exercised. Of their eminence in oratory we have fewer examples, because it is displayed chiefly in their own councils. Some, however, we have of very superior lustre. I may challenge the whole orations of Demosthenes and Cicero,¹⁴ and of any more eminent orator, if Europe has furnished more eminent, to produce a single passage, superior to the speech of Logan, a Mingo chief, to Lord Dunmore, when governor of this state. And, as a testimony of their talents in this line, I beg leave to introduce it, first stating the incidents necessary for

¹¹ This passage has been translated from the original French by Merrill D. Peterson and appears in *The Portable Thomas Jefferson* (New York: Penguin Books) 1975.

¹² Jefferson's note: XVIII. 145.

¹³ Jefferson's note: Linnaeus, *Systema Naturae* Definition of a Man.

¹⁴ Ancient orators known for their public speaking skills. Demosthenes (384-322 B.C.E.) was Greek and Cicero was Roman (106-43 B.C.E.).

understanding it. In the spring of the year 1774, a robbery and murder were committed on an inhabitant of the frontiers of Virginia, by two Indians of the Shawanee tribe. The neighbouring whites, according to their custom, undertook to punish this outrage in a summary way. Col. Cresap, a man infamous for the many murders he had committed on those much-injured people, collected a party, and proceeded down the Kanhaway¹⁵ in quest of vengeance. Unfortunately a canoe of women and children, with one man only, was seen coming from the opposite shore, unarmed, and unsuspecting an hostile attack from the whites. Cresap and his party concealed themselves on the bank of the river, and the moment the canoe reached the shore, singled out their objects, and, at one fire, killed every person in it. This happened to be the family of Logan, who had long been distinguished as a friend of the whites. This unworthy return provoked his vengeance. He accordingly signalized himself in the war which ensued. In the autumn of the same year, a decisive battle was fought at the mouth of the Great Kanhaway, between the collected forces of the Shawanees, Mingoës, and Delawares, and a detachment of the Virginia militia. The Indians were defeated, and sued for peace. Logan however disdained to be seen among the suppliants. But, lest the sincerity of a treaty should be distrusted, from which so distinguished a chief absented himself, he sent by a messenger the following speech to be delivered to Lord Dunmore.

"I appeal to any white man to say, if ever he entered Logan's cabin hungry, and he gave him not meat; if ever he came cold and naked, and he clothed him not. During the course of the last long and bloody war, Logan remained idle in his cabin, an advocate for peace. Such was my love for the whites, that my countrymen pointed as they passed, and said, 'Logan is the friend of white men.' I had even thought to have lived with you, but for the injuries of one man. Col. Cresap, the last spring, in cold blood, and unprovoked, murdered all the relations of Logan, not sparing even my women and children. There runs not a drop of my blood in the veins of any living creature. This called on me for revenge. I have sought it: I have killed many: I have fully glutted my vengeance. For my country, I rejoice at the beams t.of peace. But do not harbour a thought that mine is the joy of fear. Logan never felt fear. He will not turn on his heel to save his life. Who is there to mourn for Logan? – Not one."

Before we condemn the Indians of this continent as wanting genius, we must consider that letters have not yet been introduced among them. Were we to compare them in their present state with the Europeans North of the Alps, when the Roman arms and arts first crossed those mountains, the comparison would be unequal, because, at that time, those parts of Europe were swarming with numbers; because numbers produce emulation, and multiply the chances of improvement, and one improvement begets another. Yet I may safely ask, How many good poets, how many able mathematicians, how many great inventors in arts or sciences, had Europe North of the Alps then produced? And it was sixteen centuries after this before a Newton could be formed. I do not mean to deny, that there are varieties in the race of man, distinguished by their powers both of body and mind. I believe there are, as I see to be the case in the races of other animals. I only mean to suggest a doubt, whether the bulk and faculties of animals

¹⁵ The Kanahwa River, a tributary of the Ohio River that runs through West Virginia.

depend on the side of the Atlantic on which their food happens to grow, or which furnishes the elements of which they are compounded? Whether nature has enlisted herself as a Cis or Trans-Atlantic partisan?¹⁶ I am induced to suspect, there has been more eloquence than sound reasoning displayed in support of this theory; that it is one of those cases where the judgment has been seduced by a glowing pen: and whilst I render every tribute of honor and esteem to the celebrated Zoologist, who has added, and is still adding, so many precious things to the treasures of science, I must doubt whether in this instance he has not cherished error also, by lending her for a moment his vivid imagination and bewitching language.

