

Thomas Jefferson's Nature - Ketchum Lecture

Dr. Peter Onuf
University of Virginia

Transcript

March 14, 2019

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Good evening. Welcome to the John A. and Carol O. Moran Lecture Hall at The Community Library. My name is Tim Price and I'm the Programs and Education Manager here at The Community Library. I thought I would start out with a poem. Go figure. *[Laughs]* This one entitled "The Gift Outright" by Robert Frost. In my opinion you can never get enough of Robert Frost. This particular one was read at President John F. Kennedy's inauguration. "The Gift Outright". The land was ours before we were the land's She was our land years before we were her people. She was ours in Massachusetts and Virginia, but we were England's still colonials. Possessing what we still were unpossessed by. Possessed by what we now no more possessed. Something we were withholding made us weak until we found out that it was ourselves. We were withholding from- we were withholding from our land of living and forthwith found salvation in surrender. Such as we were we gave ourselves outright the deed of gift was many deeds of war To the land vaguely realizing westward, but still unstoried, artless, unenhanced such as she was, such become So, I'm not exactly sure if one white guy quoting another white guy holds anymore, but I do feel as if there is something here for us to consider both going into tonight's program with Dr. Peter Onuf, and in moving forward as individuals as part of a nation. Here Frost recognizes that we know who we are, yet also not completely. That we are part of an experience, and some might even argue experiment that quite paradoxically emerged from both war and from surrender. That this land is ours, but also was a land before we were a people. That in fact there was a time when a land was of another people, and before that a land without people. He reassures us, yet also cautions us, that we are a nation, yet we are also still becoming one. What we will ultimately become I'm not sure Frost knows, and while the framers certainly had a vision it may be that we are only just starting to, as Frost writes, vaguely realize what we- what that can and should look like for us. Actually that is what I love about being part of this nation - one that is fraught with, well let's say compelling paradoxes, that make us so uniquely and so emergently American. I've a feeling that as we learn more about one of our forefathers, Thomas Jefferson, tonight that we will come to appreciate how the tensions and paradoxes of being an American are less of a burden to us, but more of a creative force that can both inspire and sustain us. I would like to thank Boise State University and Dr. Samantha Harvey as well as The Nature Conservancy and Lisa Eller for bringing us Dr. Onuf here tonight for this compelling talk. Here I should note that the library's relationship with both

these organizations is very special to us, and we feel quite grateful for their continued help in our mission to enhance the cultural lives of our community. So with that I would like to welcome Dr. Harvey, professor of English at Boise State University to the podium to introduce tonight's esteemed speaker. Thank you. *[applause]*

DR. SAMANTHA HARVEY

Hello everyone. I have to adjust this a little bit. What a beautiful library. I haven't been up here in a couple of years. I'm absolutely stunned by the transformation, particularly this room. It's gonna be very inspiring to look out at it as I speak, and I'm so delighted to be here. My name is Samantha Harvey. I'm an English professor at Boise State University, and I have for seven years now run a lecture series at Boise State called *The Idea of Nature* - I put some flyers in the back if you'd like to take one away with you - and my goal of the series is really to create a conversation across disciplines about nature. Not just about public policy or what to do about particular environmental issues, although that's very very important, but really to get at underlying ideas of nature that brought us to where we are today, in terms of how we feel about nature, how we think about nature, and my goal is to bring in scholars with all kinds of different backgrounds and expertises to weigh in with their knowledge and it's been a very satisfying project and even better than that I've been able now for the fifth year to collaborate with this library, and to more recently with The Nature Conservancy, to bring these speakers up here. It's really a privilege for me to be able to bring them up to beautiful part of Idaho and show them Idaho, but also to extend the reach of this series. So what we'll have here tonight is another about Jefferson. You can see the lecture was given last night at Boise State. In a couple of weeks it'll be posted up at *The Idea of Nature* website which is the website is actually on the back of this flyer. And my goal is to create over time, now we've had I think 21 lectures, overtime to have a kind of bank of wonderful lectures about nature and it all began some years ago with Maria Tatar's lecture. She's a professor of folklore and myth, and she talked about wolves in fairytales. And she said, "I've never given a lecture at a place where wolves are actually a management issue, and not just an idea in literature." So my hope is that these collaborations will continue over the years to enrich the community here, and enrich of course the community in Boise, but also across the world. I've noticed from the website that people are downloading the lectures, and you may as well in addition to seeing them streaming. And people are downloading them all over the world and that really makes me feel that it, you know, community has reach now in the digital world. And it's very exciting to see particularly what's been done up here in the last few years. It's really really tremendous. So it's just an absolute joy for me that Peter Onuf came out to be part of this series that's dear to my heart. We met last year at a place called the American Antiquarian Society. I might leave to Peter to tell you what an antiquarian is and does. It's kind of an archaic, but wonderful term, but it involves bringing old things together and interpreting them, and that's what we did at the archive

working both as scholars on our individual projects, but also creating a community of scholars in that year. And I really- I'm deeply grateful for this because I think when you create a community of like-minded people there's a synergy that happens that-that really is world changing, so I feel very grateful that Peter came all this way through storms [laughs] and time zones to be here tonight. His official title is The Thomas Jefferson Memorial Foundation Professor of History Emeritus at the University of Virginia, and Peter Onuf is a leading scholar of Jefferson and the early American republic having written many many books including a *New York Times* bestseller *Most Blessed of the Patriarchs: Thomas Jefferson and Empire of the Imagination*, which was co-authored with Annette Gordon-Reed in 2016. He also wrote *The Mind of Thomas Jefferson in 2007*, and *Jefferson's Empire: The Language of American Nationhood* in 2001. He also garnered great fame as a founding member of the history, Backstory with the American History Guys, which was a public radio program that ran weekly, then became a podcast, and is really worth looking up. Now his students have inherited the role, but he was a founding member, and in that spirit of conversation that's rousing and also forces us to think deeply about where we are and where we've been I'd like to greet Professor Onuf.

