

**ALL BUT FORGOTTEN:
THOMAS JEFFERSON'S CONTRIBUTION TO THE DEVELOPMENT
OF PUBLIC ADMINISTRATION IN THE UNITED STATES**

STEPHANIE P. NEWBOLD

**A Dissertation Submitted to the Faculty of the
Center for Public Administration and Policy at
Virginia Polytechnic Institute and State University
In Partial Fulfillment of the Requirements for the Degree of**

DOCTOR OF PHILOSOPHY:

PUBLIC ADMINISTRATION AND PUBLIC AFFAIRS

APPROVED:

John A. Rohr, Chair

Gary L. Wamsley

Karen M. Hult

Richard T. Green

Copyright, 2006

BLACKSBURG, VIRGINIA

Key Words: Thomas Jefferson, Constitutional Theory, Public Administration

TABLE OF CONTENTS

<u>CONTENT</u>	<u>PAGE</u>
TABLE OF CONTENTS	2
DEDICATION	7
ACKNOWLEDGEMENTS	8
ABSTRACT	9
CHAPTER I: THEORY AND HISTORY: THE THEORETICAL FOUNDATION FOR PUBLIC ADMINISTRATION SCHOLARSHIP	10
Introduction	10
Theory: A Comprehensive Analysis of its Role and Significance within Public Administration Scholarship	11
The Usefulness of Theory for Graduate Students in Public Administration	17
The Significance of Administrative History for Public Administration Scholarship	20
Role of Administrative History for Public Administration Scholarship	23
Limitations of Administrative History for Public Administration Scholarship	26
The Forgotten Relevance of Political Theory to the Study and Practice of Public Administration	27
References	32
CHAPTER II: SETTING THE STAGE FOR THE STORY TO BEGIN	36
Introduction	36
Explanation of the Storytelling Component of Dissertation	36
Explanation of Methodology	38

Historical Awareness	38
Categorization	38
Objective Historical Analysis	40
Fallacies Associated with Motivation	45
Context	46
Causation	47
Historical Consciousness	49
Historical Processes	50
Sources	52
Historical Facts	53
Primary Sources	54
Secondary Sources	56
Critical Analysis of Documents and Sources	57
External Criticism	57
Internal Criticism	59
Factual Verification	61
Conclusion	62
References	64
CHAPTER III: JEFFERSON THE EARLY YEARS	67
Introduction	67
Developing a Model for Governance: Jefferson's Early Struggle with Constitutional Theory	68
Jefferson's Opinions on the Constitution of 1787	76
Jefferson's Constitutional Argument Against the Establishment Of a National Bank	87
Jefferson's Election to the Vice-Presidency	93
The Alien and Sedition Acts: A Constitutional Crisis for Jefferson	95
Conclusion	105
References	108
CHAPTER IV: JEFFERSON THE PRESIDENT	111

Introduction	111
Jeffersonian Administrative Theory	113
The Revolution of 1800: Jefferson and the Republicans Take Control	117
The Organizational Structure of the Executive Branch	120
Appointments and Removals	120
Departmental Operations	123
President Jefferson as a Policy Maker and as a Working Administrator	130
Building Bridges Between the Executive and Legislative Branches	133
The Cultivation of Political Party Support	136
Characterizing the Jefferson Administration: Debt, Louisiana, & Embargo	139
The Decrease of the National Debt	138
The Louisiana Purchase	144
The Election of 1804: A Landslide for Jefferson and the Republicans	166
The Embargo Act	168
Jeffersonian Leadership: The Reconstructive Example	179
Conclusion	181
References	184
CHAPTER V: REVOLUTIONARY PERSPECTIVES ON STATE-SPONSORED EDUCATION: JEFFERSON’S LASTING CONTRIBUTION TO THE DEVELOPMENT OF PUBLIC ADMINISTRATION IN THE UNITED STATES	188
Introduction	188
Supporting State-Sponsored Education: The Jeffersonian Example	189
Support for Public Libraries	193
A Bill for the More General Diffusion of Knowledge	194
The Jeffersonian Model for State-Sponsored Educational Initiatives	195
A Bill for Establishing a System of Public Education	200

Candid Opinions on Educating Women	204
Jefferson’s Tipping Point: The Virginia General Legislature Continues to Reject Demands for Establishing a System of Public Education	205
Patience Finally Pays Off: The Rockfish Gap Commission and the Founding of the University of Virginia	206
The Rockfish Gap Commission’s Recommendations	207
Beyond Rockfish Gap: The Establishment of the University of Virginia Remains a Slow and Gradual Process	208
Joseph Cabell: Jefferson’s Most Influential Ally in The Virginia General Assembly	209
The Literary Fund	210
Albemarle Academy and Central College Lay the Foundation for the University of Virginia	211
The Organizational Structure of the University of Virginia: Jefferson’s Unique Administrative Vision for Higher Education	214
Architecture	215
The University’s Governing Body: The Rector and the Board of Visitors	218
Faculty	221
Curriculum Requirements	227
Textbook Selection	230
The Founding of the University’s Library	231
The Importance of Honor, Integrity, and Institutional Loyalty	233
Jefferson’s Regular Interaction with University Students	236
Financial Considerations and Barriers That Hindered Completion of the University	237
Original Cost of the University	239
Legislative Concern and Public Criticism over the Increased Cost of the University	239
Diverting Funds Away from Primary Education: An Inadequate and Unfair Argument Against the University and Jefferson	241
Public Opinion and the Growing Financial Concerns Regarding the University	243
Jefferson’s Vision Appreciated: Support for the University Increases	245

References	248
CHAPTER VI: CONCLUSION	250
JEFFERSON: AN ADMINISTRATIVE CREATOR	
Together Jefferson, Madison, and Adams Critically Examine Their Roles as American Statesmen	250
Jefferson: The Administrative Creator	254
References	258
APPENDIX	259
Primary Source Collection	259
Primary Sources Used for this Dissertation	259
How Primary Sources were Read	261

DEDICATED TO LARRY D. TERRY

WITH LOVE, ADMIRATION, AND RESPECT - FOREVER AND ALWAYS.

ACKNOWLEDGEMENTS

EVERYTHING I NEEDED TO KNOW ABOUT PUBLIC ADMINISTRATION

I LEARNED FROM THE LEADER OF THE CONSTITUTIONAL SCHOOL:

JOHN A. ROHR.

TO MY COMMITTEE: GARY WAMSLEY, KAREN HULT, & RICK GREEN

THANK YOU FOR YOUR THOUGHTFUL CRITIQUE AND CONTINUED SUPPORT.

TO MY EXTENDED FAMILY AND BEST FRIENDS

WHO MADE LIVING IN BLACKSBURG THE BEST EXPERIENCE OF MY LIFE:

RHEA EPSTEIN & AL KORNHAUSER
MADELYN, ZOE, & BENJAMIN

LORI ANDERSON, BRYCE HOFLUND,
JAMES MCGHEE, & HEIDI MOREHEAD

AND FINALLY TO THE PEOPLE WHO STOOD WITH ME – LITERALLY –

IN THE DARKEST HOURS OF THE LONGEST NIGHTS:

GARY AND SUSAN WAMSLEY, JENNIFER ALEXANDER,
JACOB AND GAVIN TERRY, LORI ANDERSON, & LISA TABOR

ABSTRACT

Thomas Jefferson's contribution to the development of public administration in the United States has been largely neglected. When we think of Jefferson our minds naturally reflect back to his authorship of the Declaration of American Independence, his commitment to religious freedom, his unwavering support for universal education at all levels of instruction, his establishment of the University of Virginia, and his public service as Foreign Minister to France, Secretary of State, Vice President and President of the United States. Such extraordinary political and professional accomplishments often keep us from connecting Jefferson to the art and science of public administration. A careful examination of Jefferson's life, however, from his election to the presidency in 1800 to his death in 1826 reveals that he made important and noteworthy contributions to the study and practice of public administration – contributions that have been virtually ignored by the field as a whole.¹ By examining how Jefferson thought about administration at the beginning of his political career compared with how he applied it during his later, more mature years reveals a remarkable change in perspective that can only come through experience in public service.

The purpose of this dissertation is to tell the story of how this transformation occurred. Such a story illustrates how one of the most influential and important statesmen in American history developed an appreciation for administration by governing the nation as president and by establishing a state institution for higher education, radically different from any other in the nation, designed to connect the importance of an educated citizenry with the preservation of the nation's constitutional heritage.

¹ This point is made with the acknowledgement and recognition of Leonard D. White's *The Jeffersonians* (1951) and Lynton K. Caldwell's *The Administrative Theories of Hamilton and Jefferson* (1988, 2nd ed.).

CHAPTER ONE:
THEORY AND HISTORY:
THE INTELLECTUAL FOUNDATION FOR PUBLIC ADMINISTRATION SCHOLARSHIP

INTRODUCTION

Theory and history serve as the contextual and intellectual foundation for public administration scholarship. They provide an essential set of tools that enable us to examine, critique, and conceptualize the most important and challenging issues affecting the field. For decades, unfortunately, public administration has largely overlooked and underestimated the significance of theory and history to its intellectual growth and development. This chapter redirects our attention to the value added dimension theory and history provide as well as the possible consequences that are likely to occur when these two areas do not play an active role within public administration scholarship. It provides a comprehensive analysis regarding the significance of theory for public administration scholarship while also illustrating many of the difficulties and complexities that currently exist in our efforts to develop a broader understanding for how administrative theory enhances our efforts to advance the field. Following this discussion, our attention turns to the importance and relevance of administrative history to the study and practice of politics and administration. Finally, this chapter highlights key areas of discussion within the field of contemporary political theory and illustrates how an awareness of these intellectual arguments improves our understanding regarding the contribution administrative theory brings to public administration scholarship.

THEORY: A COMPREHENSIVE ANALYSIS OF ITS ROLE AND SIGNIFICANCE WITHIN PUBLIC ADMINISTRATION SCHOLARSHIP

George Frederickson and Kevin Smith (2003) argue that public administration theory is useful because it increases our capacity to describe, explain, and predict, and “the descriptive features of theory help us see; the explanatory features of theory help us understand” (5). Frederickson and Smith (2003) define theory in three ways: “First, in the natural and physical sciences, theory means a rigorous testing of predictive theorems or hypotheses using observable and comparable data; second, theory in the social sciences and in public administration means the ordering of factual material so as to present evidence through definitions, concepts, and metaphors that promote understanding ... by means of social behavior, organizational behavior, institutional dynamics, political systems and behavior, and patterns of communication and culture; and the third meaning of theory is normative – theories of what ought to be” (7). Generally speaking, Frederickson and Smith’s definition is quite helpful, particularly for students new to public administration. In order to broaden our understanding of the significance of theory and how it works to advance democratic governance, however, we must expand this discussion and provide a more comprehensive analysis as to the value added dimension theoretical studies bring to public administration scholarship. Green et al. (1993) speak to the importance of this effort and argue: “This profession must be built upon formal institutional roles and obligations that ground administrative practices in our constitutions and charters” (517). This perspective points us in the direction of those who have shaped the structure of public administration theory and the difficulties that developed in our efforts at conceptualization.

Mary Ellen Guy (2003) has astutely pointed out that “we commit to our theories and our commitment runs deep. Theories rely on a particular definition of what makes us human, and they become moral arguments ... no single theory can give more than a partial explanation for actions. In different circumstances, cultural beliefs, rational calculations, social relations, or personal identity motivate behavior” (651). Robert Denhardt (2001), addressing “The Big Questions of Public Administration Education” for *Public Administration Review*, offered a similar perspective: “Students with more experience seem to be more interested in the theoretical context of public administration than do students who are fresh out of undergraduate programs. That is consistent with our developmental perspective, which suggests that as students mature, they are likely to become more self-critical and reflective, more interested in integrating their beliefs and values” (531). Both arguments illustrate why public administration scholars have consistently struggled with the concept of theory – not only in terms of articulating a definition but also in terms of applying whatever definition is agreed upon for the moment to a particular theoretical or practical context. When our morality and experiences in public service become integrated with our intellectual preferences for theory building and development, controversy, disagreements, and differences of perspective will obviously surface and present opportunities for scholars and practitioners alike to debate and argue the advantages of one theoretical perspective over another.

Like Guy and Denhardt, Lewis Mainzer (1994) contributed to this discussion and argued that “without good theory as a guide, studies may focus on what is trivial or at best secondary in significance, even when explanations are excellent ... Good theory for public administration insists on the limits of theory and appreciates good judgment in

action” (360). In a word, judgment and moral arguments matter. And since theory embodies both, it seems only natural that the field continues to question and debate its purpose and role in determining how the state should implement administrative practices, public management procedures, policy, and especially principles associated with democratic governance in order to best serve the citizenry and the nation’s democratic institutions.

John Rohr (1986) has spent much of his academic career arguing that public administration’s legitimacy can be found within its constitutional heritage and not within the Progressive Era’s preference for a politics-administration dichotomy that often favored the values of economy, efficiency, and effectiveness over important normative ones like responsibility, responsiveness, and representativeness. As Robert Dahl (1947) once noted: “The great question of responsibility, certainly a central one to the study of public administration once it is raised above the level of academic disquisitions on office management, hinges ultimately on some definition of ends, purposes, and values in society” (3). Wamsley et al. (1990) share these points of view and maintain that “at the highest level, speaking descriptively and conceptually, there is no dichotomy. Public administration at this level of abstraction is an integral part of the governance and political processes” (42). The struggle for legitimacy, and where to find it, is perhaps best illustrated by how some of the most influential scholars of public administration shaped the theoretical foundation of the field. The tension the dichotomy instilled can certainly be felt by comparing and contrasting many of the classic works of American public administration. For example, Paul Appleby’s (1945) argument that government was different because it was essentially political; Norton Long’s (1949) position that

power served as the lifeblood of administration; Dwight Waldo's (1948) emphasis on the importance of history, institutions, and the notion that all people in a civilized society must develop and maintain an appreciation for public administration; and Philip Selznick's (1957) groundbreaking work on administration, leadership, and institutions represent stark theoretical and practical contrasts with the works of Frederick Taylor (1911) who believed that "one best way" epitomized the nature and purpose of public management and especially Herbert Simon's (1947) notion of bounded rationality. The contrast of ideas, values, and norms found within these works, among others, contributed to public administration's theoretical heritage in the United States and the complexities that arise when we address administrative theory.

The *Refounding* scholars represent one of the few schools of thought that has worked as a whole in their efforts to call attention to the value-added dimension a constitutional perspective brings to public administration scholarship generally and the advancement of administrative theory specifically. Wamsley et al. (1990) argue that public administration theory has been "trapped in an intellectual cul-de-sac created by behavioralism, the micropolitics of the discipline of political science, and the power of Herbert Simon's writings. There has been no major advance in public administration theory per se beyond the writings of Appleby, Waldo, Redford, Long, Price, Selznick, Sayre, and others" (19). Applied normative theory, which emphasizes a constitutional framework for addressing the major issues affecting the field, is one of the most productive means to break free of such intellectual trappings – for as Dahl reminds us: "The first difficulty of constructing a science of public administration stems from the

frequent impossibility of excluding normative considerations from the problems of public administration” (1947, 1).

Applied normative theory that is grounded in constitutional thought and tradition emphasizes the practical application of theories, ideas, and perspectives designed to improve our understanding for what ought to be within the confines of the administrative state. Brian Cook (1996) provides an excellent observation regarding the need for public administration to embrace this type of scholarly approach in both theory and practice:

Public administration is thus constitutive of the regime because, more than any other institution, it encompasses and must grapple with the tensions between the instrumental and the constitutive that are so acute in a liberal democratic polity. Public administration stands at the crossroads of the ideal and the real and must, on a continuing basis, demonstrate affinity to both ... It [public administration] is constitutive in the formative sense, because it helps to develop among citizens an appreciation that popular demands for action must be balanced against prior agreements etched in statutes, tradition, and constitutional principle. But it also offers numerous lessons about making practical adjustments to what stands, in light of pressing needs and the careful assessment of current and future conditions (153).

Such a perspective, one that balances and integrates normative, constitutional theory with the practice of administration, also directs our attention to the importance of a well-rounded education for students of politics and administration, one that resembles Jefferson’s preferences when outlining curriculum requirements for students at the University of Virginia.² As Green et al. (1993) point out: “In contrast to current views of career and work, classically educated persons of means applied themselves with a broader and more integrative view of competence, interest, and aspiration. Many contributed to several vocations and areas of study, avoiding rigorous specialization for the sake of retaining their broad competencies. Their entire intellectual orientation stood in opposition to specialization. They prized noble vision and constitutive wisdom” (518).

² These points will be thoroughly examined in chapter five.

This position is certainly grounded in the excellent observation made by Terry Cooper (1991) that “public administrators should identify themselves first with the citizenry in their sharing of authority, in their right and obligation to participate in the affairs of the political community. They should begin to develop the meaning of professionalism in public administration from this normative base” (144).

Students of constitutional theory, whether applied or not, are often exposed to the great scholars and writers of human history, including: Plato, Aristotle, Machiavelli, Hobbes, Locke, Rousseau, among others, and from the American perspective: Madison, Jefferson, and Hamilton. We learn that one of the key elements associated with a classical, normative, constitutional education is a strong reliance on the great books of human history and how these writings have subsequently shaped political philosophy, specifically democratic theory, and the political and administrative dynamics of governing the state. A number of contemporary scholars in public administration, political theory, and sociology³ have pointed to the role these types of books play in our intellectual growth and development, but it is David Ricci (1988) who conveys this position with extraordinary conviction:

Good books are part of a long-lived moral and intellectual heritage summed up in society’s great conversation. They therefore provide common reference points that people can acquire and then cite to one another in order to communicate accurately and share values effectively. Good books provide the social cement that great organizations do not. They therefore deserve to be read and discussed in political science classrooms so as to insure that citizens educated there will emerge as men and women of culture rather than individuals possessing only technical skills (314).

This position is one that supports Guy’s argument regarding the notion that our theories become part of our moral arguments and our ability to practice good judgment. It speaks

³ To include Leo Strauss, Isaiah Berlin, Sheldon Wolin, and C. Wright Mills

to the notion that the past provides wisdom and insight into the future, and for our purposes, it highlights the argument that administrative theory is rooted in the idea that a higher notion of public virtue does indeed exist, like the one Madison references in *Federalist 51*. Here, Madison reminds us that we can find ourselves only in something greater than ourselves. In Madisonian language, “The interest of the man must be connected to the constitutional rights of the place.” When public servants no longer view themselves as a product of the Constitution and of the nation’s democratic institutions, public virtue diminishes.

THE USEFULNESS OF THEORY FOR GRADUATE STUDENTS IN PUBLIC ADMINISTRATION

The intellectual study, practice, and advancement of public administration is dependent upon good theory. According to John Gaus (1931), “It is probable that the basic contribution of the university scholar in this field must be directed at historical, critical, and philosophical appraisals of tendencies and movements” (133). For doctoral candidates, making a significant contribution to theory development is essential not only for the student but for the field as well. We rely on new and innovative ideas from research conducted by doctoral candidates to strengthen and challenge what we have both accepted and rejected in theory and practice. Unfortunately, however, studies continually show that “the public administration doctorate appears to advance knowledge and theory development in the field only to a rather limited degree” (White et al. 1996, 441). In an earlier study, White (1986) found that within the field of public administration, “Much of the dissertation research fails to satisfy the criteria for mainstream social science research. About half of the dissertation authors did not set out to do mainstream research ... Only a few of the successful doctoral candidates have contributed to academic

journals. Dissertation research does not seem to be a major source of publications in public administration” (232). Examining many of these issues and concerns, Houston and Delevan (1990) observed:

Public administration research is engaged in little theory testing. Published articles tend to represent research that is in its early conceptual phase, identifying concepts and issues for future research ... The current state of research may be an indication that the field lacks a broad theoretical framework or paradigm to guide and inspire scholars ... Public administration scholars, therefore, may not possess the basic theoretical frameworks for guiding the systematic identification of significant research questions, much less the selection of appropriate hypotheses and research tools to answer the questions put forth. This situation has contributed to a lack of theory building, as well as the noncumulative nature of the research that characterizes public administration literature (678-679).

White et al. (1996) found that a significant increase has occurred among public administration dissertations that focus on organization theory, organization behavior and change, and other areas that emphasize the practical dynamics affecting public administration. The changing nature of the field’s overall research agenda, according to White et al., helps to explain why scholarly attention focuses more on these areas of study than what was traditionally emphasized in previous decades. Another possible reason for such a decline, one that has not been outlined adequately within the literature, is likely the result of New Public Management’s influence on public administration. Over the last thirty years, public administration has increasingly found ways to incorporate principles associated with entrepreneurialism,⁴ efficiency, and effectiveness into public sector management. As Larry Terry (1996) argues, however, such efforts avoid issues of accountability and democratic governance – areas that represent core elements associated with theory and its development. The popularity of this movement coupled with increased preferences for behavioral, rational choice-like studies can

⁴ For a more detailed analysis see: Osborne, David and Ted Gaebler (1992) *Reinventing Government* and Peters, Guy (1996) *The Future of Governing: Four Emerging Models*.

certainly provide additional explanations as to why doctoral dissertations in public administration “produce little scholarly research in academic journals, or elsewhere; why the large majority of doctoral graduates in public administration do not pursue careers in academic institutions that value research; and why close to a majority of dissertations in the applied fields had findings of no theoretical relevance whatsoever” (White et al. 1996, 450-451). These findings highlight important areas of concern for the field, because they challenge us to think critically about the role theory development plays both within the literature and within doctoral education.

As O.C. McSwite points out, however, theory competency and advancement should also play an integral role in the MPA curriculum. In their discussion of theory competency for MPA educated practitioners, McSwite (2001) argues: “Theory is best considered as a format for working out an understanding of a situation. Second, theory should function to provide a frame for viewing situations. Whereas the format effect is the dynamic sense of working something out, the frame effect is the sense of stability gained when one knows what kind of situation one is in” (112). McSwite maintains that theory competency enhances the ability of MPA educated practitioners to develop richness of perspective, flexibility of attention, and modesty, all of which serve to increase their decision-making capacity within the confines of public sector management. Theory competency changes practitioners’ perspectives and allows them the opportunity to become more comprehensive and reflexive.

Doctoral students work to develop and advance theory, or as Robert Stallings saw it: “The function of the university doctoral program should be to provide an intellectual sanctuary in which doctoral students, regardless of their occupational roles, may step

back and contemplate the meaning of public activity and its relation to the rest of society” (1986, 239). By contrast, MPA students work to become competent in theory in order to apply such ideas into practice. McSwite (2001) maintains: “To see in theory a way to occasion such personal transformation is at the heart of developing a theory competency. To use the reflection and open attitude that results from encounters with theory in an MPA program in a manner that demonstrates conscious self-reflexivity is all that can be demanded of a theory competent administrator. Such a demand, though, is of a very high order indeed” (114). Whether analyzing the purpose of doctoral education or the structure of the MPA curriculum, theory plays a crucial role in both. It provides the intellectual foundation for public administration scholarship while simultaneously serving to advance the field from the perspective of the practitioner. Such efforts provide an excellent segue for evaluating the relevance and importance of administrative history to the study and practice of politics and administration.

THE SIGNIFICANCE OF ADMINISTRATIVE HISTORY FOR PUBLIC ADMINISTRATION SCHOLARSHIP

Administrative history is crucial to the development of public administrative scholarship, theoretically and practically. Political theorists, political scientists, public administrators, and some sociologists have long espoused the significance of history to the intellectual development of public affairs.⁵ Leonard D. White,⁶ who is often regarded as one of the most important administrative historians in both public administration and political science, eloquently reminds us: “The student of administration must ... concern

⁵To include, but not limited to, the works of: Sheldon Wolin (2004 2nd ed), Isaiah Berlin (1990), David Ricci (1984); C. Wright Mills (2000), Dwight Waldo (1984), Leonard D. White (1948, 1951, 1954, 1958), and Lynton Caldwell (1955).

⁶ White, of course, was not a trained historian. His historical accounts, however, of the first presidential administrations provide important insight into executive branch dynamics at the U.S. federal level at the start of the American republic.

himself with the history of his subject, and will gain a real appreciation of existing conditions and problems only as he becomes familiar with their background” (1926, 463). The voices of White and his supporters, unfortunately, have been largely neglected within contemporary public administration scholarship. For example, of the 350 articles published between 2000-2005 in *Public Administration Review*, the premier journal of the field, none had article topics that emphasized administrative history; nine focused on public administration theory; and, more disappointingly, only five publications concentrated on ethics (Terry 2005, 644). Although public administration is greatly enhanced when scholars contribute to areas of public management; comparative studies; organization theory, behavior, and change; and public policy analysis, among others, the argument is certainly there for the taking that this academic community has contributed far too little to areas of study that advance the historical awareness and development of the field.

This observation also points to the field’s collective inability to address an excellent critique made by Gaus in 1931 on this very subject matter:

Very little has been done by the political scientist in reappraising our administrative history. He has failed to analyze calmly our administrative failures and the resulting social wastage; but even more he has failed to supply writers, journalists, and public leaders—let alone our college students—with any sense of the richness of administrative pioneering and achievement. A great opportunity for those who would develop a more adequate civic attitude exists in the richly varied materials, revealing the numerous local, regional, state, and national, administrative achievements and leaders in public service and civic work generally (1931, 121).

In *Refounding Democratic Public Administration* (1996), Wamsley, Wolf, et al. attempt to address this concern by asking the question, “Why bother to take an excursion, however brief, into history? Because we think public administration is incredibly lacking

in historical perspective” (12). Luther Gulick (1987) also made an effort to address this intellectual dilemma by arguing the connections we make between time, history, and public administration provide the type of intellectual grounding that is desperately need in order to improve the field’s historical perspective. Guy Adams (1992) maintained that “critical, historically-based studies are sorely needed to address in a meaningful way both the political and epistemological dimensions of modernity as they bear on public administration” (370). Larry Luton (1999) continued this line of discussion and argued that the use of history in American public administration has been plagued with two significant problems: “It has not used history sufficiently, and it has not used history well” (212). Those influenced by the Blacksburg Perspective⁷ often argue that the legitimacy of American public administration is found within the nation’s State papers⁸ as well as in the opinions of the judiciary, especially the U.S. Supreme Court. Green (2002) has expanded upon this observation and correctly pointed out that, “Founding-era figures, such as Alexander Hamilton and Thomas Jefferson, have been examined at times regarding their theories of public administration, but their reputations as founders of the Republic seem to wash out any regard for them as founders of public administration” (542). Such concern provides an important intellectual foundation for this dissertation, which challenges the traditional notion espoused by White (1951) and Kettl (2002) that Jefferson had a speculative mind and not an administrative one. A thoughtful examination of his role in establishing the University of Virginia during his retirement

⁷ *Refounding Public Administration* (1990, Sage) and *Refoudning Democratic Public Administration* (1996, Sage). Also, John Rohr’s *To Run a Constitution* (1986, Kansas).

⁸ The Articles of Confederation, the Declaration of Independence, The Constitution, *The Federalist* and *Anti-Federalist Papers*

years, however, illustrates this was not the case. Public administration, as a result, has a great deal to learn from his administrative achievements.

ROLE OF ADMINISTRATIVE HISTORY FOR PUBLIC ADMINISTRATION SCHOLARSHIP

Karen Orren and Stephen Skowronek (2004), in their recent work *The Search for American Political Development*, provide important and insightful analysis regarding the role history plays within the context of political analysis, and this contribution proves just as useful for public administration as it is for political science. Orren and Skowronek's work is complementary to many of the earlier positions espoused by Wolin, Berlin, Ricci, Mills, White, Caldwell, and Waldo regarding the importance of history to the intellectual, theoretical, and practical advancement of political theory and public affairs. Orren and Skowronek argue that American Political Development (APD) not only emphasizes the historical construction of politics but simultaneously, and just as importantly, focuses on ways to build theories of politics that are more attentive and sensitive to historical processes. In many ways, their argument speaks to Caldwell's excellent observation, made three decades earlier: "The development of American public administration has been a process of adapting the theories and practices implicit in this new political order to the radically changing circumstances of American life" (1976, 476).

According to the Orren and Skowronek: "APD's primary interest lies in grasping processes of change conceptually, in general terms, and in considering their broader implications for the polity as a whole" (2004, 6). Such efforts resonate remarkably well with Rogers Smith's (1996) argument that "the crucial question is not whether the most fruitful way to study human affairs involves choosing between "history" or "science," a dichotomy that all the foregoing analysis puts into question. The real issue is how

scholars can study politics in ways that promise to give people greater insight into what the driving forces in their affairs have been and how they can hope to influence them more constructively, when and if they can influence them at all” (148). These perspectives draw our attention to Wolin’s (1969) position in support of political theory. He argued that a normative approach to political theory was important because it introduced new generations of students to the complexities of politics and through this introduction, scholars and students alike become more aware of how history shapes this area of study. Wolin also maintained that studying normative approaches to politics increases our ability to understand and conceptualize important political, historical, and institutional complexities that lead to, or have led to, large-scale global problems, conflicts, and crises.

Wolin’s perspective is not only shared by many of his colleagues in the field of political theory⁹ but has also been embraced by scholars of different areas of study. C. Wright Mills, a formative sociologist, in his classic work *The Sociological Imagination* (2000), points to the significance of history in terms of how we study and practice social and political affairs. Mills argues: “Without use of history and without an [sic] historical sense of psychological matters, the social scientist cannot adequately state the kinds of problems that ought now to be the orienting points of his studies ... Every social science – or better, every well-considered social study – requires an historical scope of conception and a full use of historical materials” (2000, 143-145). Thus, we cannot study man and man’s judgment without embracing the past; the two are inherently connected with one another (Gagnon 1988), a point that corresponds well to the one made by Guy

⁹ To include, but not limited to the works of Isaiah Berlin, Dwight Waldo, Leonard D. White, Lynton Caldwell, and David Ricci.

regarding the intellectual, theoretical, and normative connections between political science and public administration.

History is the foundation for social study; every social science relies, in some capacity, on political, social, economic, and administrative history. Perhaps, Wolin, in his highly regarded, *Politics and Vision* (2004, 2nd ed.), articulates the relevance of history to the study and practice of politics and administration best when he assumes the following:

The functions performed by a tradition of political thought also provide a justification for the study of the historical development of that tradition. In studying the writings of Plato, Locke, or Marx, we are in reality familiarizing ourselves with a fairly stable vocabulary and a set of categories that help to orient us towards a particular world, the world of political phenomena. But more than this, since the history of political philosophy is an intellectual development wherein successive thinkers have added new dimensions to the analysis and understanding of politics, an inquiry into that development is not so much an antiquarian venture as a form of political education (26).

This argument enhances the intellectual contribution of this dissertation, but more importantly, it eloquently illustrates the significance of history to the study of public administration. As Jefferson himself once wrote: “Every political measure will forever have an intimate connection with the laws of the land; and he who knows nothing of these will always be perplexed & often foiled by adversaries having the advantage of that knolege [sic] over him”¹⁰. This dissertation contributes to the political education for public administration scholarship – it tells the story of all that can be forgotten when we overlook those who have shaped our past; put another way, a vision into the past provides a segue into our future.

¹⁰ Jefferson to Thomas Mann Randolph, July 6, 1787, from Paris: Ford, Vol. 4, p. 403.

LIMITATIONS OF ADMINISTRATIVE HISTORY FOR PUBLIC ADMINISTRATION SCHOLARSHIP

Although administrative history holds extraordinary potential to play a more significant role within the continued development of public administration scholarship, limitations do exist. Lynton Caldwell, who has articulated the relevance of administrative history to the field of public administration better than most, has pointed out: “Administrative history, of itself, does not instruct us in precisely how to solve a specific contemporary problem. It affords analogies that may be close, but present circumstances are not likely to comprise the same combination of elements as past events. Nevertheless, analysis of the present situation may be more meaningful if undertaken in the light of validated past experience” (1955, 464). Waldo (1987) speaks of a historical disjunction, in which he outlines many of the practical difficulties associated with governing and managing a state whose politics are Greek but administration is Roman. More recently, Joan Wallach Scott (1996) has argued:

The challenge to normative history has been described, in terms of conventional historical understandings of evidence, as an enlargement of the picture, a corrective to oversights resulting from inaccurate or incomplete vision, and it has rested its claim to legitimacy on the authority of experience and the direct experience of others as well as of the historian who learns to see and illuminate the lives of those in his or her texts (381).

Despite these well grounded limitations and observations, however, history will continue to play an active role in public administration scholarship, for as Frederick Mosher correctly pointed out several decades ago: “It has not recently been fashionable to associate ourselves with our past – with how we got this way and how our problems got this way. Yet the challenges of the present and the future in public administration can hardly be understood, let alone attacked, without an understanding of what went before”

(1976, 474). Such an observation remains just as important for the field today as it was when Mosher brought forth this idea for *Public Administration Review's* 1976 Special Bicentennial Issue that focused on the heritage and history, the challenges and changes, and the future of American public administration.

THE FORGOTTEN RELEVANCE OF POLITICAL THEORY TO THE STUDY AND PRACTICE OF PUBLIC ADMINISTRATION

Alexis de Tocqueville in *Democracy in America* wrote: “The art of administration is undoubtedly a science, and no science can be improved if the discoveries and observations of successive generations are not connected together in the order in which they occur.” Dwight Waldo (1987), one of the field’s most important and influential voices of the twentieth century, concurred and argued that “public administration is properly served by multiple theories, perspectives, strategies, and roles, and by a situational, pragmatic adaptation of means to ends” (108). According to Waldo, public administration is representative of an art and a science, a theory and a practice, management and organization. In a similar vein, Gaus (1950) argues that theory is not “a separate and somehow superior and more respectable branch of study, but as a most practical and central effort to get some pattern and guidance from experience” (161). Gaus (1950) maintains that public administration theory has become an ambiguous concept to understand, define, and conceptualize because the field has been unable to recognize that a theory of public administration must also be synonymous with a theory of politics. Public administration, in large part, has failed to acknowledge the importance of Gaus’ position – a point of view that serves as the foundation for understanding and conceptualizing administrative theory; one that also seems most complementary to many of the observations made by Guy (2003).

Unfortunately, however, public administration has largely ignored Gaus's recommendation. By neglecting to connect public administration theory with political theory, we increase the likelihood that our theories will not correlate with our practice and vice versa. According to Richard Box: "Theory is often found to be unrelated to practice. If so, it is because it is written in language that serves as a code of communication for academicians. This code is not easily accessible to non-academicians; often there is little attempt to connect theory to practice through use of examples, case studies, etc., or the use of complex statistics confuses and alienates all but the technician before the punchline is reached" (1993, 65-66). Mainzer (1994) offered a different explanation, one that will certainly raise eyebrows among various groups of research methodologists in the social science community, but, nevertheless, is compelling enough on its own merit that it cannot be dismissed without also rejecting many of the ideas presented by Orren and Skowronek in their defense of *American Political Development*:

The systematic study of politics includes a deeply normative tradition stretching at least to Plato, with whom we have an unending, illuminating quarrel. Too often, however, this inheritance has been rejected in the quest for science ... Scientific method has, in fact, very little to do with the actual (or potentially useful) study of American politics. Praising science as its model, the discipline has pursued empirically testable statements and the facts alone, aimed for technology – "to reduce the study of politics to mere technique" – rested on faith in progress and rejected history and ethics (367).

Gaus's argument regarding the need to connect theories of administration with theories of politics is inherently normative and draws our attention to how the field ought to be studied and practiced. The contemporary positions espoused by Box and Mainzer illustrate the modern-day relevance of Gaus's perspective for how we should think about theory and its relationship to politics and administration.

In *The Administrative State* (1948), Dwight Waldo points to the relevance of political theory, especially in terms of how it relates to history and context, to the study and practice of American public administration. Waldo maintains that the American Administrative State continuously works to uphold core democratic values embedded within the nation's history while also working to improve its democratic institutions. According to Waldo, efficiency and democracy are compatible with one another: "A true government that is *really* democratic is also an efficient government: it is sensitive to popular demand, it realizes popular will with intelligence, honesty, economy, and dispatch" (1948, 133-4). In a word, efficiency can represent important democratic values not just economic ones.

This same point was also made by the authors of the famous 1937 President's Committee on Administrative Management.¹¹ Brownlow, Merriam, and Gulick clearly saw the symbiotic relationship between democracy and public management and maintained that administrative efficiency must be built into the machinery of government. According to the Committee's authors: "We know that bad management may spoil good purposes, and that without good management democracy itself cannot achieve its highest goals" (4).¹² Such a perspective is clearly normative as it focuses on what ought to be, both for politics and for public administration. Terry Cooper (1991), in his analysis of what constituted an ethic of citizenship for public administration, provided a parallel observation designed with the public manager, his or her agency, the citizen, and the ultimate responsibility of government in mind:

¹¹ See Newbold and Terry (2006) "The President's Committee on Administrative Management: The Untold Story and the *Federalist* Connection," *Administration and Society* 38:5.

¹² Final Report of the President's Committee on Administrative Management, 1937.

Public services and programs may not always be more effective and efficient in achieving their specified objectives as a result of citizen involvement; in fact they may be worse. However, that was less important in the long run, from Jefferson's point of view, than maintaining and enhancing popular government. Making specific decisions, creating particular agencies of government, allocating resources toward certain ends – these were all important, but only penultimate tasks of government. The ultimate task was to protect liberty, develop the capacities of citizens as much as possible, and uphold the natural rights of the people to govern themselves (84).

Finally, Brian Cook (1996) underscores the significance of how the administrative state works to preserve democratic values by means of promoting efficient managerial techniques: “Good administration, administration that is well organized, supported with ample resources, and populated by knowledgeable, practical, and judicious men and women who operate with a steady but not inflexible hand, will encourage good citizen relations and a commitment to supporting the regime” (144). Over the last thirty plus years, many public administration scholars have found new and innovative ways to champion the incorporation of private sector managerial preferences for economy, efficiency, and effectiveness into the confines of public sector management. Such efforts have proven dichotomous – if we favor the former it must be at the expense of important normative values that serve as foundational components of our republic's constitutional tradition. What Waldo, the members of the 1937 President's Committee on Administrative Management, and more recently, Cooper and Cooke, remind us is that these two ways of thinking do not, and perhaps should not, be separate managerial entities from one another. As these highly regarded scholars point out, the core elements of democracy and efficiency are synonymous with each other; to have one is essentially to have the other. This perspective is one that provides yet another example of Gaus's

excellent, and perhaps irrefutable, argument that a theory of administration cannot be developed without first connecting it with a theory of politics.

As mentioned previously, this dissertation serves two important purposes that provide a way to redirect the field's attention back toward the positions espoused by Gaus, Waldo, Wolin, Berlin, and Caldwell. First, it illustrates the importance of constitutional theory and history to the continued advancement of public administration scholarship. And secondly, even if one does not support the arguments made in this introductory chapter regarding the role theory and history should play within the field, this work fills an important gap within the literature, because it explicitly points to the forgotten contributions made by Thomas Jefferson to the development of public administration in the United States. Wolin (1969) maintains that political theorists analyze concepts and ideas based upon a "structure of intentions," which "refers to the controlling purposes of the theorist, the considerations which determine how the formal features of concept, fact, logic, and interconnection are to be deployed so as to heighten the effect of the whole" (1078) and such an evaluation is precisely the theoretical objective for this dissertation.

REFERENCES

- Adams, Guy B. (1992). "Enthralled with Modernity: The Historical Context of Knowledge and Theory Development in Public Administration". *Public Administration Review* 52(4): 363-373.
- Appleby, Paul H. (1945). *Big Democracy*. New York: A. A. Knopf.
- Berlin, Isaiah. (1990). *The Proper Study of Mankind*. New York: Farrar, Straus, and Giroux.
- Box, Richard C. (1992). "An Examination of the Debate over Research in Public Administration." *Public Administration Review* 52(1): 62-69.
- Caldwell, Lynton K. (1976). "Novus Ordo Seclorum: The Heritage of American Public Administration." *Public Administration Review* 36(5): 476-488
- Caldwell, Lynton K. (1955). "The Relevance of Administrative History". *Revue Internationale des Sciences Administratives* 21(3): 453-466.
- Cook, Brian J. (1996). *Bureaucracy and Self-Government: Reconsidering the Role of Public Administration in American Politics*. Baltimore, MD: Johns Hopkins University Press.
- Cooper, Terry L. (1991). *An Ethic of Citizenship for Public Administration*. Englewood Cliffs, NJ: Prentice Hall.
- Dahl, Robert A. (1947). "The Science of Public Administration: Three Problems." *Public Administration Review* 7(1): 1-11.
- Denhardt, Robert B. (2001). "The Big Questions of Public Administration Education". (1988). "Why Study History?" *The Atlantic Monthly* November: 43-66.
- Frederickson, H. George and Kevin B. Smith. (2003). *Public Administration Theory Primer*. Boulder, CO: Westview.
- Gaus, John M. (1950). "Trends in the Theory of Public Administration." *Public Administration Review* 10(3): 161-168.
- Gaus, John M. (1931). "Notes on Administration: The Present Status of Public Administration in the United States." *The American Political Science Review* 25(1): 120-134.
- Green, Richard T. (2002). "Alexander Hamilton: Founder of the American Public Administration." *Administration and Society* 34(5): 541-562.

- Green, Richard T., Lawrence F. Keller, and Gary L. Wamsley. (1993). "Reconstituting a Profession for American Public Administration". *Public Administration Review* 53(6): 516-524.
- Gagnon, Paul. (1988). "Why Study History?" *The Atlantic Monthly* November: 43-66.
- Gulick, Luther. (1987). "Time and Public Administration." *Public Administration Review* 47(1): 115-119.
- Guy, Mary Ellen. (2003). "Ties That Bind: The Link Between Public Administration and Political Science." *Journal of Politics* 65(3): 641-655.
- Houston, David J. and Sybil M. Delevan. (1990). "Public Administration Research: An Assessment of Journal Publication." *Public Administration Review* 50(6): 674-681.
- Kettl, Donald F. (2002). *The Transformation of Governance: Public Administration for Twenty-First Century America*. Baltimore: Johns Hopkins University Press.
- Long, Norton E. (1949). "Power and Administration." *Public Administration Review* 9(4): 257-264.
- Luton, Larry S. (1999). "History and American Public Administration." *Administration and Society* 31(2): 205-221.
- Mainzer, Lewis C. (1994). "Public Administration in Search of a Theory: The Interdisciplinary Delusion." *Administration and Society* 26(3): 359-394.
- McCurdy, Howard E. and Robert E. Cleary. (1984). "Why Can't We Resolve the Research Issue in Public Administration?" *Public Administration Review* 44(1): 49-55.
- McSwite, O.C. (2001). "Theory Competency for MPA-Educated Practitioners." *Public Administration Review* 61(1): 111-115.
- Mills, C. Wright. (2000). *The Sociological Imagination*. New York: Oxford University Press.
- Mosher, Frederick C. (1976). "Heritage and History: Introduction, Part I." *Public Administration Review* 36(5): 475.
- Orren, Karen and Stephen Skowronek. (2004). *The Search for American Political Development*. Cambridge: Cambridge University Press.
- Ricci, David M. (1984). *The Tragedy of Political Science*. New Haven, CT: Yale University Press.

- Rohr, John A. (1986). *To Run a Constitution: The Legitimacy of the Administrative State*. Lawrence: University Press of Kansas.
- Scott, Joan Wallach. (1996). "The Evidence of Experience." *The Historical Turn in the Human Sciences* (Terrence J. McDonald, Ed.). Ann Arbor, MI: University of Michigan Press.
- Selznick, Philip. (1957). *Leadership in Administration: A Sociological Interpretation*. Evanston, IL: Row, Peterson.
- Simon, Herbert A. (1947). *Administrative Behavior*. New York: Free Press.
- Smith, Rogers M. (1996). "Science, Non-Science, and Politics." *The Historical Turn in the Human Sciences* (Terrence J. McDonald, Ed.). Ann Arbor, MI: University of Michigan Press.
- Stallings, Robert A. (1986). "Doctoral Programs in Public Administration: An Outsider's Perspective." *Public Administration Review* 46(3): 235-240.
- Taylor, Frederick Winslow. (1911). *The Principles of Scientific Management*. New York: Harper and Brothers.
- Terry, Larry D. (2005). "Reflections and Assessment: *Public Administration Review*, 2000-05". *Public Administration Review* 65(6): 643-645.
- Terry, Larry D. (1998). "Administrative Leadership, Neo-Managerialism, and the Public Management Movement." *Public Administration Review* 58(3): 194-200.
- Waldo, Dwight. (1987). "Politics and Administration: On Thinking About a Complex Relationship." *A Centennial History of the American Administrative State* (Ralph C. Chandler, Ed.). New York: Free Press.
- Waldo, Dwight. (1948). *The Administrative State*. New York: Ronald Press Company.
- Wamsley, Gary L. and James F Wolf, Editors. (1996). *Refounding Democratic Public Administration*. Thousand Oaks, CA: Sage.
- Wamsley, Gary L., Editor. (1990). *Refounding Public Administration*. Thousand Oaks, CA: Sage.
- White, Jay D. (1986). "Dissertation and Publications in Public Administration." *Public Administration Review* 46(3): 227-234.
- White, Jay D., Guy B. Adams, and John P. Forrester. (1996). "Knowledge and Theory Development: The Role of Doctoral Education and Research." *Public Administration Review* 56(5): 441-452.