So far the Count de Buffon has carried this new theory of the tendency of nature to belittle her productions on this side the Atlantic. Its application to the race of whites, transplanted from Europe, remained for the Abbé Raynal.¹⁷ "One must be astonished that America has not yet produced one good poet, one able mathematician, one man of genius in a single art or science."¹⁸ 7. Hist. Philos. p. 92. ed. Maestricht. 1774. 'America has not yet produced one good poet.' When we shall have existed as a people as long as the Greeks did before they produced a Homer, the Romans a Virgil, the French a Racine and Voltaire, the English a Shakespeare and Milton, should this reproach be still true, we will enquire from what unfriendly causes it has proceeded, that the other countries of Europe and quarters of the earth shall not have inscribed any name in the roll of poets. But neither has America produced 'one able mathematician, one man of genius in a single art or a single science.' In war we have produced a Washington, whose memory will be adored while liberty shall have votaries, whose name will triumph over time, and will in future ages assume its just station among the most celebrated worthies of the world, when that wretched philosophy shall be forgotten which would have arranged him among the degeneracies of nature. In physics we have produced a Franklin, than whom no one of the present age has made more important discoveries, nor has enriched philosophy with more, or more ingenious solutions of the phaenomena of nature. We have supposed Mr. Rittenhouse second to no astronomer living: that in genius he must be the first, because he is self-taught. As an artist he has exhibited as great a proof of mechanical genius as the world has ever produced. He has not indeed made a world; but he has by imitation approached nearer its Maker than any man who has lived from the creation to this day. As in philosophy and war, so in government, in oratory, in painting, in the plastic art, we might shew that America, though but a child of yesterday, has already given hopeful proofs of genius, as well of the nobler kinds, which arouse the best feelings of man, which call him into action, which substantiate his freedom, and conduct

¹⁶ Jefferson's point is that nature is a "Trans-Atlantic partisan": that nature does not prefer one side of the Atlantic to the other, but works equally well on both sides. Nature is *not* "Cis-Atlantic": she does not prefer one side of the Atlantic (Europe) over the other (America).

¹⁷ Guillaume Thomas Raynal (1713-1796) was a French writer whose best-selling 1770 book *A Philosophical and Political History of the Settlements and Trade of the Europeans In The East And West Indies* criticized colonization.

¹⁸ This passage has been translated from the original French by Merrill D. Peterson and appears in *The Portable Thomas Jefferson* (New York: Penguin Books) 1975.

him to happiness, as of the subordinate, which serve to amuse him only. We therefore suppose, that this reproach is as unjust as it is unkind; and that, of the geniuses which adorn the present age, America contributes its full share. For comparing it with those countries, where genius is most cultivated, where are the most excellent models for art, and scaffoldings for the attainment of science, as France and England for instance, we calculate thus. The United States contain three millions of inhabitants; France twenty millions; and the British islands ten. We produce a Washington, a Franklin, a Rittenhouse. France then should have half a dozen in each of these lines, and Great-Britain half that number, equally eminent. It may be true, that France has: we are but just becoming acquainted with her, and our acquaintance so far gives us high ideas of the genius of her inhabitants. It would be injuring too many of them to name particularly a Voltaire, a Buffon, the constellation of Encyclopedists, the Abbé Raynal himself, &c. &c. We therefore have reason to believe she can produce her full quota of genius. The present war having so long cut off all communication with Great-Britain, we are not able to make a fair estimate of the state of science in that country. The spirit in which she wages war is the only sample before our eyes, and that does not seem the legitimate offspring either of science or of civilization. The sun of her glory is fast descending to the horizon. Her philosophy has crossed the Channel, her freedom the Atlantic, and herself seems passing to that awful dissolution, whose issue is not given human foresight to scan.