[APPLAUSE]

DR. PETER ONUF

Thank you Samantha and Tim. This is indeed a wonderful place and it's a great privilege to be here, and I'm gonna talk about how Jefferson thinks about nature and how we might think about nature. I'm gonna give you a text, this is what happens in sermons, but this is a text from Thomas Jefferson, my scripture, in which Jefferson's writing to his colleague James Madison, the father of *The Constitution*, on September 6, 1789. Now I want to assure you I only know about three or four Jefferson letters really really well, so it's impressive when I can just roll off - this is all the data about this letter. Now let me quote at great length, but this letter is a motherload. If you're interested in Jefferson's political thought, his constitutional thought, and then how that might relate to his ideas about our role here on Earth this is the place to go. And the quotation I'm gonna draw from this letter goes like this: The Earth belongs to living generation in usufruct. The Earth belongs in usufruct to the living generation. Now that idea of the Earth belonging to the living generation, well that sounds either obvious - well of course it's ours. We can do what we want with it right? Well, wrong. Because that phrase "in usufruct" suggests that our claim on this Earth is a form of stewardship. Stewardship for the next generation. When Jefferson talks about the living generation he's asking us to think about the succession of generations. Now that may seem obvious we know what a generation is I think. I come from the 60's, you can date me. Spend enough time with me it will be obvious. A few of you out there will get nostalgic with me for those days, but we were - had these formative experiences in those years. Well, Jefferson belonged to the Revolutionary Generation and that

moment that Robert Frost is writing about. The moment that is commemorated by my necktie, which is *The Declaration of Independence*, this is my only audiovisual aide. [Laughs] I wear it not on my sleeve, I wear it on my chest. *The Declaration of Independence* changed everything for Jefferson it was the defining moment for him. Everything changed. The old world in America was destroyed. The ancient regime and instead in its place came something new. A republic. A modern republic. The first great modern republic based on the premise, the unprecedented, mindboggling premise that people are capable of governing themselves. The whole notion of government traditionally has to do with the way some people govern other people in a social order from top to bottom beginning with God and his representative on Earth, the monarch. Beginning with those privileged classes who were born to rule and then there's the rest of us. The statement "all men are created equal" seems to us second nature. In fact if you said this to a student today he'd say cynically, "Well not really." And he'd have good reasons to be saying that, especially now because it doesn't feel like that anymore does it? Well Jefferson knew that in his world in fact until patriots mobilized and metaphorically killed the king and took control of their own destiny all men in fact were unequal. And this is a point I wanna make tonight and that has to do with inequality. With how Jefferson saw inequality. The rule of privileged families over everybody else, as the great problem of his age. And republican self-government was his great solution. But we may be, and this is a point I'll get back to later, we may be in a new era of inequality, and we might ask what would Jefferson think about this? I resist these questions what would Jefferson think about this, that, or the other thing. Jefferson is happily dead. He didn't anticipate anything that has happened since him. He was not a prophet though we like to think he was because we take some satisfaction in having fulfilled his vision. Aren't we wonderful? And then we repay the kindness of Jefferson imagining us by saying Jefferson you're not quite good enough for us. What about all those slaves you owned? We could go on at great length about all the problems with Jefferson and if you have a personal problem with Jefferson I want you to know that I'm a licensed Jefferson therapist [laughs] and I'd be happy to help you through your problems. I joke about this, but I did have some students at Virginia, who come to Virginia - came to Virginia - because they did love Thomas Jefferson. You know I meet in my line of work - this is no accident - I meet people who really love Jefferson, and they assume that I must too. I have to tell them, "Folks I'm deeply conflicted. I'm working it out now, and in my old age I'm coming to some kind of closure and resolution on this and I can share the secret with you. We'll talk more about my psychic condition as we go along. [chuckle] but the idea that Jefferson imagined the fulfillment of July 4, 1776 across the generations, effectively in us, and that this would be as he'd said later in life it would be an inspiration to the world. And he used the trope of light and enlightenment. You know he's a man of The Enlightenment and most of you are familiar with what that means. I want to talk about it a little bit of how we get to see more.

Vision is key to The Enlightenment, what we can see, and Jefferson had ideas about the future which might resonate with us right now, but I want- first I want to do a little bit to talk about his political philosophy and to talk about this letter he wrote to Madison to give us an idea of how Jefferson began to see things differently. To see that in a world that traditionally had been understood social order itself the great chain of being, from top to bottom, there's no order without hierarchy, and Jefferson says this amazing thing no all men are created equal. Now he's not original in making these claims. These claims come out of a whole movement in political philosophy, moral philosophy. Centered in the Scottish Enlightenment, and one of the central ideas in this Scottish Enlightenment, this is in fact the foundation of modern conceptions of democracy, is the belief that there is a universal human nature. Now that again may seem obvious because we're all, at least until recently the colours of Benetton were our motto, but we now know it's a corrupt family and we have to get over that one too. That we come in different shades and forms, but we're all deeply human. *The Family of Man*, you're old enough to have read that book, that exhibit at the Museum of Modern Art in which we were shown to be one great family, that is a very Jeffersonian idea, a great family of man. But that idea we all have a moral sense. What we might call a conscious. Freud might call a libido. I don't care what you call it, but we have things in each other we can recognize. And the real meaning of equality, and I want to emphasize this, is not that I stand alone as a self-sovereign. I have rights they must be respected. I'm my own boss as every child is told, every parent throughout world history. The real meaning of equality is the recognition of yourself in others. And this was the great breakthrough of the Scottish Enlightenment. Adam Smith in imagining that we are all driven by the urge to exchange, to truck, and barter you could have a whole discipline of modern economics based on the premise that there's a universality of human traits that are manifest in the marketplace. Another way of thinking that we are all equal. The tension I'm trying to get at here is the tension between that conception of the self as a sovereign that I am my own god you might say, and that fundamental idea that there is no self without other selves. Equality is not a proclamation of independence from the world. In fact American independence is a proclamation of interdependence. And here's the big notion from the Enlightenment that I'm gonna lay out, and I'll try to develop it by talking about the concept of generation, I learned this from my political theorist brother. I've collaborated with a lot of people over the years. One of my favorite collaborators, my current one is Annette Gordon-Reed and I love her to death. My brother Nick is a great inspiration to me, and he taught me this very simple thing as a theorist of international relations. We've written two books together. I recommend writing books with other people. It's a way to really get other people to do your reading for you, and *[laughs]* get famous fast. Anyway, the basic idea is that you can't have a conception of the individual unless that is the part of a component, until you have a notion of the whole. A part implies a whole. The whole is made of parts. Is that seem fairly simple? And