White, Leonard D. (1926). *Introduction to the Study of Public Administration*. New York: Macmillan.

White, Leonard D. (1951). *The Jeffersonians: A Study in Administrative History 1801-1829*. New York: MacMillan Company.

Wolin, Sheldon. (2004). *Politics and Vision*. Princeton, NJ: Princeton University Press.

Wolin, Sheldon. (1969). "Political Theory as a Vocation". *American Political Science Review*. 63(4): 1062-1082.

CHAPTER TWO:

SETTING THE STAGE FOR THE STORY TO BEGIN

INTRODUCTION

The purpose of this chapter is to outline the methodology used for this dissertation. It illustrates the applicability of historical methodology to public administration scholarship. This chapter begins with an explanation of the storytelling component of this dissertation, followed by a detailed discussion of the methodological elements that make up the core components of historical methodology, including: historical awareness; historical facts; primary and secondary sources; and ways to examine documents and sources critically. Collectively, this chapter speaks to E.H. Carr's classic argument that:

... [T]he function of the historian is neither to love the past nor to emancipate himself from the past, but to master and understand it as the key to the understanding of the present (1961, 29).

Directing scholarly attention to how the past shapes the present enables scholars from a wide array of intellectual fields the opportunity to develop a more historically accurate understanding and appreciation for how Jefferson contributed to the development of public administration in the United States.

EXPLANATION OF THE STORYTELLING COMPONENT OF DISSERTATION

This dissertation will not devote a specific chapter to a literature review. Instead, a review of the literature will be arranged and organized throughout each chapter in order to highlight the storytelling component of this work. Telling the story of how Jefferson developed an appreciation for administration is one of the primary goals of this dissertation. This story does not begin in Jefferson's early political career when he was

writing some of his most significant work, most notably the Declaration of American Independence and the Virginia Statute for Religious Freedom. Rather, the story emerges in his later, more mature years when he was already well versed in political philosophy, mastered seven different languages, traveled throughout Europe, and embraced the fields of law, paleontology, meteorology, agronomy, architecture and design, and oenology. Jefferson had already built a stellar political career well before the American people elected him president in 1800. His previous political and professional experiences, as well as his extraordinary friendship with Madison, however, afforded him the practical, theoretical, intellectual, and constitutional foundation to embrace public management and institution building from perspectives that had previously eluded him at earlier points in his professional career.

History has been incredibly kind to Jefferson – often characterizing him as one of the most important and influential Founding Fathers in American history even when considering his connection with, and support of, the institution of slavery (Malone 1948, 1951, 1970, 1974, 1977; Cunningham 1963, 1978, 1987; Ellis 1996, 2001; Ferling 2000; McDonald 1976; Peterson 1984, 1993; Onuf 1993, 2000, 2002). Political scientists have also championed Jefferson's statecraft and recognized him alongside Madison and Hamilton as a key contributor to the political development of the United States (Johnstone 1972, 1978; Landy and Milkis 2000; Mayer 1994). Public administration, however, has not played a leading role in developing our understanding of how Jefferson improved public management and broader issues concerning the advancement of democratic governance. With the exception of Lynton Caldwell's (1988, 2nd ed.) conceptualization of Jeffersonian administrative theory, public administration scholars

have not emphasized the connections between Jefferson's statesmanship and the development of public administration in the United States. The story told in this dissertation picks up where Caldwell left off and offers the reader an opportunity to view Jefferson in a new light – a light that reflects his organizational expertise and vastly improved appreciation for the connections between constitutional tradition and institution building. Such efforts provide us with a rare occasion to see and understand Jefferson's contribution to public administration the same way we see and understand Hamilton and Madison's.

EXPLANATION OF METHODOLOGY

Historical methodology will be the methodology for this dissertation. Although it presents selection bias concerns (Lustick 1996) it is the most appropriate form of methodology for this type of dissertation because of its emphasis on historical awareness and primary and secondary document collection. The principal components of historical awareness include: categorization; objective historical analysis; fallacies associated with motivation; context; causation; historical consciousness; and historical processes. Each will be described in detail below in order to provide an instructive way of balancing important selection bias concerns brought forth by Lustick.

HISTORICAL AWARENESS

CATEGORIZATION

Historical awareness provides an umbrella-like structure for the key elements associated with historical methodology. The first component of historical awareness is the categorization of historical events into specific themes. Since historians write from different perspectives they often categorize historical events into identifiable areas of

interest, which include, but are not limited to, political history, legal history, economic history, and social history. Political history is recognized by most historians as “the study of all the aspects of the past that have to do with the formal organization of power in society to include the institutional organization of the state, the competition of factions and parties for control over the state, the policies enforced by the state, and the relations between states” (Tosh 2002, 109). It remains the dominant type of categorization within historical scholarship.

The study of Jefferson’s contribution to the development of American public administration is a formative example of political history. During his presidential years, one of the most important areas of interest affecting the Jefferson administration was the decrease of the national debt, which skyrocketed under the leadership of Treasury Secretary Alexander Hamilton and the Federalists. In support of the need for historians to recognize the connection of politics with economics, Tosh (2002) argues, “As soon as it is conceded that politics is not only about personalities but also about the clash of competing economic interests and rival ideologies, then the wider society outside the rarified atmosphere of court or parliament becomes critically important” (118-119). The political history of the Jefferson administration not only represents a transformation of political ideology, but it also symbolizes a revolution of economic policy as well. This observation enhances the historical awareness of this research, its methodological legitimacy, and will serve as an important theme in chapter three.

During his retirement years, Jefferson’s role in establishing the University of Virginia, along with his advocacy efforts regarding the implementation of a state-wide system of public education, provides noteworthy examples of political history. As Tosh

(2002) points out, “As a general rule, those activities, which leave most evidence behind are *organized* activities, and especially those controlled by bodies which have a life-span beyond the careers of the individuals who happen to staff them at any one time” (70: emphasis in original). The historical, political, and legislative documentation highlighting the establishment of this state institution for higher education has been meticulously preserved,¹³ particularly Jefferson’s role in advocating members of the Virginia General Assembly to support and fund this public project, selecting the location for the university, designing the architecture for the university’s academical village, supervising construction efforts, coordinating the academic curriculum, and outlining professional and academic qualifications for faculty and administrative hires. The organizational structure Jefferson created for the University of Virginia remains in place today, and this type of institutional longevity speaks directly to Tosh’s argument as well as to Jefferson’s place within the confines of public administration history. Chapter five will address these themes and contributions in greater detail.

OBJECTIVE HISTORICAL ANALYSIS

The second component of historical analysis focuses on the difficulties associated with objectivity and biases. Historical objectivity is an unattainable ideal, because in order for historians to promote or enhance their own work they must first rely on research provided by other historians and scholars from a variety of different academic fields. In E.H. Carr’s classic work, *What is History?*, he observed the difficulties historians encounter when they attempt to attain “complete objectivity”: “The facts of history cannot be purely objective, since they become facts of history only in virtue of the

¹³ This documentation is chronicled in a variety of different historical records: Jefferson, Madison, and Cabell’s private papers the legislative record of the Virginia General Assembly, and through the documented history of the University of Virginia.

significance attached to them by the historian” (1961, 159). Peter Novick (1988) supported Carr’s observation and argued that “historical objectivity is not a single idea, but rather a sprawling collection of assumptions, attitudes, aspirations, and antipathies ... The assumptions on which it rests include a commitment to the reality of the past, and to truth as correspondence to that reality; a sharp separation between knower and known, between fact and value, and, above all, between history and fiction” (1)¹⁴. As a student of public administration, writing a dissertation that primarily emphasizes administrative history, constitutional theory, and the selection of a significant amount of primary documents the recognition of my own personal biases toward Jefferson and his contribution to American statecraft is a critical acknowledgement both in terms of establishing historical legitimacy and with regard to methodological rigor. Carr’s (1961) analysis contextualizes this point nicely:

When we call a historian objective, we mean two things. First, of all, we mean that he has a capacity to rise above the limited vision of his own situation in society and in history. Secondly, we mean that he has the capacity to project his vision into the future in such a way as to give him a more profound and more lasting insight into the past that can be attained by those historians whose outlook is entirely bounded by their own immediate situation (163).

Throughout this work Jefferson is considered not only a pioneer of contemporary administrative practice but, and perhaps more importantly, an enlightened revolutionary whose contribution to the theory and practice of public administration provides important insight into the theoretical and practical development of the field. Relying on Carr once again: “The function of the historian is neither to love the past nor to emancipate himself

¹⁴ Novick (1988) also speaks of the ideal historians aim to achieve with regard to the role objectivity plays within historical methodology. He argued, “The objective historian’s role is that of a neutral, or disinterested, judge; it must never degenerate into that of advocate or, even worse, propagandist ... The historian’s primary allegiance is to the “objective historical truth,” and to professional colleagues who share a commitment to cooperative, cumulative efforts to advance toward that goal” (2).

from the past, but to master and understand it as the key to understanding of the present” (1961, 29). In a word, this dissertation is relying on the past as a means of improving and expanding the administrative history of public administration in the present.

David Hackett Fischer, in his groundbreaking work *Historians' Fallacies: Toward a Logic of Historical Thought* (1970), provides an important analysis for how historians should balance fallacies associated with elitism and racism, which serve as areas of constant debate when scholars evaluate the contributions made by the American Founders. It must be pointed out, however, that Fischer's reliance on these motivations focuses on a different type of interpretation than what is typically thought of outside the study of historical methodology. Fischer argues that the fallacy of elitism “consists in conceptualizing human groups in terms of their upper strata, or of casting belief units in terms of their most refined thoughts and elegant expressions. Elitism substitutes Society for society, Culture for culture, Civilization for civilization, Manners for manners, and Morals for morals” (230). Careful recognition is afforded to the fact that throughout Jefferson's life he was part of *the* elite social structure¹⁵. The goal of this dissertation, however, is not to critique the inequalities and inequities associated with early nineteenth century America; rather, the purpose is to illustrate Jefferson's contribution to the development of American public administration. Such a distinction does not pass judgment on the time in which Jefferson lived or on Jefferson himself. It does, nevertheless, acknowledge that such distinctions did exist, but those, while important, are not the subject of this work.

¹⁵ In Jefferson's time, there was only one elite social structure and, from the time he was born, he belonged to that group.

Evans (1999) also speaks to this type of analysis within the context of historical objectivity and argues: “The historian had to find objectivity not by some moral or religious criterion outside history, or by eschewing any wider generalizations and sticking to a mere recital of the facts, but by looking for a larger meaning within history itself, an ongoing history moving from past through present to future” (194). One of the underlying purposes of this research, therefore, is to tell the story of Jefferson’s contribution to public administration. This effort fulfills important gaps in the literature relating to administrative history, constitutional theory, institution building, and how statesmen are shaped by the democratic institutions they serve.

In addition to the fallacy of elitism, Fischer (1970) points to the fallacy of racism, which he defines as “a popular delusion, and all the more powerful for its tendency, increasingly, to run underground. It might be defined in three different ways: 1. A false classification of people into fixed biological groups; 2. A false explanation of culturally learned behavior in terms of a biological, physiological, or hereditary cause; 3. A false prejudice, for or against any genetic class or ethnic group or human beings” (232). Jefferson’s legacy is often regarded as one that embodies contradiction, particularly with regard to his connection to the institution of slavery. He wrote in the Declaration of Independence that all men are created equal, endowed by their Creator with certain inalienable rights and among them life, liberty, and the pursuit of happiness. Yet in order to support his economic livelihood, he owned hundreds of slaves. This work does not diminish this contradiction or the social, political, institutional, and personal dynamics of Jefferson’s relationship with slavery. It does, however, contend that Jefferson’s

relationship with slavery does not devalue the contributions he made on behalf of republican thought and to the practice of good administration.

Speaking more broadly, Herbert Storing (1986) has provided one of the most thoughtful and intellectually significant arguments regarding the implications of slavery on the moral foundations of the American republic generally and to the legacy of the American Founding Fathers specifically. Storing quotes Jefferson's analysis of slavery and underscores the point that they [slave owners] held the wolf by his ears, unable to control him but terrified of releasing him as well. According to Storing (1986):

But at this deeper level the problem is not that they [the American Founders] betrayed their principles, the common charge; the problem lies rather in the principles themselves. That very principle of individual liberty for which the Founders worked so brilliantly and successfully contains within itself an uncomfortably large opening toward slavery. The principle is the right of each individual to his life, his liberty, his pursuit of happiness as he sees fit ... The Founders often described the problem of civil society as resulting from that tendency. In any case, regarding persons outside civil society, there is a strong implication that any duty I have to respect their rights is whatever residue is left after I have secured my own (324-325).

Storing connects this argument back to the political philosophy of Hobbes and Locke. Their theories of self-preservation, property, and the maintenance and preservation of individual rights, largely influenced the American Founders in their efforts to establish a republican form of government in the United States. And it was precisely their confidence in Lockean thought that enabled self-interest and self-preservation to trump justice. In other words, individualism led to a hypocritical form of justice where one group of people socially, politically, and economically advanced at the expense of others. Storing's analysis¹⁶ highlights the intellectual and moral complexities of studying the

¹⁶ Other intellectual perspectives exist regarding slavery and the American Founders, including: Annette Gordon Reed's *Thomas Jefferson and Sally Hemmings* (1996, University Press of Virginia); Frederick

American Founders. Acknowledging this analysis, and recognizing that other perspectives on this issue exist, increases the historical objectivity of this work. It draws our attention to the importance of Fischer's notion of how the fallacies of racism and elitism affect historical objectivity. While this dissertation focuses on Jefferson's contribution to public administration, other controversial aspects of his life, according to key historical methodological principles, must be acknowledged, even if the recognition is brief, in order to enhance objectivity, methodological rigor, but most importantly, the stated purpose of this work.

FALLACIES ASSOCIATED WITH MOTIVATION

Like fallacies associated with racism and elitism, the fallacy of motivation addresses several misleading beliefs or practices associated with historical methodology. The fallacy of the one-dimensional man, in particular, is specifically useful for this analysis. Fischer (1970) describes this fallacy as "selecting one aspect of the human condition and making it into the measure of humanity itself. In one of its forms, this fallacy mistakes people for political animals who are moved mainly by a desire for power. It reduces the complex psychic condition of men merely to their political roles and shrinks all the components of the social calculus to a simple equation of power, ambition, and interest" (200). Fischer's observation serves as an important methodological consideration when analyzing political leaders, for which Jefferson is of no exception.

Jefferson's decision to purchase the Louisiana Territory from France provides an important example of his statesmanship. This decision embodied a great deal more than

Douglas's "What Country Have I?" in Herbert Storing's *What Country Have I: Political Writings by Black Americans* (1970, St. Martin's Press).

advancing his executive power and political standing. This example not only calls our attention to the national security and economic issues affecting the United States at the time of this event but, more importantly, it underscores the moral dilemmas and implications that occur when statesmen abandon their principles for the good of the state, regardless of the political and personal consequences to their individual self. The political, economic, and national security context of the Louisiana Purchase, as well as Jefferson's role in acquiring the territory, point to the multi-dimensional nature of his decision, which helps diminish or reduce the tendency of historians to engage in ideas that support the fallacy of motivation, particularly when affiliated with the one dimensional man perspective.

CONTEXT

Context is another crucial element of historical awareness. Tosh (2002) argues: "The underlying principle of all historical work is that the subject of our enquiry must not be wrenched from its setting, so we must place everything we know about the past in its contemporary context" (10-11). Tosh's analysis provides an interesting parallel regarding the importance of historical objectivity. The context of events guides historians in determining the meaning and significance of difference. Context, according to Tosh, "is at least as important as text in coming to terms with an original thinker in the past" (2002, 95). In order for historians, therefore, to develop a comprehensive understanding as to why events and situations differ from each other, they must first recognize the context of the situation being examined. Tosh (2002) continues to advance this discussion by outlining three recommendations that support the need for contextual

analysis as well as how context limits historical knowledge. Once again, important parallels can be drawn between this concept and objectivity:

First, this historian should scrutinize his or her own assumptions and values in order to see how they relate to their enquiry in hand ... Second, the risk of assimilating findings to expectations is reduced if the direction imparted to the enquiry is cast in the form of an explicit hypothesis, to be accepted, rejected, or modified in the light of the evidence – with the author always the first to try to pick holes in his or her interpretation ... Third, and above all, historians must submit their work to the discipline of historical context. The case against “presentism” and deconstructionism is that they remove events and personalities from their real time and place, forcing them into a conceptual framework which would have meant nothing to the age in question ... For advances in historical knowledge are as much from the play of debate between rival interpretations as from the efforts of the individual scholar. And the same debates which enliven the historical profession are intimately connected with the alternative visions we hold of our society in the present and the future (199-200).

Howell and Prevenier (2001) provide a similar analysis to that of Tosh's. They argue, “The problem of ‘context’ is not, however, limited to the problem of understanding the meaning the words could have had in the text when it was created. In addition, scholars must be attentive to the way phrases, sentences, entire passages acquire meaning in relation to other phrases, sentences, and passages” (101). For as Carr (1961) appropriately reminds us: “History cannot be written unless the historian can achieve some kind of contact with the mind of those about whom he is writing” (27).

CAUSATION

Historical causation is another important area of interest for historical awareness and methodology. Carr (1961) pointed out, “The study of history is a study of causes” (113); furthermore, “the historian's approach to the problem of cause is that he will commonly assign several causes to the same event ... and, the historian, in virtue of his urge to understand the past, is simultaneously compelled, like the scientist, to simplify the multiplicity of his answers, to subordinate one answer to another, and to introduce some

order and unity into the chaos of happenings and the chaos of specific causes” (115-118). In keeping with this line of observation, Fischer (1970) argued that “a causal explanation is an attempt to explain the occurrence of an event by reference to some of those antecedents which rendered its occurrence probable” (183). More specifically, Evans (1999) outlined the primary components of causation and their importance to the area of historical methodology as follows: First, “even the most empirical of political historians must make some attempt to look for broader explanatory factors and in a wider sense all of us mobilize explanations that depend on broad assumptions about how human beings think, feel, and behave in a given culture and society” (119). When evaluating any historical period, historians cannot rely solely on the life and times of a specific individual. The historian is obligated to examine and evaluate social, political, economic, institutional, and an array of other factors when making determinations about what caused a specific event to occur or decision to be made.

An examination of Jefferson the President, for example, reveals an important opportunity to evaluate and explain his executive decision-making from a variety of different contextual lenses, including but not limited to, perspectives relating to history, politics, economics, morality, and public management. The political context of the U.S. federal government between the years 1801 and 1809; the institutional and constitutional dynamics that affected Jefferson’s judgment, particularly with regard to the Louisiana Purchase; the reversal of Hamilton’s fiscal policy initiatives by means of reducing the national debt and decreasing both the size of the federal government and the appropriations to the U.S. Army and Navy; and the stark differences in how Jefferson managed the executive branch compared with the previous two administrations provides

many of the necessary explanatory elements that enable us to understand his contribution to administration and executive branch management in a more enlightening way.

Finally, Evans (1999) argues that “the idea of a cause depends rather obviously on the concept of sequential time. Something that causes something else generally comes before it in time, not after” (121). This observation certainly helps explain Jefferson’s vehement critique of Hamilton’s leadership of the Treasury Department and the way he directed the nation’s finances. Jefferson’s public and private criticism of Hamilton’s fiscal policy initiatives began during the early stages of the Washington administration, lasted throughout the Adams administration, and culminated with an explicit and direct effort to reverse these initiatives during his two terms as president.

HISTORICAL CONSCIOUSNESS

Historical consciousness, like historical objectivity and causation, expands our methodological understanding of how historical awareness impacts historical methodology. Appleby et al. (1994) contend: “Europeans in the seventeenth and eighteenth centuries began to develop what is now called a historical consciousness – that is, an appreciation of how the passage of time changes institutions and renders past societies strikingly different from contemporary ones” (59). Although Carr does not use the term “historical consciousness” he does highlight a similar point that broadens our intellectual and methodological awareness of this concept. He recognized that “the real point about generalization is that through it we attempt to learn from history, to apply the lesson drawn from one set of events to another set of events: when we generalize, we are consciously or unconsciously trying to do this” (1961, 84). Carr went on to point out that “the function of history is to promote a profounder understanding of both past and present

through the interrelation between them” (86) and this type of interrelation can underscore how time changes institutions. The size, scope, direction, institutional and budgetary requirements and expectations of the University of Virginia have changed dramatically since Jefferson’s era, but the organizational foundation he created for this state institution lives on. As a result of this informative evaluation, the historical consciousness and the ability to generalize Jefferson’s contribution to the theory and practice of public administration, in his era and in the present, is greatly enhanced.

HISTORICAL PROCESSES

The concept of process, as it relates to historical methodology, has been defined in a variety of ways and no one definition dominates the literature. Evans (1999) argues: “Historical explanation commonly proceeds by relating an event or a process or a structure to a broader historical context” (135). Evans’s analysis, interestingly, is quite similar to the methodological concepts of causation and historical consciousness. Tosh’s (2001) understanding of historical processes, however, differs considerably from the one offered by Evans. He maintains that historical processes should be concerned with three specific elements: (1) how historians evaluate evidence; (2) an individual’s concern for posterity; and (3) the importance of newspapers as primary sources. According to Tosh: “The first test by which any historical work must be judged is how far its interpretation of the past is consistent with all the available evidence; when new sources are discovered or old ones are read in a new light, even the most prestigious book may end on the scrap-heap” (2001, 57).

Tosh’s analysis is particularly insightful for the purposes of this dissertation because of its emphasis on the evaluative responsibilities of scholars who conduct

historical methodology. Jefferson's concern for posterity, particularly during his retirement years, is an important consideration when examining his correspondence with his contemporaries, especially Madison and Adams, because they all intensely focused on the way in which history would remember and record their contributions to republican thought, particularly as it related to the creation of a new nation.

Tosh's point, however, regarding an individual's concern for posterity deserves further attention. He argued: "The most revealing source is that which was written with no thought for posterity" (2001, 59). An examination of Jefferson's public career, particularly the presidency (1801-1809) and the retirement years (1809-1826), reveals his overwhelming concern for how history would judge his contributions to the founding of the American republic generally and his public and private decision-making specifically. Throughout Jefferson's adult life he made copies of almost all of his public and private correspondence and meticulously organized them as a means of preserving his legacy for posterity. During his retirement years, Jefferson revised and edited a small portion of his public and private papers, many of which were written decades earlier, in order to clarify particular positions or to cast himself in a more positive light than what he previously described.

When examining Jefferson's contributions to the study and practice of public administration, Tosh's evaluation criterion regarding the reliability of primary sources is helpful. First hand resources provide the necessary tools in which to tell the story of Jefferson's place within administrative history. As a matter of emphasis, historians who have annotated Jefferson's work have identified which papers he edited or revised during his retirement years, and these efforts have guided scholars in determining which topics

or issues concerned him to such an extent that he felt it necessary to edit their original content.

Finally, newspapers, and the printing press in general, have dramatically affected historical processes. “The most important published primary source for the historian is the press. They record the political and social views which made the most impact at the time; newspapers provide a day-to-day record of events; and newspapers from time to time present the results of more thorough enquiries into issues which lie beyond the scope of routine news-reporting” (Tosh 2001, 63-64). During Jefferson’s first term as president, newspapers began playing a dominant role in national politics. With the establishment of the printing press and the growth of newspapers in the United States, more Americans not only had the opportunity to participate in the policy process, but just as importantly, were better informed of how issues and concerns discussed at the national level affected them at the state and local levels. For example, the *Aurora*, one of the most influential newspapers of Jefferson’s era, was the first to announce that the United States had successfully purchased the Louisiana Territory from France. In addition, during the Embargo Act, a policy that occupied the latter portion of Jefferson’s second term as president, a number of prominent newspapers published letters submitted by ordinary citizens critiquing the economic devastation this policy had on their livelihood and within their communities.

SOURCES

The reliance on primary and secondary sources is one of the most important decisions any historian or scholar relying on historical methodology makes when conducting research. Sources often lead to specific research questions, because they help

guide or direct historians in their quest to uncover various gaps within the literature. As Evans (1999) argues: “The historian formulates a thesis, goes looking for evidence, and discovers facts” (68). This section of the chapter addresses the following: historical facts; the differences between primary and secondary sources; access to sources; critical analysis of documents and sources; and factual verification.

HISTORICAL FACTS

Facts serve as the foundation of research endeavors that rely on historical methodology. “A historical fact is something that happened in history and can be verified as such throughout the traces history has left behind. Whether or not a historian has actually carried out the act of verification is irrelevant to its factuality; it really is there entirely independently of the historian” (Evans 1999, 66). When addressing the relationship between the historian and his facts, Carr (1961) makes the following observation: “To praise a historian for his accuracy is like praising an architect for using well-seasoned timber or properly mixed concrete in his building. It is a necessary condition of his work, but not his essential function ... The facts speak only when the historian calls on them: it is he who decides to which facts to give the floor, and in what order or context” (8-9). For this dissertation the historical facts associated with the presidency and the establishment of the University of Virginia include, but are not limited to: the major events affecting the Jefferson administration; the relationships President Jefferson created with members of Congress and departmental secretaries; the organizational structure of the third administration; Jefferson’s leadership of the Democratic-Republican Party; his support of public education initiatives in Virginia; his

authorship of “A Bill for Establishing a System of Public Education;” and his unwavering political and administrative support for the University of Virginia.

Fischer elaborated on Evans’ analysis and maintained that “a historian must not merely get the facts right. He must get the right facts right. Historical evidence must be a direct answer to the question asked and not to some other question” (1970, 62). Fischer’s perspective provides important insight into the functions or intellectual responsibilities associated with historical methodology. A careful examination of Jefferson’s executive branch management during his presidential years as well as his administrative role in establishing a system of public education generally and the University of Virginia specifically illustrate the necessity of “getting the right facts right”. More importantly, however, telling the story of Jefferson’s contribution to public administration is about linking the past with the present or as Carr (1961) so astutely reveals: “My first answer therefore to the question, What is history?, is that it is a continuous process of interaction between the historian and his facts, an unending dialogue between the present and the past” (35).

PRIMARY SOURCES

In most cases, primary sources include individual references such as letters, diaries, public and private correspondence. Evans (1999) elaborates on this analysis and argues that primary sources are “statements by eye witnesses or documents and other material remains that are contemporary with the event they attest” (80). The use of primary sources and documents serves as a crucial element of this dissertation, because they point to Jefferson’s transformational journey as an important contributor to public administration in the United States.

Paul Leicester Ford's multi-volume, highly acclaimed annotation of *The Works of Thomas Jefferson*; Merrill Peterson's *Thomas Jefferson: Writings* and *The Political Writings of Thomas Jefferson*; Jack McLaughlin's *To His Excellency Thomas Jefferson: Letters to a President*; *The Republic of Letters: The Correspondence between Jefferson and Madison: 1776-1826*; and the correspondence between Jefferson and Joseph Cabell serve as the principal resources, among others, for the collection of primary sources for this dissertation. The public papers of James Madison, John Adams, Alexander Hamilton, and Albert Gallatin will also be underscored as they point to how Jefferson thought about a variety of topics relevant to public administration with specific emphasis on the policies and events affecting his presidency and a variety of institutional and administrative matters concerning the establishment of the University of Virginia.

Jefferson's public and private papers, unlike all of his contemporaries including Madison, Hamilton, Washington, Adams, Monroe, Marshall, and Franklin, remain incomplete in their annotation.¹⁷ Princeton University Press has completed thirty-two volumes that represent all of Jefferson's papers prior to the presidency. Currently, historians from Princeton and The Thomas Jefferson Foundation at Monticello are working on the "Papers of Thomas Jefferson: Retirement Series," which represents all of Jefferson's public and private correspondence dating from March 1809 to his death on July 4, 1826. Once these are completed, historians will begin work on the presidency. At

¹⁷ Of all the American Founding Fathers, Jefferson was the most prolific writer, composing more than 19,000 letters during the course of his lifetime, almost always keeping a copy for him and for posterity. He was meticulous with regard to preserving his public and private papers, which is why historians have been working for decades to examine and annotate his entire collection. As a matter of emphasis, Hamilton's public papers represent 25 volumes, annotated and published by Columbia University Press; Madison's 17 volumes, annotated and published by the University Press of Virginia; Washington's 37 volumes, annotated and published by the U.S. Government Printing Office; Adams's 36 volumes, annotated and published by Harvard University Press; Jefferson's collection of work dating from 1760 to February 1801 is 32 volumes, which does not include the 25 years associated with his presidency and retirement, the time of his life that he wrote the most.

the conclusion of that annotation process, his work will mirror that of his contemporaries: complete.

Nevertheless, a significant portion of Jefferson's papers, including those from the presidency and the retirement years, can be found through archives at the Library of Congress, the Jefferson Library at Monticello, the special collections section at the University of Virginia, and through the Thomas Jefferson Digital Archive, which is available electronically through Alderman Library at the University of Virginia. This online source houses one of the largest collections of Jefferson's work. Here, researchers can search through a variety of different electronic mechanisms. One of the most useful is the ability to type in key words into their search engine and every letter or correspondence that Jefferson used such word will be downloaded. When the word "administration" is submitted, for example, hundreds of letters are retrieved; letters written throughout Jefferson's political career. What is most fascinating about the analysis of these letters is how Jefferson's opinions, thoughts, and perspectives regarding administering the public changed during and after the presidency. Other primary sources this dissertation relies on include: Jefferson's major works,¹⁸ his public addresses as president,¹⁹ portions of his *Autobiography*, *Notes on the State of Virginia*,²⁰ and personal correspondence.

SECONDARY SOURCES

Secondary sources, usually classified as any source that is not first-hand or primary, will also play an important methodological role for this dissertation. According

¹⁸ To include: A Summary View of the Rights of British America; The Declaration of American Independence; The Statute for Virginia for Religious Freedom; A Bill for Establishing A System of Public Education.

¹⁹ To include: 2 Inaugural Addresses and 8 Annual Messages delivered to Congress in writing not orally.

²⁰ This is the only book published by Jefferson during the course of his lifetime.

to Evans (1999): “By derivative authorities [secondary sources] we mean historians and chroniclers who relate and discuss events which they have not witnessed, but which they have heard of or inferred directly or indirectly from original authorities” (80-81). Tosh (2001), however, cautions “that historians are influenced to a greater or lesser extent by what their predecessors have written, accepting much of the evidence they uncovered and, rather more selectively, the interpretations they put upon it” (56). This point is not lost on this dissertation project. Careful attention has been afforded to specific secondary sources written by highly regarded historians and political scientists who have advanced our knowledge of the life and times of Jefferson during his presidency and throughout his retirement years. Carr’s (1961) argument that “history cannot be written unless the historian can achieve some kind of contact with the mind of those about whom he is writing” (27) is certainly a worthwhile observation when focusing on the value added dimension secondary sources provide for this research endeavor.

Some of the most prominent secondary sources that will be incorporated as part of this dissertation include works by: Lynton Caldwell (1988), Harry Clemons (1954), Noble Cunningham (1963, 1978, 1987), Roy Honeywell (1931), Robert Johnstone (1972, 1978), Dumas Malone (1970, 1974, 1977), Forest McDonald (1976, 2000), and Herbert Sloan (1993, 1995).

CRITICAL ANALYSIS OF DOCUMENTS AND SOURCES

EXTERNAL CRITICISM

Once historians have selected their primary and secondary sources, developed a research question based on their research, and addressed specific limitations with regard to accessing their data, they must begin critically examining and analyzing their

documents. According to Tosh (2001): “The first step in evaluating a document is to test its authenticity; sometimes known as external criticism” (87). External criticism has three components. “First, there is the issue of provenance; can the document be traced back to the office or person who is supposed to have produced it or could it have been planted” (Tosh 2001, 88). All of the primary sources relied upon for this dissertation are verifiably traceable back to Jefferson, his cabinet secretaries, members of Congress, the American citizenry, his correspondents, and Jefferson’s collaborators who supported the establishment of the University of Virginia. Furthermore, the secondary sources utilized throughout this work are by some of the most prominent and well respected historians, political scientists, and public administrators associated with this particular era of American history.

The second component of external criticism states that “the content of the document needs to be examined for consistency with known facts” (Tosh 2001, 88). This function has been conducted for each primary and secondary source used in this work; they are all consistent with the historical facts of the time period 1801-1826. Such efforts not only point to the authenticity of primary sources, but, just as importantly, the reputable nature of secondary sources as well.

Tosh maintains that the third element of external criticism focuses on the notion that “the form of the document may yield vital clues” (2001, 89). This point is particularly insightful regarding the methodological aspect of this dissertation. An examination of Jefferson’s public and private papers during the presidency and throughout the retirement years when he focused on establishing public education initiatives at all levels of instruction reveals a remarkable contribution to the study and

practice of administration. As a result of these findings, Jefferson's role within the political and historical development of public administration in the United States will be recognized in a more accurate and substantive way.

The final point Tosh makes regarding external criticism centers on the idea that "historians can call on the help of technical specialists to examine the materials used in the production of the document" (Tosh 2001, 89). Although this suggestion is quite appropriate, all of the primary documents relied upon for this dissertation have been annotated, evaluated, and verified by document specialists and the secondary sources are from highly regarded scholars of history and political science. A number of resources were available if questions emerged regarding any of the primary sources used for this dissertation, including: the historians working on the annotation and publication of Jefferson's Retirement Series Letters at the International Center for Jefferson Studies in the Jefferson Library at Monticello; research historians at the University of Virginia who specialize in early nineteenth century American history; the special collections librarians at Virginia Tech; or the Library of Congress, where some of Jefferson's original documents remain.

INTERNAL CRITICISM

In addition to external criticism, internal criticism, defined as "the interpretation of the document's content" (Tosh 2001, 90) is an important element of historical methodology, because it guides historians in their efforts to analyze historical documents and sources critically. Internal criticism has three primary components. First, "the content of a document promotes a further, much more insistent question: is it reliable?" (Tosh 2001, 91). Appleby et al., building upon Tosh's argument concerning the

reliability of secondary sources, add: “No longer able to ignore the subjectivity of the author, scholars must construct standards of objectivity that recognize at the outset that all histories start with the curiosity of a particular individual and take shape under the guidance of her or his personal and cultural attributions” (1994, 254). This point is important. Each of the selected secondary sources is reputable and highly regarded by Jeffersonian scholars and all fulfill important gaps within history, political science, and, to a lesser degree, public administration.

Second, “what most affects the reliability of a source, however, are the intentions and prejudices of the writer” (Tosh 2001, 92). As mentioned previously, during Jefferson’s retirement years, he altered a small amount of his papers for posterity’s sake; however, historians have been able to identify each of these changes or modifications. Nevertheless, most of Jefferson’s personal collection of documents provides a noteworthy opportunity to examine his contribution to public administration. More specifically, this collection of primary sources also highlights how other areas of political and philosophical interest in Jefferson’s life contributed to his administrative legacy. Some of these include, but are not limited to: political philosophy and perspectives on republican government; fiscal policy; religious freedom; publicly funded education; and executive branch management.

Historical context plays a central role in the final component of internal criticism. According to Tosh (2001): “Context is at least as important as text in coming to terms with an original thinker in the past ... But, whenever possible, historians try to study the documents in series, and in their entirety, in order to minimize the danger of misinterpreting a particular item out of context” (95-96). Appleby et al. (1994) expanded

Tosh's argument and drew attention to the notion that: "Historians must deal with a vanished past that has left most of its traces in written documents. The translation of these words from the documents into a story that seeks to be faithful to the past constitutes the historians' particular struggle with truth. It requires a rigorous attention to the details of the archival records as well as imaginative casting of narrative and interpretation" (249). This criticism – Tosh and Appleby et al. – is an important acknowledgement, methodologically speaking, for this dissertation. To understand Jefferson more fully is to develop an appreciation for the context in which he lived. Historians and political scientists have drawn attention to Jefferson's contributions to the historical and political development of the United States but public administrators have all but forgotten the ways Jefferson advanced the theoretical and practical dimensions of administration. The primary sources used throughout this work illustrate the forgotten story of Jefferson's contribution to the development of public administration. This advances the storytelling dimension of this work even further.

FACTUAL VERIFICATION

Carr provides an important framework that continues to guide historians in their efforts to verify their sources factually. "First get your facts straight, then plunge at your peril into the shifting sands of interpretation. The facts speak only when the historian calls on them: it is he who decides to which facts to give the floor, and in what order or context. The element of interpretation enters into every fact of history" (1961, 7-11). Carr's analysis serves as an important aspect of historical methodology. Once the facts have been verified, it becomes the responsibility of the historian to either draw on such details in order to address the research question specifically or to dismiss them as being

irrelevant, or not as important, to the overall goal of the research project. For this dissertation, the primary sources, particularly Jefferson's presidential and retirement series papers, provides another methodologically legitimate way to interpret his contribution to public administration.

While not disagreeing with Carr, Fischer takes a different approach to factual verification, or factual significance as he calls it, and composes his understanding of this technique into five categories. According to Fischer: "Facts must be substantive rather than methodological in nature, empirical, capable of fulfillment, made explicitly, and become significant in proportion to their relevance to explanation models" (1970, 99). The primary and secondary sources relied on for this research has been verified according to Fischer's requirements. More specifically, they explain how Jefferson's perspectives on administration changed as a result of his later experiences in public service, while also pointing to the idea that the state and its democratic institutions influenced Jefferson's transformational journey as an important figure within public administration.

CONCLUSION

The purpose of this chapter was to explain the methodological dimensions of this dissertation. By grounding this work in historical methodology, it guides the reader in how generalizations will be made regarding Jefferson's contributions to the development of public administration in the United States. This chapter opened with a passage from Carr's classic work, *What is History?* and it seems only appropriate to close with another reference from this text, which most historians consider just as groundbreaking today as it was in 1961, the year it was first published:

The facts of history are indeed facts about individuals, but not about actions of individuals performed in isolation, and not about the motives, real or imaginary,

from which individuals suppose themselves to have acted. They are facts about the relations of individuals to one another in society and about the social forces which produce from the actions of individuals results often at variance with, and sometimes opposite to, the results which they themselves intended (64).

Carr's observation highlights an important theme associated with this work – the Constitution legitimates the administrative state; the state, in turn, is able to establish democratic institutions that support its constitutional heritage, and those same institutions, embedded within a specific form of constitutional tradition, hold the potential to change and mold even the most steadfast of statesmen.

REFERENCES

- Appleby, Joyce, Lynn Hunt, and Margaret Jacob. (1994). *Telling the Truth about History*. New York: W.W. Norton and Company.
- Caldwell, Lynton K. (1988). *The Administrative Theories of Hamilton and Jefferson: Their Contribution to Thought on Public Administration*. New York: Holmes and Meier.
- Carr, E. H. (1961). *What is History?* New York: Random House.
- Clemons, Harry. (1954). *The University of Virginia Library: 1825-1950: Story of a Jeffersonian Foundation*. Charlottesville: University of Virginia Press.
- Cunningham, Noble E., Jr. (1987). *In Pursuit of Reason: The Life of Thomas Jefferson*. Baton Rouge: Louisiana State University Press.
- Cunningham, Noble E., Jr. (1978). *The Process of Government under Jefferson*. New Jersey: Princeton University Press.
- Cunningham, Noble E., Jr. (1963). *The Jeffersonian Republicans in Power: Party Operations, 1801-1809*. Chapel Hill: The University of North Carolina Press.
- Ellis, Joseph J. (2001). *Founding Brothers*. New York: Alfred A. Knopf, Inc.
- Ellis, Joseph J. (1996). *American Sphinx: The Character of Thomas Jefferson*. New York: Alfred A. Knopf, Inc.
- Evans, Richard. (1999). *In Defense of History*. New York: W.W. Norton and Company.
- Ferling, John. (2000). *Setting the World Ablaze*. New York: Oxford University Press.
- Fisher, David Hackett. (1970). *Historians' Fallacies: Toward a Logic of Historical Thought*. New York: Harper Perennial.
- Honeywell, Roy. (1931). *The Educational Work of Thomas Jefferson*. Cambridge: Harvard University Press.
- Howell, Martha and Walter Prevenier. (2001). *From Reliable Sources: An Introduction To Historical Methods*. Ithaca, NY: Cornell University Press.
- Johnstone Jr., Robert M. (1978). *Jefferson and the Presidency: Leadership in the Young Republic*. Ithaca: Cornell University Press.
- Johnstone Jr., Robert M. (1973). *The Resources of Presidential Power: The Jeffersonian Example*. Diss. Cornell University, 1972. Ann Arbor: UMI, 73-14, 703.

- Koch, Adrienne and William Peden, Editors. (1993). *The Life and Selected Writings of Thomas Jefferson*. New York: Random House, Inc.
- Landy, Marc and Sidney M. Milkis. (2000). *Presidential Greatness*. Lawrence: University Press of Kansas.
- Lustick, Ian S. (1996). "History, Historiography, and Political Science: Multiple Historical Records and the Problem of Selection Bias". *American Political Science Review* 90(3): 605-618.
- Malone, Dumas. (1970). *Jefferson the President: First Term, 1801-1805*. Boston: Little, Brown, and Company
- Malone, Dumas. (1974). *Jefferson the President: Second Term, 1805-1809*. Boston: Little, Brown, and Company.
- Malone, Dumas. (1977). *The Sage of Monticello*. Boston: Little, Brown, and Company.
- Mayer, David N. (1994). *The Constitutional Thought of Thomas Jefferson*. Charlottesville: University Press of Virginia.
- McDonald, Forrest. (2000). *States' Rights and the Union: Imperium in Imperia 1776-1876*. Lawrence: University Press of Kansas.
- McDonald, Forrest. (1976). *The Presidency of Thomas Jefferson*. Lawrence: University Press of Kansas.
- Novick, Peter. (1988). *That Noble Dream: The "Objectivity Question" and the American Historical Profession*. New York: Cambridge University Press.
- Peterson, Merrill D., Editor. (1993). *The Political Writings of Thomas Jefferson*. Charlottesville: Thomas Jefferson Memorial Foundation, Inc.
- Peterson, Merrill D., Editor. (1984). *Thomas Jefferson: Writings*. New York: The Library of America.
- Randall, Henry S. (1970). *The Life of Thomas Jefferson*. Freeport: Books for Libraries Press, Vol III.
- Sloan, Herbert. (1995). *Principle and Interest: Thomas Jefferson and the Problem of Debt*. Charlottesville: University Press of Virginia.
- Sloan, Herbert. (1993). *Jeffersonian Legacies*. Onuf, Peter S., Editor. Charlottesville: University Press of Virginia.

Storing, Herbert J. "Slavery and the Moral Foundations of the American Republic".
The Moral Foundations of the American Republic. (Robert H. Horwitz, Editor).
Charlottesville, VA: University Press of Virginia.

Tosh, John. (2002). *The Pursuit of History*. London: Pearson Education Limited.

White, Leonard D. (1951). *The Jeffersonians: A Study in Administrative History 1801-1829*. New York: MacMillan Company.

CHAPTER THREE:

JEFFERSON THE EARLY YEARS

INTRODUCTION

Thomas Jefferson's contribution to the development of public administration in the United States does not begin in the early stages of his political career when he was writing some of his most important work, including the Declaration for American Independence and the Virginia Statute for Religious Freedom. Scholars of the Founding Period often consider the Virginia Statute as one of Jefferson's great contributions to the development of republican thought.²¹ While this document is exquisitely written and clearly demonstrates the important connections between religious freedom, the natural rights of man, and republican government, it falls well short from being classified as a great administrative document, because Jefferson does not tell us how this freedom should be implemented within the American constitutional republic. From an administrative perspective, this was particularly important in Jefferson's era because of the vast influence religion had on political affairs.

The purpose of this chapter is to highlight Jefferson's understanding of constitutional theory and administration during this time. Drawing on Jefferson's public documents and private correspondence reveals that his appreciation for the political, administrative, and constitutional complexities associated with governing a republican state was not as developed as either Madison's or Hamilton's. What occupied most of his intellectual energies at this point in his life concerned how individuals secured the rights

²¹ As Mayo (1942) correctly observed, "He himself considered his bill for religious freedom as ranking in importance with the Declaration of Independence" (76). Scholars from a variety of different intellectual fields concur not only because of the intellectual brilliance of this document but also because "in this fight Jefferson was a host within himself" (Bowers 1988, 204).

of self-government, what events and circumstances constituted revolution against the state, and, among others, how religious freedom and public education were essential for the establishment of good government (Malone 1948, 1951; Bowers 1945; Koch 1964; Beloff 1958; Ellis 1996, 2000; Ferling 2000). The necessary and practical details regarding the implementation of these ideas was not an area of intellectual or practical interest for the young statesman.