Query XIV

"Laws"

The administration of justice and description of the laws?

...Many of the laws which were in force during the monarchy being relative merely to that form of government, or inculcating principles inconsistent with republicanism, the first assembly which met after the establishment of the commonwealth appointed a committee to revise the whole code, to reduce it into proper form and volume, and report it to the assembly. This work has been executed by three gentlemen, and reported; but probably will not be taken up till a restoration of peace shall leave to the legislature leisure to go through such a work.

The plan of the revisal was this. The common law of England, by which is meant, that part of the English law which was anterior to the date of the oldest statutes extant, is made the basis of the work. It was thought dangerous to attempt to reduce it to a text: it was therefore left to be collected from the usual monuments of it. Necessary alterations in that, and so much of the whole body of the British statutes, and of acts of assembly, as were thought proper to be retained, were digested into 126 new acts, in which simplicity of stile was aimed at, as far as was safe. The following are the most remarkable alterations proposed:

To change the rules of descent, so as that the lands of any person dying intestate shall be divisible equally among all his children, or other representatives, in equal degree.

To make slaves distributable among the next of kin, as other moveables.¹⁹

To have all public expences, whether of the general treasury, or of a parish or county, (as for the maintenance of the poor, building bridges, court-houses, &c.) supplied by assessments on the citizens, in proportion to their property.

To hire undertakers for keeping the public roads in repair, and indemnify individuals through whose lands new roads shall be opened.

To define with precision the rules whereby aliens should become citizens, and citizens make themselves aliens.

To establish religious freedom on the broadest bottom.

To emancipate all slaves born after passing the act. The bill reported by the revisors does not itself contain this proposition; but an amendment containing it was prepared, to be offered to the legislature whenever the bill should be taken up, and further directing, that they should continue with their parents to a certain age, then be brought up, at the public expence, to tillage, arts or sciences, according to their geniusses, till the females should be eighteen, and the males twenty-one years of age, when they should be colonized to such place as the circumstances of the time should render most proper, sending them out with arms, implements of household and of the handicraft arts, feeds, pairs of the useful domestic animals, etc., to declare them a free and independant people, and extend to them our alliance and protection, till they shall have acquired strength; and to send vessels at the same time to other parts of the world for an equal number of white inhabitants; to induce whom to migrate hither, proper encouragements were to be proposed. It will probably be asked, Why not retain and incorporate the blacks into the state, and thus save the expense of supplying, by importation of white settlers, the

¹⁹ In 1764 at the age of 21, Jefferson inherited 2750 acres of his father's land in and around Shadwell, Virginia. In 1768, he began building Monticello, his permanent home, on a mountain near Shadwell. Now a National Historic Landmark, Monticello was a large, working plantation that also served as Jefferson's primary place of study and experimentation. In his large private library, he studied languages, literature, philosophy, and natural philosophy (what is now called "science"), and on the grounds he experimented with textile and wine making techniques and other industries. Monticello's front entrance hall, which served as the waiting room for Jefferson's many visitors, was a small museum featuring objects of American natural history, western civilization, and American Indian cultures." Monticello is also a testament to Jefferson's participation in slavery. From 1770 to 1831, when Monticello was sold, Jefferson oversaw Mulberry Row, a busy road running through the mountain estate that housed and was the labor hub of hundreds of black slaves and white hired hands. It is estimated that Jefferson owned as many as 600 slaves and employed 100 white servants.