here's the point that I want to make within this seemingly silly insight, part and whole, it's tautological. It makes sense to you doesn't it? It's just sort of circular reasoning. Is that there is a simultaneous invention in the early modern period of a conception of the self that is predicated on a conception of the larger society in which that self exists. We now know that things like race is a social construction, even the notion of the individual is a social construction. It's a kind of paradox, but it's the central paradox of the Enlightenment because the whole idea of the Enlightenment is if we take the complexities of the - of the world we live in, and we live in as the- as military historians say "We live in the fog of war" in the fog of the present, when it's very hard to understand where we are and where we're going. Do you feel that way sometimes? Is life a fog? and how do we find our way out of that fog? Well there are reasons there's fog we imagine that this fog is being ginned up or generated in order to keep us in the dark playing with this idea of enlightenment. And Jefferson was absolutely convinced that organized religion was a plot against mankind. because it was a plot to make us all feel we were incapable of governing ourselves. To feel that we were utterly dependent on some mystical force beyond us, and it was all a way of establishing the real world authority of priests and aristocrats and kings who would lord it over us. But this was the age of common sense. This was the age in which Jefferson said this in a letter he wrote in 1793: The fount of all evidence of things that we can believe is in ourselves because the laws of nature are written. They are inscribed in our hearts and minds. Look within we are reading ourselves- we are reading ourselves as you would read a book. And this idea of book, of text, of print - of print that can be replicated and reproduced so that we can all be reading the same thing at the same time having that kind of simultaneous experience that now is part of our daily lives in the world of big data and co-activity, but in Jefferson's day the idea was the threshold of a whole new conception of the way the world was organized because what the enlightened philosopher does is to take that mystifying whole, in which some people tell us that we must bow down before them, and that some must rule over us, and then ask ourselves who are we when we look inside and try to read ourselves and we have this sudden insight when we can read ourselves that we then can read others. And those kings and aristocrats they're just like us. Strip that emperor of his clothes and he's just as naked as we are. We suddenly recognize, and this an important meaning of the word nature, or what is natural to us, that human society in the old regime and the way government is organized is profoundly artificial. We are being mystified. That fog I talked about- I've talked about is an intentional mystification so we won't understand what's right before us. We are blinded and mystified by those who rule over us. Imagine yourself with Jefferson in 1776 as these ideas crystallize for him, and he says all men are created equal. Meaning nobody was born to rule somebody else. We all have the capacity. You break down the whole of society and you find that the component part is an individual. What we need to do is reduce. Move from the mystifying whole to the individual component that we can

understand as we look in the mirror, as we read ourselves by looking to our own hearts. We suddenly grasp something about all people not just about ourselves. The discovery of the self is a discovery of society, and it's also a discovery of the artificiality of a society which is based on the premise that some people are better than others, and born to rule. All of a sudden we have a new grounds on which to see that the rule of King George III is illegitimate. It is not legitimate rule. It's important to keep that world legitimacy in mind because that brings us to the core of Jefferson's philosophy: legitimacy. The legitimate heir to the throne. The legitimate we're talking about- talking about something that is lawful and right. We're also talking about families, and we're talking about something we know, something else we know! We know that we are all in a fundamental sense alike, and we now are now able to see through the superficial markers of difference the fact that I am the only person in this room wearing a necktie, but you know that if I took that necktie off I wouldn't be able to speak anymore, this is actually a technically true, but I'd be just like you. This is- this is just clothing, and I'm wearing it out of a sense of decency and respect for you all, and you've reciprocated by all being dressed here today [chuckling]. I didn't know I was going to get so silly so fast, but it's [chuckle] it's been a couple of exciting days here in Idaho. Anyway this idea then that I'm developing, this Jeffersonian idea, is that what is natural is to take that notion of hierarchy, that vertical axis, and to flip it onto the horizontal, but then I ask you how is it that we can stay together if we are all on the same plane? What maintains order then? And this is where the Scottish philosophers make their great suggestion to Jefferson, and that is the moral sense, a natural sociability. I use that word natural advisedly. Nature, the laws of nature, nature's god Jefferson describes him in *The Declaration of Independence*. Nature vs. artificiality. Unnatural, natural. This is the central meaning of nature. It begins with a new understanding of human nature, but also with a new understanding of our relationship as individuals and as a society collectively to nature in the sense we understand it, the Earth. The Earth belongs in use to the living. So I'm- I'm introducing all the key terms in Jefferson's thinking then I'm gonna put them in play to make Jefferson's argument, but I wanna stop for just a minute and underscore the ways we see things different, or have come to see things differently from Jefferson. We tend to think of nature as something beyond ourselves, something the Earth, for instance, used, his word for it, the Earth that belongs to the living it's an earth that perhaps we think is coming to an end. And we think perhaps it's because of what we have done or have failed to do that the Earth is coming to an end. We think this is the most profound existential crisis that humanity has faced and it's a crisis about the whole world, and you might think of that Jeffersonian conception of stewardship and said well we're not being good stewards. Jefferson beginning by his insights into human nature is trying to bring as he understands it, men into closer accord with nature, with the laws of nature. The Enlightenment is all about trying to see patterns and laws. To explain phenomenon so that we can- so that we can live according to our understanding of