Jefferson's biographical journey at this point in his life has been thoroughly documented by historians (Malone 1948, 1951; Bowers 1945; Koch 1964; Beloff 1958; Ellis 1996, 2000; Ferling 2000; Mayo 1998). This chapter, however, focuses the field's attention on Jefferson's early understanding of how constitutional theory relates to administration. Jefferson's *Notes on the State of Virginia*, his reaction to the proposed Constitution of 1787, his constitutional concerns regarding Hamilton's plan for establishing a national bank in the Washington administration, and his vehement critique of the Alien and Sedition Acts in the Adams administration highlight his changing perspectives on constitutional theory.

DEVELOPING A MODEL FOR GOVERNANCE: JEFFERSON'S EARLY STRUGGLE WITH CONSTITUTIONAL THEORY

Comparing Jefferson's early understanding of constitutional governance with that of his protégé and fellow Virginian, James Madison, provides important insight into his early thinking regarding public administration generally and the type of republican government Publius envisioned specifically. One of Jefferson's earliest positions on the appropriate powers of government came from his *Notes on the State of Virginia*, the only book he published during his lifetime. *Notes* serves as a comprehensive, historical, geographical, institutional, and cultural account of life in Virginia. Jefferson published

the first edition of *Notes*, limited to 200 copies, shortly after arriving in Paris in 1785 to serve as Foreign Minister to France. Within the next five years, he published *Notes* in the United States and throughout Europe where it was widely read and discussed among some of the most prominent intellectuals of Jefferson's era.

Of particular attention to scholars of American constitutionalism is Query XIII, entitled, "The Constitution of the State and its Several Charters." This chapter examines the Virginia Constitution and provides important insight into Jefferson's position on divided government and the responsibilities of each branch within the larger constitutional order. Jefferson's analysis of the Virginia Constitution, however, must be examined in the broader context of his understanding and critique of the Articles of Confederation. Writing to John Adams in 1787, Jefferson outlined what he considered the most important elements of good government:

...the first principle of a good government is certainly a distribution of it's [sic] powers into executive, judiciary & legislative and a subdivision of the latter into two or three branches. It is a good step gained, when it is proved that the English constitution, acknowledged to be better than all which have preceded it, is only better in proportion as it has approached nearer to this distribution of powers. From this last step is easy, to shew [sic] by a comparison of our constitutions with that of England, how much more perfect they are. The articles of Confederation is surely worthy of your pen. It would form a most interesting addition to shew [sic] what have been the nature of the Confederations which have existed hitherto, what were their excellencies & what their defects. A comparison of ours with them would be to the advantage of ours, and would increase the veneration of our countrymen for it. It is a misfortune that they do not sufficiently know the value of their constitutions & how much happier they are rendered by them than any other people on earth by the governments under which they live.²²

²² Jefferson to Adams, Paris, September 1787. From Ford (1894) p. 454-5

In his “Notes on Professor Ebeling’s Letter” of July 30, 1795,²³ Jefferson outlined more specifically his critique of the type of government the Articles of Confederation established:

Our first federal constitution, or confederation as it was called, was framed in the first moments of our separation from England, in the highest point of our jealousies of independence as to her & as to each other. It formed therefore too weak a bond to produce an union of action as to foreign nations ... Congress was found to be quite unable to point the action of the several states to a common object (Ford 1896, 46).

The structural deficiencies of the Articles of Confederation, most notably the responsibilities Jefferson associated with Congress, laid the foundation for his argument in *Notes* regarding legislative power.

According to Jefferson, the primary weakness of the Virginia Constitution was the usurpation of power by the legislative branch of government at the expense of the executive and judicial branches. Jefferson (1999) outlined the precarious nature of Virginia politics in the mid to late-1700s as followed:

All the powers of government, legislative, executive, and judiciary, result to the legislative body. The concentrating these in the same hands is precisely the definition of despotic government ... But no barrier was provided between these several powers. The judiciary and executive members were left dependent on the legislative, for their subsistence in office, and some of them for their continuance in it ... They have accordingly, in many instances, decided rights which should have been left to judiciary controversy: and the direction of the executive, during the whole time of their session, is becoming habitual and familiar (126).²⁴

Jefferson also underscored additional weaknesses associated with the Virginia Constitution, which included: the majority of Virginians who paid taxes and fought in the militia were unrepresented in the General Assembly; those who were represented were

²³ Jefferson’s “Notes on Professor Ebeling’s Letter of July 30, 1795”. From Ford (1896) p. 46. Ford footnotes that Jefferson’s response was undated but probably written in late 1795. Ford also footnotes that Christoph Daniel Ebeling was at this time preparing his “Biography and History of North America”.

²⁴ Publius cited an expanded version of this quote in *Federalist 48*.

represented unequally in both houses of the legislature; the Senate was too homogeneous within the House of Delegates; and the ordinary legislature could alter the Constitution at any time.²⁵ As a means of correcting these defects, Jefferson championed for the adoption of adhoc and periodic conventions. He argued that each time a crisis arose, the citizens of Virginia should hold a convention “for altering the constitution or correcting breaches of it.” Jefferson also maintained that even when crises do not arise, the people should hold periodic conventions every twenty years to discuss amending various sections of their governing document.

Jefferson’s position on adhoc and periodic conventions impressed James Madison, although not the way the older Virginian would have preferred. Madison disagreed with his good friend’s approach. In *Federalist 48* he cites a longer version of the before-mentioned quote from *Notes* and outlines Jefferson’s critique of the Virginia Constitution. In *Federalist 49*, Madison maintains that Jefferson’s proposal for convening the people would promote instability and disrupt the constitutional equilibrium of the separation of powers form of government. Madison fears that if the people periodically convene to address questions of constitutional significance they will lose respect for the Constitution as a whole. The stability and longevity essential for the maintenance and preservation of governmental institutions would therefore diminish. Quite interestingly, the future author of the First Amendment is quite cautious about discussing certain rights, not only in *Federalist 49* but in the *43rd* as well. He fears that if this discussion takes place certain states would be less likely to ratify the proposed Constitution. Madison does not support an open debate regarding ratification and is more guarded than modern-day scholars and practitioners about protecting individual rights

²⁵ For a more detailed analysis, see Mayer (1994) *The Constitutional Thought of Thomas Jefferson*.

within the constitutional order. He continues this line of argument in *Federalist 51* and supports the position that ambition provides a definitive resolution for why reason must supersede passion. According to Madison, the American constitutional republic relies primarily on the people for support for its legitimacy. When civic virtue fails, however, ambition serves as an auxiliary precaution. It works to safeguard the separation of powers system as it ensures that man's personal interests are connected directly to the government. The same government that controls the people will also control itself. Madison's reliance on this auxiliary precaution ensures the existence of a higher notion of public virtue than the one Jefferson gave credit for in his defense of adhoc and periodic conventions.

These differences of constitutional perspective highlight Koch's (1964) argument that "the Jeffersonian view placed greater confidence than the Madisonian in the people themselves" (3). Jefferson favored allocating greater amounts of power and control within individual members of the citizenry; Madison, on the other hand, in the democratic institutions created by the Constitution. This comparative analysis expands our knowledge of Jefferson's understanding of constitutional theory in the early stages of his political career and illustrates fundamental differences between his constitutional thinking and that of Madison's.

In addition to his support of adhoc and periodic conventions, Jefferson made a poignant effort to critique and caution against an energetic government. Writing his opinion to Madison on the proposed Constitution of 1787, Jefferson argued:

I own I am not a friend to a very energetic government. It is always oppressive. The late rebellion in Massachusetts has given more alarm than I think it should have done. Calculate that one rebellion in 13 states in the course of 11 years, is but one for each state in a century & a half. No country should be so long without

one. Nor will any degree of power in the hands of government prevent insurrections ... After all, it is my principle that *the will of the majority should always prevail*. If they approve the proposed Constitution in all its [sic] parts, I shall concur in it cheerfully, in hopes that they will amend it whenever they shall find it work wrong. I think our governments will remain virtuous for many centuries; as long as they are chiefly agricultural; and this will be as long as there shall be vacant lands in any part of America (emphasis added).²⁶

Jefferson's position, by no accident, represents a stark contrast to Madison's argument in *Federalist 10* and to Hamilton's position that a strong industrialized economy would provide the foundation for the advancement of the American State. Publius does not support the position that "the will of the majority should always prevail". He fears an overbearing majority, and in *Federalist 10* states: "Complaints are every where heard from our most considerate and virtuous citizens, equally the friends of public and private faith, and of public and personal liberty; that our governments are too unstable; that the public good is disregarded in the conflicts of rival parties; and that measures are too often decided, not according to the rules of justice, and the rights of the minor party; but by the superior force of an interested and over-bearing majority."²⁷ Publius maintains that small republics are more likely to oppress minority groups because they will increase the number of factions. Instead, Publius argues that a large republic is better equipped at controlling the effects of factions, because a state that relies on a plurality of interests produces instability among the winners. In a word, unstable majorities help to prevent the rich from usurping the rights of the poor. According to Publius, an expanded republic brings together a greater number of interests and diversifies support for a variety of policies and issues. Koch (1964) provides an excellent summation regarding the differences between Jefferson and Madison concerning the advantages and disadvantages

²⁶ Jefferson to Madison, Paris, December 20, 1787. From Ford (1894) p. 479.

²⁷ From Cooke, Jacob E. (1961). *The Federalist*.

of small republics and the role of the majority within the larger confines of republican government:

Jefferson located the center of tyrannical infection in centralized power. Madison, on the contrary, located the center of tyrannical infection in the undisciplined and overbearing impulses of local majorities to trample on the private rights (and property rights) of minorities. Jefferson envisaged the continuing importance and dignity of local, state, and general government authorities; Madison saw lurking beneath these local and general governments the fractured universe of people split into factions and disposed to conduct political welfare as special-interest groups (44).

These two perspectives highlight important differences between the Jeffersonian and Madisonian points of view regarding the connection between constitutional theory and the preservation of republican government.

Jefferson and Madison also respectfully disagreed over public and private debt. This was a contentious issue for Jefferson throughout the course of his life,²⁸ and he made famous the phrase “the earth always belongs to the living generation.” The reality that one generation could pass debt down to the next undermined Jefferson’s understanding of what constituted the natural rights of man. Writing to the younger Virginian, Jefferson supported a position that Madison very much disagreed with:

Then no man can, by natural right, oblige the lands he occupied, or the persons who succeed him in that occupation, to the payment of debts contracted by him. For if he could, he might, during his own life, eat up the usufruct of the lands for several generations to come, and then the lands would belong to the dead, and not to the living, which would be the reverse of our principle. What is true of every member of the society individually, is true of them all collectively, since the rights of the whole can be no more than the sum of the rights of the individuals.²⁹

²⁸ For an excellent account of Jefferson’s critique of public and private debt, see Sloan (1995) *Principle and Interest: Thomas Jefferson and the Problem of Debt*. Charlottesville: University Press of Virginia.

²⁹ Jefferson to Madison, Paris, September 6, 1789. From Smith (1995), Vol. 1, p. 632.

Madison's critique of Jefferson's argument is not based on what he deems the natural rights of man to be; rather, it focuses on how a constitutional government based on the rule of law makes this type of proposition unattainable. According to Madison:

If the earth be the gift of nature to the living their title can extend to the earth in its natural State only. The *improvements* made by the dead form a charge against the living who take the benefit of them. This charge can no otherwise be satisfied [sic] than by executing the will of the dead accompanying the improvements ... Unless such laws should be kept in force by new acts regularly anticipating the end of the term, all the rights depending on positive laws, that is, most of the rights of property would become absolutely defunct; and the most violent struggles be generated between those interested in reviving and those interested in new-modelling [sic] the former state of property ... On what principle does the voice of the majority bind the minority? It does not result I conceive from the law of nature, but from compact founded on conveniency [sic] ... The evils suffered and feared from weakness in Government, and licentiousness in the people, have turned the attention more towards the means of strengthening the former than of narrowing the latter.³⁰

This analysis portrays another intellectual, philosophical, and institutional difference regarding how Jefferson and Madison approached their understanding of how constitutional theory should influence republican government.

Despite these differences, however, the political philosophy of Thomas Hobbes largely influenced both Jefferson and Madison's thoughts regarding the primary motivations of man, albeit somewhat softened by John Locke. Hobbes's opinion in *The Leviathan* regarding man's disposition as being nasty, brutish, and short certainly resonated with Madison's position in *Federalist 10*:

But the most common and durable sources of factions, has been the various and unequal distribution of property. Those who hold, and those who are without property, have ever formed distinct interests in society. Those who are creditors, and those who are debtors, fall under a like discrimination. A landed interest, a manufacturing interest, a mercantile interest, a monied [sic] interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, actuated by different sentiments and views. The regulation of

³⁰ Madison to Jefferson, New York, February 4, 1790. From Smith (1995), Vol. 1, p. 652. Emphasis in original.

these various and interfering interests forms the principal task of modern Legislation, and involves the spirit of party and faction in the necessary and ordinary operations of Government.

While Madison focused primarily on man's ability to acquire property and the responsibility of government to protect such property after it has been acquired by an individual, Jefferson, in this context, thought of man's decision-making in a abstract way, but nevertheless the Hobbesian connection is quite clear. Writing to Madison, Jefferson stated:

I do not recollect in all the animal kingdom a single species but man which is eternally & systematically engaged in the destruction of its own species. What is called civilization seems to have no other effect on him than to teach him to pursue the principle of bellum omnium in omnia on a larger scale, & in place of the little contests of tribe against tribe, to engage all the quarters of the earth in the same work of destruction. When we add to this that as to the other species of animals, the lions & tigers are mere lambs compared with man as a destroyer, we must conclude that it is in man alone that nature has been able to find a sufficient barrier against the too great multiplication of other animals & of man himself, an equilibrating [sic] power against the fecundity of generation. My situation points my views chiefly on his wars in the physical world; yours perhaps exhibit him as equally warring in the moral one. We both, I believe, join in wishing to see him softened.³¹

While these passages illustrate the philosophical influence that Hobbes and to some degree Locke had on Jefferson and Madison, they also demonstrate the differences with regard to how each statesman applied these principles to their understanding of what motivated man. Jefferson focused on the destructive tendencies of man while Madison emphasized man's pursuit of property and the inevitability of man to participate in factions.

JEFFERSON'S OPINIONS ON THE CONSTITUTION OF 1787

While serving as Foreign Minister to France, Jefferson reviewed the proposed Constitution of 1787 with vigor and candor and shared his opinions with many of his

³¹ Jefferson to Madison, Paris, January 1, 1797. From Ford (1896) p. 100.

contemporaries. This correspondence draws attention to his understanding of constitutional theory and how he understood the appropriate responsibilities of government. Jefferson often began his analysis of the newly proposed Constitution with a description of the weaknesses he attributed to the Articles of Confederation. In his *Autobiography*, he maintained:

The fundamental defect of the Confederation was that Congress was not authorized to act immediately on the people, & by it's [sic] own officers. Their power was only requisitory [sic], and those requisitions were addressed to the several legislatures, to be by them carried into execution, without other coercion than the moral principle of duty. This allowed in fact a negative to every legislature, on every measure proposed by Congress; a negative so frequently exercised in practice as to benumb the action of the federal government, and to render it inefficient in it's [sic] general objects, & more especially in pecuniary and foreign concerns.³²

After reviewing the proposed Constitution, Jefferson wrote Edward Carrington on what he considered the most significant defect of the Articles of Confederation: an inability to regulate domestic and international commerce.

I confess I do not go as far in the reforms thought necessary as some of my correspondents in America; but if the convention should adopt such propositions I shall suppose them necessary. My general plan would be to make the states one as to every thing connected with foreign nations, & several as to everything purely domestic ... It's [sic] greatest defect is the imperfect manner in which matters of commerce have been provided for. It has been so often said, as to be generally believed, that Congress have no power by the confederation to enforce anything, for e.g., contributions of money. It was not necessary to give them that power expressly; they have it by the law of nature.³³

Jefferson's concerns over regulating commerce provided an important theoretical and practical underpinning for his commentary on the 1787 Constitution. Interestingly, Jefferson, like the American Founders in general, supported the Commerce Clause with

³² From Peterson, Merrill (1984). *Thomas Jefferson Writings, Volume I*, p. 71.

³³ Jefferson to Carrington, Paris, August 4, 1787. From Ford (1894), Vol. 4, p. 423.

vigor and enthusiasm, which was a constitutional protection that would serve as a great source of contention in the later history of the United States.

Jefferson's first reaction to the proposed Constitution was surprisingly neutral. He was quite clear on what he considered its strengths and its weaknesses. In another letter to Carrington, Jefferson maintained: "As to the new Constitution I find myself nearly a Neutral. There is a great mass of good in it, in a very desirable form: but there is also to me a bitter pill or two ... Would it not have been better to assign to Congress exclusively the article of imposts for federal purposes, & to have left direct taxation exclusively to the states?"³⁴ Once again, Jefferson addressed his concerns regarding commerce to Carrington:

When two parties make a compact, there results to each a power of compelling the other to execute it. Compulsion was never so easy as in our case, where a single frigate would soon levy on the commerce of any state the deficiency of its contributions; nor more safe than in the hands of Congress which has always shown that it would wait, as it ought to do, to the last extremities before it would executive any of its [sic] powers which are disagreeable. I think it very material to separate in the hands of Congress the Executive & Legislative powers, as the Judiciary already are in some degree.³⁵

These general remarks laid the foundation for Jefferson's arguments concerning the strengths and weaknesses of the proposed governing document. Writing to Madison in June 1787, Jefferson noted that "the idea of separating the executive business of the confederacy from Congress, as the judiciary is already in some degree, is just & necessary ... It will be much better to make that separation by a federal act."³⁶ Of all the correspondence Jefferson wrote on this issue perhaps none is more important than his letter to Madison on December 20, 1787 from Paris. Here, Jefferson thoughtfully

³⁴ Jefferson to Carrington, Paris, December 21, 1787. From Ford (1894), Vol. 4, p. 481-2.

³⁵ Jefferson to Carrington, Paris, August 4, 1787. From Ford (1894), Vol. 4, p. 423.

³⁶ Jefferson to Madison, Paris, June 20, 1787. From Ford (1894), Vol. 4, p. 390.

assessed the proposed Constitution and analyzed its strengths and weaknesses in a manner that he did in no other public or private correspondence. In a lengthy paragraph Jefferson meticulously outlined the strengths of the Federalist position:

I like much the general idea of framing a government which should go on of itself peaceably, without needing continual recurrence to the state legislatures. I like the organization of the government into Legislative, Judiciary, & Executive. I like the power given the Legislature to levy taxes, and for that reason solely approve of the greater house being chosen by the people directly. For tho' I think a house chosen by them will be very illy [sic] qualified to legislate for the Union, for foreign nations &c. yet this evil does not weigh against the good preserving inviolate the fundamental principle that the people are not to be taxed but by I am captivated by the compromise of the opposite claims of the great & little states, of the latter to equal, and the former to proportional influence. I am much pleased too with the substitution of the method of voting by persons, instead of that of voting by states: and I like the negative given to the Executive with a third of either house, though I should have liked it better had the Judiciary been associated for that purpose, or invested with a similar and separate power.³⁷

Despite these strengths, however, Jefferson also criticized the proposed Constitution for omitting a Bill of Rights and for failing to require term limits for the president. Jefferson's support for these efforts illustrates his connection to important Anti-Federalist positions on the responsibilities of republican government to the citizenry.³⁸

In the same letter to Madison, Jefferson adamantly defended the need for a Bill of Rights and thus argued:

To say, as Mr. Wilson does that a bill of rights was not necessary because all is reserved in the case of the general government which is not given, while in the particular ones all is given which is not reserved, might do to the audience to whom it was addressed, but is surely a gratis dictum, opposed by strong inferences from the body of the instrument, as well as from the omission of the clause of our present confederation which had declared that in express terms. It was a hard conclusion to say because there has been no uniformity among the states as to the cases triable [sic] by jury, because some have been so incautious as to abandon this mode of trial, therefore the more prudent states shall be reduced to the same level of calamity. It would have been much more just & wise to have

³⁷ Jefferson to Madison, Paris, December 20, 1787. From Ford (1894), Vol. 4, p. 475-6.

³⁸ For a more detailed account of the Anti-Federalists' opposition to the 1787 Constitution see Herbert Storing's *What the Anti-Federalists Were For*, Chicago (1984).

concluded the other way that as most of the states had judiciously preserved this palladium, those who had wandered should be brought back to it, and to have established general right instead of general wrong. Let me add that a bill of rights is what the people are entitled to against every government on earth, general or particular, & what no just government should refuse, or rest on inferences.³⁹

Jefferson continued to champion for the establishment of a Bill of Rights in his public and private correspondence throughout his time in Paris. One year after writing Madison on the importance of these protections, Jefferson shared similar sentiments to George Washington: “I am in hopes that the annexation of the bill of rights to the constitution will alone draw over so great a proportion of the minorities, as to leave little danger in the opposition of the residue; and that this annexation may be made by Congress and the assemblies, without calling a convention which might endanger the most valuable parts of the system.”⁴⁰ He also wrote Alexander Donald: “By a declaration of rights, I mean one which shall stipulate freedom of religion, freedom of the press, freedom of commerce against monopolies, trial by juries in all cases, no suspensions of the habeas corpus, no standing armies.”⁴¹

Madison was somewhat unconvinced with Jefferson’s arguments, as well as those made by the Anti-Federalists, in defense of a Bill of Rights, and the elder Virginian took aim at his younger friend’s criticism. Jefferson wrote to Madison in 1789 and addressed many of Madison’s arguments against the incorporation of a Bill of Rights in the Constitution. Although the following quotation is lengthy, it provides an excellent description of the differences between Jefferson and Madison on this contentious issue.

The Declaration of rights is like all other human blessings alloyed with some inconveniences, and not accomplishing fully it’s [sic] object. But the good in this

³⁹ Jefferson to Madison, Paris, December 20, 1787. From Ford (1894), Vol. 4, p. 476-7.

⁴⁰ Jefferson to Washington, Paris, December 4, 1788. From Peterson (1984) p. 930.

⁴¹ Jefferson to Donald, Paris, February 7, 1788. From Peterson (1984) p. 919.

instance vastly overweighs the evil. I cannot refrain from making short answers to the objections which your letter states to have been raised.

1. That the rights in questions are reserved by the manner in which the federal powers are granted. Answer. A constitutive act may certainly be so formed as to need no declaration as far as it goes; and if it goes to all material points nothing more is wanting ... But in a constitutive act which leaves some precious articles unnoticed, and raises necessary by way of supplement. This is the case of our new federal constitution ...

2. A positive declaration of some essential rights could not be obtained in the requisite latitude. Answer. Half a loaf of bread is better than no bread. If we cannot secure all our rights, let us secure what we can ...

3. The limited powers of the federal government & jealousy of the subordinate governments afford a security which exists in no other instance. Answer. The first member of this seems resolvable into the first objection before stated. The jealousy of the subordinate governments is a precious reliance. But observe that those governments are only agents. They must have principles furnished them whereon to found their opposition. The declaration of rights will be the text whereby they will try all the acts of the federal government. In this view it is necessary to the federal government also; as by the same text they may try the opposition of the subordinate governments ...

4. Experience proves the inefficacy of the bill of rights. True. But tho [sic] it is not absolutely efficacious under all circumstances, it is of great potency always, and rarely inefficacious. A brace the more will often keep up the building which would have fallen with that brace the less.⁴²

Jefferson's support for a Bill of Rights was certainly in keeping with his opinions on republican government, and his argument, like those of his Anti-Federalist colleagues, was strong enough on its own that even Publius could not ignore the merits of this position.

Jefferson's second critique of the 1787 Constitution focused on rotation in office, with particular emphasis on the omission of term limits for the president. In the same letter to Madison, Jefferson held firm:

Experience concurs with reason in concluding that the first magistrate will always be re-elected if the Constitution permits it. He is then an officer for life. This

⁴² Jefferson to Madison, Paris, March 15, 1789. From Peterson (1984) p. 943.

once observed, it becomes of so much consequence to certain nations to have a friend or a foe at the head of our affairs that they will interfere with money & with arms ... If once elected, and at a second or third election out voted by one or two votes, he will pretend false votes, foul play, hold possession of the reins of government, be supported by the States voting for him, especially if they are the central ones lying in a compact body themselves & separating their opponents: and they will be aided by one nation of Europe, while the majority are aided by another ... But experience shews [sic] that the only way to prevent disorder is to render them uninteresting by frequent changes. An incapacity to be elected a second time would have been the only effectual preventative. The power of removing him every fourth year by the vote of the people is a power which will not be exercised.⁴³

Jefferson's concerns over rotation in office stemmed from his fears over establishing a monarchical-like government in the United States. By contrast, Hamilton argued that the president should be re-eligible in order to promote a stable administration (Rohr 1986). Hamilton's position emphasizes that his thoughts on administration were superior to Jefferson's at this point in his political career.

Jefferson's correspondence with John Adams in 1787, however, seems less objective than the letters he wrote to Madison and Carrington. Such an observation provides for a more comprehensive and perhaps complete understanding of Jefferson's opinions on the proposed Constitution, particularly on the issue of executive rotation.

How do you like our new constitution? I confess there are things in it which stagger all my dispositions to subscribe to what such an assembly has proposed. The house of federal representatives will not be adequate to the management of affairs either foreign or federal. Their President seems a bad edition of a Polish king. He may be reelected from 4 years to 4 years for life. Reason and experience prove to us that a chief magistrate, so continuable [sic], is an officer for life, it becomes on every succession worthy of intrigue, of bribery, of force, and even of foreign interference. It will be of great consequence to France and England to have America governed by a Galloman or Angloman. Once in office, and possessing the military force of the union, without either the aid or check of a council, he would not be easily dethroned, even if the people could be induced to withdraw their votes from him. I wish that at the end of the 4 years they had made him ineligible a second time. *Indeed I think all the good of this new constitution might have been couched in three or four new articles to be added to*

⁴³ Jefferson to Madison, Paris, December 20, 1787. From Ford (1894), Vol. 4, p. 477-8.

*the good, old, and venerable fabrick [sic], which should have been preserved even as a religious relique [sic].*⁴⁴

Adams's response to Jefferson's letter provides an insightful look into the constitutional debate and dialogue between two of the most important statesmen of the Revolutionary era, neither of whom were present at the Constitutional Convention of 1787. Adams answers Jefferson's concerns with the following remarks:

You are afraid of the one—I, of the few. We agree perfectly that the many should have a full fair and perfect Representation.—You are Apprehensive of Monarchy; I of Aristocracy. I would therefore have given more Power to the President and less to the Senate. The Nomination and Appointment to all offices I would have given to the President, assisted only by a Privy Council of his own Creation, but not a Vote or Voice would I have given to the Senate or any Senator, unless he were of the Privy Council. Faction and Distraction are the sure and certain Consequence of giving to a Senate a vote in the distribution of offices. You are apprehensive the President when once chosen, will be chosen again and again as long as he lives. So much the better as it appears to me. —You are apprehensive of foreign Interference, Intrigue, Influence. So am I.—But, as often as Elections happen, the danger of foreign Influence recurs. The less frequently they happen the less danger.—And if the Same Man may be chose again, it is probable he will be, and the danger of foreign Influence will be less. Foreigners, seeing little Prospect will have less Courage for Enterprize [sic]. Elections, my dear sir, Elections to offices which are great objects of Ambition, I look at with terror. Experiments of this kind have been so often tryed [sic], and so universally found productive of Horrors, that there is great Reason to dread them.⁴⁵

This correspondence provides an important account of Jefferson and Adams's concerns regarding the proposed Constitution of 1787, and it draws further attention to the weaknesses Jefferson attributed to this governing document. This intellectual conversation is an excellent example of the issues that are often examined by scholars associated with the constitutional school of public administration. More specifically, it highlights the differences in tone and critique between Jefferson's correspondence with Adams versus his correspondence with Madison. Jefferson was not as direct with

⁴⁴ Jefferson to Adams, Paris, November 13, 1787. From Cappon (1959) p. 211-12; emphasis added.

⁴⁵ Adams to Jefferson, London, December 6, 1787. From Cappon (1959) p. 213-4.

Madison because of his role in the Constitutional Convention, their close, personal friendship, and their mutual connection to Virginia. Although Jefferson and Adams also had a strong friendship at this point in their political careers, they did not have the same type of relationship that he shared with Madison. This observation provides insight into why Jefferson structured his thoughts on the 1787 Constitution differently depending on whether he was writing to Madison or Adams.

In addition to Jefferson's concern over the failure to incorporate a Bill of Rights as well as omitting term limit requirements for the president, he also outlined a smaller objection: "The binding of all persons Legislative Executive & Judiciary by oath to maintain that constitution."⁴⁶ Jefferson argued that oaths of office were unnecessary and undermined key tenets associated with republican government. This argument is almost identical to those espoused by contemporary Frenchmen. Rohr (1995), in his comparative study of the French and American administrative states, explained why the French do not emphasize oaths: "The French president's duty to the State, which is not a creature of the Constitution, suggests that he is more than a constitutional officer" (46). By contrast, the American president takes an oath of office, which reinforces his duty as a constitutional officer and only a constitutional officer.

Despite these criticisms, Jefferson publicly and privately supported the Constitution of 1787 prior to ratification and afterwards. Writing to Thomas Mann Randolph, Jefferson maintained: "For tho' [sic] we may say with confidence that the worst of the American constitutions is better than the best which ever existed before in any other country, & that they are wonderfully perfect for a first essay, yet every human

⁴⁶ Jefferson to Madison, Paris, December 20, 1787. From Ford (1894) p. 478.

essay must have defects.”⁴⁷ In a letter to Alexander Donald seven months later, Jefferson outlined a strategy for ratification of the proposed Constitution: “I wish with all my soul, that the nine first conventions may accept the new constitution, which I think great and important. But I equally wish, that the four latest conventions, which ever they may be, may refuse to accede to it, till a declaration of rights be annexed.”⁴⁸ Jefferson’s position on ratification placed him in a rather unique political position. He supported the Federalists in some areas and the Anti-Federalists in others. Debate has long centered on whether or not Jefferson was an Anti-Federalist, and he addressed this question directly: he was neither Federalist nor Anti-Federalist:

I am not a Federalist, because I never submitted the whole system of my opinions to the creed of any party of men whatever in religion, in philosophy, in politics, or in anything else where I was capable of thinking for myself. Such an addiction is the last degradation of a free and moral agent. If I could not go to heaven but with a party, I would not go there at all. But I am much farther from that of the Antifederalists [sic]. I approved, from the first moment, of the great mass of what is in the new constitution, the consolidation of the government, the organization into Executive legislative & judiciary, the subdivision of the legislative, the happy compromise of interests between the great & little states by the different manner of voting in the different houses, the voting by persons instead of states, the qualified negative on laws given to the Executive which however I should have liked better if associated with the judiciary also as in New York, and the power of taxation ... What I disapproved of from the first moment also was the want of a bill of rights to guard liberty against the legislative as well as executive branches of the government ... I disapproved also the perpetual reeligibility [sic] of the President ... I am of neither party, nor yet a trimmer between parties.⁴⁹

The distinction Jefferson outlined regarding his political orientation provides an excellent opportunity to examine his understanding of administration and its connection to the implementation of republican government prior to his election to the presidency.

⁴⁷ Jefferson to T. M. Randolph, Paris, July 6, 1787. From Ford (1894) p. 403.

⁴⁸ Jefferson to Donald, Paris, February 7, 1788. From Peterson (1984) p. 919.

⁴⁹ Jefferson to Hopkinson, Paris, March 13, 1789. From Peterson (1984) p. 939-940.

Jefferson's opinions on the Constitution of 1787 highlight additional perspectives regarding his understanding of republican government; however, nowhere in these letters does he connect the relationship between these political principles and the administration of government. In a letter to James Monroe, Jefferson emphasized the importance of freedom of expression between citizens, which he attributed as a natural right and "one of the objects for the protection of which society is formed, & municipal laws established."⁵⁰ In 1797, Jefferson wrote to Adams on the importance of honesty and reason, not military force, when establishing a republican form of government:

If ever the morals of a people could be made the basis of their own government, it is our case; and he who could propose to govern such a people by the corruption of their legislature, before he could have one night of quiet sleep, must convince himself that the human soul as well as body is mortal. I am glad to see that whatever grounds of apprehension may have appeared of a wish to govern us otherwise than on principles of reason and honesty, we are getting the better of them.⁵¹

Finally, Jefferson's correspondence with Elbridge Gerry in 1799 points to the political objectives he deemed essential for the newly created republic, and to be sure such positions made the former Secretary of the Treasury cringe with disbelief:

I am for a government rigorously frugal & simple, applying all the possible savings of the public revenue to the discharge of the national debt; and not for a multiplication of officers & salaries merely to make partisans, & for decreasing, by every device, the public debt, on the principle of it's [sic] being a public blessing. I am for relying, for internal defence [sic], on our militia solely, till actual invasion, and for such a naval force only as may protect our coasts and harbors from such depredations as we have experienced ... I am for free commerce with all nations; political connection with none; & little or no diplomatic establishment. And I am not for linking ourselves by new treaties with the quarrels of Europe.⁵²

⁵⁰ Jefferson to Monroe, Monticello, September 7, 1787. From Ford (1896) p. 172.

⁵¹ Jefferson to Adams, Monticello, February 28, 1796. From Cappon (1954) p. 260.

⁵² Jefferson to Gerry, Philadelphia, January 26, 1799. <http://etext.lib.virginia.edu>.

Although Jefferson could eloquently articulate what type of government exemplified the principles he deemed essential for the preservation of republican government, he could not explain, at this point in his political career, how to implement these preferences within the confines of the administrative state.

JEFFERSON’S CONSTITUTIONAL ARGUMENT AGAINST THE ESTABLISHMENT OF A NATIONAL BANK

Although Jefferson’s understanding of constitutional theory was not as developed as Madison’s, his thoughtful critique of Hamilton’s plan to establish a national bank during President Washington’s administration and his blistering critique of the Alien and Sedition Acts in the Adams administration demonstrates a more profound level of constitutional thinking than what he demonstrated a decade earlier. Jefferson’s argument regarding Hamilton’s reliance on the “necessary and proper clause” and his constitutional concern over what constituted the advancement of the “general welfare” provides the foundation for his critique of this proposal.

Hamilton, in his administrative capacity as Secretary of the Treasury, proposed establishing a Bank of the United States. He chose to model it after the Bank of England where capital came from public securities that could be converted into bank stock (Smith 1995, 665). Hamilton argued the “necessary and proper clause” of the Constitution afforded Congress the implied power to create a Bank of the United States. This position is one that supported the principle of broad construction and implied constitutional power. Relying on Article I, Section 8, Clause 18, which states: “To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof,” Hamilton maintains: “The turn of the

expressions as well as the familiar and popular sense of the words [“necessary and proper”] forbids a restrictive interpretation” (Syrett and Cooke 1965, 70).⁵³ This argument laid the foundation for Hamilton to argue: “The proposition relied upon is, that the *specified powers* of Congress are in their nature sovereign—that it is incident to sovereign power to erect corporations; & that therefore Congress have a right within the *sphere & in relation to the objects of their power, to erect corporations* (Syrett and Cooke 1965, 114, emphasis in original).⁵⁴ The Hamiltonian model, therefore, supported the notion that if Congress had the constitutional authority to coin money, tax the citizenry, and borrow money then this implied the power to establish a bank for implementing these legislative responsibilities.

Jefferson, a strict constructionist, served as Secretary of State during the Washington administration, and adamantly disagreed with Hamilton’s position. In his *Opinion on the Constitutionality of a National Bank*,⁵⁵ Jefferson, like Hamilton, relied on Article I, Section 8, Clause 18 to make his case but came to the opposite conclusion: “To take a single step beyond the boundaries thus specially drawn around the powers of Congress, is to take possession of a boundless field of power, no longer susceptible of any definition.”⁵⁶ Jefferson maintained that the power to establish a national bank was not delegated to Congress by the Constitution, because it was not enumerated. As Mayer (1994) correctly observes: “Jefferson’s definition of necessary means – those means without which the grant of the power would be nugatory – clearly, however, put the

⁵³ From Hamilton’s “Draft of an Opinion on the Constitutionality of an Act to Establish a Bank,” *The Papers of Alexander Hamilton*, Vol. VIII, Syrett and Cooke, Eds.

⁵⁴ From Hamilton’s “Final Version of an Opinion on the Constitutionality of an Act to Establish a Bank,” *The Papers of Alexander Hamilton*, Vol. VIII, Syrett and Cooke, Eds.

⁵⁵ Jefferson’s “Opinion on the Constitutionality of a National Bank”, February 15, 1791. From Peterson (1984) p. 416-421.

⁵⁶ *Ibid.*

burden on the proponents of a new federal measure. Where the measure proposed clearly interfered with state law, as Jefferson argued was the case with the bank bill, nothing but a necessity invincible by any other means could justify it” (193). According to Jefferson, Congress did not need a bank to borrow or coin money; tax the citizenry; regulate commerce with foreign nations, the States, Indian tribes; or any of the other enumerated powers the Constitution granted the legislative branch.

Jefferson provided an additional explanation in his *Opinion* regarding Hamilton’s argument that Congress had the constitutional authority to establish a national bank based on the “necessary and proper clause.” Writing to Madison, he argued: “The power of erecting banks and corporations was not given to the general government it remains then with the state itself.”⁵⁷ Jefferson contended that while a national bank might be suitable and convenient for helping Congress perform its constitutional obligations of coining and borrowing money as well as taxing the citizenry it was not *necessary*. According to Jefferson: “Perhaps, indeed, bank bills may be a more *convenient* vehicle than treasury orders. But a little *difference* in the degree of *convenience*, cannot constitute the necessity which the constitution makes the ground for assuming any non-enumerated power.”⁵⁸

Dumas Malone (1951) provides an excellent account of the constitutional problem Jefferson had with Hamilton’s plan to establish a national bank: “[He] was inevitably alarmed by the extreme claims of national power which had been made by some supporters of the bank bill in the debates, just as Madison was; and he was trying to find a formula to guard against the dangers he perceived. The insuperable difficulty was that

⁵⁷ Jefferson to Madison, Bladensburg, October 1, 1792. From Smith (1995) p. 740.

⁵⁸ Jefferson’s “Opinion on the Constitutionality of a National Bank”, February 15, 1791. From Peterson (1984) p. 416-421. Emphasis in original.

no *unvarying* formula for the proper relations between the nation and the states could be devised” (344, emphasis in original). The dangers Jefferson perceived stemmed from his understanding of public law: “To him laws in general, and constitutions in particular, were shields against tyranny; and he coupled a positive faith in human beings with a predominantly negative attitude toward political agencies and institutions” (Malone 1951, 342).⁵⁹ Jefferson and Madison never forgot the situation they found themselves in at this point in Washington’s administration and both would reflect back on this moment during their retirement years with bitter resentment and frustration.

In addition to the debate concerning the “necessary and proper clause,” Jefferson also took issue with whether or not establishing a national bank promoted the general welfare of the nation. In one of his most famous letters to President Washington, Jefferson expressed his utter contempt over Hamilton’s decision making: “That I have utterly, in my private conversations, disapproved of the system of the Secretary of the treasury, I acknowledge [sic] & avow: and this was not merely a speculative difference. His system flowed from principles adverse to liberty, & was calculated to undermine and demolish the republic, by creating an influence of his department over the members of the legislature.”⁶⁰ According to Mayer (1994), Hamilton’s broad constructionist position regarding the establishment of a national bank undermined the “general welfare clause” of the Constitution in two ways.

First such a sweeping interpretation of the clause would run against the ‘established rule of construction,’ that where a phrase will bear either of two meanings, it should be given ‘that which will allow some meaning to the other parts of the instrument, and not that which would render all the others useless.’ Second, such a broad interpretation would be contrary to the intent of the

⁵⁹ Mayer (1994) expands on this commentary pp. 189-199.

⁶⁰ Jefferson to Washington, Monticello, September 9, 1792. From Peterson (1984) p. 994.

Constitution, as evident both in the text itself and in the circumstances of its framing and ratification (191).

Jefferson went on argue exactly how Hamilton's plan undermined the general welfare:

For, in a Report on the subject of manufactures (still to be acted on) it was expressly assumed that the general government has a right to exercise all powers which may be for the *general welfare*, that is to say, all the legitimate powers of government: since no government has a legitimate right to do what is not for the welfare of the governed. There was indeed a sham-limitation of the universality of this power *to cases where money is to be employed*. But about what is it that money cannot be employed? Thus the object of these plans taken together is to draw all the powers of government into the hands of the general legislature, to establish means for corrupting a sufficient corps in that legislature to divide the honest votes & preponderate, by their own, the scale which suited, & to have that corps under the command of the Secretary of the Treasury for the purpose of subverting step by step the principles of the constitution, which he has so often declared to be a thing of nothing which must be changed.⁶¹

Jefferson's concerns over the proper constitutional balance between the federal and state governments, maintaining balance between the three branches of government, and promoting the general welfare is clearly evident in his correspondence with Washington as well as in his critique of Hamilton's reliance on broad construction.

As the debate between Hamilton and Jefferson continued, Madison joined the discussion, but unlike the days when he and Hamilton authored *The Federalist Papers*, he disagreed with his colleague from New York. As Cunningham (1957) points out: "In Congress opposition to a national bank was uniting the opponents of Hamilton's 'system,' and Madison was assuming the leadership of this movement ... When the first Congress ended in 1791, only a few days after the bank bill was signed, Madison had already established himself as the leader of the opposition to Hamilton" (9). Despite Madison and Jefferson's bitter disagreement with Hamilton over the establishment of a national bank, President Washington ultimately sided with the Secretary of the Treasury

⁶¹ Ibid, p. 994-5. Emphasis in original.

and Hamilton won the argument. In accepting Hamilton's reasoning, however, Washington had to ponder an important administrative question Jefferson posed in his letter to the president:

So that if the question be By whose fault is it that Colo Hamilton & myself have not been drawn together? the [sic] answer will depend on that to two other questions; whose principles of administration best justify, by their purity, conscientious adherence? and [sic] which of us has, stepped farthest into the controul [sic] of the department of the other?⁶²

After taking considerable time contemplating the political, administrative, and constitutional complexities associated with this dilemma, Washington felt that Hamilton's proposal represented conscientious adherence best. Hamilton's critique of Jefferson's understanding of the word "necessary" largely influenced Washington's decision. According to Hamilton, "*Necessary*, as it is commonly used, "often means no more than *needful, requisite, incidental, useful, or conducive to.*" To understand the word as Jefferson did 'would be to give it the same force as if the word *absolutely* or *indispensably* had been prefixed to it" (Mayer 1994, 195). Hamilton, however, overlooked perhaps the best argument that legitimated his case. In Article I, Section 10, the Constitution states: "No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be *absolutely necessary* for exceeding it's inspection Laws" (emphasis added). The Constitution makes a distinction between what is necessary (i.e. Article I, Section 8) and what is absolutely necessary (i.e. Article I, Section 10). Since the Framers omitted word "absolute" in Article I, Section 8, it infers a more relaxed interpretation of the word "necessary". Hamilton could have made a convincing case in support of his argument if he had illustrated this point. Curiously, however, he did not. The Framers, nevertheless, had no difficulty discussing

⁶² Ibid, p. 995-6.

constitutional powers and responsibilities that were necessary and those that were *absolutely* necessary. In Jefferson's critique of Hamilton's position, he acts as though Article I, Section 8 says "absolutely necessary." His point, all the same, can still be thought of as an important area of discussion for the constitutional school of public administration.

JEFFERSON'S ELECTION TO THE VICE-PRESIDENCY

After resigning from his position as Secretary of State, Jefferson returned to Monticello where he basked in the glow of his early retirement from public affairs. Madison, on the other hand, did not accept Jefferson's decision to retire from politics and immediately began campaigning for him in the presidential election of 1796. Madison's efforts helped ensure Jefferson's second place victory, which won him the Vice-Presidency during the Adams administration. Jefferson, unlike Madison, preferred Adams for president over himself, because the leader from Quincy, Massachusetts was the elder statesman and Jefferson valued his contributions to the early development of the United States.⁶³ Madison, however, cautioned Jefferson regarding his public support for the newly elected Federalist president: "Considering the probability that Mr. A.'s [sic] course of administration may force an opposition to it from the Republican quarter, & the general uncertainty of the posture which our affairs may take, there may be real embarrassments from giving written possession to him, of the degree of compliment & confidence which your personal delicacy & friendship have suggested."⁶⁴ Madison's public opinion of Adams was considerably more pessimistic than Jefferson's, and his

⁶³ Jefferson to Madison, Monticello, December 17, 1796. From Ford (1896) p. 91-2.