vacancies they will leave? Deep rooted prejudices entertained by the whites; ten thousand recollections, by the blacks, of the injuries they have sustained; new provocations; the real distinctions which nature has made; and many other circumstances, will divide us into parties, and produce convulsions which will probably never end but in the extermination of the one or the other race. – To these objections, which are political, may be added others, which are physical and moral. The first difference which strikes us is that of colour. Whether the black of the negro resides in the reticular membrane between the skin and scarf-skin, or in the scarf-skin itself; whether it proceeds from the colour of the blood, the colour of the bile, or from that of some other secretion, the difference is fixed in nature, and is as real as if its seat and cause were better known to us. And is this difference of no importance? Is it not the foundation of a greater or less share of beauty in the two races? Are not the fine mixtures of red and white, the expressions of every passion by greater or less suffusions of colour in the one, preferable to that eternal monotony, which reigns in the countenances, that immoveable veil of black which covers all the emotions of the other race? Add to these, flowing hair, a more elegant symmetry of form, their own judgment in favour of the whites, declared by their preference of them, as uniformly as is the preference of the Oranootan for the black women over those of his own species. The circumstance of superior beauty, is thought worthy attention in the propagation of our horses, dogs, and other domestic animals; why not in that of man? Besides those of colour, figure, and hair, there are other physical distinctions proving a difference of race. They have less hair on the face and body. They secrete less by the kidneys, and more by the glands of the skin, which gives them a very strong and disagreeable odour. This greater degree of transpiration renders them more tolerant of heat, and less so of cold, than the whites. Perhaps too a difference of structure in the pulmonary apparatus, which a late ingenious experimentalist has discovered to be the principal regulator of animal heat, may have disabled them from extricating, in the act of inspiration, so much of that fluid from the outer air, or obliged them in expiration, to part with more of it. They seem to require less sleep. A black, after hard labour through the day, will be induced by the slightest amusements to sit up till midnight, or later, though knowing he must be out with the first dawn of the morning. They are at least as brave, and more adventuresome. But this may perhaps proceed from a want of forethought, which prevents their seeing a danger till it be present. When present, they do not go through it with more coolness or steadiness than the whites. They are more ardent after their female: but love seems with them to be more an eager desire, than a tender delicate mixture of sentiment and sensation. Their griefs are transient. Those numberless afflictions, which render it doubtful whether heaven has given life to us in mercy or in wrath, are less felt, and sooner forgotten with them. In general, their existence appears to participate more of sensation than reflection. To this must be ascribed their disposition to sleep when abstracted from their diversions, and unemployed in labour. An animal whose body is at rest, and who does not reflect, must be disposed to sleep of course. Comparing them by their faculties of memory, reason, and imagination, it appears to me, that in memory they are equal to the whites; in reason much inferior, as I think one could scarcely be found capable of tracing and comprehending the investigations of Euclid; and that in imagination they are dull, tasteless, and anomalous. It would be unfair to follow them to Africa for this investigation. We will consider them here, on the same stage with the whites, and where the facts are not apocryphal on which a judgment is to be formed.

It will be right to make great allowances for the difference of condition, of education, of conversation, of the sphere in which they move. Many millions of them have been brought to, and born in America. Most of them indeed have been confined to tillage, to their own homes, and their own society: yet many have been so situated, that they might have availed themselves of the conversation of their masters; many have been brought up to the handicraft arts, and from that circumstance have always been associated with the whites. Some have been liberally educated, and all have lived in countries where the arts and sciences are cultivated to a considerable degree, and have had before their eyes samples of the best works from abroad. The Indians, with no advantages of this kind, will often carve figures on their pipes not destitute of design and merit. They will crayon out an animal, a plant, or a country, so as to prove the existence of a germ in their minds which only wants cultivation. They astonish you with strokes of the most sublime oratory; such as prove their reason and sentiment strong, their imagination glowing and elevated. But never yet could I find that a black had uttered a thought above the level of plain narration; never see even an elementary trait of painting or sculpture. In music they are more generally gifted than the whites with accurate ears for tune and time, and they have been found capable of imagining a small catch.²⁰ Whether they will be equal to the composition of a more extensive run of melody, or of complicated harmony, is yet to be proved. Misery is often the parent of the most affecting touches in poetry. – Among the blacks is misery enough, God knows, but no poetry. Love is the peculiar cestrum of the poet. Their love is ardent, but it kindles the senses only, not the imagination. Religion indeed has produced a Phyllis Whately;²¹ but it could not produce a poet. The compositions published under her name are below the dignity of criticism. The heroes of the *Dunciad*²² are to her, as Hercules to the author of that poem. Ignatius Sancho²³ has approached nearer to merit in composition; yet his letters do more honour to the heart than the head. They breathe the purest effusions of friendship and general philanthropy, and shew how great a degree of the latter may be compounded with strong religious zeal. He is often happy in the turn of his compliments, and his stile is easy and familiar, except when he affects a Shandean²⁴ fabrication of words. But his imagination is wild and extravagant, escapes incessantly from every restraint of reason and taste, and, in the