those laws to become you might say closer to nature. Nature is not running out into the woods with your tom-tom and getting back to some kind of primitive, unspoiled state when we were at once with the cosmos. That kind of romantic and post-romantic therapeutic feeling about how we need to connect by getting back to the beginning by stripping ourselves of all the badges of civilization and be reaching back into nature. It's like a return to the womb as Sigmund Freud would put it. That oceanic feeling of being at one with nature. No for Jefferson nature is a protean concept. It is the future inscribed in the laws themselves that enable us to participate in the progressive perfection of the race and *of* the planet. He didn't worry about the end of nature. In his era nature as we call it seemed illimitable. A continent before us with land enough, as he put it in his inaugural address for the thousandth to the thousandth generation there will always be land he's telling us, and that's his vision of the American future is spreading across the continent. It didn't take a thousand generations we might note. So that notion of illimitable resources of nature as a great bounty that man can develop and improve that's something we have rejected. We don't believe that anymore. But the crucial point for Jefferson is that it is by developing our own natural potential, we would say, that man can live in accord with the laws of nature. It is civilization is not in opposition to nature the progress of civilization is to fulfill our natures. Now you might say oh that sounds *terrible* to me because that sounds like a prescription, a program, a *script* for using and abusing the Earth, and before we know it it's gone. But this is why the idea of generation is so important. The Earth must be passed on. Think of the Earth as the great estate that has been given to man. He is the custodian of this estate, but his major responsibility by fulfilling the laws of nature is to develop and improve that great estate, but it must be passed on to the future *whole*. It can't be wasted and this is the key for Jefferson's environmental ethic. It's not man and civilization against nature. It's a man through civilization toward nature. And here I want to briefly talk and only briefly about the idea [*pause*] of the book or what Samantha calls *The Book of Nature* as crucial to Jefferson's thinking. And this is the point I want to make about civilization is the key, it's not the problem. What the book does - think of the book as a way of recording information, of Circulating information, of creating a world of texts that can enable us - first of all in the world of kings and aristocrats, to see through their pretensions - literacy is liberating. It enables us to see things. The light is before us because we can read now, and it's with that literacy and it's with that reading that we can better know the world that we live in. Not to conquer it. Not to destroy it, but to live in it and with it and to pass it on from generation to generation. The book of nature, the book is a medium. In some ways there's nothing more artificial than the book. Nothing more artificial than human language, but it is with these tools, that are god given, that we are enabled to share information, accumulate information, begin to grasp that govern nature, and when we do that then we are no longer the servile tools of dynasties, of kings, who would use us as enslaved labor to do work for their benefit. Here's what I want to tell you about

Jefferson and democracy, and we worry about the future of democracy today. We wonder if we still live in one, or do we think is democracy simply the means by which people in all their conflicting and diverse intentions and motives will find a way to screw things up? Is democracy- is populism the endpoint of democracy, the populism that we're experiencing now. Well I want to reframe the problem for you. For Jefferson it's simply this: All men are created equal. All families are created equal. The family is the natural form of human organization. The republic is the family of families. Humankind is a great family of nations. The great challenge if you believe in equality of man is to keep some families and some individuals from asserting their control over the rest of us. The great problem is aristocracy. I want to talk a little bit about what makes a landed aristocracy an aristocracy. The great secret of the old regime - the dirty secret that republican revolutionaries exposed to the world is the notion in the common law all property in Britain belongs to the King. Originally that's the- if you read William Blackstone, all land is originally the King's. And some families underneath the King have monopolized. If you know anything about real estate in Great Britain. How many people own property in the city of London? Most property owners are in effect lease holders because real estate got divided along time ago in Britain. And those great estates that for Jefferson, and for agrarian Americans who were all farmers that is the epitome of tyranny: monopoly of the land in a particular class. And how do you sustain that monopoly by the legal devices of entail and primal geniture? Entail under the law: an estate can never be broken up. No matter what the wastrel younger son does you can't break it up because that property is entailed to the end of time. And then you bequeath it all to the first son, primal geniture. And in this way even the most stupid, greedy- and even so aristocratic families fail. Sometimes they fail to reproduce, but the fiction is sustained that the family property will pass on and the line will be sustained across time. That's aristocracy. Now let's take the idea that every individual is equal and we are all possessors of the land, not just the privileged few. The great challenge is to maintain the equality of all families to keep the estate of the whole republic in entailed whole to never let it be broken up into fiefdoms. To never allow the return of feudalism. To never allow a few people, a few families, to rule us all. This is the great challenge and what is Jefferson's solution? The great enemy of democracy is the dynastic impulse that comes naturally to all parents, to all fathers, in a patriarchal world, and that is there can never be enough, and your children are more important than anybody else's children. The idea of the generation cuts across that notion of dynastic succession, of privileged families and says all families are equal because all of us, now living constitute a single generation, the whole. We are citizens in a republic. Our citizenship depends on the existence of the republic, and our first responsibility is to sustain the republican liberty we living enjoy and to pass it on to the next generation. That's why Jefferson is opposed to racking up enormous debts that would be a kind of a burden to future generations. It's as if you- think of my hands as the dead hands of the past. I'm dead, but I