⁶⁴ Madison to Jefferson, Philadelphia, January 15, 1797. From Hunt (1906) p. 304.

advice, as usual, would prove correct as the second administration progressed in its tenure.

Despite his confidence in Adams, and his election to the second highest office in American government, Jefferson, nevertheless, remained reluctant to reenter public life:

When I retired from the office I last held [Secretary of State], no man in the Union less expected than I did, ever to have come forward again; and, whatever has been insinuated to the contrary, to no man in the Union was the share which my name bore in the late contest, more unexpected than it was to me ... But in truth I wish for neither honors nor offices. I am happier at home than I can be elsewhere. Since, however, I am called out, an object of great anxiety to me is that those with whom I am to act, shutting their minds to the unfounded abuse of which I have been the subject, will view me with the same candor with which I shall certainly act.⁶⁵

Although Jefferson's uneasiness about serving in the second administration soon faded, his bitterness over Hamilton's fiscal policy initiatives and his role in establishing a national bank proved more difficult to overcome than even Jefferson anticipated. In a deeply personal letter to Madison, he reflected on the awkwardness of this situation: "As to my participating in the administration, if by that he [Adams] meant the executive cabinet, both duty & inclination will shut that door to me. I cannot have a wish to see the scenes of [17]93. revived as to myself, & to descent daily into the arena like a gladiator, to suffer martyrdom in every conflict."⁶⁶ Jefferson was also disheartened when Madison declined to serve in the Adams administration. His reaction to Madison's decision further conveys his disinclination with his election to the Vice-Presidency: "The first wish of my heart was, that you should have been proposed for the administration of the government. On your declining it, I wish any body 9 [sic] rather than myself."⁶⁷

⁶⁵ Jefferson to Langdon, Monticello, January 22, 1797. From Ford (1896) p. 111-12.

⁶⁶ Jefferson to Madison, Monticello, January 22, 1797. From Ford (1896) p. 107-8.

⁶⁷ Jefferson to Madison, Monticello, December 17, 1796. From Ford (1896) p. 91.

Jefferson's opinions on serving as Vice-President were detailed and specific. He deemed it one of the least important positions in American government. Writing to Gerry, he claimed: "I consider my office as constitutionally confined to legislative functions, and that I could not take any part whatever in executive consultations, even were it proposed, their fears may perhaps subside, & their object be found not worth a machination."⁶⁸ Jefferson expressed similar sentiments to Adams as a means of demonstrating he was not interested in usurping the newly elected president's power: "I have no ambition to govern men. It is a painful and thankless office."⁶⁹ Whether Jefferson had ambition to govern men or not would become a mute point. His political future as Vice-President, President, and as founder of the University of Virginia would be synonymous with making decisions that would guide the nation for future generations. On a more personal level, Jefferson's constitutional objections to the Alien and Sedition Acts destroyed a friendship that would not be resurrected until retirement. His anonymous authorship of the Kentucky Resolutions knowingly undermined the administration he served, and yet he relished the opportunity to support and defend the Constitution against blatant violations by members of the second administration and by the majority of Congress.

THE ALIEN AND SEDITION ACTS: A CONSTITUTIONAL CRISIS FOR JEFFERSON

The XYZ Affair was the catalyst for why President Adams, the majority of Congress, and a large percentage of the American public supported the Alien and Sedition Acts. When the United States signed the Jay Treaty with Great Britain in 1795, France became increasingly alarmed that French-American alliances were in jeopardy.

⁶⁸ Jefferson to Gerry, Philadelphia, May 13, 1797. From Ford (1896) p. 120.

⁶⁹ Jefferson to Adams, Monticello, December 28, 1796. From Ford (1896) p. 96.

France opposed this partnership by withdrawing its minister from Philadelphia, refusing to receive American Minister C.C. Pinckney, and seizing a number of American ships on the open seas. In an effort to rebuild America's relationship with France, President Adams sent a special envoy, which included John Marshall, Elbridge Gerry, and C.C. Pinckney, to Paris to meet with French officials. France's minister of Foreign Affairs, Charles Maurice de Talleyrand, referred to the American representatives not by their names but rather as X, Y, and Z. Talleyrand also made clear that if the United States and France were to resume peaceful relations "he demanded a bribe for the French Directory and a loan to France as prerequisites to negotiations" (Miller 1952, 4). After refusing Talleyrand's bribe and request for a loan, the special envoy returned to the United States and publicized their diplomatic encounter with French officials. The American public was "electrified and the nation began immediate preparations for war" (Smith 1967, 7). While the United States renounced all treaties with France, President Adams was reluctant to enter into war and decided to enforce the Alien and Sedition Acts instead.

Although Adams chose not to declare war on France, many within the Democratic-Republican Party, particularly Jefferson and Madison, were critical of the president's decision-making during this time. "Madison and Jefferson thought that Adams was searching for an excuse to go to war with France, that he exaggerated the insult given to our ministers there, and that the navy was being provocative" (Wills 2002, 48). Madison observed that the reported incident with Talleyrand was questionable and seemed out of character for a man of his political stature:

The conduct of Taleyrand [sic] is so extraordinary as to be scarcely credible ... Is it possible, that such a man under such circumstances, could have committed both his character & safety, by such a proposition? If the evidence be not perfectly

conclusive, of which I cannot judge, the decision ought to be agst [sic] the evidence, rather than on the side of the infatuation.⁷⁰

In another letter to Jefferson, Madison expressed anger and frustration over the rising international tension between the two countries:

The President's message is only a further development to the public, of the violent passions, and heretical politics, which have long been privately known to govern him. It is to be hoped however that the H. of Rep will not hastily eccho [sic] him. At least it may be expected that before war measures are instituted, they will recollect the principle asserted by 62 vs. 37, in the case of the [Jay] Treaty, and insist on a full communication of the intelligence on which such measures are recommended.⁷¹

In fairness to the Adams administration, however, they increased military security at home and abroad as a precautionary measure in case France attacked or if other unforeseen events arose that demanded military retaliation. They also participated in limited, almost non-existent naval warfare. Nevertheless, the XYZ Affair serves as an excellent example of how the leaders of the two major political parties differed over the foreign policy direction of the nation. As Smith (1967) correctly points out, the ramifications of the XYZ Affair “stemmed from ancient disagreements between commercial and agrarian forces, creditors and debtors, and New Englanders and Virginians” (10). These differences sparked enormous debate and criticism between the two political parties, but more importantly, the XYZ Affair prompted a partisan battle between the Federalists who supported the Alien and Sedition Acts and the Republicans who supported the Kentucky-Virginia Resolutions.

The Alien Act was the first piece of legislation Congress passed in response to the XYZ Affair. It consisted of three separate legislative components. First, the Naturalization Act, passed by Congress in 1798, attempted to restrict American

⁷⁰ Madison to Jefferson, No Location Given, April 15, 1798. From Hunt (1906) p. 315-16.

⁷¹ Madison to Jefferson, Orange, April 2, 1798. From Smith (1995) Vol. II. p. 1032.

citizenship to the native born, while also affording the president the power to remove any and all alien males who were fourteen years or older from the United States. According to Smith (1967): “The Act was a political maneuver by the Federalists to cut off an increasingly important source of Republican strength” (23). The Naturalization Act, therefore, attempted to reduce the abilities of foreign-born men to participate in the public policy process, because these groups of individuals tended to favor Republican policies as opposed to those recommended by the Federalists.

Second, Congress enacted the Alien Enemies Act, which allowed the president to seize, secure, or remove any resident alien whom he believed threatened national security. Congress or the president, however, could enforce this law only upon the enactment of a declaration of war or invasion, and since France and the United States avoided war, this policy was never implemented. “The Act limited the powers of the government to alien enemies alone, and as a Republican Congressman suggested, the Federalists were much more eager to remove alien friends, particularly the Irish, than against alien enemies” (Miller 1952, 51). Like the Naturalization Act, this policy targeted specific groups of aliens who were more likely to support the Republican Party’s policy agenda.

Finally, the Act Concerning Aliens was the most constitutionally disturbing component of the Alien Acts. “This policy was designed for the temporary crisis with France and could be used in peace or war. It gave the president extraordinary power over aliens, establishing guilt by suspicion for a two-year period and authorizing the chief executive to order the deportation of any foreigner he deemed dangerous to the peace and safety of the United States” (Smith 1995, 1066). The act did not allow for due process of

law, because it provided the president with unlimited discretion in deciding which aliens remained in the country and which aliens the government deported. President Adams enforced the Alien Acts to his advantage, although with great restraint. During his presidency no aliens were deported under this legislation. Adams, however, did enforce the Alien Acts to censure Republican newspapers and their editors.

The Republicans were highly critical and suspicious of the three Alien Acts, especially Vice-President Jefferson. In a letter to his daughter, Martha Jefferson Randolph, he wrote: "I never was more home-sick, or heart-sick. The life of this place is peculiarly hateful to me, and nothing but a sense of duty and respect to the public could keep me here a moment."⁷² After learning of Congress's intention to pass the Sedition bill, Jefferson wrote Madison on the very subject of Martha's letter: "Indeed this bill [Sedition] and the Alien bill both are so palpably in the teeth of the constitution as to shew [sic] they mean to pay no respect to it."⁷³ Like Jefferson, Madison found constitutional fault with the Alien Acts. In a letter to Jefferson, he argued: "The Alien bill is a monster that must forever disgrace its parents ... His [President Adams] language to the young men at Ph[iladelphia] is the most abominable and degrading that could fall from the lips of the first magistrate of an independent people, and particularly from a Revolutionary patriot."⁷⁴ Congress publicly defended the Alien Laws as being within the boundary of the Constitution in their 1799 Congressional Report:

First, the constitution was made for citizens, not for aliens, who of consequence have no rights under it, but remain in the country, and enjoy the benefit of the laws, not as a matter of right, but merely as a matter of favor and permission; which favor and permission may be withdrawn, whenever the Government

⁷² Jefferson to Martha Jefferson Randolph, May 17, 1798. From Edgehill-Randolph Papers, The University of Virginia.

⁷³ Jefferson to Madison, Philadelphia, June 7, 1798. From Smith (1995) Vol. II, p. 1056.

⁷⁴ Madison to Jefferson, Orange, May 20, 1798. From Smith (1995) Vol. II, p. 1051.

charged with the general welfare judge their further continuance dangerous ... Second, the provisions in the constitution relative to presentment and trial of officers by juries, do not apply to the revocation of an asylum given to aliens ... Third, the removal of aliens, though it may be inconvenient to them, cannot be considered as a punishment inflicted for an offence, but, as before remarked, merely the removal from motives of general safety, of an indulgence which there is danger of their abusing, and which we are in no manner bound to grant or continue.⁷⁵

Jefferson and Madison were unconvinced with this line of reasoning. The enactment of the Alien Acts sparked further criticism by the nation's leading Republicans against Congress and President Adams. Eight months earlier, Madison wrote Jefferson on what he deemed the fundamental weaknesses of the president's character:

The answers of Mr. Adams to his addressers form the most grotesque scene in the tragicomedy acting by the Governmt [sic]. They present not only the grossest contradictions to the maxims measures & language of his predecessor and the real principles & interests of his Constituents, but to himself. He is verifying completely the last feature in the character drawn of him by Dr. F., however his title may stand to the two first, "Always an honest man, often a wise one, but sometimes wholly out of senses."⁷⁶

Jefferson overwhelmingly concurred with Madison's observation, but, unfortunately, their fears escalated to unprecedented levels when Congress, with the president's approval, passed the Sedition Act.

The Sedition Act marked one of the darkest hours in American constitutional history. This law consisted of two specific, and unconstitutional, components. First, "a maximum fine of \$5,000 and a maximum sentence of five years for conspiracies and combinations to impede the operation of federal laws. Second, a possible \$2,000 fine and a two-year sentence for false, scandalous, and malicious accusations against the president, the Congress, or the government" (Brown 1975, 123). In addition, when the

⁷⁵ *Congressional Report Defending the Alien and Sedition Laws*, February 21, 1799. From Smith (1995) p. 1100-7.

⁷⁶ Madison to Jefferson, No Location Given, April 15, 1798. From Hunt (1906) p. 324-25

government prosecuted individuals under the Sedition Act, they had to prove that the individual in question acted “with intent to demean” or “to bring them into contempt or disrepute, or to excite against them the hatred” of the American public. According to Dauer (1968): “Twenty-four to twenty-five individuals were arrested for violations of the act. Fifteen of those were indicted, ten or eleven of the cases went to trial, and there were ten convictions” (206). More important than the numbers of citizens arrested, indicted, and convicted under the Sedition Act, was the political reasoning the government relied upon to justify the implementation of these measures.

One of the most unsettling of these justifications was the enforcement of the Sedition Act to silence Republican opposition to policies put forth by the Federalists. According to Jefferson, the primary purpose of the sedition law was to “suppress the whig [sic] presses.”⁷⁷ “All four of the leading Republican papers were attacked, including the Philadelphia *Aurora*, Boston’s *Independent Chronicle*, New York’s *Argus*, and the Richmond *Examiner*” (Dauer 1968, 206). The Federalists also relied upon the Sedition Act to arrest and convict the editors of these news publications. The most famous example involves Benjamin Franklin Bache, grandson of Benjamin Franklin, who was an editor with the *Aurora* newspaper. Throughout Bache’s career, he was highly critical of the Federalists and used his editorial role with the newspaper to address many of his frustrations and concerns surrounding their leadership in the executive and legislative branches. Two days before the Sedition Act became law, the government arrested Bache for having libeled against President Adams. Since the government charged him for violating components of the Sedition Act prior to its becoming law, the courts had no choice but to dismiss the case.

⁷⁷ Jefferson to Madison, Philadelphia, April 26, 1798. From Ford (1896) p. 245.

Congress defended the constitutional legitimacy of the Sedition Act on four counts in their Congressional Report. Although the following passage is lengthy, it provides the necessary background that explains why Jefferson and Madison's contempt for this justification was so extraordinary:

First, a law to punish false, scandalous, and malicious writings against the Government, with intent to stir up sedition, is a law necessary for carrying into effect the power vested by the constitution in the Government of the United States and in the Departments and officers thereof, and, consequently, such a law Congress may pass ... Congress has passed many laws for which no express provision can be found in the constitution, and the constitutionality of which has never been questioned ... Second, the liberty of the press did never extend, according to the laws of any State, or of the United States, or of England, from whence our laws are derived, to the publication of false, scandalous, and malicious writings against the Government, written or published with intent to do mischief, such publications being unlawful and punishable in every State ... a law to punish seditious and malicious publications is not an abridgment of the 'liberty of the press;' for it would be a manifest absurdity to say that a man's liberty was abridged by punishing him for doing that which he never had a liberty to do ... Third, the act in question cannot be unconstitutional, because it makes nothing penal that was not penal before, and gives no new powers to the court, but is merely declaratory of the common law, and useful for rendering that law more generally known and more easily understood ... Finally, had the constitution intended to prohibit Congress from legislating at all on the subject of the press ... it would have used the same expressions as in that part of the clause which relates to religion and religious texts; whereas the words are wholly different: 'Congress,' says the constitution, amendment 3rd, 'shall make no law *respecting* an establishment of religion, or *prohibiting* the free exercise thereof or *abridging* the freedom of speech, or the press.' Here it is manifest that the constitution intended to prohibit Congress from legislating at all on the subject of *religious establishments* and the prohibition is made in the most express terms (emphasis in original).⁷⁸

Madison and Jefferson were dismissive of this point. We can assume they were unconvinced with the constitutional justification Congress associated with its position, because neither statesman discussed or reacted to it in their public or private papers. In retrospect, this line of reasoning perhaps deserved a response, if only for constitutional purposes, but Madison and Jefferson thought otherwise and continued with their critique

⁷⁸ Ibid.

as if this argument did not exist. As Jefferson noted: “For my own part, I consider those laws as merely an experiment on the American mind, to see how far it will bear an avowed violation of the Constitution.”⁷⁹ At this time, the courts refused to hear cases on possible violations of constitutional practice and the Democratic-Republicans did not have enough control in either the House or the Senate to enact legislative change. As a result, Jefferson and Madison took matters into their own hands and anonymously authored the Virginia-Kentucky Resolutions.

On November 16, 1798, the state legislature of Kentucky passed a resolution, anonymously written by Jefferson and sponsored by John Breckenridge, denouncing the Alien and Sedition Acts while on December 24, 1798, the Virginia state legislature passed a similar resolution anonymously authored by Madison. Earlier in the year, Jefferson demanded that Madison speak out against Adams and these Acts and the younger statesman seemed quite willing to oblige: “You must, my dear Sir, take up your pen against this champion. You know the ingenuity of his talents [Adams]; & there is not a person but yourself who can foil him. For heaven’s sake, then take up your pen, and do not desert the public cause altogether.”⁸⁰

The Kentucky Resolution addressed the government’s intent to deny Americans, citizens and aliens alike, their constitutional rights and protections. According to McDonald (2000): “Quite accurately, the Kentucky Resolution pointed out that the Constitution gave Congress power to punish treason, counterfeiting, piracies, and felonies on the high seas, and offenses against the laws of nations and no other crimes whatever, and all other crimes were reserved exclusively to the states” (41). Jefferson was

⁷⁹ Jefferson to Stephens Thompson Mason, Monticello, October 11, 1798. From Mayo (1988) p. 208.

⁸⁰ Jefferson to Madison, Philadelphia, April 5, 1798. From Ford (1896) p. 231.

particularly concerned with Congress and the president's disregard for the Tenth Amendment, and the Kentucky Resolution reminded all those who seemed to have forgotten that powers not enumerated to Congress were left to the states.

This document also addressed the importance of natural rights, and unlike the Virginia Resolution, called for a complete nullification of the Alien and Sedition Acts. According to Jefferson, the freedoms of speech and press were natural rights and the government, especially one based on republican principles, did not possess the authority to infringe upon these freedoms. Madison, on the other hand, argued that Jefferson's language was too harsh and that the states should interpose to change the laws. He, therefore, urged other states to concur with Virginia "in declaring, as it does hereby declare, that the acts aforesaid are unconstitutional" (Koch 1966, 120). Jefferson and Madison's differences over nullification are symbolic of their varying perspectives on constitutional theory. Jefferson's desire to protect the natural rights of individuals, which included the freedoms of speech and press, justified the nullification of the Alien and Sedition Acts. Madison, by contrast, viewed these two pieces of legislation in purely constitutional terms. As Smith (1995) pointed out: "The Virginia Resolutions were shorter, more moderate, and quieter in tone. They were more carefully couched in Madison's understanding of constitutional tradition; they made no reference to natural law theory, and therefore, omitted any mention of the 'rightful remedy' of nullification, a word Madison came to abhor" (1070). Madison removed all mentions of "nullification" from the Virginia Resolution and simply encouraged other states to declare the Alien and Sedition Acts unconstitutional whereas Jefferson thought more extreme action was needed. Jefferson's support of nullification, interestingly, was not particularly helpful

when President Lincoln was trying to hold the nation together during the Civil War. This perspective underscores Jefferson's lack of understanding with regard to the administrative details and constitutional responsibilities associated with governing the American state. It further indicates that he was unaware of the intermediate dynamics of administration, particularly for a vice-president.

An analysis of the Kentucky Resolution would be incomplete if a discussion of Jefferson's role as vice-president was left unaddressed. When the Kentucky legislature ratified this Resolution, Jefferson was part of the very administration he was criticizing. He was keenly aware that if it was discovered he authored this Resolution he might be charged with violating the Sedition Act.⁸¹ Wills (2000) correctly observed that "his part in the operation had to be kept secret. He was, after all, a vice-president secretly trying to defeat the regime he belonged to. He would also be a target of the laws he was attacking if his actions were discovered" (48). Despite these legal and political risks, Jefferson embraced the opportunity to denounce the president and Congress for blatantly violating the Constitution, infringing upon states' rights, and most disturbingly, for depriving individuals of their natural rights. Defending the Constitution and principles he believed were fundamental for the preservation of republican government trumped all other concerns. Little did he realize that such efforts would become a central theme in his presidency. And interestingly, his anonymity was kept secret until 1821, five years before his death.

CONCLUSION

The purpose of this chapter was to demonstrate Jefferson's understanding of constitutional theory during the early stages of his political career. Unlike Madison and

⁸¹ Koch (1964) and Mayer (1994) also address the legal dilemmas of Jefferson's predicament.

Hamilton, when Jefferson addressed the strengths and weaknesses of the American Constitution, the ways to maintain and preserve republican government, or possible violations of American constitutional law, he did not focus on the importance of administration in making his case, as was done in *The Federalist*. Jefferson's intellectual development of constitutional theory from the time he wrote his *Notes on the State of Virginia* in the 1780s to the time he published the Kentucky Resolution in 1795 should, however, invoke meaningful discourse within the constitutional school of public administration. It points to the fact that Jefferson was excessive in his opinions on government; he lacked the administrative and political imagination needed for those entrusted with leading the American republic. He reached too far too fast, as his opinion on nullification in the Kentucky Resolution indicates. It would not only take eight years as president to instruct Jefferson on the importance of acting more cautiously and prudently but it would also take a significant portion of his retirement years when he was establishing the University of Virginia for him to become more amenable to the nuances and complexities of administration.

During the next two stages of Jefferson's life, he learned that the political and administrative responsibilities associated with governing the state would not always allow "for a rigorously frugal and simple government." Nevertheless, his 1799 correspondence with Gerry affords posterity an important glimpse into his personal feelings regarding his connection to the United States: "The first object of my heart is to my own country. In that is embarked my family, my fortune, & my own existence."⁸² Little did he realize that such a bond between the American soil and his political soul would guide him throughout the remainder of his political career and afford him the

⁸² Jefferson to Gerry, Philadelphia, January 26, 1799. From Peterson (1984) p. 1055-62.

wisdom and insight to weave extraordinary changes into the administrative and institutional fabric of the United States.

REFERENCES

- Beloff, Max. (1949). *Thomas Jefferson and American Democracy*. New York: The MacMillan Company.
- Bowers, Claude G. (1945). *The Young Jefferson: 1743-1789*. Boston: Houghton Mifflin Company.
- Brown, Ralph Adams. (1975). *The Presidency of John Adams*. Lawrence: The University Press of Kansas.
- Cappon, Lester J., Ed. (1959). *The Adams-Jefferson Letters: The Complete Correspondence between Thomas Jefferson and Abigail and John Adams*. Vol. I. Chapel Hill: University of North Carolina Press.
- Cooke, Jacob E., Editor. (1961). *The Federalist*. Middletown, CT: Wesleyan University Press.
- Cunningham, Noble E., Jr. (1957). *The Jeffersonian Republicans in Power: Party Operations, 1801-1809*. Chapel Hill: The University of North Carolina Press.
- Dauer, Manning J. (1968). *The Adams Federalists*. Westport: The Johns Hopkins Press.
- Ellis, Joseph J. (2001). *Founding Brothers*. New York: Alfred A. Knopf, Inc.
- Ellis, Joseph J. (1996). *American Sphinx: The Character of Thomas Jefferson*. New York: Alfred A. Knopf, Inc.
- Ferling, John. (2000). *Setting the World Ablaze*. New York: Oxford University Press.
- Ford, Paul L., Editor. (1894). *The Works of Thomas Jefferson*. Volume IV. New York: Knickerbocker Press.
- Ford, Paul L., Editor. (1896). *The Works of Thomas Jefferson*. Volume VII. New York: Knickerbocker Press.
- Hunt, Gaillard, Editor. (1906). *The Writings of James Madison 1790-1802*. Volume VI. New York: G.P. Putnam's Sons.
- Jefferson, Thomas. (1999). *Notes on the State of Virginia*. New York: Penguin.
- Koch, Adrienne. (1964). *Jefferson and Madison: The Great Collaboration*. New York: Oxford University Press.
- Malone, Dumas. (1948). *Jefferson the Virginian*. Boston: Little, Brown, and Company, Inc.

- Malone, Dumas. (1951). *Jefferson and the Rights of Man*. Boston: Little, Brown, and Company, Inc.
- Mayer, David N. (1994). *The Constitutional Thought of Thomas Jefferson*. Charlottesville, VA: The University Press of Virginia.
- Mayo, Bernard, Editor. (1998). *Jefferson Himself: The Personal Narrative of a Many-Sided American*. Charlottesville: University Press of Virginia.
- McDonald, Forrest. (2000). *States' Rights and the Union: Imperium in Imperia 1776-1876*. Lawrence: University Press of Kansas.
- Miller, John C. (1952). *Crisis in Freedom: The Alien and Sedition Acts*. Boston: Little, Brown, and Company.
- Peterson, Merrill D., Editor. (1984). *Thomas Jefferson: Writings*. Vol. I. New York: The Library of America.
- Rohr, John A. (1995). *Founding Republics in France and America: A Study in Constitutional Governance*. Lawrence, KS: University Press of Kansas.
- Rohr, John A. (1986). *To Run a Constitution: The Legitimacy of the Administrative State*. Lawrence, KS: University Press of Kansas.
- Sloan, Herbert E. (1995). *Principle and Interest: Thomas Jefferson and the Problem of Debt*. Charlottesville, VA: The University Press of Virginia.
- Smith, James Morton, Editor. (1995). *The Republic of Letters: The Correspondence Between Thomas Jefferson and James Madison 1776-1826*. Volume I. New York: W.W. Norton and Company.
- Smith, James Morton, Editor. (1995). *The Republic of Letters: The Correspondence Between Thomas Jefferson and James Madison 1776-1826*. Volume II. New York: W.W. Norton and Company.
- Smith, James Morton. (1967). *Freedom's Fetters: The Alien and Sedition Laws and American Civil Liberties*. Ithaca: Cornell University Press.
- Storing, Herbert J. (1984). *What the Anti-Federalists Were For*. Chicago: University of Chicago Press.
- Syrett, Harold C. and Cooke, Jacob E., Editors. (1965). *The Papers of Alexander Hamilton*. Vol. VIII (February 1791-July 1791). New York: Columbia University Press.
- Wills, Garry. (2002). *James Madison: The American Presidents Series*. New York:

Henry Holt and Company.

CHAPTER FOUR:
JEFFERSON THE PRESIDENT

INTRODUCTION

The presidency marked a turning point in Jefferson's political career and in his understanding of the administrative complexities associated with running a constitution.

In his authoritative work, *The Jeffersonians* (1951), Leonard D. White observed:

Jefferson was not interested, indeed, in the normal process of day-to-day administration. Apart from disposing of particular cases there is hardly a reference in his public or private papers to the management of the public business, a silence that contrasts impressively with the constant aphorisms of George Washington and the prolific propositions of Alexander Hamilton on the art and practice of administration (4).

Half a century later, Donald Kettl (2002) built upon White's argument and maintained that Jefferson had a "speculative rather than administrative mind." He correctly pointed out that as president Jefferson exhibited important Hamiltonian qualities associated with a strong executive. Kettl's conclusion, however, was very much in keeping with White's understanding of Jefferson's limited attention to administrative matters: "His ideas have made a lasting case for limiting government power, for keeping governmental power more in the hands of the legislature than in the administration, and for maximizing individual liberty. They have defined a counterpoint to Hamilton's argument for a powerful executive branch" (2002, 35). The remarks of White and Kettl certainly portray Jefferson's early political career accurately when he afforded little attention to administrative matters. Jefferson's later, more mature years, however, when he served as President of the United States and as founder of the University of Virginia, provide a stark contrast to these well respected opinions. This chapter, and the one that follows,

will present evidence that supports this political, administrative, and constitutional transformation.

An important observation that must be taken into consideration is the fact that at the earliest stages of Jefferson's political career he became a statesman. Recognition for statesmanship and extraordinary service to the development of the state traditionally occurs toward the end of one's career in public service not at the beginning. Jefferson's authorship of the Declaration of American Independence and the Virginia Statute for Religious Freedom earned him the highest approbation from his fellow citizens, as well as from future generations of his countrymen, and points to the intellectual and normative genius of his "speculative mind". During his retirement years, however, he developed an exceptional "administrative mind" that complemented and built upon his speculative ideas concerning the proper nature of republican government; and it was precisely his role as President of the United States that instructed him on exactly how to connect his speculative mind with his newly developed administrative one.

Jefferson's role in creating the University of Virginia, the subject of the next chapter, emphasizes his ability to focus downward on matters concerning administration. Only during the latter stages of his career was he able to connect his grand theories for how republican government ought to be with the practical and mundane dynamics associated with policy implementation. But in order to appreciate the significance of this downward transformation, the Jefferson presidency must be examined in its entirety. It would be unrealistic to assume that Jefferson entered office with a sudden and newfound appreciation for administration. He certainly did not, but the constitutional and institutional responsibilities of governing the state did change his perspectives on the

complexities associated with politics and administration.⁸³ His eight years in office does reveal that he was particularly concerned with every aspect affecting the political, administrative, organizational, institutional, and policy dynamics of the executive branch. Jefferson's public and private correspondence during this time demonstrates the amount of attention he afforded to the daily operations of government, the policy processes, and innovative ways to cultivate political and public support for his administration. Such efforts, as Jefferson himself often pointed out, did not occur in either the Washington or Adams administrations. A comprehensive understanding of this period in Jefferson's career enables us to appreciate his role in establishing the University of Virginia, as well as the transformation of his administrative mind, in a more complete, historically accurate way.

JEFFERSONIAN ADMINISTRATIVE THEORY

A comprehensive analysis of how Jefferson organized the executive branch during his presidency and the contributions he made to public administration cannot be examined without first analyzing how scholars have classified Jeffersonian administrative theory. Lynton Caldwell's formative work, *The Administrative Theories of Hamilton and Jefferson* (1988, 2nd ed.), is the lone piece of literature that provides a detailed examination of Jefferson's contribution to public administration theory. Caldwell argued

⁸³ This observation deserves further clarification. The field has firmly established that the politics-administration dichotomy does not exist (See Waldo 1948; Rohr 1986; Wamsley et al. 1990, to name but a few). Nevertheless, public administration scholars do not suggest that a complete disconnect exist between the two concepts. A strong relationship is certainly found between politics and administration. The presidency instructed Jefferson on the importance of politics to republican governance while his role in establishing the University of Virginia provided him with a substantial understanding of the significance of administration to upholding the values embedded within the nation's constitutional heritage. Without his experience as chief executive, Jefferson would not have been able to create the type of university that was established in Charlottesville. Jefferson was able to understand the nuances and complexities of administration in ways that had previously eluded him because of the political dynamics associated with the American presidency and the administrative responsibilities of governing the state.

that responsibility, governmental simplicity, decentralization, harmony, and adaptability characterized the core elements of Jeffersonian administrative theory.

According to Caldwell, “responsibility, as understood by Jefferson, implied administration closely checked by legal requirements and exactions, whereas Hamilton's theory of responsibility had the opposite result of vesting top administrators with a wide latitude of discretion in ordinary as well as extraordinary circumstances” (1988, 38). In the Jefferson administration, the president required cabinet secretaries to implement strict accountability standards in their decision-making processes and in their delegation of authority to subordinates. Caldwell’s conceptualization of administrative responsibility under Jefferson is also representative of his lifelong commitment to the principle of strict construction.

Second, governmental simplicity was an area of important distinction between the Republicans and the Federalists. The reduction of the national debt and reversing Hamilton’s fiscal policy initiatives were Jefferson’s most important policy objectives during the first part of his administration. Caldwell (1988) pointed out how Jefferson emphasized governmental simplicity in terms of his preferences for the career civil service: “He encouraged the ablest men to seek public appointment; he favored low wages and short terms and the abolition of offices wherever possible. Civic duty rather than the rewards of money or power should be the incentives for a public career” (133). The process of simplifying the national government complemented and supported Jefferson's policy agenda for decreasing the size of the national debt by means of reducing both the number of federal employees and the appropriations for the United States army and navy.

Third, preferences for decentralization were not only an integral part of Jefferson's governing strategy, but, more importantly, it represented an important distinction between Jeffersonian Republicans and Hamiltonian Federalists. Jefferson's preferences for decentralization, according to Caldwell (1988): "Reflected a personal preference for local control of political affairs and evidenced a highly subjective distrust of professionalized administration and complex administrative machinery, but it was a principle capable of being expressed in objective terms, susceptible of concrete application in constitutions and statutes and in the platforms of political parties" (136). Johnstone (1978) expanded upon Caldwell's assessment and maintained that Jefferson believed "the affairs of the people could be handled most efficiently and effectively at the local level by officials aware of local problems and local sensibilities" (83). The concept of decentralization focused on the incorporation of individual and local values into the policy process. According to Jefferson: "I believe that government to be the strongest of which every man feels himself a part."⁸⁴ His commitment to a more decentralized government and affording greater amounts of control to state and local authorities marked another striking difference between his preferences with government and administration and that of Hamilton's, at least in the early stages of his political career.

Harmony was an essential managerial component of Jefferson's executive administration, and he prided himself long after his presidency ended on the ability of his cabinet secretaries to work efficiently and effectively with one another in both the executive and legislative branches. At the beginning of his retirement from public life, Jefferson wrote William Duane: "I have thought it among the most fortunate circumstances of my late administration that, during its eight years' continuance, it was

⁸⁴ Quoted from Caldwell (1988, 2nd ed.) p. 135; Jefferson to Governor H.D. Tiffin, February 2, 1807.

conducted with a cordiality and harmony among all the members, which never were ruffled on any, the greatest or smallest occasion” (Caldwell 1988, 130). President Jefferson sought to incorporate harmony throughout his presidency by means of his relationships with his cabinet secretaries, members of Congress, the Democratic-Republican Party, and the citizenry. “It was Jefferson, through the development and control of a political party, who first discovered the way in which the constitutional separation of powers could be made to serve the ends of responsible government ... The utilization of the party system to promote administrative purposes rendered considerations of party harmony and administrative effectiveness nearly inseparable” (Caldwell 1988, 131). Jefferson’s ability to maintain harmony within and between the executive and legislative branches was a hallmark of his presidency and a key reason that a substantial portion of his policy objectives were supported by both Congress and the citizenry.

Finally, adaptability was the final component that Caldwell associated with Jeffersonian administrative theory. Jefferson believed that both elected officials and public administrators had to conform to the will of the citizenry in order to address issues affecting the nation adequately. Caldwell highlights Jefferson’s letter to Samuel Kercheval in making this point: “Laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths disclosed, and manners and opinions change with the change of circumstances, institutions must advance also, and keep pace with the times” (1988, 135).⁸⁵ Jefferson’s opinion here had just as much impact on his life as he hoped it

⁸⁵ It should be noted that Jefferson’s opinion in this correspondence certainly complements the work of Philip Selznick on leadership, institutions, and administration.

would for those with whom he was referring – democratic institutions shape the men who serve them and hold the potential to force even the most steadfast of statesmen to reevaluate and adapt their principles in order to best serve the state, and even Thomas Jefferson was no exception.

THE REVOLUTION OF 1800: JEFFERSON AND THE REPUBLICANS TAKE CONTROL

Jefferson often referred to the election of 1800 as a revolution, because it marked the first time in American history that the Federalists lost control of the presidency and both houses of Congress. A thoroughly disgusted John Adams, having lost his bid for reelection to his political rival, decided during his last hours as president that he would pack the courts with Federalist appointments as a means of preserving some control at the national level for his deflated party. The new administration, especially its leader, was anything but pleased. Writing to Benjamin Rush, Jefferson expressed his bitter frustration with Adams over the appointment of his “midnight judges:”⁸⁶ “I will expunge the effects of Mr. A.’s indecent conduct, in crowding nominations after he knew they were not for himself, till 9 o’clock of the night, at 12. o’clock of which he was to go out of office. So far as they are during pleasure, I shall not consider the persons named, even as candidates for the office, nor pay the respect of notifying them that I consider what was done as a nullity.”⁸⁷ Several days later, Jefferson wrote Elbridge Gerry: “Mr. Adams’ last appointments, when he knew he was naming counsellors [sic] & aids for me & not for himself, set aside as far as depends on me. Officers who have been guilty of

⁸⁶ Adams appointed a series of judges during his final hours as president; most were unseated when Jefferson assumed the presidency. John Marshall, of course, was the great exception.

⁸⁷ Jefferson to Rush, Washington, March 24, 1801. From Ford (1897) p. 32. Jefferson also wrote William Findley similar sentiments: “The nominations crowded in by Mr. Adams after he knew he was not appointing for himself, I treat as mere nullities. His best friends do not disapprove of this.” Washington, March 24, 1801. From Ford (1897) p. 26.

gross abuses of office, such as marshals packing juries, &c., I shall now remove, as my predecessor ought in justice to have done.”⁸⁸ Jefferson’s outrage was shared by the entire Republican party.

Secretary of State, James Madison, was also irritated with Adams’s decision and wrote the new president: “The conduct of Mr. A. is not such as was to have been wished or perhaps, expected. Instead of smoothing the path for his successor, he plays into the hands of those who are endeavoring to strew it with as many difficulties as possible; and with this view does not manifest a very squeamish regard to the Constn [sic].”⁸⁹ Jefferson’s decision not to recognize Adams’s appointments would lead to the landmark Supreme Court case *Marbury vs. Madison* (1803), in which Chief Justice John Marshall ruled in favor of the administration and dramatically expanded the judiciary’s constitutional authority by maintaining the Court had the power to review the constitutionality of acts of Congress.⁹⁰

Jefferson’s frustration over Adams’s last hour appointments did not hinder his eagerness to enter office and redirect the nation’s policy objectives to those more favorable to the Democratic-Republican persuasion. In a letter to his newly elected vice-president, Aaron Burr, Jefferson outlined his preferences for the organization of the executive branch in an effort to preserve the public confidence in government: “I had endeavored to compose an administration whose talents, integrity, names & dispositions should at once inspire unbounded confidence in the public mind, and ensure a perfect

⁸⁸ Jefferson to Gerry, Washington, March 29, 1801. From the publicly-accessible Jefferson collection at the University of Virginia: <http://etext.lib.virginia.edu>.

⁸⁹ Madison to Jefferson, No Location Given, February 28, 1801. From Hunt (1906) p. 417.

⁹⁰ Marshall’s opinion, in support of the administration, was most interesting since his position on the Supreme Court was part of the “midnight appointments.”

harmony in the conduct of the public business.”⁹¹ Such a perspective reminded Jefferson of his earlier positions regarding political party affiliation, when he was writing his opinions on the proposed Constitution of 1787. He maintained at that point in time that he was neither Federalist nor Anti-Federalist. During his first inauguration address, Jefferson built upon this perspective as a means of unifying a politically divided nation:

But every difference of opinion is not a difference of principle. We have called by different names brethren of the same principle. We are all republicans—we are all federalists. If there be any among us who would wish to dissolve this Union or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it.⁹²

Jefferson’s message of unification lasted about as long as the inauguration address itself. His determined effort to remove Federalist civil servants from executive branch agencies would spark heated debates between the two competing political parties.

Jefferson’s election to the presidency also reminded him of a central point espoused by Montesquieu, regarding the advantages of small republics, which was championed by the Anti-Federalists in their opposition to the constitutional debates of 1787. Writing to Nathaniel Niles, Jefferson argued: “The late chapter of our history furnishes a lesson to man perfectly new ... It furnishes a new proof of the falsehood of Montesquieu’s doctrine, that a republic can be preserved only in a small territory. The reverse is the truth. Had our territory been even a third of what it is, we were gone.”⁹³ Such perspective provides important insight into Jefferson’s political philosophy. As Storing (1984) correctly points out, the notion of maintaining a small republic was at the center of the Anti-Federalist position against ratification. Jefferson’s opposition to this

⁹¹ Jefferson to Burr, Washington, December 15, 1800. From Oberg (2005) p. 307.

⁹² President Jefferson’s First Inauguration Address, Washington, March 4, 1801. From Koch and Peden, Editors (1993, 3rd ed.) p. 298.

⁹³ Jefferson to Niles, Washington, March 22, 1801. From Ford (1897) p. 24.

fundamental tenet of Anti-Federalist doctrine clearly illustrates the third president's position that his allegiances were not to this political party.

THE ORGANIZATIONAL STRUCTURE OF THE EXECUTIVE BRANCH UNDER JEFFERSON

APPOINTMENTS AND REMOVALS

Almost immediately after taking the oath of office, Jefferson turned his attention to the appointment and removal of public servants in the executive branch. Writing to Giles, Jefferson noted: "That some ought to be removed from office, & that all ought not, all mankind will agree. But where to draw the line, perhaps no two will agree."⁹⁴ Although Jefferson valued the public service contributions made by the Federalists, he was adamant that Republicans should take control of a majority of positions once held by the opposing political party. Jefferson expressed these sentiments to Rush:

With regard to appointments, I have so much confidence in the justice and good sense of the federalists, that I have no doubt they will concur in the fairness of the position, that after they have been in the exclusive possession of all offices from the very first origin of party among us, to the 3d of March, at 9. o'clock in the night, no republican ever admitted, & this doctrine newly avowed, it is now perfectly just that the republicans should come in for the vacancies which may fall in, until something like an equilibrium in office be restored.⁹⁵

Johnstone (1978) provides important insight into Jefferson's reliance on patronage in his appointment decisions:

Jefferson clearly had serious reservations about the wisdom and propriety of patronage, doubts that never left him and were to give to his performance in such matters a decidedly ambiguous cast. In matters of appointments, if not so much in other aspects of patronage, the president behaved in a partisan manner. While he continued to oppose an inflated governmental establishment, he was convinced that the existing vacancies should be filled with *Jeffersonians* (104, emphasis added).

⁹⁴ Jefferson to Giles, Washington, March 23, 1801. From Ford (1897) p. 25.

⁹⁵ Jefferson to Rush, Washington, March 24, 1801. From Ford (1897) p. 31. Jefferson expressed the same sentiments to Gideon Granger, Washington, March 29, 1801. From Ford (1897) p. 44.

The last sentence of the previous quote is quite interesting. Jefferson wanted to appoint only individuals who thought as he did – they could not be just Republicans; they had to be Jeffersonian Republicans. Anything less was unacceptable to the new administration. The Federalists took little issue with Jefferson’s appointment strategy; it was, however, his decision to remove a host of Federalists from their administrative positions in the executive branch that caused them to criticize his judgment.

Jefferson was determined to place as many Jeffersonian Republicans as possible within the executive branch. The newly elected president faced pressure from different segments of the Republican Party to remove as many Federalists as possible while others maintained the president should use moderation in determining removal status. Cunningham (1978) explains this situation best: “Jefferson’s policy was determined to a considerable extent by Republican pressures to which he was responsive as the leader of the party; but he balanced these demands with the responsibilities of the presidency” (167). In a letter to Henry Knox, the president expressed his dilemma: “I am aware that the necessity of a few removals for legal oppressions, delinquencies & other official malversations [sic], may be misconstrued as done for political opinions, & produce hesitation in the coalition so much to be desired; but the extent of these will be too limited to make permanent impressions.”⁹⁶ According to Bradford (1840), “For a very few of the removals, there might have been sufficient or justifiable reasons offered; but in most instances, the changes were made merely for political opinions, and these not at all affecting the real republican character of individuals” (120). Jefferson would sometimes argue that “malconduct [sic] is a just ground of removal: mere difference of political

⁹⁶ Jefferson to Knox, Washington, May 27, 1801. From Ford (1897) p. 36.

opinion is not”⁹⁷ or that “officers who have been guilty of gross abuses of office, such as marshals packing juries, &c., I shall now remove, as my predecessor ought in justice to have done. The instances will be few, and governed by strict rule, & not party passion. The right of opinion shall suffer no invasion from me.”⁹⁸ Although he maintained that civil servants of Federalist persuasion were not in jeopardy of losing their jobs, Jefferson’s actions told a different story. Bradford and Johnstone’s account of the president’s distrust of Federalist administrators is considerably more accurate than the primary documents written by Jefferson.

McDonald (2000) also provided a more detailed analysis of Jefferson’s justification for removing certain Federalists from their administrative positions within the federal government:

Jefferson determined to fire those who were patently guilty of corruption or who, in his view, were irreconcilable monarchists, which is to say devout Hamiltonians. Federal employees he regarded as honest and loyal to “ancient Whig principles” would be kept in office unless the officers themselves were detrimental to the public interest. All told, the turnover in federal jobholders during the first two years was about one-third, and about half during his whole first term (50).