²⁰ Jefferson's note: The instrument proper to them is the Banjar, which they brought hither from Africa, and which is the original of the guitar, its chords being the four lower chords of the guitar.

²¹ Phyllis Whately (also Phillis Wheatley, 1753-1784) was the first African American woman poet to be published. A former slave who had been emancipated by her owner on, Wheatley was also a devout Christian. Jefferson regarded Wheatley's poetry as pious babble and claims here that religion does not inspire good poetry.

²² The *Dunciad* is a satire of the heroic epics (such as Homer's *Odyssey*) written by the British poet Alexander Pope (1688-1744). The heroes are "dunces," or stupid people, in the land of "Dulness."

²³ Ignatius Sancho (1729-1780) was a former slave who became a composer and was Britain's first Black voter.

²⁴ A reference to Irish writer Lawrence Sterne's humorous novel *Tristram Shandy* (1767), a fictional autobiography whose protagonist is unable to explain anything simply and often gets lost in his own tangents.

course of its vagaries, leaves a tract of thought as incoherent and eccentric, as is the course of a meteor through the sky. His subjects should often have led him to a process of sober reasoning: yet we find him always substituting sentiment for demonstration. Upon the whole, though we admit him to the first place among those of his own colour who have presented themselves to the public judgment, yet when we compare him with the writers of the race among whom he lived, and particularly with the epistolary class, in which he has taken his own stand, we are compelled to enroll him at the bottom of the column. This criticism supposes the letters published under his name to be genuine, and to have received amendment from no other hand; points which would not be of easy investigation. The improvement of the blacks in body and mind, in the first instance of their mixture with the whites, has been observed by every one, and proves that their inferiority is not the effect merely of their condition of life. We know that among the Romans, about the Augustan age especially, the condition of their slaves was much more deplorable than that of the blacks on the continent of America. The two sexes were confined in separate apartments, because to raise a child cost the master more than to buy one. Cato, for a very restricted indulgence to his slaves in this particular, took from them a certain price.²⁵ But in this country the slaves multiply as fast as the free inhabitants. Their situation and manners place the commerce between the two sexes almost without restraint. – The same Cato, on a principle of oeconomy, always sold his sick and superannuated slaves. He gives it as a standing precept to a master visiting his farm, to sell his old oxen, old waggons, old tools, old and diseased servants, and every thing else become useless. *Vendat boves vetulos, plaustrum vetus, ferramenta vetera, servum senem, servum morbosum, & si quid aliud supersit vendat.* Cato de re rusticâ. c. 2. The American slaves cannot enumerate this among the injuries and insults they receive. It was the common practice to expose in the island of Aesculapius, in the Tyber, diseased slaves, whose cure was like to become tedious.²⁶ The Emperor Claudius, by an edict, gave freedom to such of them as should recover, and first declared, that if any person chose to kill rather than to expose them, it should be deemed homicide. The exposing them is a crime of which no instance has existed with us; and were it to be followed by death, it would be punished capitally. We are told of a certain Vedius Pollio, who, in the presence of Augustus, would have given a slave as food to his fish, for having broken a glass. With the Romans, the regular method of taking the evidence of their slaves was under torture. Here it has been thought better never to resort to their evidence. When a master was murdered, all his slaves, in the same house, or within hearing, were condemned to death. Here punishment falls on the guilty only, and as precise proof is required against him as against a freeman. Yet notwithstanding these and other discouraging circumstances among the Romans, their slaves were often their rarest artists. They excelled too in science, insomuch as to be usually employed as tutors to their master's children. Epictetus, Terence, and Phaedrus, were slaves. But they were of the race of whites. It is not their condition then, but nature, which has produced the distinction. – Whether further observation will or will not verify the conjecture, that