passed on property that you must treat as if my will were good forever. I'm ruling you from the grave! How do we avoid that? Well if you read further in this letter to Madison that I've been talking about he says - and this will sound a little strange to you, and I don't mean to alienate you from your children, but he will say this under the municipal law - I'm now quoting - every society is with respect to every other society in a state of nature. Are you with me? If you've studied political theory you know what I'm talking about, a state of nature, anarchy, and one country and another country, there's no superior rule or law over those countries. That's why a state of nature is really a state of war. Well, every society is an independent of each other. Every generation is independent of every other generation. I am telling you that your *children* constitute a distinct nation. I've just introduced the state of war into your family. But of course think back just a minute, Jefferson thinks that the family formation, dominated by me the patriarch of course, that the family is natural, and even though I've set up the idea that Jef- that the generations are alien to each other, and separate from each other, independent of each other, what binds me with my children is love and respect. That's natural because we constitute a unit, so here we have the fundamental paradox. What ties us together across the generations is love, is the love that comes naturally within the family. And it's that love that binds us not withstanding the fact that every generation *must* be independent of its predecessors. The earth belongs to the living. That means that you young people will identify a couple of not old people here, misrepresenting the younger generation, that you young people get to make the decisions. Imagine Jefferson in his old age as he imagined himself in this liminal, half-dead phase of his life when he's walked off the public stage, when he has given his last lecture. When he's given his last speech as the President, when he's done his last public service, and then he's now looking back and praying that you the young people will carry on and carry your burden of responsibility to the generation after yours. Here it was it seems on the face of it the earth belongs to *you*, that you could do anything you want, but *no!* No you have to worry about the next generation, and the next generation. This idea of generation and a generation, on generation after generation. The succession of those thousands of generations that is foundation of his idea of the nation. The immortal nation is every generation to the end of the time. Think of yourself in the flow of history because this is the great teaching of the generational sovereignty idea. Of the great flow from generation to generation. We're talking about history now I'm telling you how important the past is as I fade away and pass the baton on to you. You remember me gratefully and with love and you're looking forward *into* the future the present only has meaning in this context of the unfolding arc of our history. This is the great burden and responsibility. *You thought* a democratic revolution meant that you could do any damned thing you wanted. It's all about your liberty isn't it? No! That's not what Jefferson's telling you. He's telling you you must be aware of your responsibilities to the next generation and how do you respect that? Adhere to that responsibility? Well this letter to Madison is a letter about how

every generation needs to write its own constitution. And he figured it out - what is the generation? By using mortality tables, they derive from French sources. That it would be something like 19.1 years. Well let's round up. Let's call it 20. It doesn't really matter, but this is based on the best demographic data available at the time, and the simple formula is this. From this moment when will less than 50% of us be alive? I think I understand what I just said [chuckle], but we have a majority vote now among- we're all the- we're all living, and we're all voting - most of us are living right now, I feel like I'm right on the edge. We all have a vote and the majority wins. That's the basic rule of republican self-government. But the majority today is not the majority tomorrow because four or five of us, I'm sure, will be dead. At which point there will be four or five new people probably on the scene and we got a different group. Well that majority can only exercise its will for the duration of a generation. Do you follow the logic? Because then you need in effect to come together again and to rewrite your constitution. The rules whereby you will live. Sounds simple, but most people started chuckling when they read this and they said this is completely impracticable. And all lawyers in America who are lovers of James Madison will tell you this is a joke! Because you're only gonna have a constitution that works if people venerate it. Madison uses that word in *The Federalist Papers*, veneration. Jefferson says, you know venerate that sounds awfully like what we were supposed to do with King George III, to venerate those who were born to rule us. But people who are, in modern day, original intent jurisprudence who will tell you oh it's the original intention that must be binding forever. Does that make sense to you? Jefferson uses this homely image, we talked before, about clothing. I drew attention to the fact that I'm clothed and so are you. And let me do a thought experiment for you. Imagine I'm just a boy and I'm kidded out nicely as boys are these days and you say, "Nice well clad!" Think of the constitution as clothing. Young boy looking really good and sharp, and you need that clothing not just to not embarrass your neighbors and your family, but probably to stay warm and it's good for you just the way a constitution is good for you. You need to wear that clothing. But you grow! and boys and girls grow and it doesn't fit anymore, and Jefferson says in a letter he writes in 1816 when he's really thinking about this question of generational sovereignty. Why should you continue to wear the clothes that fitted you as a boy when you are a man? And imagine that the man of course passes on and a new boy comes along- you're constantly having to refit, but I wanna- it's not just a circular motion I wanna add something to it. The image of every generation improving on its predecessor because of enlightenment, because of the circulation of information and knowledge never before possible in the world, never before mass literacy, never before the explosion- the revolution- in print could we have this progressive sense of knowing more and better, and grasping better what the laws of nature are. So this idea of a constitution suited to the people, and this very idea of a people is another Enlightenment invention. Who, what is the people? What makes us individual persons into a people? For Jefferson it's clear enough. It's

our shared civic commitment to our constitution. A constitution which guarantees that every future generation will write its own constitution. It is a living, organic constitution. Organic in the sense that it develops, it improves, it tracks the enlightenment of the human mind, our ability to read ourselves and each other. That we would say this naive sense that you can actually grasp human nature, that you can actually improve. Do you think we're getting better? Do you wonder sometimes? We moderns tend to be very cynical about this. Well I don't know. I'm agnostic, but I'll suggest this about Jefferson, and why perhaps it's worth remembering his teaching even if we think we living in a much more complicated world. And that is the key teaching that I'm trying to impart is a sense of history. A sense that we collectively in each generation have a responsibility. What Jefferson was doing was calling us to arms metaphorically speaking. 1776 wasn't the terminal point in history. It wasn't the end of history. It was the beginning of history. Every generation needed to have its own revolution. He didn't mean slaughtering each other the way Americans slaughtered each other in the Civil War of 1776 or the other Civil War. He meant a civic renewal. A renewal of our civic life to sustain it across time because our children live in our mind. This is our bid for immortality. But for the nation to be immortal we must die. This is again simple and apparently paradoxical, but I've been thinking a lot about being old lately, because I *am*. This is the deep meaning of emeritus. *[Laughs]* I'm out of here. How do I sustain hope? How do we sustain hope? Well I tell you what. I sustain hope in the young folks. All that's needed is that they sense that they are a generation. That the living have a responsibility, and it's not for them to be happy in some kind of sensuous, fulfilled state. It's for them to pursue it always keeping in mind the happiness that will be enjoyed by those who follow us. That seems like an absurdly ambitious task to lay on the trembling shoulders of the younger people who wonder can I even find a way to stay alive in this gig economy that we live in? Maybe I'll have to move in at home! is what young people often say these days. Old people meanwhile are saying, well *[pause]* we're doing alright because some of us have accumulated a great fortune and we're gonna use that to guarantee that you're okay kids. What we see is a return of the dynastic impulse. This is the challenge for tomorrow. Which will rule? It's the same question Thomas Jefferson faced in 1776. Aristocracy or democracy? Some few will rule the rest, and maybe they'll survive. Maybe as the world incinerates *[pause]* Elon Musk will get them into space some place where they can be survivors. Where they can be masters of the universe. Maybe. Is that our best hope? Or maybe we can think of generational terms. And if we thought in generational terms we would think about the capacity every generation has to mobilize. Because where Jefferson began his story of our history where his prayers began was with the mobilization of American patriots and a nasty war. In many ways a stupid war, but a war that gave Americans hope for the future. Gave them a sense that they were a people at the beginning of their nation's history. What we need to remember about the founders is not that they were highly moral people. - That they were so