Jefferson came into office with an organized plan that largely focused on ways to reverse Hamilton’s fiscal policy initiatives and dramatically reduce the national debt. He feared that government officials closely aligned with a Hamiltonian perspective would undermine his administration. The president explained this position in a letter to several shipmen of New Haven, Connecticut:

When it is considered, that during the late administration, those who were not of a particular sect of politics were excluded from all offices; when, by a steady pursuit of this measure, nearly the whole offices of the US were monopolized by that sect; when the public sentiment at length declared itself, and burst open the doors of honor and confidence to those whose opinions they most approved, was

⁹⁷ Jefferson to Findley, Washington, March 24, 1801. From Ford (1897) p. 27.

⁹⁸ Jefferson to Gerry, Washington, March 29, 1801. From Ford (1897) p. 42.

it to be imagined that this monopoly of office was still to be continued in the hands of the minority.⁹⁹

What is important for public administration regarding Jefferson's decision-making on appointments and removals is the fact that his first concerns after being elected president was finding ways to reverse the course of Hamilton's approach to fiscal management and to create an environment within the executive branch that was considerably more accepting of positions advocated for by the Republicans. Jefferson was thinking about ways to restructure the executive branch in order to create a more organized managerial approach to running the executive branch. After serving as Secretary of State under Washington and Vice-President under Adams, Jefferson had developed very specific opinions regarding how the daily operations of government should function. Jefferson's organizational structure of the cabinet, his capacity to act as both a policy maker and a working administrator, and his ability to cultivate political support within Congress and the Democratic-Republican Party serve as formative ways his administration differed from the previous two.

DEPARTMENTAL OPERATIONS

Departmental operations under President Jefferson were distinctive. His chief advisors functioned differently from what had been established in either the Washington or Adams administrations. Also, the personal and professional relationships Jefferson built with his cabinet secretaries, especially Madison and Gallatin, were unprecedented, at this point in time, in the American presidency. Writing to Robert Livingston before taking office, Jefferson observed:

⁹⁹ Jefferson to Elias Shipman and Others, A Committee of the Merchants of New Haven, Washington, July 12, 1801. From <http://etext.lib.virginia.edu>.

It is essential to assemble in the outset persons to compose our administration, whose talents, integrity and revolutionary name & principles may inspire the nation at once with unbounded confidence, impose an awful silence on all the maligners of republicanism; and suppress in embryo the purpose avowed by one of their most daring & effective chiefs, of beating down the administration ... If this cannot be done, then are we unfortunate indeed!¹⁰⁰

After his election, Jefferson began thinking about ways to organize and structure the leaders of executive departments. According to Ellis (1996), “The cabinet choices Jefferson made were governed by two criteria: proven ability and complete loyalty to the Jeffersonian version of republicanism” (222). In November 1801, the president circulated a private memorandum to his departmental secretaries that outlined three areas of importance: (1) his specific expectations for cabinet operations; (2) a comparison of cabinet operations in the previous administrations; and (3) his overwhelming confidence in each of his department heads.¹⁰¹ Jefferson began this correspondence by noting:

Coming all of us into Executive office new, and unfamiliar with the course of business previously practised [sic], it was not expected we should in the first outset adopt, in every part, a line of proceeding so perfect as to admit no amendment. The mode and degrees of communication particularly between the President and heads of departments have not been practised [sic] exactly on the same rule in all of them. Yet it would certainly be more safe and satisfactory for ourselves as well as the public, that not only the best, but also an [sic] uniform course of proceeding, as to manner and degree, should be observed.¹⁰²

Jefferson’s experience as both Secretary of State and as Vice-President afforded him the opportunity to evaluate the managerial and organizational strengths and weaknesses of cabinet operations in the previous administrations firsthand. He pointed out these differences directly in this memorandum:

¹⁰⁰ Jefferson to Livingston, Washington, December 14, 1800. From Oberg (2005) p. 302.

¹⁰¹ Jefferson did not use the word “cabinet” in his papers, but historians and political scientists who examined the Jefferson presidency did.

¹⁰² Jefferson to Madison, Washington, November 6, 1801. “Circular to the heads of departments, and *Private*.” From Smith (1995), Vol. 2, p. 1201.

He [Washington] was always in accurate possession of all facts and proceedings in every part of the Union, and to whatsoever department they related; he formed a central point for the different branches, preserved an [sic] unity of object and action among them, exercised that participation in the gestion [sic] of affairs which his office made incumbent on him, and met himself the due responsibility for whatever was done. During Mr. Adams's administration, his long and habitual absences from the seat of government rendered this kind of communication impracticable, removed him from any share in the transaction of affairs, and parceled out the government in fact among four independent heads, drawing sometimes in opposite directions. That the former is preferable to the latter course cannot be doubted.¹⁰³

In a previous letter to Livingston, Jefferson spoke more critically of Washington's executive branch management: "The gentlemen who composed Genl. [sic] Washington's first administration took up too unadvisedly a practice of general entertainment, which was unnecessary, obstructive of business, & so oppressive to themselves that it was among the motives for their retirement."¹⁰⁴ Jefferson concluded this memorandum to his department heads by expressing his confidence in each of them: "I am sure my conduct must have proved, better than a thousand declarations would, that my confidence in those whom I am so happy as to have associated with me, is unlimited, unqualified, and unabated. I am well satisfied that everything goes on with a wisdom and rectitude which I could not improve."¹⁰⁵ The content of this memorandum highlights Jefferson's attention to the administrative aspects of his presidency and provides important evidence that the third president was very much concerned with how the daily operations of government would be conducted.

In addition, President Jefferson informed his secretaries on all matters concerning the administration as a means of promoting administrative harmony and unity within the

¹⁰³ Ibid.

¹⁰⁴ Jefferson to Livingston, Washington, December 14, 1800. From Oberg (2005) p. 303.

¹⁰⁵ Jefferson to Madison, Washington, November 6, 1801. "Circular to the heads of departments, and *Private*." From Smith (1995), Vol. 2, p. 1201.

executive branch. This served as one of the most important organizational aspects of his eight years as president. White (1951) astutely observed: "The combination of a strong and skillful President and a Cabinet free from high ambition would work, as Jefferson demonstrated" (79). This type of executive branch management provides another example of Jefferson's involvement in the daily operations of government. As Cunningham (1978) remarked: "A very accessible President, Jefferson sought out and received information and opinions from all over the country, but he had no friend or advisor outside his Cabinet to whom he turned in making the decisions of government" (60). When making these decisions, Jefferson always relied on his cabinet for advice and recommendations. He encouraged debate and open communication between the secretaries and himself. Jefferson's correspondence with Madison and Gallatin throughout his administration not only highlights his attention to all matters affecting executive branch dynamics, but it also points to his reliance on his two closest confidants, personally and professionally, when making decisions, no matter the importance.

Administrative harmony and unity were crucial to Jefferson's understanding of what constituted efficient decision-making. White (1951) and Caldwell (1988) were quite astute in making this observation. Jefferson reflected on this very point two years into his retirement:

The third administration, which was of eight years, presented an example of harmony in a cabinet of six persons, to which perhaps history has furnished no parallel. There never arose, during the whole time, an instance of an unpleasant thought or word between the members. The power of the decision in the President left no object for internal dissension, and external intrigue was stifled in embryo by the knowledge which incendiaries possessed, that no division they could foment would change the course of the executive power.¹⁰⁶

¹⁰⁶ Jefferson to A.L.C. Destutt de Tracy, Monticello, January 26, 1811. From Peterson (1984) p. 1244.

Such perspective has not been lost by historians as it has been by public administrators. Ellis (1996) observed: "His cabinet proved to be one of the ablest and most stable collection of executive advisors in the history of the American presidency" (222). Preserving an open, unified, and harmonious relationship between Jefferson and his top advisors provided an important administrative distinction between the third administration and its two predecessors. It further illustrates Jefferson's understanding of the need for good management within the executive branch.

Jefferson did not schedule regular meetings with his secretaries, because he thought they unnecessarily hindered the work of the administration and promoted unnecessary conflict between leaders of executive agencies. The president, instead, scheduled cabinet meetings only when he thought they were necessary or when an unexpected policy or event arose that demanded immediate attention. "Jefferson followed the practice of summoning the Cabinet when there were subjects demanding consideration, sending notices such as: 'At present there is a sufficiency of matter and I propose therefore a meeting for the day after tomorrow at 12 a'clock [sic]'. In periods of crisis, the Cabinet was summoned on short notice" (Cunningham 1978, 65). By not holding regular meetings with his secretaries, Jefferson upheld his managerial practice of governmental responsibility while also instilling a high level of trust and harmony within his principle advisors. As White (1951) points out: "Each individual member was in charge of large administrative operations; each consulted the President individually when he needed counsel or support ... The business of the Cabinet was as wide ranging as the business of the government, but certain matters, especially foreign affairs, were apt to absorb the greater part of Cabinet attention" (83-4). This observation underscores the

significance of relying on Jefferson's primary documents. His correspondence with Madison and Gallatin reveal the president's attention to all matters – administrative, policy, political, managerial, institutional – affecting executive branch dynamics during his eight years in office.

While Jefferson's overall relationship with his secretaries is of vital importance to understanding the context for his growing insight into the complexities of administration, the relationships he formed with Gallatin and Madison deserve individual consideration. Both secretaries played critical roles within the executive branch. Contrary to the received wisdom, it was Gallatin, not Madison, who had the most important administrative position in the Jefferson administration. As White (1951) correctly pointed out:

He was the fiscal and administrative architect of Jefferson's administration. For general fiscal policy Jefferson was responsible, but for its details and management Gallatin had a free hand. He advised the President on army and navy estimates. Gallatin took the initiative in determining naval policy. He stood with Jefferson for a reduction of the army. The concept of the Treasury Department held by Gallatin was, however, substantially the same as that held by Hamilton; and Jefferson took full advantage of Gallatin's wide-ranging mind and influence (135).

McDonald (1967) noted that “Gallatin's role was less personal, more intellectual” (37), because he possessed the political and administrative wisdom that instructed Jefferson on how to manage the Treasury Department as well as how to reverse the course of Hamilton's fiscal policy initiatives. McDonald (1967) went on to argue that “Gallatin had charged, and documented the charge, that Hamilton through carelessness or corruption had unnecessarily padded the national debt by \$10 million out of a total \$77 million. Jefferson and other Republican leaders knew in their bones that dismantling the Hamiltonian system was the foremost of their missions. Only Gallatin could tell them

why, in fiscally responsible language, and only Gallatin could tell them how” (38). Gallatin's administrative role throughout Jefferson's two terms as president was critically important to the successful implementation of the president's goal of reversing Hamilton's fiscal policy initiatives. This would not have been accomplished without Gallatin.

Jefferson and Madison's relationship, indeed, was more personal than the one the president shared with Gallatin due to their longstanding friendship that extended well beyond the Blue Ridge Mountains that housed Monticello and Montpelier. As president, Jefferson was less dependent on Madison's role as Secretary of State, because he had served in that position in the Washington administration and shared a great passion for international affairs. This, of course, was not the case with regard to Jefferson's interest or understanding of fiscal management. Jefferson, nevertheless, always consulted Madison, as he did Gallatin, on each issue affecting the administration, and during his eight years as president, the correspondence between Jefferson and Madison was the most extensive of their personal and political friendship. As White (1951) acknowledged:

Jefferson appointed Madison as Secretary of State, and for eight years close harmony prevailed between the two men primarily responsible for foreign policy. It has been said that perhaps no President and his Secretary of State ever worked together with as complete understanding as Jefferson and Madison. Jefferson had served for years at the French court, while Madison had never been abroad; and it was natural for Jefferson to make the great decisions himself (184).

Jefferson and Madison's complementary roles within the third administration created a political environment where the president was able to cultivate his managerial preferences for harmony, governmental simplicity, and responsibility in an unprecedented manner.

PRESIDENT JEFFERSON AS A POLICY MAKER AND AS A WORKING ADMINISTRATOR

Jefferson's management of departmental operations, especially his meticulous detail to every matter affecting his administration, as well as the relationship he established between the executive and legislative branches of government, has prompted scholars to characterize him as the first American president who was both a policy maker and a working administrator commanding the daily operation of his administration.

Cunningham (1978) has astutely observed:

But Jefferson carried into office more than a trust in the people and a devotion to republican government. Contrary to the direful predictions of the Federalists about the dangers of putting philosophers into power and embarking on "the tempestuous sea of liberty," Jefferson brought to the presidency the most system in administration and the strongest leadership that the office had yet experienced. He was both a policymaker and a working administrator who was in command of the daily operation of his administration (317).

Cunningham's analysis represents a stark contrast to the arguments espoused by White and built upon Kettl. Historians who have invested their intellectual energies in examining many of the primary documents associated with the third presidency have long argued that Jefferson was concerned with administration and the policy dynamics associated with running the executive branch of American government. These public and private papers underscore that he understood that politics was not a separate entity from administration and that good government was dependent upon good administration.

The relationship between Jefferson and his secretaries, his management of the executive branch, legislative relations, cultivation of political party support, and reconstructive leadership stems in large part from the amount of time and energy Jefferson invested in being president. As Cunningham (1976) reminds us: "He worked harder at his job than his predecessor, spending long hours at his desk, and even on

vacation at Monticello he moved his office with him. He also reversed the pomp and ceremony in the presidential office that had begun under Washington” (317). Jefferson usually spent ten to thirteen hours each day writing, reading, and responding to the administrative details of his presidency as well as replying to constituent letters that approached his desk. “In his first year as president he received 1,881 letters, not including internal correspondence from his cabinet, and sent out 677 letters of his own” (Ellis 1996, 228). Such efforts led Ellis (1996) and Abbott (2004) to argue that the Jefferson administration represented a “textual presidency,” because it provided a unique example, illustrating the position that “the art of making decisions was synonymous with the art of drafting and revising texts” (Ellis 1996, 229).

In addition to his enormous commitment to analyzing and evaluating every administrative document and detail that was of importance to both his presidency and to the policy process, he also had a unique ability for organization and management.

The keys to Jefferson’s success may be found in his talent for system and organization, his reliance on discussion and persuasion rather than authority to achieve his ends, and his ability to keep men of conflicting temperaments working together effectively. Jefferson was readily accessible to members of his Cabinet, genuinely solicitous of his advisors’ opinions, and fully tolerant of dissenting views. All members of his Cabinet felt free to speak frankly and to oppose the President in Cabinet meetings, in private consultations, and in written communications. Jefferson included all members of the Cabinet in his decision-making process, never replaced his Cabinet with advisors outside the government, and—except for the final months of his administration after his successor had been elected—never left the Cabinet leaderless” (Cunningham 1976, 319).

Although Jefferson encouraged, and in most instances expected, his secretaries to voice their opinions in policy matters affecting the administration, everyone in the executive branch was keenly aware that it was the president who made final decisions. In many

cases, it was Jefferson, and not the leaders of his departments, who made policy and administrative decisions concerning executive agencies.

A final point regarding Jefferson's administrative strengths as president was his keen attention to the protection of public documents. As Cunningham (1976) observed: "The careful attention, the time, and the informed effort that Jefferson applied to the affairs of state and the business of government day after day, and year after year, is everywhere in evidence in the records of his administration—in his private papers, in those of members of his Cabinet, and in the records of the departments of the government" (30). Jefferson spent an enormous amount of time preserving and organizing his presidential papers. He was determined to ensure they were complete, accurate, and representative of what concerned his administration during their time in office. Writing to Madison at the beginning of his administration, Jefferson outlined the importance of such efforts:

Having no confidence that the office of the private secretary of the President of the US. [sic] will ever be a regular and safe deposit of public papers or that due attention will ever be paid on their transmission from one Secretary or President to another, I have, since I have been in office, sent every paper, which I deem nearly [sic] public, and coming to my hands, to be deposited in one of the offices of the heads of departments, so that I shall never add a single paper to those now constituting the records of the President's office; nor, should any accident happen to me, will there be any papers in my possession which ought to go into any public office. I make the selection regularly as I go along, retaining in my own possession only my private papers, or such as, for myself.¹⁰⁷

Jefferson continued this practice throughout his presidency. In addition, he maintained meticulous records of his public and private correspondence that he kept throughout his

¹⁰⁷ Jefferson to Madison, Washington, December 29, 1801. From Smith (1995) p. 1211.

administration. These efforts provide yet another example of Jefferson's attentiveness to the daily operations of government and the daily obligations of serving the citizenry.¹⁰⁸

BUILDING BRIDGES BETWEEN THE EXECUTIVE AND LEGISLATIVE BRANCHES

The relationships Jefferson cultivated between the executive and legislative branches mirrored the ones he established with his cabinet secretaries. By comparison, neither Washington nor Adams focused on ways to foster political support from members of Congress, but the fact that Jefferson did points to his contribution to public administration. Of all of Jefferson's efforts to build bridges between the executive and legislative branches, perhaps none was more successful than his famous evening dinners.

As Johnstone (1978) recounts:

As a method of cultivating the acquaintance of legislatures without violating the norms of distance and decorum expected between the two branches of government, these dinners were both functional and unique. Their uniqueness flowed from the skill with which Jefferson pursued his political purposes while outwardly avoiding the merest breath of politics. The dinners gave every appearance of being purely social occasions, and Jefferson's charm, hospitality, and his excellent taste in food and wine as well as in the selection of his guests managed to veil from all but the most detached of witnesses the full extent of political advantage that these evenings afforded their host (144).

Evening dinners, held at the president's mansion three times a week, brought together Senators and Representatives in an effort to discuss important issues and policy matters affecting the nation as well as non-political matters like the weather, agriculture, wine,

¹⁰⁸ A host of examples exist in Jefferson's public papers that illustrate this point. On November 14, 1801, for example, he wrote Gallatin the following: "Thomas Jefferson asks the favor of Mr. Gallatin to examine the enclosed rough draft of what is proposed for his first communication to Congress ... The whole respecting finance is predicated on a general view of the subject presented according to what I wish, but subject to the particular consultation which Th. J. wishes to have with Mr. Gallatin, and especially to the calculation proposed to be made as to the adequacy of the impost to the support of government and discharge of the public debt, for which Mr. G. is to furnish correct materials for calculation. The part respecting the navy has not yet been opened to the Secretary of the Navy. What belongs to the Departments of States and War is in unison with the ideas of those gentlemen. Th. J. asks the favor of Mr. Gallatin to devote the first moments he can spare to the enclosed, and to make notes on a separate paper, with penciled references at the passages noted on." From Ford (1897) p. 109.

and philosophy.¹⁰⁹ Invitations were coveted. Jefferson's hospitality and attention to detail greatly assisted the administration in forging important political bonds between members of the executive and legislative branches.

While small, intimate dinners brought together leaders of the executive branch with congressional members of both parties, Jefferson also worked to develop other techniques in efforts to court Congress and to maintain openness between the two branches. According to Johnstone (1978): "Whenever he received petitions or letters from citizens asking his intercession in a legislative matter he would forward the request to the man's congressional delegation, noting carefully as he did so his refusal to 'place myself between the legislative Houses and those who have a constitutional right to address them directly.' Such touches of consideration, insignificant as they might appear, contributed to ease his relations with Congress" (129). Jefferson's unique ability to court members of Congress enabled him, for the first seven and a half years of his administration, to form and maintain successful relationships with members of the legislative branch and to advance his policy agenda more efficiently and with greater ease than what had been accomplished under Washington and Adams.

One of the most productive ways Jefferson influenced the policy process within Congress was through his secretaries, particularly Gallatin and Madison, who served as political liaisons between Jefferson and the legislative branch. Throughout the course of the administration the following occurred:

¹⁰⁹ Johnstone (1978) describes in excellent detail the types of issues often discussed at these dinners. He quotes from the *Memoirs* of John Quincy Adams: "He [Jefferson] also mentioned to me the extreme difficulty he had in finding fit characters for appointments in Louisiana and said he'd give the *creation* for a young lawyer of good abilities, and who could speak the French language to go to New Orleans as one of the Judges of the Superior Courts in the Territory" (146-7). Emphasis in original.

The concept of the separation of executive and legislative powers which governed the actions of the President and the Congress, at least formally and officially, did not prevail in the same manner in the relations between members of the Cabinet and of Congress. While the President felt compelled to keep his role in the drafting of legislation confidential, there was little similar compulsion felt by Cabinet officers. Department heads were regularly called upon by congressional committees for assistance in the preparation of bills, and proposals under consideration were commonly submitted to them for review and recommendations (Cunningham 1978, 200).

More specifically, as Cunningham (1978) illustrates: “Congress frequently summoned Secretary Gallatin whose numerous letters to chairmen of House and Senate committees attest to the frequency with which he was consulted on pending legislation, often taking the initiative in seeking changes in bills under consideration” (205). Secretary Gallatin was the most influential member of Jefferson’s administration who actively participated in the legislative arena. “Gallatin, whose numerous committees attest to the frequency with which he was consulted on pending legislation, *often took the initiative* in seeking changes in bills under consideration” (Cunningham 1978, 205, emphasis added). The amount of power held by Gallatin and Madison during most of the Jefferson administration, particularly with regard to their role in drafting congressional legislation, was certainly unprecedented at the time, and a strong case can be made that this type of executive influence has never been duplicated. This type of influence led Johnstone (1972) to argue that Richard Neustadt’s (1960) thesis concerning the significance of presidential persuasion in modern times has its roots firmly embedded in the Jefferson presidency.

Jefferson, always the astute observer of political behavior, recognized the sensitive nature of such efforts:

A preponderance of the executive over the legislative branch cannot be maintained but by immense patronage, by multiplying offices, making them very

lucrative, by armies, navies, &c. which may enlist on the side of the patron all those whom he can interest, & all their families & connections ... I should be unfaithful to my own feelings were I not to say that it has been the greatest of all human consolations to me to be considered by the republican portion of my fellow citizens, as the safe depository of their rights. the [sic] first wish of my heart is to see them so guarded as to be safe in any hands, and not to depend on the personal disposition of the depository: and I hope this to be practicable as long as the people retain the spirit of freedom.¹¹⁰

He remained firm in his conviction that the election of 1800 was a referendum against Federalist doctrine. Jefferson's successful attempts to cultivate the political environment between the executive and legislative branches in favor of positions supported by his administration was one way he worked to implement theories he associated with republican government. Furthermore, the administration's ability to work successfully with members of Congress advanced Jefferson's preferences for governmental responsibility and administrative harmony.

THE CULTIVATION OF POLITICAL PARTY SUPPORT

In addition to forming successful relationships with members of Congress, Jefferson also excelled as leader of the Democratic-Republican Party, enabling him to cultivate strong party support for his policy agenda in Congress and throughout the nation. According to Malone (1974): "Jefferson was the first President of the United States who was also the head of a party, and his extraordinary success in the latter role has been matched by few of his successors in the first office, if indeed it has by any of them" (145). From the beginning of President Washington's administration in 1789 to the end of Jefferson's in 1809, political parties had grown exponentially, and Jefferson took full advantage of this change.¹¹¹ He cultivated political party support through "an

¹¹⁰ Jefferson to Vanmetre, Monticello, September 4, 1800. From Oberg (2005) p. 126.

¹¹¹ Jefferson, at this point in his political career, did not share the opinions of the Framers regarding political parties; and as a matter of historical significance, Madison, at this time, also recognized the importance of political parties in terms of advancing core values he associated with the nation's

extensive private correspondence; public replies to formal addresses and memorials; and the party press. The last method is by far the most important and in the development of the party press Jefferson and the Republicans contributed significant innovations to the practices of political mobilization. The expansion of newspapers in these years was extensive and was stimulated by the activities of the Jeffersonians” (Johnstone 1972, 491).¹¹² While Jefferson had never been a proponent of newspapers, as president he recognized their importance in distributing his policy agenda to the citizenry. As such, Jefferson used national newspapers, particularly the *National Intelligencer*, to serve as primary sources that informed the public of his executive decision making, particularly concerning matters affecting public finance, the Louisiana Purchase, and the Embargo Act.

The party press was the primary way Jefferson gained support from the Republicans. According to Johnstone (1972): “He employed a number of the resources available to him to mobilize this support, particularly the party press, while choosing for reasons of personal inclination or political necessity to refrain from the employment of other resources not consistent with the prevailing norms of political behavior” (489). Johnstone (1972) also points out: “In the development of the party press Jefferson and the Republicans contributed significant innovations to the practices of political mobilization. The expansion of newspapers in these years was extensive and was stimulated by the activities of the Jeffersonians” (491). Once Jefferson became president he recognized the

constitutional heritage. In a word, it did not take long for the *Federalist* view to become a purely theoretical preference.

¹¹² During the Washington administration, American newspapers became a prominent media source; however, by the Adams administration and certainly by the end of Jefferson’s two terms in office, they were partisan specific. The nation consisted of Federalist and Republican newspapers and both were dominant forces in advancing the political and policy agendas for each.

political value of the party press, particularly in terms of informing the citizenry and party representatives of the benefits associated with his policy agenda.

More broadly, “as campaigning shifted from an individual to a party basis, a candidate’s party affiliation often became of more importance than his personal qualifications for office” (Cunningham 1957, 252). This political transformation was not lost on Jefferson. Throughout most of his presidency, Jefferson’s ability to unite the Democratic Republicans in support of his executive decision-making not only afforded him political capital, but it also increased public support for the administration. As party leader, Jefferson spent his political capital on decreasing the national debt and purchasing the Louisiana Territory without congressional consent. These efforts increased his public support while his decision to enforce the Embargo Act depleted it quite substantially.

CHARACTERIZING THE JEFFERSON ADMINISTRATION: DEBT, LOUISIANA, & EMBARGO

A discussion of the major events associated with the Jefferson administration provides an important contextual framework for analyzing Jefferson’s expanding appreciation for administration. The decrease of the national debt, Jefferson’s decision to abandon his strict constructionist principles in order to purchase the Louisiana Territory, and his commitment to the Embargo Act, despite public sentiments against it, point to the president’s growing understanding of the complexities of administration in a constitutional republic. His meticulous attention to detail,¹¹³ his correspondence with his cabinet secretaries, and his focus on the political and administrative matters affecting the policy agenda he set forth at the beginning of his presidency reveals the growing appreciation Jefferson had for administration.

¹¹³ We will see even further examples of this in the next chapter.

THE DECREASE OF THE NATIONAL DEBT

President Jefferson, in his first Inaugural Address, spoke of his unwavering commitment to decrease the size of the national debt:

A wise and frugal government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities.¹¹⁴

Jefferson, Gallatin, and Madison were of the opinion that extensive amounts of public debt, even if highly controlled as Hamilton proposed, corrupted core tenets associated with republican government. According to McDonald (1976):

Gallatin's primary goal, which Jefferson not only shared but repeatedly said was the most important tangible objective of his presidency, was to reduce the public debt and ultimately abolish it. The ideological underpinning of this aspiration was the belief that debt, public or private, was inherently bad, and that the national debt as created and managed by the Hamiltonians was doubly so because it infected American government and society with the noxious germs of the corrupt British system (42).

As far back as 1795, Madison discussed with Jefferson his displeasure over Hamilton's management of the Treasury Department: "On the subject of the Debt, the Treasury faction is spouting on the policy of paying it off as a great evil, and laying hold of two or three little excises past last session under the pretext of war, of claiming more merit for their zeal than they allow to the opponents of their (pecuniary) resources. Hamilton has made a long Valedictory Rept [sic] on the subject".¹¹⁵ Jefferson, along with his principal advisors, used their opportunity in office to implement a radically different fiscal policy agenda than what had dominated the U.S. federal government for the previous twelve years.

¹¹⁴ President Jefferson's First Inauguration Address, Washington, March 4, 1801. From Koch and Peden (1993) p. 299.

¹¹⁵ Madison to Jefferson, Philadelphia, January 26, 1795. From Hunt (1906) p. 232.

From the moment Jefferson assumed office, he and Gallatin composed a detailed and precise economic plan that would reduce the national debt. Sloan (1995) correctly observed: “Rigorous economy in government expenditure, savings whenever possible, and the application of every spare penny to the reduction of the debt—this would be the heart of Jefferson’s effort” (195).¹¹⁶ Jefferson associated debt reduction with the preservation of republicanism. Sloan (1995) points out this connection nicely: “Reducing debt to a minimum and limiting its terms thus served to remove temptation; reversing the inevitable tendency of those in office to abuse their power, it would help to arrest the decay of the republican experiment” (293). With a clear understanding of the dangers public debt posed to republicanism, President Jefferson and Secretary Gallatin began implementing fiscal policies that dramatically changed the financial course of the nation.

Jefferson’s attention to the administrative details associated with this policy, point to his sizeable interest in the daily operations of government. Writing to Gallatin, the president critiqued Hamilton’s management of the Treasury and then outlined how such efforts were harmful to the administrative state:

In order that he [Hamilton] might have the entire government of his machine, he determined so to complicate it as that neither the President or Congress should be able to understand it, or to control him ... He gave to the debt, in the first instance, in finding it, the most artificial and mysterious form he could devise. He then moulded [sic] up his appropriations of a number of scraps & remnants, many of which were nothing at all, and applied them to different objects in reversion and remainder, until the whole system was involved in impenetrable fog; and while he was giving himself the airs of providing for the payment of the debt, he left himself free to add to it continually, as he did in fact, instead of paying it. I like your idea of kneading all his scraps & fragments into one batch, and adding to it a complementary sum, which, while it forms it into a single mass from which everything is to be paid, will enable us, should a breach of appropriation ever be charged on us, to prove that the sum appropriated, & more, has been applied to its specific object ... That is, to form into one consolidated mass all the moneys

¹¹⁶ Gallatin’s letter to Jefferson, Washington, March 14, 1801, outlines the Secretary’s plans for reducing the national debt; this supports Sloan’s observation. From Adams (1960) p. 24-26.

received into the treasury, and to the several expenditures, giving them a preference of payment according to the order in which they should be arranged. As for example. 1. The interest of the public debt. 2. Such portion of principal as are exigible [sic]. 3. The expenses of government. 4. Such other portions of principal as, thou' not exigible [sic], we are still free to pay when we please.¹¹⁷

Although the previous quotation is lengthy, it provides an excellent examination into the changing nature of Jefferson's administrative mind. At this point in his administration, decreasing the national debt was the most important objective of his presidency. Jefferson's attention to every detail regarding the implementation of this initiative, demonstrates his commitment to the daily operations of government and to public administration.

To reduce the national debt, Jefferson and Gallatin supported policies that would repeal all internal taxes, reduce the size of the federal government, and significantly lower appropriations approved for the army and navy. They considered these proposals ideal ways to not only abolish the country's financial restraints but also to limit the powers of the federal government. "The budget passed by the first Congress of his presidency likewise served to greatly limit government. It abolished all internal taxes, including the excise tax on spirits that had sparked the Whiskey Rebellion, leaving only the tariff as an important source of federal revenues" (Landy and Milkis 2000, 64). Jefferson supported the abolishment of all internal taxes in his first annual message to Congress and articulated how this would reduce the national debt:

We may now safely dispense with all the internal taxes, comprehending excise, stamps, auctions, licenses, carriages, and refined sugars, to which the postage on newspapers may be added to facilitate the progress of information, and that the remaining sources of revenue will be sufficient to provide for the support of Government, to pay the interest of the public debts, and to discharge the

¹¹⁷ Jefferson to Gallatin, Washington, April 1, 1802. From Ford (1905). Vol. IX, p. 358.

principles within shorter periods than the laws or the general expectation had contemplated.¹¹⁸

Abolishing internal taxes was not only a way to place more power in the hands of the citizenry but also a way for Jefferson to establish his version of republicanism within the political framework of the executive branch.

The elimination of Federalist programs like the Internal Revenue Service as well as reducing the number of foreign ministers were other ways the administration went about decreasing the national debt. “The elimination of the internal revenue service cut five hundred employees from the Treasury Department, reducing its workforce outside Washington by forty percent” (Cunningham 1987, 248). The president also “reduced the foreign missions to three – Great Britain, France, and Spain; and he had discontinued the inspectors of internal revenue, whom Gallatin regarded as more an obstruction than a help” (Malone 1970, 102). Such efforts in reduction provided the administration with another avenue to achieve their policy objectives.

The most effective way, however, Jefferson cut the national debt was by limiting appropriations for the United States army and navy. According to Malone (1970): “Gallatin said they could save hundreds of thousands in the Departments of War and the Navy, while they could only save thousands in the others” (102). Writing to Jefferson, Gallatin suggested: “To place the War and Navy Departments in relation to the expenditures of money on the same footing on which, at Mr. Madison’s request, that of State has been placed.”¹¹⁹ Jefferson concurred, and, as a result:

The army was limited to three regiments totaling about 3,350 men. The navy was decimated. Jefferson ordered all six navy frigates to be confined to harbor. He

¹¹⁸ Jefferson, First Annual Message, Washington, December 8, 1801. From Koch and Peden (1993) p. 303-304.

¹¹⁹ Gallatin to Jefferson, No Location Given, November 16, 1801. From Adams (1960) p. 72.

stopped construction of shore facilities and reduced the size of the navy workforce, diminishing naval expenditures from the \$3 million appropriated in the last year of the Adams administration to less than \$1 million by 1802 (Landy and Milkis 2000, 64).

Though the army suffered significant decreases in appropriations, Jefferson and Gallatin virtually abolished the navy. Jefferson believed navies promoted and encouraged war. “Objecting to navies on the theory that they increased the likelihood of war, Jefferson and Gallatin proposed to scrap the seagoing vessels and defend the nation’s harbors with the maritime equivalent of militias, which is to say gunboats” (McDonald 2000, 51). To the administration’s delight, and to Gallatin’s credit, large decreases in appropriations for the U.S. army and navy rapidly reduced the national debt while also hindered the ability of the United States military in the War of 1812.

The Jefferson administration was quite successful with this policy objective. Malone (1970) observed: “The eight years of Jefferson’s administration covered half the time that Gallatin originally regarded as necessary to extinguish the debt. During that period it was actually reduced by almost a third, despite extraordinary expenses that were not allowed for in the beginning” (106). While Hamilton’s financial genius elevated the political and administrative stature of the Federalists, history has shown that Gallatin did the exact same for the Republicans. Within the first year of Jefferson’s presidency:

The Republic had met ‘all the regular exigencies of government’ and been able to pay from the Treasury ‘upward of eight million dollars, principal and interest, of the public debt,’ which meant the wiping-out of five and a half million of the principal. With all this accomplished, there remained in the Treasury four and a half million ‘which are in course application to a further discharge of debt and current demands’ (Bowers 1936, 159).

Like Bowers, Sloan and Onuf (1993) highlighted the success of Jefferson’s ability to decrease the national debt: “By the end of 1803, Jefferson was able to announce

substantial reductions in the debt; since 1802, more than \$8.5 million of the principal had been paid off, though it was of course true that the Louisiana Purchase added a further \$13 million to the sum outstanding ... In 1804, it was much the same” (203). Jefferson and Gallatin’s administrative management of the national debt set forth the Republican agenda in Washington. “When the odious internal taxes were done away with, and when, without them, the treasury prospered wonderfully and reduced the national debt with surprising rapidity, the credit for these achievements was given to the economy of the administration and to its able financial management” (Morse 1911, 237). Decreasing the national debt, which included the abolishment of all internal taxes, limiting the size of the federal government, and reducing appropriations approved for the United States army and navy laid the foundation for Jefferson, and his party, to dominate national politics in the early nineteenth century.

THE LOUISIANA PURCHASE¹²⁰

THE POLITICAL, ECONOMIC, AND NATIONAL SECURITY CONTEXT

At the beginning of the Jefferson presidency, the administration learned of an undisclosed agreement between France and Spain in which Spain agreed to relinquish its claim over Louisiana in favor of France. In 1783 France ceded Louisiana to Spain but when Napoleon demanded the territory be returned to France in 1800, Spain complied with Bonaparte’s request and signed the Treaty of Ildefonso, which legally returned the land to France. The repossession of Louisiana by France alarmed the entire administration, especially the president. Jefferson feared that French control of New Orleans, one of the most important trade routes in North America, would severely

¹²⁰ This section of the chapter appeared as the lead article in the November/December (2005) issue of *Public Administration Review*, entitled: “Statesmanship and Ethics: The Case of Thomas Jefferson’s Dirty Hands”.

jeopardize the national security and economic advancement of the new nation, especially since France had a more powerful fleet than Spain and since Napoleon had begun his conquest over a large portion of Europe.

Writing to Robert Livingston, Jefferson's Minister to France, the president maintained: "The cession of Louisiana and the Floridas by Spain to France works most sorely on the United States. The day that France takes possession of New Orleans fixes the sentence which is to restrain her forever within her low-water mark. It seals the union of two nations, who, in conjunction, can maintain exclusive possession of the ocean. From that moment we must marry ourselves to the British fleet and nation".¹²¹ Jefferson's position in this correspondence is quite striking. Since the Revolutionary War, his distrust of Great Britain had increased exponentially while his support for France remained remarkably positive. As this letter demonstrates, Jefferson realized that French control of the seaport of New Orleans would force the United States to align itself with Great Britain.¹²² Economic stability, and especially national security, demanded no less. He recognized fully that "every eye in the U.S. is now fixed on this affair of Louisiana. Perhaps nothing since the revolutionary war has produced more uneasy sensations through the body of the nation."¹²³ The possibility of such an agreement clearly contradicted Jefferson's public and private opinions regarding Great Britain's hostility toward the United States as well as the economic, political, and national security

¹²¹ Jefferson to Livingston, Washington, April 18, 1802. Peterson (1984) p. 1104 and Ford (1897) p. 144.

¹²² Secretary Madison also recognized the severity of this situation. See Madison to Livingston, Department of State, January 18, 1803. From Hunt (1906) p. 5; Madison to Livingston, Department of State, March 2, 1803. From Hunt (1906) p. 9; Madison to Livingston and Monroe, Department of State, April 18, 1803. From Hunt (1906) p. 44.

¹²³ Jefferson to Livingston, Washington, April 18, 1802. Peterson (1984) p. 1104 and Ford (1897) p. 147.

roles he hoped France would play in his foreign policy agenda. In a word, he was desperately trying to avoid “dirty hands” in the context of this proposition.

Jefferson refused to allow this situation to occur and subsequently appointed James Monroe as special envoy to France.¹²⁴ Writing to Monroe, Jefferson explained his decision:

Indeed our object of purchasing N. Orleans and the Floridas is a measure liable to assume so many shapes, that no instructions could be squared to fit them, it was essential then to send a minister extraordinary to be joined with the ordinary one ... You possess the unlimited confidence of the administration and of the western people; and generally of the republicans everywhere; and were you to refuse to go, no other man can be found who does this.¹²⁵

Jefferson’s expectation was that he could assist Livingston in negotiating for the purchase of New Orleans and the Florida provinces.

Once Livingston and Monroe began negotiating with Talleyrand, Napoleon’s Minister of Foreign Affairs, it became apparent that France was uninterested in relinquishing its ownership of New Orleans. The American ambassadors feared the president’s reaction regarding their inability to acquire the needed territory, especially since Secretary Madison had outlined these expectations to Monroe prior to his crossing the Atlantic:

The President will expect, that the most punctual and exact communication be made; of the progress and prospects of the negotiations; and of the apparent dispositions of the Governments of France and Spain towards the United States. Should either of them, particularly the former, not only reject our proposition but manifest a spirit from which a determined violation of our rights, and its hostile consequences, may be justly apprehended, it will become necessary to give ulterior instructions abroad as well as to make arrangements at home, which will require the earliest possible notice.¹²⁶

¹²⁴ See Jefferson to Nemours, Washington, February 1, 1803. From Ford (1897), Vol. VIII, p. 204.

¹²⁵ Jefferson to Monroe, Washington, January 13, 1803. From <http://etext.lib.virginia.edu> and from Peterson (1984) p. 1111; Ford (1897), Vol. VIII, p. 190.

¹²⁶ Madison to Monroe, Department of State, March 2, 1803. Hunt (1906) p. 33.

Instead, Napoleon, against the advice of Talleyrand, abruptly decided to sell the United States not only the seaport of New Orleans but the entire Louisiana Territory for \$15 million or less than three and a half cents an acre. Relinquishing ownership of Louisiana allowed Napoleon the opportunity to pursue his impending crusade against other European nations more effectively, a goal far more important to him than maintaining ownership of France's North American territory.

Initially, Livingston and Monroe were hesitant to accept Napoleon's offer, because "Livingston's authority had not extended to making territorial arrangements; he had been instructed merely to inquire into possibilities and prices" (Malone 1970, 289). After carefully considering their options, the ambassadors accepted the terms of Napoleon's proposal for fear that if they either refused or waited the necessary time it would take to consult with Jefferson at home, the United States would never again be afforded such a generous land deal.¹²⁷ Napoleon and the American ambassadors agreed to a payment of \$11,250,000 to France in six percent stock and another payment of \$3,750,000 for claims over French citizens living in the territory. The treaty also stipulated that French and Spanish ships would pay the same rate as their American counterparts to enter United States ports. Finally, the agreement granted the Louisiana inhabitants American citizenship as soon as the territory was successfully incorporated within the Union.

¹²⁷ Their decision was based largely on Jefferson's adamant position that the national security of the nation was dependent on the purchase of New Orleans. Writing to Livingston, February 3, 1803, Jefferson maintained, "We must know at once whether we can acquire N Orleans or not. We are satisfied nothing else will secure us against a war at no distant period; and we cannot press this reason without beginning those arrangements which will be necessary if war is hereafter to result. For this purpose it was necessary that the negotiators should be fully possessed of every idea we have on the subject, so as to meet the propositions of the opposite party, in whatever form they may be offered; and give them a shape admissible by us without being obliged to await new instructions hence." From Ford (1897) p. 209-210.

Livingston and Monroe's decision to purchase Louisiana from France without the consent of Congress or the president serves as an extraordinary example of administrative discretion that occurred during the early history of the United States. They did not have the legal authority to accept Napoleon's offer and yet they agreed to his terms with confidence. In a letter written to Rufus King in May of 1803, Livingston maintained: "The treaty which we have just signed has not been obtained by art or dictated by force; equally advantageous to the two contracting parties, it will change vast solitudes into flourishing districts. From this day the United States take their place among the powers of first rank" (Holtman 1988, 127). Although Livingston and Monroe were unable to acquire the Florida provinces, they considered the Louisiana Purchase an exceptional diplomatic achievement that would provide lasting security and prosperity to the United States.

JEFFERSON'S CONSTITUTIONAL DILEMMA

Jefferson received word of this historic acquisition while at Monticello in May 1803 and was delighted to learn that the United States would soon double in size. In a letter to Dickenson, Jefferson expressed his initial sentiments regarding the purchase of Louisiana:

The acquisition of New Orleans would of itself have been a great thing, as it would have insured to our Western brethren the means of exporting their produce; but that of Louisiana is inappreciable, because, giving us the sole dominion of the Mississippi, it excludes those bickerings [sic] with foreign powers which we know of a certainty would have put us at war with France immediately; and it secures to us the course of a peaceable nation.¹²⁸

As Jefferson began thinking of ways to persuade Congress to support this treaty, however, he realized that such an agreement violated his strict constructionist principles.

¹²⁸ Jefferson to Dickenson, Monticello, August 9, 1803. From Ford (1905) Vol. 10, p. 28.

Throughout Jefferson's political career, he maintained that elected officials did not have the authority to enforce laws or implement policies that were not granted to them by means of written law. Unlike Alexander Hamilton who was a proponent of implied powers, "Jefferson posited a fairly strict theory which presumed against the exercise of federal powers in doubtful cases and, indeed, excluded from 'the ordinary exercise of constitutional authority' the exercise of implied powers. Hamilton posited a theory of liberal construction with the opposite effect" (Mayer 1994, 196). Prior to his presidency, as discussed in the previous chapter, Jefferson defended his strict constructionist beliefs by publicly opposing Hamilton's plan for establishing a national bank in 1791 as well as through his anonymous authorship of the Kentucky Resolution. The opportunity to purchase Louisiana in its entirety, however, convinced Jefferson to abandon this principle.

Since the Constitution does not afford the president the power to purchase foreign territory, Jefferson initially recommended that the administration propose a constitutional amendment that would allow him to acquire Louisiana while simultaneously enabling him to uphold his strict constructionist principles.¹²⁹ In a letter to Dickenson, Jefferson expressed his concern for amending the Constitution: "The general government has no powers but such as the constitution has given it; and it has not given it a power of holding foreign territory, & still less of incorporating it into the Union. An amendment of the Constitution seems necessary for this."¹³⁰ Despite the president's argument in support of

¹²⁹ Jefferson wrote Nicholas, "I confess, then, I think it important, in the present case, to set an example against broad construction, by appealing for new power to the people. If, however, our friends shall think differently, certainly I shall acquiesce with satisfaction; confiding, that the good sense of our country will correct the evil of construction when it shall produce ill effects." Monticello, September 7, 1803. From Peterson (1984) p. 1141.