²⁵ Jefferson's note: *Tous doulous etaxen orismenou nomesmotos homilein tais therapainisin.* Plutarch. Cato.

²⁶ Jefferson's note: Suet. Claud. 25.

nature has been less bountiful to them in the endowments of the head, I believe that in those of the heart she will be found to have done them justice. That disposition to theft with which they have been branded, must be ascribed to their situation, and not to any depravity of the moral sense. The man, in whose favour no laws of property exist, probably feels himself less bound to respect those made in favour of others. When arguing for ourselves, we lay it down as a fundamental, that laws, to be just, must give a reciprocation of right: that, without this, they are mere arbitrary rules of conduct, founded in force, and not in conscience: and it is a problem which give to the master to solve, whether the religious precepts against the violation of property were not framed for him as well as his slave? And whether the slave may not as justifiably take a little from one, who has taken all from him, as he may slay one who would slay him? That a change in the relations in which a man is placed should change his ideas of moral right and wrong, is neither new, nor peculiar to the colour of the blacks. Homer tells us it was so 2600 years ago.

*Emisu, gar t'aretes apoainutai europa Zeus
Haneros, eut' an min kata doulion ema elesin.*

Odyssey 17. 323.

Jove²⁷ fix'd it certain, that whatever day
Makes man a slave, takes half his worth away.

But the slaves of which Homer speaks were whites. Notwithstanding these considerations which must weaken their respect for the laws of property, we find among them numerous instances of the most rigid integrity, and as many as among their better instructed masters, of benevolence, gratitude, and unshaken fidelity. – The opinion, that they are inferior in the faculties of reason and imagination, must be hazarded with great diffidence. To justify a general conclusion, requires many observations, even where the subject may be submitted to the Anatomical knife, to Optical glasses, to analysis by fire, or by solvents. How much more then where it is a faculty, not a substance, we are examining; where it eludes the research of all the senses; where the conditions of its existence are various and variously combined; where the effects of those which are present or absent bid defiance to calculation; let me add too, as a circumstance of great tenderness, where our conclusion would degrade a whole race of men from the rank in the scale of beings which their Creator may perhaps have given them. To our reproach it must be said, that though for a century and a half we have had under our eyes the races of black and of red men, they have never yet been viewed by us as subjects of natural history. Advance it therefore as a suspicion only, that the blacks, whether originally a distinct race, or made distinct by time and circumstances, are inferior to the whites in the endowments both of body and mind. It is not against experience to suppose, that different species of the same genus, or varieties of the same species, may possess different

²⁷ Jove (or Jupiter) is the Roman name for the king of the gods; in Greek mythology, he is called Zeus.

qualifications. Will not a lover of natural history then, one who views the gradations in all the races of animals with the eye of philosophy, excuse an effort to keep those in the department of man as distinct as nature has formed them? This unfortunate difference of colour, and perhaps of faculty, is a powerful obstacle to the emancipation of these people. Many of their advocates, while they wish to vindicate the liberty of human nature, are anxious also to preserve its dignity and beauty. Some of these, embarrassed by the question 'What further is to be done with them?' join themselves in opposition with those who are actuated by sordid avarice only. Among the Romans emancipation required but one effort. The slave, when made free, might mix with, without staining the blood of his master. But with us a second is necessary, unknown to history. When freed, he is to be removed beyond the reach of mixture.