wonderful. because they weren't! They smelled. They drank much too much, probably 12 times more per capita than we do now. You think you got a drug problem... *[audience chuckles]* physical punishment was the rule of the day. The image of slavery - the whip - well, corporal punishment was virtually universal. No respect for the body of others, for the souls of others. A nasty and brutish and short world to quote Thomas Hobbes. And Jefferson was in many ways from our exalted moral perspective a moral failure. He didn't imagine that he had reached any kind of perfection. That's the whole point of the Enlightenment. You can be better than us, and I got to say to young people you've got to be better than us! If you don't believe in that progress across the generations then you don't believe in anything. And what you're believing in is the enlightened wisdom of people engaging with their world because the earth belongs to them. And if they engage in their world they will have the capacity, they will mobilize collectively, they will have the thing needful to save the stupid planet that we have nearly destroyed and that is collective action. That's the teaching. It's not that they got anything right beyond the very idea that there is hope for the future! That belief in faith and progress which is a belief and faith not just in our children because we provide for them, but for all the children! The idea of the generation in order to discharge its responsibilities to future generations must respect the integrity, the equality of each citizen in that generation. We are all created equal. So what does this mean for the planet? I think the take away is pretty obvious. You have to have that capacity, that collective capacity, if you're gonna do anything. Otherwise let's sign off right now. Join me in waving goodbye because all our hands will be dead. Thank you.

[APPLAUSE]

Oh, thank you. I'd be very happy to listen to somebody else. I'm- I'm losing my voice for you. I sound like George Washington. *[in weak voice]* I nearly died for you. Go ahead.

AUDIENCE MEMBER

Okay, so that was very interesting thank you. There's still involvement in some of the various states. I think actually some conservative regenerated movement to rewrite the actual constitution. To have another constitutional convention and do some rewriting. I'm pretty suspicious because I don't think that the reasons for their wanting to rewrite would be *[inaudible]*

DR. ONUF

Yeah I'm with you. Yeah, no I agree and it's- that's not the application I would give here because with Jefferson. Jefferson has another paradox for you. He's the source of what we call strict instruction of the constitution, but the asterisk next to that notion of strict instruction is once you have a constitution and a legislature according to the constitution passes a law you must treat that law as if it came from God! Because it came from the next best thing. That is the people exercising their legitimate authority. But he's also for constitutional renewal. Now we

know that the constitution has never been - it's been amended and substantively it's not the same constitution, but we have a fiction of continuity. That's the way we imagine ourselves as immortal by sacralizing the Constitution and imagining that it's still with us after all these years. We could argue about whether that does us any good or not, but what clearly is important is that there be regular opportunities for the people to adapt rule, their government, to their condition and their circumstances. The Constitution however you fashion it, whether it's by writing new constitutions or interpreting it liberally, has to be a living constitution. Jefferson would prefer that we act collectively to renew ourselves every generation. He recognized even in his own lifetime that wasn't gonna happen. Though it has happened to a large extent in the states respectively, that and the Federal level. The problem with the Federal Constitution is that it is a *federal* constitution. A union- renewing a union of states the politics of Federalism have- that is the real story of American history, of what is the connection between the component parts of the union and the union as a whole? I don't favor that kind of movement now. With you it seems- it's hard for us to interpret anything that happens now in non-partisan terms. We think it would be a partisan victory and people want to reform the Electoral College. I'm no so sure about it. I think it's actually better because if you think it's gonna work for you, maybe it wouldn't work for you the next time. Maybe it's better that if you want to change the government in Washington now that you get the supermajority that's required to win in the Electoral College then there would be no question of the legitimacy of the new regime. So if you asked me what's- and I'm being partisan now, you'll forgive me. I know I'm in Idaho, but if we're talking about collective action politically it would be the urgent necessity is to have some constitution and we face the prospect of no constitution at all. Let's mobilize around the constitution we do have, and then move from there. I think the real problem is not to deal with the procedures and the mechanics. The real problem is to somehow find the capacity to exercise our will collectively. That depends on having shared commitments, and that sounds like something you pray for, not something you predict. I don't know where it's gonna come from. I can't tell you, but I will tell you that if it doesn't come from some place we're gone. And maybe we deserve to be gone. I don't know. It's- the problem is of course it's all mankind, and it's the entire the Earth. We're not just talking about our own situation. And it's really finding a way as quickly as possible to mobilize, to act collectively, to act civically. I guess the simple message that I'm trying to say is that civic action is the only thing that's gonna to save the nation, and to save nature and the nation. It's our nature fulfilled as social beings that is the best hope for the planet. I know I'm avoiding directly answering your question. I don't have a good answer because this is not a magic formula. The real lesson from Jefferson is the Constitution is the means toward an end. In fact the *big* argument I made is that The Constitution *is* the book of nature. That's Jefferson's book of nature is the living constitution. These are metaphors they're imprecise, but that gives you my idea of the dynamic that's involved in Jefferson's idea.

And he imagined that over time we would develop that capacity. A capacity that resides in the state enabling us to do things that must be done. I think we take much too much for granted, and that we have betrayed our civil responsibility to our children. And it's on us, but we're gone and I pray that young folk will see an opportunity and they'll grasp it. I mean this is sort of like a religious service, you'll forgive me. This is the-the pathetic wailings of a nearly dead white guy. Yeah?