¹³⁰ Jefferson to Dickenson, Monticello, August 9, 1803. From Ford (1905), Vol. X, p. 29 and Ford (1897), Vol. VIII, p. 262.

a constitutional amendment, Secretaries Madison and Gallatin respectfully disagreed even when the president wrote Congress: “You will observe that some important conditions cannot be carried into execution, but with the aid of the legislature; and that time presses a decision on them without delay.”¹³¹ Both advisors maintained that Jefferson was obligated to accept Napoleon’s offer immediately. In Hamiltonian language this was “a case of extreme necessity”.

As Madison and Gallatin pointed out, a constitutional amendment was not practical due to the limited time constraints on the administration to finalize Napoleon’s offer. No one, including Jefferson, wanted to jeopardize the opportunity to gain control of Louisiana; therefore, Madison encouraged Jefferson to enforce the implied powers clause of the Constitution, which refers to Article II, Section I, sentence I. As a point of clarification for those interested in constitutional law, the implied powers clause for the executive branch was originally advocated for by Hamilton during the Constitutional Convention of 1787. Article I, Section 8, Clause 18 of the Constitution is often referred to as the “necessary and proper” clause and affords Congress the authority “to make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Office thereof.” Hamilton argued that one of the fundamental defects in the Articles of Confederation was the lack of power afforded to a federal legislative body. He maintained that the necessary and proper clause was one way the new Constitution improved this deficiency. In addition to this concern, Hamilton insisted that the executive branch have the same type of authority. He recognized that

¹³¹ Jefferson to the Senate and House of Representatives: Special Message on Louisiana, No Location Given, October 21, 1803. From Ford (1905), Vol. X, p. 44.

unforeseen events would certainly arise in the country's future and that the president must have the implied executive authority to act in the best interest of the nation and its citizenry (Chernow 2004). Article II, Section I, sentence I of the Constitution states "the executive Power shall be vested in a President of the United States of America". The Framers did not mention that the president's power was "herein granted." For Hamilton, the omission of this language supported a strong executive with implied powers.

At the time of the Louisiana Purchase, Madison explained to Jefferson Hamilton's justification of implied executive powers (Chernow 2004). According to the Secretary of State, this situation presented the ideal opportunity to enforce this clause because of the benefits the new territory would provide to the nation. In a private letter to Monroe, Madison argued: "It is not impossible that in the spirit of indiscriminate *objection to public measures* the *acquisition* may *produce criticism and censure*. In some views it may even be a subject of *disquietude*. But the important uses to which *it may be turned* will amply *justify the arrangement* and ultimately *silence the voice of faction*."¹³² Jefferson reluctantly agreed with Madison and accepted Napoleon's offer without amending the Constitution and without the approval of Congress. Jefferson's decision points to his dependence on the organizational structure he established within the executive branch. Cunningham (1978) explains:

Jefferson's decision-making process was characterized by his willingness to accept counsel. He permitted his initial views to be altered by new information, by the opinions of his advisors, and by changing circumstances. His decision in 1803 not to seek a constitutional amendment to permit the incorporation of Louisiana into the United States, often cited as evidence of Jefferson's willingness to abandon his out-of-power principles of strict construction, might more usefully be noticed as an example of a decision-making process in which the executive did

¹³² Madison to Monroe, Washington, June 25, 1803. From Mattern (1986), Vol. V, p. 118. Emphasis in original.

not prematurely commit the administration to an inflexible position but left open future options (58).

The Republican dominated legislature, however, did not object to the president's decision to enforce the implied powers clause, which pointed to the political capital Jefferson earned as party leader. The Senate quickly ratified Jefferson's agreement with Napoleon, without questioning its constitutionality, and publicly praised the administration for ensuring the safety and continued prosperity of the United States.

The president's decision to purchase Louisiana without a constitutional amendment was certainly in the best economic, political, and national security interests of the American people. It satisfied important utilitarian values associated with producing the greatest good for the greatest number. As Jefferson pointed out: "The acquisition is seen by our constituents in all it's [sic] importance, & they do justice to all those who have been instrumental toward it."¹³³ The moral dilemmas associated with Jefferson's decision to abandon his strict constructionist principles, regardless of the reason or utilitarian justification, creates major problems for the study and practice of statesmanship specifically and administrative ethics generally. An evaluation of these types of moral dilemmas provides students of public administration with an opportunity to understand Jefferson from a different perspective; one that vividly highlights his contribution to the development of public administration in the United States.

JEFFERSON'S DIRTY HANDS

Joseph Ellis (1996) has argued that the Louisiana Purchase "was unquestionably the greatest achievement of the Jefferson presidency and one of the most consequential executive actions in all of American history" (204). Malone (1970), Cunningham (1978,

¹³³ Jefferson to Monroe, Washington, January 8, 1804. From Ford (1897) Vol. VIII, p 287.

1987), Johnstone (1972, 1978), and McDonald (1976, 2000), all highly regarded scholars of the Jefferson presidency, agree with Ellis's assertion. What scholars of the founding period have failed to address, however, is how Jefferson's decision to abandon his strict constructionist principles, tenets he believed were fundamentally necessary for the successful implementation of republican government, distorted his own understanding of responsible executive action.

Michael Walzer, a prominent political theorist, and Reinhold Niebuhr, a renowned theologian, provide the type of normative framework needed to examine how Jefferson's character was tarnished when he chose to abandon principles that he had advocated throughout his political career. The problem of dirty hands is particularly insightful when analyzing the moral dilemmas associated with Jefferson's decision to purchase Louisiana, because, as Walzer points out, it "derives from an effort to refuse absolutism without denying the reality of the moral dilemma" (1973, 162). That is, one violates an absolute moral principle while knowing full well one should not do so regardless of the beneficial consequences.

According to Walzer, we expect leaders to make difficult and ethically challenging decisions, but we also demand that they suffer when they violate their principles as a means to ensure personal integrity. Walzer explains this assertion by describing a hypothetical situation in which a politician seizes power of a nation in the midst of colonial war. The politician promises to decolonize the territory, encourage peace throughout the region, and promote efforts that would improve prosperity. Soon after gaining power, the new leader must decide whether or not to torture a captured rebel leader who either knows or probably knows the location of several hidden bombs

concealed in local apartment buildings. These bombs are scheduled to detonate within twenty-four hours. The politician acknowledges that torture is morally indefensible. Yet, he elects to torture the suspect regardless of his moral convictions that find such actions inexcusable. Such a decision, according to the politician, will likely disclose the location of the bombs and prevent innocent people from being harmed. Walzer (1972) explains this justification:

Because he has scruples of this sort, we know him to be a good man. But we view the campaign in a certain light, estimate its importance in a certain way, and hope that he will overcome his scruples and make the deal: we want *him* to make it, precisely because he has scruples about it. We know he is doing right when he makes the deal because he knows he is doing wrong (166).

Ontological differences certainly exist between a leader's decision to torture an individual who almost certainly possesses knowledge that would prevent others from being harmed and a president's decision to abandon his strict constructionist principles in order to acquire foreign territory.¹³⁴ Despite these important normative distinctions, however, the substance of Walzer's argument concerning how and why leaders develop dirty hands enables us to applaud Jefferson for violating his strict constructionist principles, not only because the incorporation of the Louisiana Territory into the United States was in the best interest of the nation, but because the decision made the president suffer.

In a letter to Breckinridge, shortly after Jefferson enforced the implied executive powers clause and knowingly violated his strict constructionist principles, the president clearly articulates such suffering:

¹³⁴ The examples used are not all of the same significance, morally or politically. A decision to abandon one's political philosophy is different in kind than the decision to torture another human being. Nevertheless, the "dirty hands" analysis provided by Walzer is useful in the context of understanding the moral dilemmas and implications of Jefferson's decision to abandon his strict constructionist philosophy in order to advance the good of the state.

The Executive in seizing the fugitive occurrence which so much advances the good of their country, have done an act beyond the Constitution. The Legislature in casting behind them metaphysical subtleties, and risking themselves like faithful servants, must rarify & pay for it, and throw themselves on their country for doing for them unauthorized what we know they would have done for themselves had they been in a situation to do it. It is the case of a guardian, investing the money of his ward in purchasing an important adjacent territory; & saying to him when of age, I did this for your good; I pretend to no right to bind you: you may disavow me, and I must get out of the scrape as I can: *I thought it my duty to risk myself for you.* But we shall not be disavowed by the nation, and their act of indemnity will confirm & not weaken the Constitution, by more strongly marking out its lines.¹³⁵

Jefferson recognized the constitutional immorality of his decision, but he chose to purchase Louisiana anyway. According to Walzer's theory of dirty hands, we know that Jefferson made the right decision, because he recognized that he was doing wrong when he finalized Napoleon's offer; he sacrificed his soul for the good of the nation. Walzer's analysis suggests such actions by statesmen recall Isaiah's suffering servant. By relying on the fourth passage of Isaiah, which is the story of redemption, we recognize that by the servant's suffering we have all been saved. This helps us to recognize the distinctiveness of such a decision and the exceptional nature of the events surrounding the Louisiana Purchase. This recognition conveys the sense that such decisions, ones that violate principle, are not only rare but costly as well.

A MORAL MAN LIVING IN AN IMMORAL SOCIETY

Reinhold Niebuhr's classic work, *Moral Man and Immoral Society*, provides an important distinction that enables us to understand how a statesman copes with Walzer's notion of dirty hands. Niebuhr (1960) argues that societal interests are not synonymous with individual interests, because the way in which leaders govern society is different from the way in which individuals govern themselves. More specifically, "a sharp

¹³⁵ Jefferson to Breckinridge, Monticello, August 12, 1803. From Peterson (1984) p.1138. Emphasis added.

distinction must be drawn between the moral and social behavior of individuals and of social groups, national, racial, and economic” (xi) because justice is the primary value associated with governing a nation whereas individuals are mostly concerned with acting in ways that promote unselfishness. Therefore:

Society must strive for justice even if it is forced to use means, such as self-assertion, resistance, coercion and perhaps resentment, which cannot gain the moral sanction of the most sensitive moral spirit. The individual must strive to realize his life by losing and finding himself in something greater than himself (1960, 257).

Jefferson realized that his political philosophy supported the position that strict construction was an indispensable tenet of republican government, but as President of the United States, he recognized that he had a moral responsibility to ensure the safety and prosperity of the American people. The latter took precedent over the former. His decision to purchase Louisiana fulfilled this responsibility. He recognized that the incorporation of Louisiana into the United States would enhance the future of his countrymen for generations yet unborn. For the president that was more important than upholding the inviolable principle of strict construction, which remained inviolable in principle but violated in practice. Jefferson’s recognition of this distinction points to his intellectual and practical growth not only as a statesman but also in thinking of administration.

Although Niebuhr’s analysis is valuable for developing a broader understanding of the ethical and pragmatic difficulties affecting Jefferson’s decision making process, the notion of advancing the good of the state over the personal good of the statesman creates an intellectual delight for scholars who are interested in the study of statesmanship. We savor the ambiguity associated with Jefferson’s predicament. On the one hand, we

recognize the moral dilemmas and implications of abandoning a principle that one has spent an entire political career advocating, and yet, on the other hand, we also realize that if we were in Jefferson's position we would have made the same choice; we would have sacrificed our own principles for the good of the state, its institutions, and its citizenry.

THE FEDERALISTS CRITICIZE BUT HAMILTON REJOICES

Despite the ambiguity created by Jefferson's dilemma, however, history usually punishes statesmen for abandoning their principles, regardless of the justification, as a means of promoting honesty among contemporary statesmen. Sir Henry Taylor (Schaefer 1992) in *The Statesman* illustrates this very point: "When a statesman sees fit to change an opinion which he has publicly professed, whether the change be right or wrong, it is required for the general guarding and sustaining of political honesty, that he would suffer for it, either in political character, or in immediate and apparent personal interests" (112). The Federalists were highly critical of Jefferson for deserting his strict constructionist principles. Senator John Quincy Adams, one of the most outspoken congressmen who opposed the president's decision, observed that "Jefferson would possess an assumption of implied power greater than all the assumptions in the years of the Washington and Adams administrations put together" (Malone 1970, 331). Upon learning of the way in which Jefferson purchased Louisiana from France, William Plumer, Christopher Gore, and Timothy Pickering encouraged their respective states to withdraw from the Union, as Jefferson had previously done in the Kentucky Resolution; but after the presidency he never again made such a demand, publicly, privately, or anonymously. Pickering¹³⁶ rationalized this assertion by arguing that he would "rather anticipate a new confederacy, exempt from the corrupt and corrupting influence and

¹³⁶ Federalist Senator from Massachusetts.

oppression of the aristocratic Democrats of the South” (McDonald 2000, 61). Although Federalist criticism represented a small minority of public opinion, which strongly supported the administration’s decision, it collectively speaks to Taylor’s concern regarding the need for statesmen to safeguard their principles in order to ensure integrity within the democratic governance process and the administrative state. In other words, statesmen safeguard these principles even when violating them by paying the personal and political price their actions exact.

Alexander Hamilton, unlike his Federalist colleagues, did not criticize Jefferson for violating his strict constructionist principles. Hamilton recognized the urgency of acquiring Louisiana. Like Jefferson, he maintained: “Napoleon’s control of Louisiana threatens the early dismemberment of a large portion of the country; more immediately, the safety of all the Southern States; and remotely, the independence of the whole Union” (Hamilton 1955). In an editorial published in the *New York Evening Post* on July 5, 1803, Hamilton, writing under the pseudonym Pericles, argued that the Jefferson administration had two options. They could negotiate with Napoleon and purchase Louisiana. If diplomacy failed, the United States would have no other choice but to declare war on France. The second option, according to Hamilton, was to seize New Orleans and the Florida provinces outright and negotiate for ownership afterwards (Hamilton 1955).

After learning the administration had accepted Napoleon’s offer and purchased the Louisiana Territory, Hamilton celebrated Jefferson’s executive decision. However, he criticized Jefferson for the hypocrisy of insisting that the national debt be reduced while simultaneously agreeing to a deal that increased the very debt the administration

was trying to lower. Hamilton highlighted this very point in his *New York Evening Post* article:

According to Mr. Gallatin's report, they had about 40.000 to spare for contingencies, and now the first "*extraordinary event*" that "*supervenies*" calls upon them for several million. What a poor starving system of administering a government! *But how is the money to be had? Not by taxing luxury and wealth and whiskey, but by increasing the taxes on the necessaries of life.* Let this be remembered (emphasis in original).¹³⁷

Despite this observation, Hamilton knew that incorporating Louisiana into the Union would increase the administration's popularity among the citizenry exponentially. But he was also quick to point out, "that the acquisition has been solely owing to a fortuitous concurrence of unforeseen and unexpected circumstances, and not to any wise or vigorous measures on the part of the American government" (1955, 374). Viewed in this context, Hamilton was right. Good fortune had just as much to do with the Louisiana Purchase as did Livingston and Monroe's ability to negotiate a deal with Napoleon and his advisors, a point that scholars of the Jefferson presidency have observed for decades. Nevertheless, Hamilton was delighted with Jefferson's decision, because it further legitimated his argument for a strong executive whose powers were constitutionally granted and implied. Indeed, Hamilton had astutely observed as far back as the 1790s that Jefferson was no enemy of a strong executive, and Jefferson's eight years in office proved Hamilton correct.

¹³⁷ From Syrett et al. (1970) *The Papers of Alexander Hamilton*. Vol. 24., p. 134.

In Jefferson's mind, the decision to sacrifice his strict constructionist principles was "dirtier" than the hypocrisy associated with increasing the national debt in order to acquire the new territory, debt his administration had worked tirelessly to decrease since the beginning of his administration in 1801. He did not view debt the same way he viewed strict construction. He did not take an oath against debt, but he did swear to protect and defend the Constitution, and he fundamentally believed that the doctrine of strict construction was a central tenet designed to preserve core republican values associated with the Constitution.

CONCERN FOR POSTERITY

During Jefferson's retirement years, which spanned the end of his presidency in 1809 to his death in 1826, he often reflected back on the moral dilemmas associated with his decision to purchase Louisiana. Jefferson was extremely concerned with posterity and how history would remember his contributions to the political and administrative development of the United States. Douglass Adair (1974) in *Fame and the Founding Fathers* argues that the love of fame, the desire to create a republican state that would win them fame, self-interest, and the ability of men to act in a way that ensures posterity led the founding fathers to establish a government that valued and advanced liberty, justice, and the promotion of the general welfare. From Adair's perspective, Jefferson's concern for posterity as well as his pursuit of fame demanded that he provide further justification for why he abandoned his strict constructionist principles. In a letter to Colvin, Jefferson wrote on the very subject that worried Sir Henry Taylor:

A strict observance of the written law is doubtless *one* of the high duties of a good citizen, but it is not *the highest*. The laws of necessity, of self-preservation, of saving our country when in danger, are of higher obligation. To lose our country by a scrupulous adherence to written law, would be to lose the law itself, with life, liberty, property and all those who are enjoying them with us; thus absurdly sacrificing the end to the means.¹³⁸

Jefferson's thoughts in this correspondence are remarkable, especially in a letter written a year after he retired from public office and seven years after he acquired Louisiana from France. Prior to the presidency, we can be certain that Jefferson would not have made such remarks, publicly or privately. His vehement critique of broad construction tells us so. The political, economic, national security, and administrative responsibilities associated with governing the nation, however, changed Jefferson's thinking, just as

¹³⁸ Jefferson to Colvin, Monticello, September 20, 1810. From Peterson (1984) p. 1231. Emphasis in original.

Hamilton predicted. Jefferson did not abandon his belief in the doctrine of strict construction altogether, but the presidency did instruct him on the limitations associated with this philosophical position. Jefferson was a thoughtful man and the moral dilemmas associated with purchasing Louisiana provided him with a new found wisdom for the art and science of public administration, public management, and the democratic governance process.

It should also be noted that Jefferson's language in this correspondence resembles an important point established by Publius in *Federalist 43*. In the last section of this paper, Madison asserts: "The first question is answered at once by recurring to the absolute necessity of the case; to the great principle of self-preservation; to the transcendent law of nature and of nature's God, which declares that the safety and happiness of society are the objects at which all political institutions aim, and which all such institutions must be sacrificed." The states, according to Federalist doctrine, must sacrifice the institutions established under the Articles of Confederation in order to maintain self-preservation. This provides as an important example of the hardheaded realism associated with Publius. The government associated with the Articles no longer existed because it had been violated; as a result, ratification of the proposed Constitution of 1787 was necessary in order to prevent the states from entering back into a state of nature. The connection between this position and the one Jefferson asserts twenty-two years later are striking and illustrates the development of his administrative mind.

The sentiments expressed in Jefferson's letter further support Walzer's theory of dirty hands. We know Jefferson made the right decision, because he consistently contemplated ways to excuse the moral and constitutional dilemmas associated with the

Louisiana Purchase, and the breadth of his justification demonstrates the nature of his suffering. Jefferson ultimately concluded, however, that the longevity of the United States was dependent upon him sacrificing his belief in the strict observance of written law. Such an argument certainly favors Niebuhr's assertion that the way in which individuals govern themselves is quite different from the way in which statesmen govern a nation. From an individualist perspective, Jefferson continued to support strict construction, at least in theory, but the pragmatic nature associated with governing the nation forced him to reject his absolutism in order to ensure national security and economic prosperity. He was thus a sadder but wiser man, more aware of the importance of administration to the maintenance and preservation of the state than at earlier points in his political career.

Jefferson's justification for abandoning his strict constructionist principles in this case is certainly comparable to President Abraham Lincoln's decision to suspend the writ of habeas corpus during the American Civil War. The Constitution is vague on which branch of government can suspend this right, but according to Article 1, Section 9 if any branch has this power it would be Congress not the president. The preservation of the state in its entirety prompted Lincoln to suspend this constitutional protection. In a special session of Congress, on July 4, 1861, Lincoln delivered a message to the country asserting that all the nation's laws could not and should not be sacrificed in order to preserve one, in this case, the writ of habeas corpus. As Lincoln noted:

Are all the laws, but one, to go unexecuted, and the government itself go to pieces, lest that one be violated? Even in such a case, would not the official oath be broken, if the government should be overthrown, when it was believed that disregarding the single law, would tend to preserve it? ... It was decided that we

have a case of rebellion, and that the public safety does require the qualified suspension of the privilege of the writ which was authorized to be made.¹³⁹

The similarities between Lincoln's decision to suspend the writ of habeas corpus and Jefferson's decision to abandon his strict constructionist principles are striking. In both situations, the preservation of the state was more important than upholding one particular law as was the case with Lincoln, or in Jefferson's circumstance, the firm belief that a strict constructionist approach to governing was essential for the preservation of republican government.

POLITICS AS A VOCATION

Max Weber, like Walzer and Niebuhr, illuminates many of the difficulties and ambiguities associated with Jefferson's decision. In his classic lecture, "Politics as a Vocation," Weber (1958) articulates the need for public officials to rely on an ethic of responsibility while also recognizing that such an ethic cannot be unprincipled or without what he calls an ethic of ultimate ends. For Weber, an "ethic of responsibility" corresponds to what might be called utilitarian or consequentialist ethics today. Conversely, "an ethic of ultimate ends" is similar to a deontological perspective. As Weber explains:

It is immensely moving when a *mature* man—no matter whether old or young in years—is aware of the responsibility for the consequences of his conduct and really feels such responsibility with heart and soul. He then acts by following an ethic of responsibility and somewhere he reaches the point where he says: "Here I stand; I can do no other." That is something genuinely human and moving. And every one who is not spiritually dead must realize the possibility of finding himself at some time in that position. In so far as this is true, an ethic of ultimate ends and an ethic of responsibility are not absolute contrasts but rather supplements, which only in unison constitute a genuine man—a man who *can* have the "calling for politics" (1958, 127—emphasis in original).

¹³⁹ For a more detailed account of President Lincoln's decision-making in this case, see Chief Justice William H. Rehnquist's: *All the Laws but One: Civil Liberties in Wartime* (2000).

Weber borrows from Martin Luther the statement “Here I stand; I can do no other.” Luther is a curious source in an essay dedicated to ethics in politics with strong emphasis on prudence and calculation—characteristics not typically associated with the highly principled but volatile Martin Luther. That Weber turns to Luther at the end of his essay shows that prudential calculation is not enough, the person devoid of absolute principles is “spiritually dead”.

The moral dilemmas and implications associated with Jefferson’s decision to purchase Louisiana undoubtedly forced him into a position where he reiterated Martin Luther’s famous phrase, “Here I stand; I can do no other.” In 1803, President Jefferson was cornered into making a decision that challenged one of his most sacred principles, but just as Martin Luther believed he had no other choice but to nail 95 Theses to the Church door in Wittenberg to protest Church abuses, Jefferson had no other choice but to accept Napoleon’s offer. Jefferson’s decision to purchase Louisiana is one that embraces what Weber calls the ethic of responsibility and the ethic of ultimate ends; in other words, it balances consequentialist values with deontological values. At earlier points in Jefferson’s life, he was unable to balance these types of values, as was the case with his demand for nullification in the Kentucky Resolution. The presidency instructed Jefferson on the political and administrative importance of not always relying on dichotomous positions. In a word, Weber ultimately brings us back to Walzer, because the balance he creates between the ethic of ultimate ends and the ethic of responsibility allows statesmen to violate their principles for the good of the state as long as they suffer and agonize over their decision once it has been implemented.

Weber maintains that suffering occurs within the soul. Walzer's critique of Weber's suffering servant, however, is that there is seldom any real price paid other than internal anguish, which soon passes. As a result, the sufferer begins to ritualize the suffering and loses his or her sense of inwardness. Walzer and Taylor argue that internal suffering is not enough. Unlike Weber, they maintain that statesmen who violate their principles should suffer publicly; they should be criticized by the very people they sought to protect. Jefferson did not suffer in this manner. The Louisiana Purchase ensured he would win a second term as president. Jefferson's concern with posterity, nevertheless, tells us he thought future generations would criticize this decision as one devoid of principle. The possibility of such a legacy worried Jefferson until the day he died. For Weber, Jefferson's internal suffering and his concern for posterity demonstrated that he had the calling for politics. He met the criterion of a "genuine man." Jefferson admitted the constitutionally immoral nature of his actions as well as the benefits provided to the nation once Louisiana was incorporated into the Union. Jefferson embraced important Aristotelian values that Weber eloquently relies on throughout this lecture in that the calling for politics is ultimately embedded in the idea that the fullness of a man or woman can be found within the polis. To borrow again from Weber, Jefferson lived for politics and not off politics, meaning his decision to purchase Louisiana served to advance the good of the state and not that of his own self-interest.

JEFFERSON'S EXECUTIVE JUDGMENT: AN IMPORTANT CONTRIBUTION TO THE DEVELOPMENT OF PUBLIC ADMINISTRATION

President Jefferson's decision to purchase the Louisiana Territory serves as an excellent case study that exemplifies the difficulties that can occur when theory and practice collide. The opportunity to acquire Louisiana forced Jefferson to sacrifice his

strict constructionist principles in order to provide lasting economic and national security protections to the United States. His choice was the wrong decision for his peace of mind, his moral consistency, and for the principle of strict construction, but the right decision for the nation. Jefferson's statesmanship, as well as his contribution to the development of public administration in the United States, is demonstrated by his recognition of the moral dilemmas associated with accepting Napoleon's offer. He committed to an agreement that clearly went beyond the scope of his constitutional powers as a strict constructionist, but he also realized that he had no other choice but to make the deal; a deal that scholars of the Founding Period have ultimately recognized as "one of the most consequential executive actions in all of American history;" and one that certainly illustrates why statesmanship is vitally important to the study and practice of administrative ethics and to the constitutional school of public administration.

THE ELECTION OF 1804: A LANDSLIDE FOR JEFFERSON AND THE REPUBLICANS

Once Congress ratified the Louisiana Treaty, Jefferson turned his attention to the election of 1804 where he sought a second term as president. Jefferson used this time to reflect on ways to maintain the people's confidence in government and this prompted reflection on the Alien and Sedition Acts and his authorship of the Kentucky Resolution. As soon as Jefferson assumed the presidency in 1801, he discharged every person punished or prosecuted under the Sedition Act. Writing to Abigail Adams,¹⁴⁰ who was not pleased with the president for his lack of public support during her husband's administration, Jefferson justified his decision: "It was accordingly done in every

¹⁴⁰ Abigail Adams was one of the only women, for the exception of his two daughters Martha and Maria, that Jefferson discussed political affairs with; his deep personal affection for Mrs. Adams began when both families were in Europe in the late 1700s. Adams served as Foreign Minister to Great Britain; Jefferson as Foreign Minister to France.

instance, without asking what the offenders had done, or against whom they had offended, but whether the pains they were suffering were inflicted under the pretended Sedition law.”¹⁴¹ Mrs. Adams was not impressed with Jefferson’s argument and in subsequent letters to the president she maintained he directly interfered with the judiciary’s role in American government. Jefferson responded again to Mrs. Adams and politely, but firmly, disagreed with her assessment of his executive decision making:

You seem to think it developed on the judges to decide on the validity of the sedition law. But nothing in the constitution has given them a right to decide for the executive, more than to the Executive to decide for them. Both magistracies are equally dependent in the sphere of action ... The opinion which gives to the judges the right to decide what laws are constitutional, and what not, not only for themselves in their own sphere of action, but for the legislature and executive also in their spheres, would make the judiciary a despotic branch.¹⁴²

In addition to his firm commitment to the abolishment of the Sedition Act, Jefferson, interestingly, modified his previous opinion on the re-eligibility of the president. Four years as chief executive changed his perspective. In a letter to John Tyler, Jefferson explained:

My opinion originally was that the President of the U.S. should have been elected for 7. years, & forever ineligible afterwards. I have since become sensible that 7. years is too long to be irremovable, and that there should be a peaceable way of withdrawing a man in midway who is doing wrong. The service for 8. years with a power to remove at the end of the first four, comes nearly to my principle *as corrected by experience*. And it is in adherence to that that I determined to withdraw at the end of my second term ... There is, however, but one circumstance which could engage my acquiescence in another election, to wit, such division about a successor as might bring in a Monarchist. But this circumstance is impossible.¹⁴³

¹⁴¹ Jefferson to Mrs. Adams, Washington, July 22, 1804. From Cappon (1959) p. 275.

¹⁴² Jefferson to Mrs. Adams, Monticello, September 11, 1804. From Cappon (1959) p. 279. Jefferson expressed harsher sentiments to Thomas McKean: “The federalists having failed in destroying the freedom of the press by their gag-law, seem to have attached it in an opposite form, that is by pushing it’s [sic] licentiousness & it’s [sic] lying to such a degree of prostitution as to deprive it of all credit. And the fact is that so abandoned are the tory [sic] presses in this particular that even the least informed of the people have learnt that nothing in a newspaper is to be believed.” Washington, February 19, 1803. From Ford (1897), Vol. VIII, p. 218.

¹⁴³ Jefferson to Tyler, Washington, January 6, 1805. From Peterson (1804) p. 1153. Emphasis added.

The change in Jefferson's opinion regarding the re-eligibility of the president, which he had adamantly defended in his response to the proposed Constitution of 1787, provides another important example of how his experience as president altered his political opinions regarding the practical dynamics associated with running a constitution.

The administration's success at decreasing the national debt and securing the safety of the citizenry by incorporating the Louisiana Territory within the United States not only won Jefferson a substantial victory in 1804 but also earned significant gains in Congress for the Republicans. "The majority for Mr. Jefferson was very large, being one hundred and sixty-two votes in one hundred and seventy-six" (Bradford 1840, 137). "The 1804 results showed a Republican landslide. The Ninth Congress would have 119 Republicans and only seven Federalists" (Steinberg 1967, 120). As a result of the success Jefferson obtained during his first four years in office, he assumed his second term as president would pose similar results. Those aspirations, however, faltered quickly, and the next four years were the antithesis of the first.

THE EMBARGO ACT

The three embargo policies created and implemented toward the latter stages of Jefferson's second term as president became the most hated policies of his entire political career. Jefferson initiated embargo legislation on July 2, 1807 when the British attacked the *Chesapeake*, an American warship, in route to the Mediterranean. As Hirst (1926) recounts:

The British frigate *Leopard* stopped the American frigate *Chesapeake* outside Hampton Roads, and demanded the surrender of certain deserters believed to be on board. The commander of the *Chesapeake* refused to allow his crew to be examined. The *Leopard* thereupon fired three broadsides, killing and wounding

several men, boarded the ship, and seized four seamen, one of whom proved to be a deserter from the British Navy (421).

The British government interrogated and convicted the American sailors taken from the Chesapeake. “The four men were tried at Halifax and condemned to be hung. Three who were Americans were subsequently pardoned, on condition of returning to service in the British fleet; but on the British deserter the sentence was executed” (Randall 1970, 225). Britain’s attack on the Chesapeake sparked enormous public outrage in the United States, particularly within the administration, which took immediate action to prevent war. In less than a day, Jefferson decided the nation could not enter into war with Great Britain, in large part due to the drastic cuts in appropriations for the army and navy. He summoned his cabinet secretaries immediately. He wrote each of them: “The capture of the Chesapeake by a British ship of war renders it necessary to have all our council together.”¹⁴⁴ Jefferson went on to “issue a proclamation forbidding the provisioning of British ships in American waters, and would make all possible provisions for defense along the coast and by the State and national military forces in preparation” (Bowers 1936, 429). The president demanded a written apology and monetary compensation for damages rendered by the British Navy.

The British refused to comply with the administration’s demands. Congress, the president, and the nation were outraged. In a letter to General Lafayette, Jefferson expressed his anger: “Never, since the battle of Lexington, have I seen this country in such a state of exasperation as at present. And even that did not produce such unanimity.”¹⁴⁵ George W. Campbell of Tennessee, Chairman of the House Ways and Means Committee, agreed with the president and argued, “So long as virtue, wisdom and

¹⁴⁴ Jefferson to Gallatin, Washington, June 25, 1807. From Adams (1960) p. 336.

¹⁴⁵ Jefferson to General Lafayette, Washington, July 1807. From Randall (1970) p. 226.

patriotism continue to be revered in the world, so long will his character remain a distinguished monument of the triumph of liberty and the rights of man over despotism and aristocracy, around which the sons of freedom will rejoice to rally.”¹⁴⁶ The president’s Embargo Message to Congress reiterated this point: “The whole world is thus laid under interdict by these two nations, and our vessels, their cargoes and crews are to be taken by the one or the other, for whatever place they may be destined, out of our own limits.”¹⁴⁷ Great Britain’s lack of cooperation in complying with the administration’s demands forced the president and Congress to enforce of an economic embargo. Jefferson argued that this decision was the only preventive measure against war.

Great Britain, not surprisingly, viewed this situation differently and justified their attack on the Chesapeake as a legitimate effort to maintain dominance over the seas. “It was England’s desire for world mastery and the resulting strains on English military resources that placed within American reach an armed defense of commerce, seamen, and reputation” (Spivak 1979, 103). Furthermore, British public opinion was “in favor of plundering, and sweeping away the competition of American commerce” (Randall 1970, 235), because their economic well-being and stability was threatened by the growth of American markets.

Complicating this international crisis, France enforced commerce restrictions on any nation who traded with Great Britain; they also refusing to exempt the United States from the Berlin Decree. The leaders of Great Britain were offended by France’s position and pledged: “If the United States accepted that option, American vessels would be seized by the British upon attempting to venture into a Continental port” (McDonald

¹⁴⁶ From Malone (1974) p. 470.

¹⁴⁷ Jefferson to Madison, Washington, December 17, 1807. Smith (1995), Vol. III, p. 1513.

1976, 141). As a result, President Jefferson, with the support of his cabinet, suspended American commerce overseas. According to Bowers (1936): “It was of unanimous opinion that pending fuller information American commerce should be totally suspended” (440). The unwillingness of Great Britain to acknowledge the inappropriateness of their military conduct and the arrogant position espoused by the French when they attempted to control the international commerce of the United States forced Jefferson to suspend all trade relations with both nations. According to Spivak (1979): “His original proposal merely afforded a temporary reprieve from difficult policy choices imposed on the young nation by Europe’s refusal to accept American definitions of neutral rights and by America’s refusal to abandon the legal assertions that supported its prosperous neutrality” (106). Consequently, the actions and policy demands brought on by Britain and France resulted in Jefferson’s decision to place an economic embargo on both countries.

The Embargo Act originated over the course of three separate policies, each to correct flaws within previous legislation. The initial purpose of the policy was to “produce positive changes domestically, with the growth of manufactures, the conversion by the home market to domestic consumption, and the liberation of Americans from the bondage of foreign fashion and luxuries. The conscious embrace of the alternative of peace over war, furthermore, would go far to develop a national character of virtue, firmness, and moderation, as well as of sacrifice” (Johnstone 1978, 270). The administration demanded that American citizens sacrifice imported British and French goods and services in order to support and promote the country’s international policy agenda.

While Jefferson designed the first Embargo Act as a preventive mechanism against entering war with Great Britain, the administration immediately detected an important flaw within the policy, “the first act prohibited shipping to foreign ports, but vessels engaged in the coasting trade could divert to Europe or the West Indies after clearing their home ports” (McDonald 2000, 62). Congress agreed with the indicated flaw and enacted Jefferson’s recommended changes within the second Embargo Act passed in January 1808. However, two months later Congress ratified a third Embargo Act “where the legislation changed from prohibiting shipping to prohibiting the export of goods by land or sea” (McDonald 2000, 62). The third and final Embargo Act also severely punished those convicted of violating the policy, including “fines of \$10,000 and forfeiture of the goods were to be levied, merchants who violated the law were forever debarred from credit on their customs duties, and captains who did so lost their ability to testify before a customs officer” (McDonald 2000, 62). The final Embargo Act also allowed for the president to impose “broad discretionary power in enforcing or granting exemption to the embargo” (McDonald 2000, 63). As the policy progressed, broad discretionary powers caused Jefferson enormous political and administrative headaches and a significant loss of popularity among the citizenry, particularly when the courts ruled that enforcement of the Embargo Act violated citizens’ constitutional rights, with regard to protections against unlawful search and seizure.

With the enactment of embargo legislation, a large portion of American citizens, particularly in the northeast, experienced unprecedented economic hardship and drastic decreases in employment. Hundreds of Americans citizens wrote Jefferson expressing

their discontent over the policy. Thomas Freeman, a native of Philadelphia, Pennsylvania, wrote Jefferson:

We Humble Bag Honor to grant us Som Employamat. 200 of us mat in the State Hous yard on Friday Last. We Have all mises & famlys. Sir we Humble bags your Honor Pardon of at mis [if amiss].¹⁴⁸

Elijah Hayward expressed his concerns regarding the negative effects the Embargo Act had on American commerce as followed:

Living in the vicinity of the ocean our interest and propriety [sic] are intimately connected with commerce. That ship building, with all its consequent and various employments have heithertofor [sic] yielded an abundant reward for our labours [sic]. We pursued our several callings with pleasure, and gladness smiled [sic] in our dwellings. But for nine months passed these sources of wealth have vanished; instead of cheerfull [sic] industry, our work shops and ship-yards are dressed in gloom and melancholy, the stimulus to industry is weakened and our joy turned into apprehension. We would assure your excellency [sic] that we venerate the laws of our country, we respect its constituted authorities, we will submit to every privation necessary to preserve our just right and Independence as a nation.¹⁴⁹

The sentiments expressed by these two citizens were shared by thousands of Americans but went largely ignored by the administration.

The United States, however, was not the only country dealing with an economic crisis resulting from the Embargo Act. These policies had an immediate impact on Great Britain's economy as well. "Thousands of sailors were thrown out of employment, and the manufacturers were unable to absorb at all rapidly this surplus labor for want of the necessary skill and machinery" (Hirst 1926, 439). Randall (1970) further articulated the devastating effects the American embargo had on Great Britain:

In thirty-six hours after the manufacturing establishment stopped, one-half of its hands began to feel the pangs of hunger. The English operative, bred all his life exclusively to one kind of labor, could not, like an American, turn its head readily

¹⁴⁸ Freeman to Jefferson, Philadelphia, November 11, 1808. From McLaughlin (1991) p. 31. Emphasis in original.

¹⁴⁹ Hayward to Jefferson, Plymouth County, Massachusetts, October 12, 1808. From McLaughlin (1991) p. 30. Emphasis in original.

to another. From the United States the cessation of commerce called forth grumblings on full stomachs—from England, it would soon draw out the shriek of starvation from a class (258).

Due to the ineptitude of both the United States and Great Britain to come to an agreement over the attack on the Chesapeake, embargo policies severely hindered the individual and economic security of both American and British citizens.

As the embargo policies became more stringent in their legislative detail as well as in their various enforcements for those who violated the law, public criticism of both the policy and the president grew to an unprecedented level. “As the net of the law swept American shipping from the seas, criticism of the embargo mounted. Letters from outraged merchants, ruined seamen, and frightened shopkeepers soon reached the president’s desk” (Johnstone 1978, 272). McLaughlin (1991) edited some of the most powerful letters written regarding this policy.

John Lane Jones wrote:

You infernal villain. How much longer are you going to keep this damned Embargo on to starve us poor people. You must either take this Embargo off & save all us poor people from starving or afford us some kind of relief. I’ll commit murder for the sake of money. I can get nothing by begging.¹⁵⁰

A merchant from New York wrote:

I have waited with greate Patience for Six Months, or More, thinking that your foolish Experiment at Embargo would Come to an end, But Can Discover no end to it. My Ships I wish to Send to Sea. By your recommending this embargo to Save My Property Perhaps your Intentions were motives pure and good-but to my Dissatisfaction, I don’t thank you for [it]. I wish you as you have the power Vested in you—you would have the goodness to [take] it off. I am Sir a friend to Commerce & No friend to your administration.¹⁵¹

T. Selby expressed similar sentiments:

¹⁵⁰ Jones to Jefferson, Boston, August 8, 1808. From McLaughlin (1991) p. 37. Emphasis in original.

¹⁵¹ Merchant to Jefferson, New York, June 30, 1808. From McLaughlin (1991) p. 18. Emphasis in original.

I wish you would take this embargo off as soon as you possibly can, for damn my eyes if I can live as it is. I shall certainly cut my throat, and if I do you will lose one of the best seamen that ever sailed. I have a wife and four young one's to support and it goes damn'd hard with me now. If I don't cut my *throat* I will go join the English and fight against you. I hope, honored Sir, you will forgive the abrupt manner in which this is wrote as I'm damn'd mad. But still if ever I catch you over there, take care of your honored neck.¹⁵²

President Jefferson received hundreds of letters expressing these types of opinions, but he, with the support of Madison, believed the embargo legislation kept the United States from entering war, and, at the moment, that decision was more important than maintaining popular approval ratings. As Madison explained:

This candid and liberal experiment having thus failed, and no other event having occurred, on which a suspension of the Embargo by the Executive, was authorized it necessarily remains in the extent originally given to it. We have the satisfaction however to reflect, that in return for the privations imposed by the measure, and which our fellow Citizens in general have borne with patriotism, it has had the important effects of saving our vast mercantile property and our mariners.¹⁵³

The president concurred with the Secretary of State but also took Gallatin's pragmatic analysis relating to the lack of public support in the north for these policies seriously: "The systematic opposition connected with political views which prevails there, renders the execution of the embargo still more difficult, and the governor's permissions supply the objects to be exported, as otherwise fish would be the only article that could be smuggled away ... With every few exceptions, the embargo is now rigidly enforced in every other port of the sea-border." Despite these concerns, Jefferson maintained his firm position and kept the embargo legislation active. This stance does not support Kettl's argument (2002) that Jefferson always preferred to keep power in the hands of the legislative branch. In the cases of the Louisiana Purchase and especially the Embargo Act, Jefferson acted in a way that illustrates his preferences for keeping power in the

¹⁵² Selby to Jefferson, Philadelphia, June 7, 1808. From McLaughlin (1991) p. 36. Emphasis in original.

¹⁵³ Madison to Jefferson, Washington, October 30, 1808. From Smith (1995) Vol. III, p. 1555.

hands of the executive not Congress. Such efforts represent an important transformation from Jefferson's early political career and provide another example for how the presidency changed his thoughts on politics, policy, and administration.

When Jefferson initially proposed an embargo against Great Britain and France, Congress confidently approved and supported this policy. As public opinion for the Embargo Act plummeted, however, Congress decreased its support for the president and criticized the intentions of his policy agenda. "Mr. Lloyd of Massachusetts supported the motion for a repeal of the embargo and said, 'It deeply implicated and perhaps would determine the fate of the commerce and navigation of the country—a commerce which had afforded employment for nearly a million and a half tons of navigation; which had formed occupation for hundreds of thousands of our citizens; which has spread wealth and prosperity in every region of our country'" (Bradford 1840, 165). The president was disgusted with such opinions and developed a deep resentment towards Congress when they ultimately repealed one of the last acts of his administration:

I thought Congress had taken their ground firmly for continuing their embargo until June and then war. But a sudden and unaccountable revolution of opinion took place the last week, chiefly among the New England and New York members, and in a kind of panic they voted the fourth of March for removing the Embargo, and by such a majority as gave all reason to believe they would not agree either to war or Non-Intercourse. The majority of Congress however has now rallied to removing the Embargo on the fourth of March, Non-Intercourse with France and Great Britain, trade everywhere else, and continued war preparations.¹⁵⁴

For the first time in Jefferson's presidency, neither Congress nor American citizenry supported his policy agenda. Gallatin was particularly frustrated with Congress's inability to support the executive in times of an impending war as well:

¹⁵⁴ Jefferson to Thomas Mann Randolph, Washington, February 7, 1809. From Hirst (1926) p. 442.

Congress must either invest the Executive with the most arbitrary powers and sufficient force to carry the embargo into effect, or give it up altogether. And in the last case I must confess that, unless a change takes place in the measures of European powers, I see no alternative but war. But with whom? This is a tremendous question if tested only by policy; and so extraordinary is our situation that it is equally difficult to decide it on the ground of justice, the only one by which I wish the United States to be governed. At all events, I think it the duty of the Executive to contemplate that result as probable, and to be prepared accordingly.¹⁵⁵

In a word, although public support was virtually nonexistent for the embargo policies, it was, however, the only option the administration could conceive that would hold Great Britain and France accountable for their attacks on the United States while simultaneously, and perhaps only briefly, keep the nation out of war. The administration firmly maintained that the majority of Congress worried about the short-term effects of reelection whereas the leaders of the executive addressed the long-term consequences of international conflict with the major powers of Europe. For Jefferson, Madison, and Gallatin¹⁵⁶ the interest of the state took precedent over public opinion, a surprisingly familiar perspective that worked brilliantly in the case of the Louisiana Purchase but failed in his efforts to secure embargo legislation.

Throughout Jefferson's two-terms as president he courted almost every member of Congress in order to gain political support for his administration. In the case of the embargo, however, the president was unable to achieve the type of political commitment that had accompanied him throughout his tenure as chief executive. Jefferson left the presidency tarnished but highly confident he enforced the correct decision. He never regretted this decision. Johnstone (1978) explored the political dynamics of this situation

¹⁵⁵ Gallatin to Jefferson, New York, July 29, 1808. From Adams (1960) p. 399.