AUDIENCE MEMBER

I just want to...do you think that Jefferson would believe that his vision for generationally...like you said that it has been substantially changed to the Constitution obviously through, you know, later amendments like, you know 13, 14-

DR. ONUF
[INAUDIBLE]

AUDIENCE MEMBER

that would lead him to believe that we're duped that generations have done what they should be doing, which is to refresh and to change the Constitution to suit themselves and they're beliefs at the time? I mean, I- do you think that we're failing in our obligation now where previous generations...

DR. ONUF

No, no, it's a great question. That's a question about the entire arc of American history, and I'm enough of an historian and as a result cynical enough to say I am speaking on a level of theory. Yes the Constitution is not the same one, and maybe getting back to my earlier answer, maybe the fiction is a disabling one. The fiction that we have the same Constitution let's face it it does change and maybe there are better ways to make those changes because the way the changes have been made have largely been through interpretation - not by democratic action. It's by the judiciary. And the amendment process has proved to be extremely bulky. And it has been served- and Federalism- the entire system of government has- offers tremendous resources - defensive resources - obstacles to action. Right now that's the Constitution we want to preserve because we need obstacles to action. It's I'm rambling now. I'm not making a lot of sense. And- I-I think what I'm saying in a what might seem to be a- a- this old man's 'plaint is where did the idea of civic commitment go? Where did civics classes go? Where did the notion of- let's be more modest- the League of Women Voters and good government, a bi-partisan commitment against waste, against corruption. Why don't we mobilize around that? Why do we mobilize against the state? Why don't we see what government does for us? Why is it always us against the government? If it's us against the government it's also us against nature because the state is our only means to do what we need to do in order to preserve the conditions of life on this earth. We deny ourselves that because we think government is doing stuff to us, and that I guess is the most fundamental thing I want to say is that the original idea of a republic is

a collective commitment! We get that sense of the existence of the collective by this notion of the social contract whereby we came out of nature and came together and created something, but that thing we created was a means toward our collective ends. It wasn't a protective umbrella for us to do what we wanted individually. The end of creation is not that you fulfill your fantasies or ambitions. Our ends have to be higher ends beyond each individual, beyond each generation. I don't know. How do you get that kind of understanding? Is this- am I just betraying my advanced age? Does it make sense to you, young person?

[LAUGHTER]

AUDIENCE MEMBER

The idea that you inspire to something higher is something that took me a while-

DR. ONUF

Yeah, and I do think too many of our aspirations even for those of us who aspire to do good have been directed away from civic life. It's easy to get kids - especially in this age of difficulty in getting into elite universities - to be involved in community activity, to be able to put it on their resumes at least that they- they developed an app that made parking easier in San Francisco or something, that some really noble end such as this, but the idea of actually- well serving in government ought to be- it ought to be - and why don't we think about this as our dilemma - until we can inspire our kids to serve themselves and their children by public service- there's all kinds of public service. I'm not asking for *communism* or that we all submit to the big state. I'm just saying we have destroyed our state capacity. We've discredited the state. We've made it illegitimate because it's those 60s hippies types who were "oh Vietnam! It's us against the state". Oh, we were so naive. We started the work of destroying state. It was people on the left, but people on the right...oh with a great relish they're finishing the work right now. So let's- let's come to Jesus. Say we're sorry. We're all sinners, and let's see if we get back to some good sense about what is needful. Because simply screaming about the end of the Earth...it may be therapeutic for you...and I do Jefferson therapy I don't do this kind of therapy. But it's not helping us. And even your recycling and everything is not really helping us. It's a nice attitude. It's a nice posture, but let's be good citizens.

TIM PRICE

We have another question back here.

AUDIENCE MEMBER

Yes sir. Like we need in this room I'm sure. I grew up being a great fan of Jefferson. Seemed to be the ultimate Renaissance man, erudite, great wine seller, wonderful library. But I have to say that when I read Ron Chernow's biography of Hamilton-

DR. ONUF

[*Sound of acknowledgement*]

AUDIENCE MEMBER

And saw Hamilton's ability to articulate the role of the Federal government in the economy and the debate he had with Jefferson. And I'm certainly more persuaded by Hamilton than I am Jefferson. I wonder if you could just comment about that difference in philosophy between the two men.

DR. ONUF

Well it's a great question. I think it's a vast misunderstanding of Jefferson to think that he's a minimal government weak state guy. And we could go on at great length about this. What makes a state strong is that the people identify with it. They own it. Jefferson recognized this. That was why he thought under the federal system as he imagined it. Those nested jurisdictions from the ward, as he called it, or the township, the county, up to the state, the nation, to the world, all reinforced each other, so that because you believed you had a stake in society or a stake in the civic life because you were participating - and this is something he writes in 1816- everybody who participates in town government then becomes- has a sense of engagement and identification with the higher levels of authority. Good citizenship starts locally, and - in his perspective - if you have a government that the people see as legitimate then you can have the kinds of mobilization I'm talking about. Because as he says in the letter he writes to a European correspondent in 1809, he says, "Let Napoleon unleash his forces on us and we will rise up as one". It seems like an odd boast with an army of 2,000 people and mothballed ships that you could resist any invasion, but what he's articulating here is the sense of capa- mobilizing the total capacity of the nation in the *nation's* state that is going to make the power of the United States irresistible. Because all of us are willing to sacrifice our lives for the larger good of the community as a whole. Under- think of Jefferson as the nation guy. The guy who thinks about a people, of people united in their commitment to preserving liberty for themselves and future generations. Think of Hamilton as the state guy, who's good on administration, but doesn't- but looks down on the people. That believes that people must be governed. That if he had his way he would abolish the states. He admired the British Constitution. He says they have the best constitution on Earth. Too bad we can't *replicate* it here. Who says yeah we can't have a king because that would *not* be a popular idea, but it would be much more efficient. Hamilton is for energetic, one-way government. From the Jeffersonian perspective that's just what we *had* in the British Empire. You want both, and I don't mean to make a Jefferson case against Hamilton. Draw your inspiration from where ever you want it. I understand Jefferson particularly when he takes on the responsibility of Chief Executive, as somebody who sees that he must act forcefully on behalf of the people because he has a kind of a mandate from him- from the people. He has put- they have put him in power to do good for them. There is an- a concept, a key concept in governance called prerogative. King's have the prerogative to do that which is needed to preserve the kingdom. A republic must preserve itself. The first law of nature is self-

preservation. This is how Jefferson justified purchasing Idaho and a few other places too. This is how Jefferson justified the embargo. How he justifies going to war. So, [pause] I don't mean to make this a partisan exercise. All I'm saying is I think Jefferson's thinking about the generations is not something that Ron Chernow is not thinking about. Jefferson's thinking about the problem of legitimacy. Without legitimacy you can't have capacity. Otherwise the government is constantly making war against the people. But it has to be the *people's government*, that sense of connection. The Federalists wanted the Republicans to go home, to sit down, to shut up. Let's stop having this mobilization because that's what Jefferson and his followers did in the 1790s. They mobilized. They mobilized to overthrow the federalist government. Don't want to take sides, but there it is. [pause] Yes, sir?

AUDIENCE MEMBER

Your statement about Jefferson seeing the people being able to resist Napoleon makes me wonder whether... in the two, as I understand, as the two alternative justifications for the revolution whether he was really on the side of what he described in The Declaration, whether that was a technique or a method of getting- universalizing it so that it could get the French and others to- to view the revolutionaries as other than Englishmen. Because the two views as I understand it are the one in the- in The Declaration that this is a-a universal or a social contract way of having a government which would be denied. The other being that they were denied the rights of Englishmen, the rights [inaudible] which the Englishmen in England had developed over centuries and had. Again the monarchy was far from absolute.

DR. ONUF

Right. You know it's parliamentary Sovereignty

AUDIENCE MEMBER

And which do you believe in? The rights of Englishman or the universal rights?

DR. ONUF

Yeah, one more [inaudible] than the other. It's clear that Americans didn't want to make a revolution. The revolution was all about preserving their rights as they traditionally understood them, and parliamentary sovereignty was the innovation of the age. And it made them into 2nd class citizens. They had a robust sense of their rights as Britons overseas. They believed they carried their rights with them, and they believed that they were loyal subjects of George III who were doing his work for him by extending the limits of his empire and enriching the entire empire. And they were shocked. They said they felt the sense of betrayal that parliament would pass these tax acts. Imposing a new layer of authority that had never been exercised before. It's a reactive. It's a tax revolt. It's a revolt on behalf of English rights, but you're exactly right there are two things. One is to get the respect of the rest of the world in order to create alliances. You need to be seen by the other nations, or powers of the Earth, as capable of sustaining your

independence. That's one problem, and the second problem is how to demonstrate to your own people that the government you are assuming over yourselves is legitimate. And that depends finally on what really matters is that you need to mobilize - I keep coming back to this - you need to mobilize people to fight a war. The Declaration of Independence is written in the midst of a war. If it's not your war then you're not gonna sign up. Democratization is driven by the imperatives of mobilization - military mobilization. It's a powerful movement. They all reinforce each other. The new logical legitimacy, the new modes of social and political mobilization and military mobilization, and then those theories I described of human nature, of our potential equality. Our nature as potential self-governing citizens. All of those things are working together. Did anyone mean to create what we call democracy today? No.

TIM PRICE

One more question? Does anybody else have a question?

DR. ONUF

There's one more.

AUDIENCE MEMBER

[clears throat] You were talking about generational handing down the- I can't remember how exactly you framed it. As land passed down you inherit it and one generation takes care of it. How would that apply- that's kind of a private land concept it seems?

DR. ONUF

Yup, yup.

AUDIENCE MEMBER

So out in the west, as you know, we have a lot of public land.

DR. ONUF

Yeah I know about that.

AUDIENCE MEMBER

How would- th- how wou- how does this concept apply in a public land setting and in the context of...

DR. ONUF

Yeah.

AUDIENCE MEMBER

...our laws ecetra?

DR. ONUF

Yeah, well one if you're a lawyer you know about law. You know property's just a- landed property's - a bundle of rights and we collectively have rights which are made manifest in taxation, an in immanent domain when necessary. The exigencies of the population collectively

have a bearing on how your private land can be used and therefore on the public land, I would just say very simply it's that notion of keeping the estate entire means for Jefferson not- simply not wasting- for instance, you could take the idea of public land now, and if it's being overgrazed, for instance, under the regime of quasi-private rights under leases or arrangements which are under market value, subsidized by the federal government, then that runs against that notion of sustaining the estate. But it goes beyond simply preserving, that is look take value from this public property. It serves the public good to have it utilized, perhaps, but don't leave it worse off than it was. In other words, don't-deplete the capital, the value. The second to mention is Jefferson believes very much in improvement, in adding value. To add value to the land. That would be through better modes of farming. Perhaps add collective value by withdrawing some land from cultivation. Developing more productive modes of cultivation so that we can have better land use value. All these things are beyond Jefferson, who's in an age when they're beginning to talk about what is derisively called 'book farming' that is more advanced forms of fertilization and crop rotation that there is a science of agronomy, of agriculture, to emerge in this period and all the patriots are very interested in this from Washington to Jefferson on. How you can make the main of the land yield better yields. It's both a private and a public imperative, but collectively we have to act with our ultimate power over all the conditions of- of over what law itself is. It's- we write that law under our constitutions, and Jefferson does tell us that there is nothing sacred about private property as such. You are not the sovereign of your own domain. Your claims are conditional. They are dependent on the fact that you are a citizen. And did you share the responsibilities as citizens? In a theoretical level I think it's pretty clear. The practicalities of it are beyond me and- and are the source of all kinds conflict out here in the west, but there is a guiding value, or norm, that should determine what we do collectively and that is we have to sustain this thing. Because you strip resources and you don't renew them there's gonna be no there there. That should be plain and evident. We have to use the regulatory capacity we have directly, under law, through regulation, to make sure that we're maintaining some kind of a working balance among conflicting goods. Nothing is easy. I don't claim that. But that's what I have to say. - Price: Thank you very much.

[APPLAUSE]

End of transcript.