¹⁵⁶ Gallatin did, however, worry about reelection in a way that Madison overlooked. In a letter to the president, the Secretary of the Treasury stated: "For there is almost an equal chance that if propositions from Great Britain or other events do not put it in our power to raise the embargo before the 1st of October, we will lose the presidential election." New York, August 6, 1808. From Smith (1960) p. 402.

perhaps better than most: “His pursuance of the embargo policy is another example—perhaps a less fortunate one—of his adaptability to what he saw as the exigencies of an overriding political priority” (84). Jefferson’s reliance on adaptability in the case of the embargo legislation did not produce the type of public support that his administration incurred when they were advocating the decrease of the national debt or for the Louisiana Purchase. The Embargo Act, nonetheless, provides another important example that highlights Jefferson’s political and administrative talent for adaptability and governmental responsibility.

The practical realities of this policy, no matter how adaptable Jefferson proved to be, cannot be ignored. At the height of the Embargo Act, the administration seemed to lose sight of how these policies affected the economic stability of the American citizenry. They often ignored the implications this legislation had on citizens who traded with Great Britain and France for their livelihood. As a result, the president’s steady approval ratings and immense national popularity decreased dramatically. At the end of Jefferson’s second term as president, Madison wrote his good friend: “I feel myself nearly as undetermined between enforcing the embargo or war as I was on our last meetings. But I think that we must (or rather you must) decide the question absolutely, so that we may point out a decisive course either way to our friends.”¹⁵⁷ Jefferson decided to enforce the embargo legislation throughout the remainder of his administration. On March 1, 1809, Jefferson signed an act that prohibited commercial trade with Great Britain and France. The inauguration of Madison as the nation’s fourth president took place three days later, and on March 15th, the new administration repealed

¹⁵⁷ Madison to Jefferson, Washington, November 17, 1808. From Smith (1995), Vol. III, p. 1557.

the embargo laws except for the ones relating to Great Britain and France. This would ultimately lead to the War of 1812.

JEFFERSONIAN LEADERSHIP: THE RECONSTRUCTIVE EXAMPLE

As president, Jefferson exemplified characteristics of reconstructive leadership. He redirected the nation's fiscal policy agenda, significantly reduced the size of the federal government, and utilized his departmental secretaries, members of Congress, members of the Democratic-Republican Party, and the American citizenry in more politically productive ways than either of his predecessors. Upon an initial observation, some scholars could argue that reexamining the third presidency offers little contemporary relevance to public administration and political science, because the size and scope of American government, particularly the executive branch, has dramatically increased since the founding of the Republic. At the outset, this argument is certainly not without merit. Critically examining Jefferson's two terms as president, however, reveals important value-added lessons for developing a more comprehensive understanding of the political and administrative dynamics that continue to affect executive branch dynamics. Ultimately, the Jefferson presidency serves as an excellent model for how leaders of the executive branch can reverse the policy direction of the federal government in such a way that fosters public support while simultaneously weakening the credibility and legitimacy of the administration's political opposition.

Examining the way Jefferson organized and managed the executive branch, his ability to cultivate important and politically meaningful relationships with members of Congress and the Republican Party, and the substantive nature of the major policies and events of his administration reveals his reconstructive leadership qualities. Stephen

Skowronek (1997) argues “reconstructive leaders seek to broaden the political consensus around their commitment to change things and to manipulate the ambiguities that linger around their opposition to the policies of the past” (70). Jefferson, furthermore, “transformed national politics so thoroughly without being forced into any make-or-break confrontation with it” (Skowronek 1997, 70). Skowronek’s analysis is largely influenced by Johnstone’s (1978) conceptualization of Jeffersonian leadership. According to Johnstone (1978), four distinct functions of Jeffersonian leadership influenced the most important policy and administrative elements of his presidency. The first function of Jeffersonian leadership was that “the leader in a republic must be attentive and responsive to the popular will” (41). Until the Embargo Act, Jefferson regarded the will of the citizenry as the most significant factor in determining how his administration would support or reject policies or issues. The second function of Jeffersonian leadership was that “the leader must be able and prepared to anticipate the popular will, to shape rather than be shaped by it, in order to educate the people to a recognition of their own best interests” (41). The purchase of the Louisiana Territory exemplifies this function of executive leadership; Jefferson anticipated the will of the citizenry by recognizing the need to protect national security and advance economic prosperity.

The third component of Jeffersonian leadership was the notion that “the leader’s function was to serve as the instrument for effecting the tasks of government in accordance with a sense of public purpose” (42). Jefferson’s decision to decrease the national debt was an effort to instill a different political and administrative perspective associated with republicanism back into the executive branch. He believed that his election to the presidency and his party’s majority in both houses of Congress represented

a referendum on Federalist doctrine. Finally, Jeffersonian leadership consisted of “the leader’s ability to change with circumstance, to grow in office, to be prepared to modify or reject outmoded views, to repudiate outworn dogmas” (42). When Jefferson violated his strict constructionist principles and purchased the Louisiana Territory from France without congressional consent or a constitutional amendment, he adapted to the unique domestic and international circumstances facing his administration and the nation. The American citizenry embraced this temporary reversal of principle and rewarded the administration with unprecedented public support. In the case of the Embargo Act, however, the president did not adapt his governing philosophy to meet the economic needs of the citizenry, which resulted in a loss of popularity for him and, more importantly, for his vision for the state.

Skowronek and Johnstone’s conceptualization of President Jefferson’s leadership provides students of the American presidency specifically and public administration generally with a distinct example that illustrates how this president, for the first seven and a half years of his administration, was able to reverse the policies executed by the Federalists and successfully implement his own policy agenda without major opposition from Congress or the citizenry. This type of political and administrative accomplishment is quite significant, because never before in the course of American history had such extensive policy objectives been proposed, much less implemented, without criticism or at least a vigorous discussion within Congress and among the citizenry.

CONCLUSION

The purpose of this chapter was to refute the notion that Jefferson was not concerned with the daily operations of government during his two terms as president.

While the presidency instructed Jefferson on the limitations of some of his beliefs and principles regarding republican government, like strict construction, it also afforded him an extraordinary opportunity to experience the complexities of administration and management at the highest levels of government. He was able to apply what he had learned and observed as Secretary of State in the Washington administration and as Vice-President in the Adams administration to his own presidency. The application of Jefferson's practical knowledge continues to serve as an important model for the successful implementation of executive branch dynamics. Jefferson's appreciation for the complexities of administration and constitutional tradition grew exponentially during his eight years as president. Historians and political scientists who have critically examined the third administration have long regarded President Jefferson as a working administrator unlike anything or anyone who had previously occupied this position. Public administration, by contrast, has failed to recognize these important contributions.

In *Federalist 68*, Publius provides two definitions of administration. One is broad the other is narrow. That good government and good administration are intrinsically connected with each other is one of the crucial points associated with Hamilton's argument. In this chapter, we have explored Jefferson's broad understanding of administration by means of his ability to organize the executive branch in a manner that allowed him to cultivate political, legislative, party, and public support for the vast majority of his administration. The next chapter will follow Hamilton's excellent advice and emphasize Jefferson's ability to implement a narrower conception of administration. His role in establishing the University of Virginia highlights his ability to focus on the mundane, albeit essential, aspects associated with creating a state institution. Taken

together, the presidency and the creation of the University provide extraordinary insight into Jefferson's administrative talent.

REFERENCES

- Abbott, Philip. (2004). *The Challenge of the American Presidency*. Prospect Heights, IL: Waveland.
- Adair, Douglass. (1974). *Fame and the Founding Fathers, Essays by Douglass Adair*. (Colbourn, T., Ed.). New York: W.W. Norton.
- Adams, Henry, Ed. (1960). *The Writings of Albert Gallatin*. Vol. I. New York: Antiquarian Press.
- Bowers, Claude G. (1936). *Jefferson in Power: The Death Struggle of the Federalists*. Boston: Houghton Mifflin Company.
- Bradford, Alden. (1840). *History of the Federal Government for Fifty Years: From March 1789 to March 1839*. Boston: Samuel G. Simpkins.
- Caldwell, Lynton K. (1988). *The Administrative Theories of Hamilton and Jefferson: Their Contribution to Thought on Public Administration*. 2nd ed. New York: Holmes and Meier.
- Cappon, Lester J., Ed. (1959). *The Adams-Jefferson Letters: The Complete Correspondence between Thomas Jefferson and Abigail and John Adams*. Vol. I and II. Chapel Hill: University of North Carolina Press.
- Chernow, Ron. (2004). *Alexander Hamilton: A Biography*. New York: Penguin.
- Cunningham, Noble E., Jr. (1987) In *Pursuit of Reason: The Life of Thomas Jefferson*. Baton Rouge: Louisiana State University Press.
- Cunningham, Noble E., Jr. (1978). *The Process of Government under Jefferson*. New Jersey: Princeton University Press.
- Cunningham, Noble E., Jr. (1963) *The Jeffersonian Republicans in Power: Party Operations, 1801-1809*. Chapel Hill: The University of North Carolina Press.
- Ellis, Joseph J. (1996). *American Sphinx: The Character of Thomas Jefferson*. New York: Alfred A. Knopf, Inc.
- Ford, Paul L., Editor. (1897). *The Works of Thomas Jefferson*. Volume VIII. New York: Knickerbocker Press.
- Ford, Paul L., Editor. (1905). *The Works of Thomas Jefferson*. Volume IX. New York: Knickerbocker Press.
- Ford, Paul L., Editor. (1905). *The Works of Thomas Jefferson*. Volume X. New York:

Knickerbocker Press.

Hamilton, Alexander. (1955). Hamilton on the Louisiana Purchase: A Newly Identified Editorial from the New-York Evening Post. *The William and Mary Quarterly*, 12:2, 268-281.

Hirst, Francis W. (1926). *Life and Letters of Thomas Jefferson*. New York: The MacMillan Co.

Holtman, Robert B., Ed. (1988). *Napoleon and America*. Pensacola, FL: Perdido Bay Press.

Hunt, Gaillard, Ed. (1906). *The Writings of James Madison*. New York: Knickerbocker Press.

Johnstone, Robert M. (1972). *The Resources of Presidential Power: The Jeffersonian Example*. Diss. Cornell University Ann Arbor: UMI. 73-14, 703.

Johnstone, Robert M. (1978) *Jefferson and the Presidency: Leadership in the Young Republic*. Ithaca: Cornell University Press.

Kettl, Donald F. (2002). *The Transformation of Governance: Public Administration for Twenty-First Century America*. Baltimore: Johns Hopkins University Press.

Koch, Adrienne and William Peden, Editors. (1993). *The Life and Selected Writings of Thomas Jefferson*. New York: Random House, Inc

Landy, Marc and Sidney M. Milkis. (2000). *Presidential Greatness*. Lawrence: University Press of Kansas.

Malone, Dumas. (1970) *Jefferson the President: First Term, 1801-1805*. Boston: Little, Brown, and Company.

Malone, Dumas. (1974) *Jefferson the President: Second Term, 1805-1809*. Boston: Little, Brown, and Company.

Mattern, David B., et al. (1986). *The Papers of James Madison: Secretary of State Series, Volume Five*. Charlottesville, VA: University Press of Virginia.

Mayer, David N. (1997). *The Constitutional Thought of Thomas Jefferson*. Charlottesville: University Press of Virginia.

McDonald, Forrest. (2000) *States' Rights and the Union: Imperium in Imperia 1776-1876*. Lawrence: University Press of Kansas.

McDonald, Forrest. (1976). *The Presidency of Thomas Jefferson*. Lawrence: University

- Press of Kansas.
- McLaughlin, Jack, Editor. (1991). *To His Excellency Thomas Jefferson: Letters to a President*. New York: W.W. Norton and Company.
- Morse Jr., John T. (1911). *American Statesman Series: Thomas Jefferson*. Boston: Houghton Mifflin Company.
- Neustadt, Richard E. (1990). *Presidential Power and the Modern Presidents*. New York: Free Press.
- Newbold, Stephanie P. (2005). "Statesmanship and Ethics: The Case of Thomas Jefferson's Dirty Hands". *Public Administration Review* 65(5):669-677.
- Niebuhr, Reinhold. (1960). *Moral Man and Immoral Society*. New York: Scribner.
- Oberg, Barbara B., Ed. (2005). *The Papers of Thomas Jefferson*. Vol. 32, 1 June 1800 to 16 February 1801. Princeton: Princeton University Press.
- Peterson, Merrill D., Editor. (1984). *Thomas Jefferson: Writings*. New York: The Library of America.
- Randall, Henry S. (1970). *The Life of Thomas Jefferson*. Freeport: Books for Libraries Press.
- Rehnquist, William H., Chief Justice of the United States. (2000). *All the Laws but One: Civil Liberties in Wartime*. New York: Vintage.
- Schaefer, David L., & Schaefer, Roberta R., Eds. (1992). *The Statesman by Sir Henry Taylor*. Westport, CT: Praeger.
- Skowronek, Stephen. (1997). *The Politics Presidents Make: Leadership from John Adams to Bill Clinton*. Cambridge: Harvard University Press.
- Sloan, Herbert. (1995). *Principle and Interest: Thomas Jefferson and the Problem of Debt*. Charlottesville: University Press of Virginia.
- Sloan, Herbert. and Onuf, Peter S., Editors. (1993). *Jeffersonian Legacies*. Charlottesville: University Press of Virginia.
- Smith, James Morton, Editor. (1995). *The Republic of Letters: The Correspondence between Thomas Jefferson and James Madison 1776-1826*. Volumes 1-3. New York: W.W. Norton and Company.
- Spivak, Burton. (1979). *Jefferson's English Crisis*. Charlottesville: The University Press of Virginia.

- Steinberg, Alfred. (1967). *The First Ten: The Founding Presidents and their Administrations*. New York: Doubleday and Company, Inc.
- Storing, Herbert J. (1984). *What the Anti-Federalists Were For*. Chicago: University of Press of Chicago.
- Syrett, Harold C., et al. (1979). *The Papers of Alexander Hamilton*. Volume 24. New York: Columbia University Press.
- Walzer, Michael. (1973). "Political action: The Problem of Dirty Hands." *Philosophy and Public Affairs*, 2(2), 160-180.
- Weber, Max. (1958). *Essays in Sociology*. New York: Oxford University Press.
- White, Leonard D. (1951). *The Jeffersonians: A Study in Administrative History 1801-1829*. New York: MacMillan Company.

CHAPTER FIVE:

REVOLUTIONARY PERSPECTIVES ON STATE-SPONSORED EDUCATION: JEFFERSON'S LASTING CONTRIBUTION TO THE DEVELOPMENT OF PUBLIC ADMINISTRATION IN THE UNITED STATES

INTRODUCTION

At the end of his second term as president in 1809, Jefferson eagerly awaited retirement from public office. According to Carter (1898): “Mr. Jefferson, at his retirement, was sixty-six years of age. His intellectual faculties were unimpaired, his bodily strength was well preserved, and he was still conscious of the possession of a large capacity for usefulness to his countrymen and to mankind” (8). The amount of attention the nation’s third president devoted to the daily operations of governing the state not only left him exhausted but also diverted his attention away from many of the domestic, agricultural, and economic interests and responsibilities at Monticello. At this point in Jefferson’s life, he resigned himself from national affairs and felt an enormous sense of relief to have left the executive branch in the capable hands of his good friend and closest confidant, James Madison. Prior to leaving Washington, Jefferson clearly articulated such sentiments:

Within a few days I retire to my family, my books and farms; and having gained the harbor myself, I still look on my friends still buffeting the storm, with anxiety indeed, but not with envy. Never did a prisoner, released from his chains, feel such relief as I shall on shaking off the shackles of power. Nature intended me for the tranquil pursuits of science, by rendering them my supreme delight. But the enormities of the times in which I have lived, have forced me to take part in resisting them, and to commit myself on the boisterous ocean of political passions. I thank God for the opportunity of retiring from them without censure, and carrying with me the most consoling proofs of public approbation.¹⁵⁸

¹⁵⁸ Jefferson to de Nemours, Washington, March 2, 1809. From Peterson (1984) p. 1203.

At the time of his retirement from the presidency, Jefferson assumed that he would no longer play an active role in the affairs of state. His lifelong commitment to public education, however, would soon inspire him to become directly involved in lobbying the Virginia legislature for the establishment of universal education generally and for the creation of the University of Virginia specifically.

Jefferson took a well deserved rest from public affairs between the years 1809-1814, in which he devoted little attention towards the establishment of universal education in Virginia.¹⁵⁹ Five years into his retirement, however, Jefferson reemerged at the center of Virginia politics and launched one of the most important educational institutions in the nation's history. Such efforts point to his extraordinary and lasting contribution to the development of public administration in the United States.

SUPPORTING STATE-SPONSORED EDUCATION: THE JEFFERSONIAN EXAMPLE

Shortly after his election to the presidency, Jefferson expressed his desire to improve the educational system in Virginia:

... As no one wishes more sincerely than I do to see education in our state put on a better footing: and especially to see our youth [are not] put under the same tuition of persons hostile to the republican principles of our government; of persons who wish to transfer all the powers of the states to [the general] government & all the powers of that government to it's [executive] ... the depositories of the public authority as far removed as possible [from] the controul [sic] of the people ... the most unlettered ignorance will make a better citizen than his perverted learning ...¹⁶⁰

The political and administrative responsibilities of governing the nation from 1801-1809 afforded Jefferson little time to focus on Virginia's failing system of education. During his retirement, Jefferson began thinking about this issue once again and reasserted one of his lifelong goals: "I have two great measures at heart, without which no republic can

¹⁵⁹ For a more detailed account of this time period of Jefferson's life, see Malone (1977).

¹⁶⁰ Jefferson to Alexander, Washington, January 5, 1801. From Oberg (2005) p. 398.

maintain itself in strength. 1. That of general education, to enable every man to judge for himself what will secure or endanger his freedom. 2. To divide every county into hundreds, of such size that all the children of each will be in reach of a central school in it.”¹⁶¹ Jefferson made it clear that he was interested in establishing both a system of universal education that would be funded entirely by the state and in creating ways to divide cities and counties into wards in order to implement a system of public education.¹⁶²

His vision of a publicly funded educational system was based on the idea that citizenship and literacy were intrinsically connected with each other. Stated more succinctly, an educated citizenry provided greater assurances that the American version of republican government would be implemented to its fullest potential. When Addis (2003) compared Jefferson’s 1779 education bill with his 1814 proposal he found a noteworthy distinction regarding the connection he made between a literate citizenry and the advancement of the state: “The most significant addition to Jefferson’s 1779/1814 plans was tying citizenship directly to literacy, an idea influenced by the constitution of the new post-Napoleonic Spanish Cortes. Jefferson called the idea a ‘fruitful germ of the improvement of everything good and the correction of everything imperfect in the present constitution’” (44). In Jefferson’s analysis of the newly proposed Spanish constitution, he championed Cortes’s idea that in order for individuals to obtain citizenship they must first be literate:

¹⁶¹ Jefferson to Tyler, Monticello, May 26, 1810. From Peterson (1984) p. 1226. Jefferson, although not in this reference, typically called the dividing of these types of geographic units as “wards.”

¹⁶² Jefferson did not account for any possible danger associated with this position. At this point in the nation’s history, it should be noted, private education institutions existed for elementary and intermediate instruction but systems of state sponsored educational initiatives were virtually non-existent, especially in the southern states. For Jefferson, the state had both an obligation and a responsibility to educate its citizenry at all levels of instructions. When the state failed to support these efforts, it undermined the very principles that unified the nation.

In the constitution of Spain, as proposed by the late Cortes, there was a principle entirely new to me, and not noticed in yours [i.e. the French Constitution], that no person, born after that day, should ever acquire the rights of citizenship until he could read and write. It is impossible sufficiently to estimate the wisdom of this provision. Of all those which have been thought of for securing fidelity in the *administration of the government*, constant ralliance [sic] to the principles of the constitution, and progressive amendments with the progressive advances of the human mind, or changes in human affairs, it is the most effectual. Enlighten the people generally, and tyranny and oppressions of the body and mind will vanish like evil spirits at the dawn of day. Although I do not, with some enthusiasts, believe that the human condition will ever advance to such a state of perfection as that there shall no longer be pain or vice in the world, yet I believe it susceptible of much improvement, and most of all, in matters of government and religion; and that the diffusion of knowledge among the people is to be the instrument by which it is to be effected. The constitution of the Cortes had defects enough; but when I saw in it this amendatory provision, I was satisfied all would come right in time, under its salutary operation. No people have more need of a similar provision than those for whom you have felt so much interest.¹⁶³

In 1816, Jefferson was able to connect the advancement of literacy to the need for “securing fidelity in the administration of the government.” This reveals a remarkable change in perspective from how he advocated public education initiatives at earlier points in his career. As Dumas Malone, Jefferson’s premier biographer, astutely observes: “To the venerable Sage as to the bold Revolutionary patriot, freedom and knowledge were inseparable” (1977, 233). This observation characterizes the educational philosophy of Jefferson perfectly, but what it omits is how in his later years, he could articulate what was needed to implement an educational reform plan that would ensure “knowledge and freedom were inseparable.”

Two years later, Jefferson wrote to Joseph Cabell, a member of the Virginia General Assembly and one of his most trusted colleagues during his retirement years, on this very subject:

¹⁶³ Jefferson to de Nemours, Poplar Forest, April 24, 1816. From Peterson (1984) p. 1387-88, emphasis added.

A system of general instruction, which shall reach every description of our citizens, from the richest to the poorest, as it was the earliest, so it will be the latest, of all the public concerns in which I shall permit myself to take an interest. Nor am I tenacious of the form in which it shall be introduced. Be that what it may, our descendents will be as wise as we are and will know how to amend and amend it until it shall suit their circumstances. Give it to us, then, in any shape, and receive for the inestimable boon the thanks of the young and the blessings of the old, who are past all other services but prayers for the prosperity of their country and blessings to those who promote it.¹⁶⁴

As Addis (2003) correctly pointed out, “For Jefferson literacy was not only important for everyday transactions and studying history, it was necessary to read newspapers and stay up to date on politics” (15). In a word, the Jeffersonian educational philosophy maintained the state had an obligation to ensure that its citizens were educated in order for them to make decisions that would protect the state’s democratic institutions, constitutional heritage, and citizenry.¹⁶⁵ Carcieri (1997) provides an excellent observation that supports this position: “Madison and Jefferson correctly saw education as one of the *necessary* conditions for the success of democracy, for the healthy functioning of republican institutions. Under the right circumstances, they saw, education unquestionably advances democracy” (4, emphasis in original). Jefferson’s support of policies that would create a system of public education in Virginia dominated a significant portion of his attention throughout the latter stages of his retirement years at Monticello. He thought it was the last important contribution he could make to the commonwealth, to the nation, and to the continued success of republican government that he helped establish in the earlier days of his political career.

¹⁶⁴ Jefferson to Cabell, Monticello, January 14, 1818. From Cabell (1856) p. 106.

¹⁶⁵ Malone (1977) has also pointed out that “anything that benefited human beings in spirit or body was useful” (235) was another element of the Jeffersonian philosophy on education.

SUPPORT FOR PUBLIC LIBRARIES

Jefferson's support for circulating libraries not only provides a more insightful look into his educational thought, but it also highlights the changing nature of his administrative mind. Quite interestingly, Jefferson's argument for implementing a system of circulating libraries that would be open to the public resembles the one he made for dividing counties into wards in order to establish a system of public education.

According to Jefferson:

I have often thought that nothing would do more extensive good at small expense than the establishment of a small circulating library in every county, to consist of a few well-chosen books, to be lent to the people of the county, under such regulations as would secure their safe return in due time. These should be such as would give them a general view of other history, and particular view of that of their own country, a tolerable knowledge of Geography, the elements of Natural Philosophy, of Agriculture and Mechanics.¹⁶⁶

What is significant for public administration regarding this correspondence is not only Jefferson's recognition of the role circulating libraries had on providing educational resources to the public but, more importantly for our purposes, how he articulated the type of administrative structure needed to implement such efforts within counties. This example highlights the changing nature of Jefferson's thinking of administration; we do not find this type of reflective analysis in any of his early papers or correspondence at the beginning of his career. The primary documents associated with Jefferson's retirement years illustrate this transformation, because when he championed ideas that, in his opinion, would benefit the state, its democratic institutions, and its citizenry, he could also explain how such preferences should be implemented and administered.

Jefferson's insistence that establishing a system of public education would advance the republican values embedded within the American state more fully provided

¹⁶⁶ Jefferson to Wyche, Monticello, May 19, 1809. From Peterson (1984) p. 1207.

him extraordinary comfort when he decided to sell Congress books from his private collection for their library, which was largely destroyed during the War of 1812.¹⁶⁷ President Madison was deeply touched by Jefferson's willingness to part with a portion of his collection, in large part because the younger Virginian was keenly aware of how much the older statesman from Monticello treasured such works, especially during his retirement years. Writing to Jefferson, Madison reflected on this decision: "I learn that the Library Com. [sic] will report favorably on your proposition to supply the loss of books by Cong. [sic]. It will prove a gain to them, if they have the wisdom to replace it by such a Collection as yours."¹⁶⁸ This was yet another way Jefferson illustrated the importance of education at all levels of instruction.

A BILL FOR THE MORE GENERAL DIFFUSION OF KNOWLEDGE

In 1779, while serving in the Virginia General Assembly, Jefferson authored legislation entitled a *Bill for the More General Diffusion of Knowledge*. It "advocated a pyramid-shaped system of public education, with many elementary schools feeding into a more select level of grammar schools¹⁶⁹, and a single university at the top" (Addis 2003, 12). It also "was progressive for its time because it included opportunities for advancement and leadership for a small number of poor whites. Most other leaders disregarded the poor altogether" (Addis 2003, 13). More importantly for our purposes, it laid the foundation for Jefferson's unique understanding regarding the state's responsibility and obligation to public education. It addressed how and why the state

¹⁶⁷ It should also be noted that a significant portion of the money Jefferson received from selling some of his books went to paying off his personal debts – that too gave him great comfort. The U.S. government bought Jefferson's library for \$23,950 (Hunt 1908, p. 313, Footnote 1).

¹⁶⁸ Madison to Jefferson, Washington, October 10, 1814. From Hunt (1908) p. 313.

¹⁶⁹ If students excelled at the elementary level, they would be transitioned into specialized grammar schools for a more advanced level of intellectual study. If those same students progressed at this level of instruction, they would be likely candidates for study at the University.

should divide different geographic areas into wards, an idea Jefferson would continue to advocate throughout the remainder of his life. It also focused on curriculum standards for elementary schools, which he argued should focus primarily on reading, writing, arithmetic, and geography.¹⁷⁰ As Honeywell (1931) observed, however, “He believed that those of superior ability should assume the burdens of leadership. For a career in politics he urged broad and conscientious preparation” (154). Leaders of the state and its democratic institutions, according to Jefferson, should have earned degrees from institutions of higher education, and if such individuals were to serve the state throughout their professional careers then the state, in turn, had an obligation to ensure they received the best and most advanced education possible. As Malone (1977) points out, Jefferson “was stressing the value of education to his commonwealth” (266) as well as to the nation, for which the University of Virginia would later serve as a model of excellence in higher education around the world.

THE JEFFERSONIAN MODEL FOR STATE-SPONSORED EDUCATIONAL INITIATIVES

In addition to the legislative suggestions Jefferson made in his *Bill for the More General Diffusion of Knowledge*, which did not receive enough support to become law, he also maintained an active interest in developing a system of public education that was distinctly American. In 1785, he outlined the type of intellectual instruction that should comprise an American education:

What are the objects of an useful American education? Classical knowledge, modern languages, chiefly French, Spanish and Italian; Mathematics, Natural philosophy, Natural history, Civil history, and Ethics. In Natural philosophy, I mean to include Chemistry and Agriculture, and in Natural history, to include Botany, as well as other branches of those departments. It is true that the habit of speaking the modern languages, cannot be so well acquired in America; but every

¹⁷⁰ See Honeywell (1931) as a secondary source; See Jefferson to Carr, Monticello, September 7, 1814, from Peterson (1984) p. 1351 as a primary source.

other article can be as well acquired at William and Mary college, as at any place in Europe.¹⁷¹

Jefferson was adamant that the state first invest in primary education and then once it had established an adequate number of elementary schools to serve the citizenry then it should look to build grammar schools followed by institutions for higher education.¹⁷²

His opinions on this subject were just as consistent at the beginning of his career as they were at the end. In 1817, Jefferson pointed out:

I am now entirely absorbed in endeavours [sic] to effect the establishment of a general system of education in my native state, on the triple basis, 1, of elementary schools which shall give to the children of every citizen gratis, competent instruction in reading, writing, common arithmetic, and general geography. 2. Collegiate institutions for antient [sic] & modern languages, for higher instruction in arithmetic, geography & history, placing for these purposes a college within a day's ride of every inhabitant of the state, and adding a provision for the full education at the public expence [sic] of select subjects from among the children of the poor, who shall have exhibited at the elementary schools the most prominent indications of aptness of judgment & correct disposition. 3. An [sic] University in which all the branches of science deemed useful at this day, shall be taught in their highest degree.¹⁷³

This position reinforced his preferences for a pyramid-like system of public education, similar to the one he advocated for in 1779. It also points to the fact that even during Jefferson's retirement years when he was occupied with the administrative and political responsibilities of establishing his University, he remained vigilant in his support of elementary education. According to Malone (1977): "He did not regard the top of the educational pyramid as the best place to begin. If there had to be a choice, he held that public elementary schools should come first" (234). In a letter to Cabell, he mocked the Virginia General Assembly's inability to establish elementary schools across the commonwealth:

¹⁷¹ Jefferson to Banister, Paris, October 15, 1785. From Peterson (1984) p. 838.

¹⁷² Dumas Malone (1977) expands on Jefferson's emphasis on elementary education.

¹⁷³ Jefferson to Ticknor, Poplar Forest, November 25, 1817. From Ford (1899) p. 95.

Would it not have been a good effect for the friends of this University to take the lead in proposing and effecting a practical scheme of elementary schools? To assume the character of the friends, rather than the opponents of that object. The present plan has appropriated to the primary schools forty-five thousand dollars for three years, making one hundred and thirty-five thousand dollars. I should be glad to know if this sum has educated one hundred and thirty-five poor children? I doubt it much. And if it has, they have cost us one thousand dollars a piece for what might have been done for thirty dollars ... The truth is, that the want of common education with us is not from our poverty, but from want of an orderly system. More money is now paid for the education of a part, than would be paid for that of the whole.¹⁷⁴

According to Jefferson, supporting the University was synonymous with supporting public education at all levels. The University would not reach its full potential without a solid foundation, and for Jefferson this foundation resided with the establishment of universal education beginning at the elementary level.

Jefferson's educational philosophy was largely utilitarian, focusing on ways to provide the greatest good to the greatest number of people. As Honeywell (1931) observed: "Universal education and organized self-expression through political units small enough to voice a vital public opinion were the chief means upon which he relied. To understand the values which he expected to flow from these is to understand why he so persistently labored for the public schools, the University, and the organization of wards" (146). According to Jefferson's thinking, educating the whole person could not occur without the establishment of wards, which largely served as a convenient and necessary administrative tool that would enable him to implement a system of universal education. A careful history of the University of Virginia reveals that "the great man in whose conception the peculiar and remarkable structure of the University originated, and whose persistent efforts for almost half a century at length brought it into being, always

¹⁷⁴ Jefferson to Cabell, Poplar Forest, November, 28, 1820. From Ford (1899) p. 166-7.

connected university and common-school education as *necessary parts of one whole*.”¹⁷⁵ Jefferson cultivated this very idea throughout the course of his political career and underscored its importance for the implementation of a system of public education and its subsequent administration during his retirement years.

The amount of attention Jefferson afforded to the establishment of wards as a means of carrying out his educational objectives deserves elaboration. He argued “for the division of the whole state into districts, or wards, and the establishment in each of a primary school in which the rudiments of knowledge should be taught to all” (Carter 1898, 9). His recommendation to divide Virginia counties into wards is expressed best in his lengthy correspondence with Adams and Cabell. Here, Jefferson makes it clear that he was seriously contemplating ways to establish public elementary schools throughout the state even if the General Assembly would not provide the necessary resources. In his correspondence with Adams, Jefferson maintained: “My proposition had for a further object to impart to these wards those portions of self-government for which they are best qualified, by confiding to them the care of their poor, their roads, police, elections, the nomination of jurors, administration of justice in small cases, elementary exercises of militia.”¹⁷⁶ Three years later, he expended on this position in his correspondence with Cabell:

My idea of the mode of carrying it into execution would be this. Declare the county *ipso facto* divided into wards for the present by the boundaries of the militia captaincies; somebody attend the ordinary muster of each company, having first desired the captain to call together a full one. There explain the object of the law to the people of the company; put to their vote whether they will have a school established, and the most central and convenient place for it; get them to meet and build a log school-house, have a roll taken of the children who would attend it, and of those of them able to pay; these would probably be

¹⁷⁵ From *A Sketch of the University of Virginia* (1885), p. 4. Emphasis in original.

¹⁷⁶ Jefferson to Adams, Monticello, October 28 1813. From Cappon (1959) p. 390.

sufficient to support a common teacher, instructing, gratis, the few unable to pay. If there should be a deficiency it would require too trifling a contribution from the county to be complained of, and especially as the whole county would participate, where necessary, in the same resource. Should the company, by its vote, decide that it would have no school, let them remain without one. The advantages of this proceeding would be, that it would become the duty of the wardens elected by the county to take an active part in pressing the introduction of schools, and to look out for tutors. If, however, it is intended that the State Government shall take this business into its own hands, and provide schools for every county, then, by all means, strike out this provision of our bill.¹⁷⁷

Jefferson's thoughtful attention to the administrative details involved with creating a system of elementary education is clearly evident in this correspondence. What remains equally important for our field, and perhaps more so, is what Jefferson writes only a few lines down in the same letter to Cabell regarding his preferences for how to divide power within the confines of American federalism. This explanation provides greater insight into why he maintained a strong preference for the establishment of wards:

Let the National Government be entrusted with the defence [sic] of the nation, and its foreign and federal relations; the State Governments with the civil rights, laws, police and administration of what concerns the State generally; the counties with the local concerns of the counties, and each ward direct the interests within itself. It is by dividing and subdividing these republics from the great national one down through all its subordinations, until it ends in the administration of every man's farm and affairs by himself; by placing under every one what his own eye may superintend, that all will be done for the best ... The elementary republics of the wards, the county republics, the State republics, and the republic of the Union, would form a gradation of authorities, standing each on the basis of law, holding every one [sic] its delegated share of powers, and constituting truly a system of fundamental balances and checks for the government. Where every man is a sharer in the direction of his ward republic, or of some of the higher ones, and feels that he is a participator in the government of affairs, not merely at an election, one day in the year, but every day [sic]; when there shall not be a man in the State who will not be a member of some one of its councils, great or small, he will let the heart be torn out of the body, sooner than his power be wrested from him by a Caesar or a Bonaparte.¹⁷⁸

¹⁷⁷ Jefferson to Cabell, Monticello, February 2, 1816. From Cabell (1856) pp. 53-4.

¹⁷⁸ Ibid.

Jefferson's support of dividing counties into wards as a means of establishing public elementary schools across the commonwealth, as well as other functions important to the administrative state at the local level, provides the necessary foundation for developing a more thoughtful analysis of his "Bill for Establishing a System of Public Education" (1817).

According to Malone (1977): "He clearly recognized that the state must participate in education; he advocated public not private schools. But he insisted on decentralization in their administration and in government for the same reason. His confidence in the ability of the local citizens to manage the elementary schools was inseparable from his belief in the capacity of his countrymen for self-government" (248).

¹⁷⁹ Jefferson maintained this position throughout the course of his life. This legislation, as well as his opinion on the state's responsibility of providing and administering public education, serves as a formative primary document illustrating how his opinions on matters of administrative significance changed during his retirement years.

A BILL FOR ESTABLISHING A SYSTEM OF PUBLIC EDUCATION¹⁸⁰

In 1814, Jefferson continued to articulate publicly his commitment to establishing a system of public education: "I have long entertained the hope that this, our native State, would take up the subject of education, and make an establishment, either with or without incorporation into that of William and Mary, where every branch of science, deemed

¹⁷⁹ In chapter three, pp. 72-74, Jefferson addressed the problem Publius discusses in the *Tenth Federalist*. Jefferson does not fear an overbearing majority and maintains that "the will of the majority should always prevail." Jefferson supported the position that centralized power promoted tyranny whereas Madison observed that "over-bearing majorities" encouraged the likelihood that tyrannical governments would exist, because they trampled on the rights of minorities.

¹⁸⁰ Thomas Jefferson's "A Bill for Establishing a System of Public Education," October 17, 1817. <http://etext.lib.virginia.edu>.

useful at this day, should be taught in its highest degree.”¹⁸¹ In this same letter, Jefferson went into extraordinary detail regarding his preferences for a system of public education. With regard to elementary schools, he maintained: “The mass of our citizens may be divided into two classes—the laboring and the learned. The laboring will need the first grade of education to qualify them for their pursuits and duties; the learned will need it as a foundation for further acquirements.”¹⁸² Next, Jefferson addressed the importance of general schools. Here, he suggested that “all the branches, then, of useful science, ought to be taught in the general schools to a competent degree, in the first instance. These sciences may be arranged into three departments, not rigorously scientific, indeed, but sufficiently so for our purposes. These are, I. Language; II. Mathematics; III, Philosophy.”¹⁸³ He then went on to outline the specific areas of study that would comprise each department followed by the need for professional schools where “each science is to be taught in the highest degree it has yet attained.”¹⁸⁴ Just as he did with his recommendations for general schools, Jefferson described the curriculum and academic expectations for professional schools. His attention to the administrative needs associated with this proposal represents his growth and improved understanding of the complexities associated with administration.

On October 24, 1817, a piece of legislation, written by Jefferson, entitled, “A Bill for Establishing A System of Public Education,” was submitted to the General Assembly for its consideration. It represents one of the first documents that illustrate how Jefferson would implement his ideological preferences concerning universal education in

¹⁸¹ Jefferson to Carr, Monticello, September 7, 1814. From Peterson (1984) p. 1347.

¹⁸² Ibid.

¹⁸³ Ibid.

¹⁸⁴ Ibid.

practice. Unlike bills submitted at earlier points in his career, this one focused entirely on how to administer a system of public education. Such efforts provide an interesting and extremely important contrast, to Jefferson's famous Virginia Statute for Religious Freedom in which he provided no means for implementing such efforts.

He opened this proposed legislation by underscoring the significance of elementary education: "1. For establishing schools at which the children of all the citizens of the Commonwealth may receive a primary grade of education at the common expense."¹⁸⁵ This legislation goes on to depict exactly how a system of public education should be implemented in Virginia. Jefferson outlines how to divide cities into wards; the location of school houses and the proximity of school administrators to the individual schools they were responsible for administering and supervising; road construction; the hiring of teachers according to the population of wards; the need for teachers to represent a strong moral character and have appropriate academic qualifications; teacher accountability; teacher salary; course curriculum; the size and scope of buildings, which included schoolhouses, dormitories, teacher and student lodgings and other accommodations, furnishings and supplies; and building maintenance. Jefferson also highlighted that a Bursar should be appointed to administer fees and charges associated with room and board. As a point of emphasis, this legislation also foreshadows the organizational structure of the University of Virginia. Jefferson, in addition, recommended the appointment of "visitors of the college" to oversee the administrative functions of every Collegiate district. This suggestion is also identical to the one Jefferson would later implement as the organizational model for his University.

¹⁸⁵ Ibid.

At this point in Jefferson's career, he was considerably more astute in his efforts at critiquing policies and issues that directly contrasted with his opinions concerning the proper way to implement American republicanism. The way he criticized the Virginia General Assembly for not funding universal or state-sponsored education adequately during his retirement years was quite different from the way in which he condemned the Alien and Sedition Acts in the Kentucky Resolutions. This change is captured in Jefferson's correspondence with Cabell:

I omit also, to observe that it would be better that the bill for the elementary schools not be known as coming from me. Not knowing the present pulse of the public, should there be any thing unpalatable in it, it may injure our college, as coming from one of its visitors. I wish it to be understood also, that I do not intermeddle with public affairs. It is my duty, and equally my wish, to leave them to those who are to feel the benefits and burthens [sic] of measures. The interest I feel in the system of education and wards, has seduced me into the part I have taken as to them, and still attaches me to their success.¹⁸⁶

This primary source supports the notion that Jefferson recognized that he was too attached to the subject of public education in order to remain objective. The implementation of such efforts occupied an enormous amount of his time during retirement, as it was the only policy that he focused on at great length during the last seventeen years of his life. He did not approach advocating for public education the same way he debated with Hamilton over the establishment of a national bank or with President Adams and the Federalists regarding the national government's support of the Alien and Sedition Acts. Such personal and political transformations represent how the presidency began the process in which Jefferson's perspectives on the nuances of running a constitution in the American state changed.

¹⁸⁶ Jefferson to Cabell, Poplar Forest, September 10, 1817. From Cabell (1856) p. 80.

CANDID OPINIONS ON EDUCATING WOMEN¹⁸⁷

As the father of two daughters and no sons, Jefferson outlined the type of curriculum needed for educating women generally and for Martha and Maria Jefferson specifically. His emphasis on this subject occurred mostly during retirement. Although it must be noted that such efforts did not occupy much of his time, in general, even though he was meticulously concerned with the intellectual development of his daughters. Nevertheless, his opinions on the subject are worth noting. According to Jefferson:

A plan of female education has never been a subject of systematic contemplation with me. It has occupied my attention so far only as the education of my own daughters occasionally required. Considering that they would be placed in a country situation, where little aid could be obtained from abroad, I thought it essential to give them a solid education, which might enable them, when become mothers, to educate their own daughters, and even to direct the course for sons, should their fathers be lost, or incapable, or inattentive.¹⁸⁸

He argued that French, dancing, healthy exercise, drawing, and music comprised the educational curriculum for women.¹⁸⁹ In this correspondence, Jefferson also expressed his disdain for novels, because he thought they distracted from creative and intellectual thinking. Jefferson used this opportunity to express his admiration for the French language, which he believed was the “general intercourse of nations, and from their

¹⁸⁷ Jefferson did not address educational reform for freedmen. As Addis (2003) correctly points out: “Excluded from the plan were girls at the advanced levels, and African-Americans altogether. Jefferson wrote little about these exclusions, perhaps because his racist and patriarchal outlook made their omission self-evident. When he did address the topic education for black people, Jefferson fell into his familiar pattern of circuitous logic – their inferiority was environmentally based, but he did not suggest changing the environment” (12).

¹⁸⁸ Jefferson to Burwell, Monticello, March 14, 1818. From Peterson (1984) p. 1411 and Ford (1899) p.

104.

¹⁸⁹ Ibid.

extraordinary advances, now the depository of all science, is an indispensable part of education for both sexes.”¹⁹⁰

JEFFERSON’S TIPPING POINT: THE VIRGINIA LEGISLATURE CONTINUES TO REJECT DEMANDS FOR ESTABLISHING A SYSTEM OF PUBLIC EDUCATION

When the Virginia General Assembly rejected Jefferson’s 1817 education bill, the elderly statesmen grew more disgruntled with the legislature’s inability to support this policy. He connected his opinions on public education, particularly regarding the establishment of an institution for higher education, with his political philosophy concerning the proper role of republican government in the American state. As Carter (1898) correctly points out:

He believed that there was a system of government founded upon the principles of human nature under which the largest liberty and happiness were attainable, but only upon the condition of a wide – a universal – diffusion of popular education, and that such education embraced the cultivation in the highest degree of those selected minds exhibiting the highest order of genius (21).¹⁹¹

According to Jeffersonian thought, if the state refused to take an active interest in establishing policies that would create a system of public education at all levels of instruction then it failed in its responsibility to serve the citizenry and to advance its democratic institutions.

If the General Assembly rejected his plan for the establishment of a state university, he proposed the following alternative:

If our legislature does not heartily push our University, we must send our children for education to Kentucky or Cambridge. The latter will return them to us fanatics & tories [sic], the former will keep them to add to their population. If however we are to go a begging any where [sic] for our education, I would rather it be to Kentucky than any other state, because she has more of the flavor of the

¹⁹⁰ Ibid.

¹⁹¹ Jefferson did not provide accommodation for dissenters of his system for establishing public education.

old cask than any other. All the states but our own are sensible that knolege [sic] is power.¹⁹²

This observation illustrates an important transformation in Jefferson's thinking. If the Virginia legislature was not going to meet Jefferson's demands for establishing a university for Virginia he would find a different solution that would accommodate his goal of educating the citizenry, particularly those worthy of the highest level of instruction. He did not wage a war of words on his opponents; he did not attempt to undermine the state's institutions or those who served them; nor did he encourage anything remotely close to nullification as he had done with his critique of the Alien and Sedition Acts. Jefferson's proposal, instead, was reasonable and did not pose a threat to the preservation of the state.

PATIENCE FINALLY PAYS OFF: THE ROCKFISH GAP COMMISSION AND THE FOUNDING OF THE UNIVERSITY OF VIRGINIA

As time progressed, it became apparent that the Virginia General Assembly was not going to establish a universal system of public education, and a compromise was made. The state would not allocate funds to create elementary and secondary schools, but it would establish a university for higher education. As a result, Virginia Governor Robert Preston created the Rockfish Gap Commission, which Jefferson was later unanimously appointed chair, to discuss the administrative, organizational, financial, and academic responsibilities associated with a state university, and, more specifically for Jefferson, how it would be radically different from any other in the nation.¹⁹³ In his correspondence with John Adams, Jefferson articulates such preferences:

¹⁹² Jefferson to Cabell, Monticello, January 22, 1820. From Ford (1899) p. 154.

¹⁹³The Rockfish Gap Commission consisted of 24 members, including Thomas Jefferson and James Madison. It was called Rockfish Gap, because that was the location in Virginia where the commission

I am fortunately mounted on a Hobby, which indeed I should have better managed some 30. or 40. years ago, but whose amble is still sufficient to give exercise and amusement to an Octogenary [sic] rider. This is the establishment of an University, on a scale more comprehensive, and in a country more healthy and central than our old William and Mary, which these obstacles have long kept in a state of languor and inefficiency. But the tardiness with which such works proceed may render it doubtful whether I shall live to see it go into action.¹⁹⁴

The Rockfish Gap Commission is important, because its final report, largely authored by Jefferson, became the foundation for the curriculum and design of the University of Virginia. Malone (1977) also provides another historically significant fact about this commission: “In the parlance of a later generation this was a “blue-ribbon” commission. Besides two ex-presidents of the Republic, it contained a former governor and the chief judicial officer of the state, along with a couple of others judges” (277). In a word, this was no ordinary commission. Jefferson and Madison were leading the charge for a public university in Virginia, and this time, neither would accept anything but complete support from the General Assembly.

THE ROCKFISH GAP COMMISSION’S RECOMMENDATIONS

Addis (2003) correctly notes that the Rockfish Gap Report “is the founding literary document of the University of Virginia, even though it mostly updated earlier ideas from the 1779 plan and 1814 letter to Peter Carr” (49). Jefferson took his role on the commission seriously, because he understood that a firm resolution by its members to establish a state-sponsored university would carry tremendous weight within both houses of the General Assembly. The Commission’s final report outlines each academic program that would be offered by the University and suggests the omission of a divinity school. According to Malone (1977), “The committee finally recommended an amendment

members met to discuss plans for the new university. See Addis (2003) pp. 47-53 for a more detailed account of the organizational structure of the commission.

¹⁹⁴ Jefferson to Adams, Monticello, October 12, 1823. From Cappon (1959) p. 599.

providing for the establishment of a university and an annual appropriation of \$15,000 to it after its site had been determined by law. The Senate adopted this by a large majority, and it was approved by the House with a proviso designed to safeguard future appropriations for the education of the poor” (274). These recommendations mirror the exact plan Jefferson created for a state institution of higher education and what remains significant about its findings is that he ensured they were all implemented once the General Assembly officially established the University.

BEYOND ROCKFISH GAP: THE ESTABLISHMENT OF THE UNIVERSITY OF VIRGINIA
REMAINS A SLOW AND GRADUAL PROCESS

The history of the University of Virginia is well documented (Addis 2003; Carter 1898; Clemons 1954; Grizzard 1996; Malone 1977; Patton 1906). The purpose of the remaining sections of this chapter is to highlight Jefferson’s administrative role in creating this institution. This contribution left an important mark on development of American public administration; accomplishments that have been all but forgotten within the literature.

Quite interestingly, and of particular importance to the historical development of American public administration, the correspondence between Jefferson and Madison regarding the founding of the University of Virginia highlights Jefferson’s attention to the administrative details affecting every aspect associated with the creation of this educational institution. As Smith (1999) astutely observed:

The closest collaboration between the two friends in retirement came on the educational front, especially in the founding of the University of Virginia. Every letter they exchanged in 1818 and 1819 discussed that subject – often to the exclusion of any other topic. Jefferson was to be known as the father of the university, but Madison was an enthusiastic supporter from the beginning (1792).

Within this body of letters, Jefferson outlines every administrative aspect associated with this project, including, but not limited to: curriculum; faculty hires and salaries; the organizational structure of the university's administration; architecture and design; cost; outlining the book list for the library; concerns with the opening of the university; and student enrollment. Until 1826, the year Jefferson died, he wrote each of the university's annual reports, which were formally submitted to the General Assembly, and before he introduced each into the public record, he always consulted Madison for his input and recommendations.¹⁹⁵ Madison usually provided little or no corrections, a true sign of the manner in which Jefferson's administrative mind had grown and developed since the beginning of his career when the younger Virginian was constantly suggesting new ways to improve Jefferson's constitutional and administrative thinking.¹⁹⁶

JOSEPH CABELL: JEFFERSON'S MOST INFLUENTIAL ALLY IN THE VIRGINIA GENERAL ASSEMBLY

Joseph C. Cabell¹⁹⁷ not only played an integral role in helping Jefferson establish the University of Virginia, but he also proved an excellent resource for obtaining additional loans and financial support to complete it. He was a member of the Virginia House of Delegates for two years where he represented Albemarle County and was subsequently elected to the state Senate. Most importantly, however, he shared Jefferson's vision of implementing a system of universal education throughout the commonwealth. In addition to his correspondence with Madison, Jefferson's letters to Cabell, and Cabell's responses, provides the most comprehensive analysis of Jefferson's

¹⁹⁵ Once Jefferson became chair of the Board of Visitors, this duty became part of the administrative responsibilities associated with this position.

¹⁹⁶ Smith's (1999) three volume set on the correspondence between Jefferson and Madison highlights this fact nicely.

¹⁹⁷ Joseph C. Cabell: 1778-1856; liberally educated; William and Mary graduate; as a young man, he traveled through Europe in an effort to improve his health; champion for the establishment of public education in Virginia (Patton 1906, p. 24; Addis 2003 p. 41; Malone 1977 p. 247).

administrative insight into the necessary details associated with establishing a state institution.

Jefferson and Cabell had to stand fast against different levels of Virginia society. The rich viewed Jefferson's ideas on public education as a "plan to educate the poor at the expense of the rich." Most people resented taxes, regardless of how rich or poor they were, and viewed them as a repudiation of the American Revolution. Many poor people were too proud to accept an education handout and some of the funds for the charity schools went unclaimed. Cabell and Jefferson hoped to appropriate as much of the poor money as possible in order to finish building the pavilions and Rotunda (Addis 2003, 97).

Jefferson communicated every political, administrative, and financial concern he had regarding the university with Cabell and relied heavily on his influence in the legislature to ensure the successful implementation of this institution. Such efforts clearly resemble Jefferson's remarkable ability to cultivate legislative, political party, and citizen support in support of his policy agenda during his two terms as president.

THE LITERARY FUND

Although previous efforts in Virginia to establish a system of public education failed, the General Assembly did create the Literary Fund on February 10, 1810 for the purposes of ensuring "all escheats, confiscations, fines (except militia fines) penalties, forfeitures, and derelict personal property accruing to the state be appropriated for the encouragement of learning" (Malone 1977, 236). This legislative act laid the foundation for Jefferson to pursue his educational agenda. As Addis (2003) observed, "The fund rose from fifty thousand dollars to half a million after debts from the War of 1812 were paid back to Virginia by the U.S. government. The legislators collected a nest egg of over a million dollars by 1817, but did not spend the principle. If they had, Jefferson's full-blown education plan would have come about, but their funds would have been quickly exhausted" (35). On February 12, 1811, the legislature expanded the provisions

of this law and “stipulated that when a sufficient sum had been acquired, schools for the poor should be set up in all counties of the state” (Malone 1977, 237). According to Jefferson, if the state created a legislative act that “encouraged learning,” especially “for the poor” they would eventually need to provide for schools as a means of implementing the types of intellectual practices and activities that would promote such efforts. This line of reasoning paved the way for Albemarle Academy, Central College, and eventually the University of Virginia; it did not, however, provide the necessary funds to establish elementary schools across the state¹⁹⁸.

ALBEMARLE ACADEMY AND CENTRAL COLLEGE LAY THE FOUNDATION FOR THE UNIVERSITY OF VIRGINIA

When the Virginia General Assembly decided to create a state institution for higher education, it did not design the University we know today. The establishment of the University of Virginia was part of a gradual effort to institutionalize a radically different academic environment for higher education, not only in Virginia, but across the nation. Albemarle Academy, which focused primarily on educating nearby residents in the Charlottesville, Virginia area, was the legislature’s first attempt to implement the recommendations of the Rockfish Gap Commission; Central College improved upon this initial effort; and finally, the University of Virginia completed Jefferson’s institutional, intellectual, and administrative vision for state-sponsored education at the highest levels of instruction. A brief discussion of each transition provides an important element to the story of Jefferson’s contribution to the field.

¹⁹⁸ According to Malone (1977): “Jefferson had consistently held that elementary education should be locally supported and locally controlled. The president and directors of the Literary Fund had proceeded on the assumption that the monetary needs of this system could not be met by funds extracted directly from the people” (251).

The establishment of Albemarle Academy, in which Jefferson served as a trustee, did not meet his expectations for a university that would rival Oxford and Harvard. Malone (1977) correctly observed that Albemarle Academy “existed only on paper” (241) and those in Virginia who cared passionately about creating a public university were growing increasingly impatient with its inability to, in Malone’s words, “advance science in the highest degree” (242). Jefferson expressed these frustrations to Cabell: “The difficulty, I find, is to eradicate the idea that it is a local thing, a mere Albemarle academy. I endeavor to convince them [members of the General Assembly] it is a general Seminary of the Sciences meant for the use of the State. In this view all approve the situation and rally to the object. But time seems necessary to point this idea firmly in their minds.”¹⁹⁹ Amidst the various political disagreements in Virginia regarding this subject, Jefferson strongly maintained his position that Albemarle Academy’s ultimate responsibility was not local in nature; this institution, instead, was supposed to advance the values embedded within the nation’s constitutional tradition, and these efforts legitimated the need for the legislature to appropriate the necessary funds for it to exist beyond paper.

Jefferson, Madison, and the rest of the higher education community in Virginia were soon appeased. The General Assembly changed Albemarle Academy’s name to Central College, which was “in full accord with Jefferson’s hopes for an institution on a more advanced plane in his own locality that could be turned into a university” (Malone 1977, 245). The legislation establishing Central College required the creation of a board

¹⁹⁹ Jefferson to Cabell, Poplar Forest, September 10, 1817. From Cabell (1856) p. 80.

of visitors: Jefferson, Madison and James Monroe were part of this governing body.²⁰⁰ Jefferson's goal of creating an "academical village" began nearly a decade before Central College existed, but it was during the first meeting of the board of visitors for the college where his architectural masterpiece received the support it needed for implementation.²⁰¹ Jefferson authored the Board's first annual report to the General Assembly. Madison not only revised and approved this document but also requested Jefferson to sign his name to the final draft,²⁰² "which indicated that the Board of Visitors was prepared to transfer to the state all the property of Central College if the legislature should decide to create a university and choose it as the site. Cabell presented the report to the governor, and the legislature authorized the printing of 250 copies" (Smith 1999, 1792). The General Assembly agreed with the Board, and on January 20, 1819 created the University of Virginia, which, at Jefferson's request, would be located in Charlottesville, only a few miles away from Monticello.²⁰³

Jefferson was elated with the legislature's decision to create a university; it was the greatest joy of his retirement years.²⁰⁴ After learning of the passage of the University bill, Jefferson expressed to Cabell his excitement over the creation of the university and his administrative concerns regarding the implementation of constructing a major university without adequate resources:

²⁰⁰ As were David Watson of Louisa County, General John H. Coke of Fluvanna, and Mr. Cabell of Nelson. From Malone (1977) p. 250.

²⁰¹ Cabell reported the board's support of Jefferson's plan for pavilions and the lawn in his printed minutes of the meeting. See Cabell (1856) p. 394-5.

²⁰² Madison to Jefferson, Montpelier, January 1, 1818. From Smith (1999) p. 1801: "How is the letter to be subscribed; if by the visitors seratim [sic], be so good as to put my name to it, for which this will be an authority."

²⁰³ Jefferson considered a host of different sites throughout Virginia for the University, because supporters of the University suggested that it be located in other areas around the commonwealth. In the end, he chose Charlottesville based on statistical analysis that found "it was nearer the center of white population than either of the others that had been proposed" (Malone 1977, 276).

²⁰⁴ The House passed the University Bill by a vote of 143 to 28; the Senate by a vote of 22 to 1. See Malone (1977) p. 282.

I join with you in joy on the passage of the University bill, and it is necessary you should send me a copy of it without delay, that the visitors may have a meeting to see and to do what it permits them to do for the furtherance of the work, as the season for engagements is rapidly passing off. But we shall fall miserably short in the execution of the large plan displayed to the world, with the short funds proposed for its execution. On a careful review of our existing means, we shall be able, this present year, to add but two pavilions and their dormitories to the two already in a course of execution, so as to provide but for four professorships; and, hereafter, we can add but one a year; without any chance of getting a chemical apparatus, an astronomical apparatus, with its observatory, a building for a library, with its library, &c.; in fact it is vain to give us the name of an University without the means of making it so.²⁰⁵

Despite these concerns, Jefferson savored the moment; it was an extraordinary victory for public education.

THE ORGANIZATIONAL STRUCTURE OF THE UNIVERSITY OF VIRGINIA: JEFFERSON'S UNIQUE ADMINISTRATIVE VISION FOR HIGHER EDUCATION

Jefferson's vision for Virginia's university was radical, unique, and for American higher education, revolutionary. The organizational structure he established, including the architecture and design of university buildings and grounds, the governing body, the hiring of faculty, course curriculum, textbook selection, the design of the library, and the honor code was radically different from any other college or university in the country. His understanding of the state's responsibility to educate its citizenry went farther than just merely establishing a university; it also meant structuring it in such a way that would provide a more meaningful educational environment for faculty and students. Practically, however, Jefferson focused intently on matters of communication, particularly with the legislature. His annual reports for the university outlined revenues, expenditures, needed resources, and updated the legislature on the status of faculty appointments, student enrollment, the completion of buildings, the library, acquiring additional land to accommodate expected growth, and the continued importance of supporting public

²⁰⁵ Jefferson to Cabell, Monticello, January 28, 1819. From Cabell (1856) p. 154.

education initiatives. Jefferson's support of the university extended far beyond his normative preferences for what ought to be in terms of the state's responsibility towards educating its citizenry. He understood that in order to accomplish his goal of establishing a public university for higher education, he had to focus on the administrative responsibilities and dynamics that would enable this institution to open, function, and sustain itself for future generations. These efforts further illustrate Jefferson's noteworthy contribution to the development of the study and practice of administration.

ARCHITECTURE

Jefferson was deeply committed to the architectural creation and design of his academical village; a project that highlights the depths of his administrative mind. Grizzard (1996) places Jefferson's contribution to American architecture in proper historical perspective by noting that it "was one of the largest building projects ever undertaken in American history" (Abstract, 1). According to Jefferson, the architecture and design of the university was just as important as the curriculum – the two were intrinsically connected with each other. Jefferson designed the university to sit on a lawn where the library, known as the Rotunda, would reside at the center and pavilions and dormitories would stem from the library and sit directly on the lawn. The Rotunda represented "a smaller replica of the Pantheon in Rome, a temple built by the emperors Trajan and Hadrian in the second century A.D. ... The design called for ten granite columns to hold up the portico, pine floors, and a circular skylight at the top of the dome" (Addis 2003, 103).

Jefferson designed the campus as a museum to train architects in the neoclassical style he saw as appropriate to American republicanism. He avoided the boxiness of Georgian architecture and the Gothic style of Oxford and Cambridge because of its monastic association. Jefferson loved plazas and the Roman ruins he

viewed traveling Europe in the 1780s. Buildings spread around courtyards of trees and grass were an especially common sight at hotels and hospitals in Paris. He also admired the layout of New England townships when he visited there with Madison in the early 1790s (Addis 2003, 94).

Jefferson's architectural plans "called for a Doric portico in the upper story [of the pavilions], supported by an arcade in the first story ... The pavilion was to have two front doors, one for the students to use in entering and leaving the classroom, the other to serve as an entrance to the professor's quarters. Likewise, there were to be two "necessaries" (privies)" (Malone 1977, 265).²⁰⁶ He further noted to Madison: "The separation of the students in different and independent rooms by two's and two's seems a fundamental of the plan."²⁰⁷ Jefferson also described in great detail the size of the lecturing rooms, depositories for the apparatuses, and the arrangement of seats for the students.²⁰⁸ Finally, his estimation for the number and types of bricks needed for the front and outer walls of the university were clearly specified.²⁰⁹ Jefferson's vision was outlined in both his public and private papers, and he worked diligently to ensure that no detail, administrative or otherwise, was overlooked. In an 1810 letter he specified the intellectual, architectural, and organizational significance of the academical village:

I consider the common plan followed in this country, but not in others, of making one large and expensive building, as unfortunately erroneous. It is infinitely better to erect a small and separate lodge for each separate professorship, with only a hall below for his class, and two chambers above for himself; joining these lodges by barracks for a certain portion of the students, opening into a covered way to give a dry communications between all the schools. The whole of these

²⁰⁶ Addis (2003) also points out that "the campus was built by a combination of two hundred slaves and white carpenters, overseen by Brockenbrough, a slave driver named James Harrison, board member John Hartwell Cocke, and occasionally Jefferson, who rode to the site when weather and health permitted" (95).

²⁰⁷ Jefferson to Madison, Monticello, July 7, 1819. From Smith (1999) p. 1811.

²⁰⁸ Jefferson to Madison, Monticello, April 30, 1823. From Smith (1999) p. 1860.

²⁰⁹ Jefferson wrote Cabell, Poplar Forest, December 19, 1817: "Our bricks are generally one and a half brick thick – the whole to be grouted, not a single sammel [sic] brick, and but two bats to be used for every nine whole bricks. The front wall to be oil stock brick—the other outer walls sand stock'—mortar one-third lime, two-thirds pure sand, without any mixture of mould. The work to be done as well as the very best in Richmond or Lynchburg." From Cabell (1856) p. 89.

arranged around an open square of grass and trees, would make it, what it should be in fact, an academical village, instead of a large and common den of noise, of filth and of fetid air. It would afford that quiet retirement so friendly to study, and lessen the danger of fire, infection and tumult.²¹⁰

Such efforts signify the distinctive design of the university and, just as importantly, point to the broad dimensions of Jefferson's administrative thinking.

The following quote by Addis (2003) highlights the amount of attention and focus Jefferson afforded to the architectural design and structure of his university quite nicely:

UVA's architecture was intended to be everything his alma mater William and Mary was not, but to foster the same fellowship between students and professors that he enjoyed there as a student. By interspersing the student dormitories among the professor's pavilions Jefferson hoped to replicate the intellectual camaraderie he enjoyed with William Small and George Wythe in Williamsburg in the 1760s ... When professors did need to communicate with each other apart from the students, they could walk across rooftop paths entered onto from triple-sash windows. Jefferson oversaw the layout of the village and the exteriors with more precision than the pavilion or dormitory interiors. At age seventy-six, he designed five pavilions for the east side of the lawn in a two week stretch. The work began in 1817 and seven pavilions were up by 1819 (95).

Jefferson was aware that his architectural design was sufficiently singular that it should merit the highest amount of public esteem. He wrote Madison in 1820: "Our buildings at the University go on so rapidly, and will exhibit such a state and prospect by the meeting of the legislature that no one seems to think it possible they should fail to enable us to open the institution the ensuing year,"²¹¹ and at the end of 1821, his confidence in the architectural significance of his university was even more profound:

My hope too of a reiteration of effort is strengthened by the presumed additional excitement of curiosity to see our University; this now draws to it numerous visitors from every part of the state & from strangers passing thro it. I can assure you there is no building in the US. [sic] so worthy of being seen, and which gives an idea so adequate of what is to be seen beyond the Atlantic. There, to be sure

²¹⁰ Jefferson to Messrs. Hugh L. White and Others, Monticello, May 6, 1810. From Peterson (1984) p. 1222.

²¹¹ Jefferson to Madison, Monticello, August 13, 1820. From Smith (1999) p. 1825.

they have immensely larger and more costly masses, but nothing handsomer or in chaster [sic] style.²¹²

Jefferson's attention to every aspect associated with the university's design speaks volumes of his administrative genius and paves the way for an even greater understanding for how he revolutionized the administrative structure of higher education in the United States. It calls into question the positions of writers like White (1951) and Kettl (2002) who maintain Jefferson had a speculative rather than an administrative mind. Clearly, he had a mind apt for both functions.

THE UNIVERSITY'S GOVERNING BODY: THE RECTOR AND THE BOARD OF VISITORS

The governing body Jefferson created for the University of Virginia was remarkably different from that of any other college or university in the United States. After the General Assembly approved the University bill, the Governor appointed a board of visitors to the new institution, including: Jefferson, Madison, Cabell, and Cocke, and "to make the group more representative from the western region – Chapman Johnson of Staunton and General James Breckenridge of Botetourt County – and one from Tidewater, General Robert B. Taylor of Norfolk"²¹³ Jefferson was pleased with this selection and noted: "The appointment of Visitors of the University is entirely unexceptionable to me; the only fear is, that the distance of Gen. Breckenridge and Mr. Taylor will render their attendance uncertain. I should have been sorry indeed, if either yourself or Gen. Cocke had been left out."²¹⁴ As was the case with the Rockfish

²¹² Jefferson to Pleasants, Monticello, December 26, 1821. From Ford (1899) p. 197. Also see "A Sketch of the University of Virginia" (1885).

²¹³ Also see Cabell to Jefferson, Richmond, February 15, 1819. From Cabell (1856) p. 161, which serves as a primary source outlining who the Governor selected for the Board of Visitors.

²¹⁴ Jefferson to Cabell, Monticello, February 19, 1819. From Cabell (1856) p. 164.

Gap Commission, the Board overwhelmingly selected Jefferson as its chair, or in this case, Rector.

Jefferson argued that the final report of the Rockfish Gap Commission should continue to serve as the guide for the architectural and organizational completion for the university.²¹⁵ The Board, Governor, and legislature agreed. As a result, he, in his new role as Rector, immediately proposed that “ten pavilions would be required for the ten professors recommended by the Rockfish Gap Commission;” (Malone 1977, 369) however, his administrative mind was quick to point out to Cabell: “I think, with you, that we must apply all our funds to building, for the present year, and not open the institution until we can do it with that degree of splendor necessary to give it a prominent character, consequently, that we must defer the mission for professors to another year.”²¹⁶ Jefferson was adamant that the buildings be completed prior to the opening of the university; a university without finished buildings for faculty and students was neither acceptable nor practical. The General Assembly’s financial support of this project, however, proved less than adequate in order for Jefferson to implement his grand architectural and intellectual vision.

Just as the architectural significance of Jefferson’s university remains an important contribution to the development of higher education institutions, his design for its governing body and organizational structure was also unique. “The organization of the University, its government, discipline and methods of instruction, were virtually left to be prescribed by Mr. Jefferson alone; and they still retain, in a great degree, the

²¹⁵ Due in large part because he was its author and because his opinions on the subject had not changed.

²¹⁶ Jefferson to Cabell, Monticello, February 19, 1819. Also, see Jefferson to Madison, Monticello, April 7, 1822. From Smith (1999) p. 1840, in which Jefferson expressed the same sentiments.

impression derived from him, and in many respects bear the stamp of his characteristic traits.”²¹⁷ Jefferson outlined the following:

A government is vested in the Rector and Visitors. The Visitors are appointed by the Governor, for four years, every 29th of February. They are nine in number, two from each grand division of the State, except that in which the University is situated (the Piedmont division), from which three are appointed, with a view to the formation of an Executive Committee to act in the recess of the Board. The Visitors elect a Rector from amongst themselves ... The affairs of the institution are administered under the general direction of this Board, and in pursuance of its enactments, by the Chairman, Faculty, Proctor and other subordinate agents.²¹⁸

In addition, he insisted that the “faculty, as a body, exercises the *judicial* functions incident to the administration of the University, in respect to students, and the subordinate officers, and is empowered also to make general rules for the government of those persons, provided, of course, they shall be consistent with the regulations prescribed by the Board of Visitors, and with the laws of the State.”²¹⁹ The faculty were responsible for these duties because Jefferson strongly objected to a university president. Honeywell (1931) asserted that “Jefferson’s objection to having a president in the University seems to have arisen largely from the belief that such an officer would rule arbitrarily and that this would lead to intrigue among members of the faculty who would seek his favor for personal ends” (100). Jefferson provided four reasons for this decision:

1. Because the law establishing the University, delineating the organization of the authorities by which it should be directed and governed, and placing at its head a Board of rector and Visitors, has enumerated with great precision the special powers it meant to give to that Board, in which enumeration is not to be found that of creating a president;
2. Because he is of opinion that every function ascribed to the president by this enactment, can be performed, and is now as well performed by the faculty, as now established by law;
3. Because we owe debts at this time of at least 11,000 dollars beyond what can be paid by any means we have in possession; and

²¹⁷ From “A Sketch of the University of Virginia,” (1885), p. 7.

²¹⁸ From Cabell (1856). Appendix Q, p. 519.

²¹⁹ From “A Sketch of the University of Virginia,” (1885), p. 7.

4. Because he thinks that so fundamental a change in the organization of the institution ought not to be made by a thin Board, two of the seven constituting it, being now absent.²²⁰

Madison, quite interestingly, agreed with Jefferson's argument in its entirety. He maintained that "it is probable that instead of a President or Provost, as chief magistrate, the superintending & Executive duties, so far as not left to the individual Professors over their respective Classes, will be exercised by the Faculty; the Professors presiding in rotation. This regulation however, as experimental, will be at all times alterable by the Board of Visitors."²²¹ Jefferson's foresight into the administrative dynamics and organizational needs of the university proved well beyond his years, so much so that a great deal of the system of administration he designed remains in place to this very day. Even more interestingly, the university supported Jefferson's decision not to have a president until 1904 when the Board appointed Edwin Alderman to this position.²²²

FACULTY

Jefferson's organization of faculty for the university was not only distinctive but also complements the way in which he structured the architectural design and the governing body of the institution. After the architectural aspects of the university were approved and under construction, Jefferson suggested to Cabell: "We must turn to the affairs of the college, under our particular charge, and consider what we can do for it, on its own scanty funds ... What professors, and where and how to procure them, is a question of urgency. On that I have seen no cause for change of opinion; and I suppose I

²²⁰ Jefferson to Madison and the Board of Visitors of the University of Virginia, Charlottesville, April 3-4, 1826. From Smith (1999) p. 1968-9.

²²¹ Madison to Beasley, Montpellier, December 22, 1824. From Hunt (1910) p. 210.

²²² Alderman resigned as President of Tulane University to assume the same position at UVA. He was instrumental in reforming important administrative matters and other projects at the university. Alderman Library, the main library at UVA, is named in his honor.

must now act on that formally given, and which I had deferred until it could be seen whether the Legislature would give us any help.”²²³ The amount of attention Jefferson devoted to the recruitment, hiring, salary, organization of curriculum, and faculty dynamics was lengthy and thorough. Faculty opinion of Jefferson, as a result, was quite high.

Jefferson’s public and private papers reflect his strong emphasis on faculty recruitment. He asserted: “Our attention is that its professors shall be of the first order in their respective lines which can be procured on either side of the Atlantic.”²²⁴ More specifically, his recommendation included:

With a good Professor of modern languages assured, a good one of ancient languages in view, a prime Mathematician engaged, we want really nothing essential but an able Natl. [sic] philosopher, and that he [Gilmer, faculty recruiter] cannot fail to find. As to a medical professor it is the one we can best do without ... I direct the advertisement to be issued this day, as decided by the Visitors. I shall give notice to Gilmer that the Professors books will be duty free.²²⁵

In order to hire the brightest intellectuals, Jefferson made the decision that the university’s recruitment efforts should focus mostly on bringing European scholars to Charlottesville.²²⁶ In a letter to Dugald Stewart, a European professor, he pleaded his case for why the University of Virginia was dependent on recruiting faculty from abroad:

We find we must have recourse to Europe, where alone that grade is to be found, and to Gr. Br. of preference, as the land of our own language, morals, manners, and habits ... From the universities of Oxford and Cambridge, where we expect he will find persons duly qualified in the particular branches in which these seminaries are respectively eminent, he [Gilmer] will pass on to Edinburg [sic], distinguished for its school of Medicine as well as of other sciences, but when arrived there he will be a perfect stranger, and would have to grope his way in

²²³ Jefferson to Cabell, Monticello, February 16, 1818. From Cabell (1856) p. 124.

²²⁴ Jefferson to Gallatin, Monticello, October 29, 1822. From Ford (1899) p. 236.

²²⁵ Jefferson to Madison, Monticello, October 11, 1824. From Smith (1999) p. 1906.

²²⁶ See Jefferson to Madison, Monticello, November 6, 1823. From Smith (1999) p. 1879.

darkness and uncertainty; you can lighten his path, and to beseech you to do so is the object of this letter.²²⁷

Jefferson's longtime friend, John Adams, after learning of his colleague from Virginia's plan, respectfully disagreed with Jefferson's approach. He provided a thoughtful analysis for his position, which certainly reflects his experiences and opinions during the Revolutionary War.

Your University is a noble employment in your old Age, and your ardor for its success, does you honour [sic], but I do not approve of your sending to Europe for Tutors, and Professors. I do believe there are sufficient scholars in America to fill your Professorships and Tutorships with more active ingenuity, and independent minds, than you can bring from Europe. The Europeans are all deeply tainted with prejudices both Ecclesiastical, and Temporal which they can never get rid of; they are all infected with Episcopal and Presbyterian Creeds, and confessions of faith, They all believe that great principle, which has produced this boundless Universe. Newtons [sic] Universe, and Hershells universe, came down to this little Ball, to be spit upon by Jews; and until this awful blasphemy is got rid of, there never will be any liberal science in the world.²²⁸

The younger Jefferson would have very much agreed with Adams's opinion. The wiser, more mature Jefferson, however, understood that Oxford and Cambridge Universities produced some of the most gifted and well-educated intellectuals in the world, and if the University of Virginia was to compete with the best institutions of higher education then it had to recruit their faculty and graduates. According to Jefferson, qualifications for a professorship at the University included being "well educated as to the sciences generally; able to converse understandingly with the scientific men with whom he is associated, and to assist in the councils of the Faculty on any subject of science on which they may have occasion to deliberate. Without this, he will incur their contempt and bring disreputation [sic] on the institution."²²⁹ As Addis (2003) correctly pointed out:

²²⁷ Jefferson to Stewart, Monticello, April 26, 1824. From Peterson (1984) p. 1488.

²²⁸ Adams to Jefferson, Quincy, January 1825. From Cappon (1959) p. 607.

²²⁹ Jefferson to Cabell, Monticello, February 23, 1824. From Cabell (1856) p. 291.

“For most fields, they wanted Europeans to teach. Jefferson may have feared the influence of Europe and the North, but he was not afraid to go into enemy territory in search of talent” (107). This type of transformation illustrates the wisdom of experience and the practical realities of creating a world renowned university. It also provides another concrete example of Jefferson’s administrative capabilities.

After a great deal of frustration and intense labor, the University hired its first faculty. They included George Blaetterman for modern languages; Thomas H. Key²³⁰ for mathematics; George Long²³¹ for classics, particularly ancient languages; Charles Bonnycastle for natural philosophy; Robley Dunglison for anatomy; and John Patton Emmet for natural history.²³² Jefferson also afforded a great deal of time and energy to the salary of these faculty members. Malone (1977) has described the financial and residential compensation for the first faculty of the university received:

To make the best use of the funds available, the Visitors agreed that at first the faculty would consist of eight professors, instead of the ten for whom that number of pavilions had been built. Besides being provided with a rent-free residence, each professor was to receive a fixed salary of not less than \$1000 nor more than \$1500 per annum, along with the fees paid by the students enrolled in his particular “school” (398).

Both Jefferson and Madison approved of these hires²³³ as well as the salary classification; however, the former expressed great concern over the fact that the university’s recruitment efforts had failed to find a suitable professor of ethics:

I am quite at a loss for a Professor of Ethics. The subject has been so exclusively confined to the clergy, that when forced to seek one, not of that body, it becomes difficult. But it is a branch of science of little difficulty to any ingenious man.

²³⁰ Recruited from Cambridge University.

²³¹ Recruited from Cambridge University.

²³² See Smith (1999) p. 1886 and Jefferson to Madison, Monticello, November 20, 1824, p. 1908; also Jefferson to Waterhouse, Monticello, January 8, 1825. From Ford (1899) p. 335. For a more detailed account of each faculty members’ academic backgrounds and where they lived on the lawn see Patton (1906), chapter IV.

²³³ Jefferson to Madison, Monticello, February 22, 1825. From Smith (1999) p. 1928.

Locke, Stewart, Brown, Tracy for the general science of mind furnish material abundant, and that of Ethics is still more trite. I should think any person, with a general education rendering them otherwise worthy of a place among his scientific brethren might soon qualify himself.²³⁴

If Jefferson was at a loss over not having an ethics professor, both he and Madison were significantly more distraught at the university's inability to acquire a law professor, which they were not able to fill prior to Jefferson's death. The personal, professional, and intellectual expectations for this position were far greater than for any other at the University. According to Jefferson: "Our professor of law must be a native, and you seemed to think with me that no fitter one than him [Francis Walker Gilmer] could be found for that chair."²³⁵ Unfortunately, Gilmer did not accept the position, but agreed to serve as the university's chief recruitment officer. Madison responded to Jefferson with bitter disappointment over this predicament: "I understand Mr. Gilmer to decline the professorship of law; unless satisfactory associates should be obtained. In filling that department, we are restricted to the U.S. or rather our own State, and the difficulty will be very great."²³⁶ Jefferson concurred, and in a memorandum to Madison and the University's Board of Visitors he frustratingly noted: "Every offer of our Law chair has been declined, and a late renewal of pressure on Mr. Gilmer has proved him inflexibly decided against undertaking it. What are we to do? The clamor is high for some appointment, we are informed too of many students who do not come because that school is not opened, and some now with us think of leaving us for that same reason ... The public impatience for some appointment to this school renders desirable as early an

²³⁴ Jefferson to Madison, Monticello, November 30, 1824. From Smith (1999) p. 1909.

²³⁵ Jefferson to Madison, Monticello, November 6, 1823. From Smith (1999) p. 1880.

²³⁶ Madison to Jefferson, Montpelier, October 9, 1824. From Smith (1999) p. 1905.

answer as your convenience admits.”²³⁷ The history of Jefferson’s university shows that “in the organization of the eight schools with which the University began its operations, no professor was named for the School of Law.”²³⁸ The failure of this recruitment effort left Jefferson and Madison administratively and institutionally distraught.

The way in which Jefferson structured faculty dynamics of the university created an environment that fostered cordiality, mutual respect, and institutional loyalty, not only to the university but to Jefferson as well. According to Honeywell (1931):

Another safeguard of academic independence was to be the democracy of the faculty within itself. All professors were to be on an equal footing in rank and authority. Assignment to the various pavilions was by lot. There was to be no president of the University, but a member of the faculty should be elected annually by his colleagues to discharge the inevitable executive duties. He was to be known as chairman of the faculty and could hold the position for one year only (99).

Jefferson lived long enough to witness this firsthand, which provided him with an extraordinary amount of personal and professional satisfaction. Writing to Madison, he observed: “Every thing [sic] is going on smoothly at the University. The students are attending their schools with more assiduity, and looking to their Professors with more respect. The authority of the latter is visibly strengthened, as is the confidence of those who visit the place, and the effect, on the whole, has been salutary. The Professors are all lecturing.”²³⁹ Jefferson’s last point in this correspondence is significant. Malone (1977) correctly points out that “lectures were not then customary in America, but he expected

²³⁷ Jefferson to Madison and the Board of Visitors of the University of Virginia, Monticello, May 13, 1825. From Smith (1999) p. 1937; also see Jefferson to Madison, Monticello, January 23, 1825, in which Jefferson expresses identical sentiments. From Smith (1999) p. 1921.

²³⁸ From “A Sketch of the University of Virginia,” (1885); this was also reflected in Jefferson’s memorandum to Madison and the University’s Board of Visitors written from Monticello, dated January 20, 1826. From Smith (1999) p. 1963.

²³⁹ Jefferson to Madison, Monticello, October 8, 1825. From Smith (1999) p. 1942.

them to be given at his University” (419); thus representing yet another way Jefferson’s institutional vision has carried forward into the modern era.

Patton (1906), relying on primary documents that describe the university’s first professors, has shown the respect and admiration they overwhelmingly shared for Jefferson: “Mr. Jefferson is down to earth with us almost every day, wrote Dr. Emmet, and as often invites us to call without formality at his home. He is an extremely pleasant old gentleman, and as hospitable as man can be. We all take the greatest delight in promoting his views, and he has expressed himself as well pleased” (104). Jefferson’s ability to develop this type of environment clearly resembles his efforts as president when he cultivated legislative, political party, and citizen support. It also provides greater testament to the nature of his administrative development.

CURRICULUM REQUIREMENTS

Jefferson was actively involved in shaping the university’s curriculum, and like the architectural design, it was remarkably different from other American institutions of higher education. Malone (1977) illustrates Jefferson’s innovative design of university curriculum best:

The system described in the rules and regulations that Jefferson sent the professors shortly before the opening day was necessarily theoretical, and in important respects it differed from that in other American institutions of higher learning. Instead of a fixed curriculum Jefferson set up a system of free election, and he organized instruction vertically in schools rather than horizontally in classes. A student could enroll in more than one school but was not required to do so ... He might receive a diploma, following a public examination in one of the oval rooms in the Rotunda. This could be in any school, but the candidate must also demonstrate his ability to read the highest Latin classics with ease and would gain further distinction if he had a proficiency in Greek. As Jefferson put it, the reputation of the University should be committed only to those who had attained “eminence” in one or more of the sciences taught in it, along with a proficiency in those languages “which constitute the basis of good education.”

Jefferson viewed degrees with indifference and he made no provision for that of Bachelor of Arts. Diplomas were to be of two grades, doctor and graduate (419).

Jefferson supported the study of Greek and Latin throughout his political career and both his public and private papers illustrate his unwavering commitment to literacy in these ancient languages. According to Jefferson: "I think the Greeks & Romans have left us the present models which exist of fine composition ... to read the Latin & Greek authors in their original, is a sublime luxury; and I deem luxury in science to be at least as justifiable as in architecture, painting, gardening, or the other arts."²⁴⁰ Jefferson's commitment to improving the curriculum standards for a state institution of higher education was radical for the era in which he lived. The idea of organizing a university's curriculum vertically instead of horizontally represents an important change in the administration of American higher education. Jefferson's ability to create this type of system illustrates how he was able to take the values he deemed essential for the maintenance and preservation of republican government and provide a plan for how to implement them in practice. If the elder statesman from Albemarle County, Virginia had not developed an administrative mind during the course of his political career he would have been unable to create the type of curriculum that was unprecedented within the United States.

More specifically, Addis (2003) has pointed out the differentiating factors of Jefferson's curriculum:

The curriculum Jefferson drew up in the Rockfish Gap Report was heavily weighted toward the physical sciences. He promoted the French physiocrats, who shared his dream of an agrarian utopia and hoped to use mathematics, rather than religion, to structure society and solve its problems. The most compelling part of the physiocratic theory for Jefferson was sensationalist philosophy, which argued

²⁴⁰ Jefferson to Priestley, Philadelphia, January 27, 1800. From Ford (1896) p. 414.

that the human brain can be comprehended entirely (and exclusively) through the study of its chemistry (61).

The Rockfish Gap Commission's Final Report, which Jefferson modeled the university's curriculum after, emphasized ten areas of study: ancient languages; modern languages; mathematics; physico-mathematics; physics or natural philosophy; botany and zoology; anatomy and medicine; government; law; and ideology to include general grammar, ethics, rhetoric, belles letters, and the fine arts.²⁴¹

Unlike most universities of this era, the University of Virginia omitted, at Jefferson's insistence, a theological or religious course of study from its curriculum.²⁴²

"UVA was free of denominational influence, chapel and a professor of theology. In the basement of the Rotunda, the library and centerpiece of the inner lawn, was a small spare room set aside for worship" (Addis 2003, 55). The significance of this decision cannot be underestimated during the early nineteenth century, particularly for a state institution. Madison was supportive of Jefferson's decision to separate theological studies from the university's curriculum. He maintained that "no alternative [could exist] but between a public University without a theological professorship, and sectarian Seminaries without a University."²⁴³ Jefferson also spent time reflecting on the reality of this decision for the university:

In our university you know there is no Professorship of Divinity. A handle has been made of this, to disseminate an idea that this is an institution, not merely of no religion, but against all religion ... We suggest the expediency of encouraging the different religious sects to establish, each for itself, a professorship of their own tenets, on the confines of the university, so near as that their students may attend the lectures there, and have the free use of our library, and every other, their independence of us and of each other.²⁴⁴

²⁴¹ From Addis (2003) p. 62.

²⁴² See "A Sketch of the University of Virginia," p. 9.

²⁴³ Madison to Everett, Montpelier, March 19, 1823. From Hunt (1910) p. 124.

²⁴⁴ Jefferson to Cooper, Monticello, November 2, 1822. From Peterson (1984) p. 1465.

This was Jefferson's way of "compromising." There would not, under any circumstances, be a department, college or school of theology at the University of Virginia. If, however, different religious groups wanted to establish an intellectual community in Charlottesville, at their own expense, and not the state's, they were more than welcome.

The majority of the American citizenry did not find Jefferson's "compromise" adequate or acceptable,²⁴⁵ and Madison was quick to defend this decision:

The Public Opinion seems now to have sufficiently yielded to its incompatibility with a *State* Institution, which necessarily excludes sectarian Preferences. The best provision which occurred, was that of authorizing the Visitors to open the Public rooms for Religious uses, under *impartial* regulations, (a task that may occasionally involve some difficulties) and admitting the establishment of Theological Seminaries by the respective sects contiguous to the precincts of the University, and within the reach of a familiar intercourse distinct from the obligatory pursuits of the Students.²⁴⁶

Jefferson and Madison were firm in this justification. Jefferson had always been cognizant of the Church's influence and dominance over educational institutions, and if the University of Virginia was going to represent a radically different form of instruction, it had to separate itself from the influence of religious doctrine within the parameters of its curriculum.

TEXTBOOK SELECTION

A thoughtful examination regarding the type of curriculum Jefferson implemented for the university cannot be analyzed fully without pointing out his preferences,

²⁴⁵ Addis (2003) correctly points out: "Jefferson's university was founded when higher education was a primary battleground between Virginia's clergy and defenders of the state's 1786 Statute for Religious Freedom. The Presbyterian and Episcopalian Churches of Virginia ran presses, organized significant blocks of voters, and were willing to fight for control of public education funding. For them religious freedom was not defined as a wall of separation between church and state, but rather as the equal right of all denominations to use the levers of democracy to fight for their interests" (68).

²⁴⁶ Madison to Beasley, Montpelier, December 22, 1824. From Hunt (1910) p. 211. Emphasis in original.

expectations, and recommendations for textbooks in each of the schools. Jefferson's criteria for how faculty could and would select their reading material represents yet another way this university differed from every other American institution of higher education. According to Jefferson:

In most public seminaries, text-books are prescribed to each of the several schools, as the *norma docendi* in that school; and this is generally done by authority of the trustees. I should not propose this generally in our University, because, I believe none of us are so much at the heights of science in the several branches as to undertake this; and therefore that it will be better left to the professors, until occasion of interference shall be given. But there is one branch in which we are the best judges, in which heresies may be taught, of so interesting a character to our own State, and to the United States, as to make it a duty in us to lay down the principles which shall be taught. It is that of government.²⁴⁷

Jefferson, and for that matter Madison as well, never doubted the intellectual and practical importance of their contribution to the development of republican government. They argued that the Founding Era's efforts²⁴⁸ should be examined and studied in classes that focused on political philosophy, government, and law.

THE FOUNDING OF THE UNIVERSITY'S LIBRARY

The Rotunda marked was the jewel in Jefferson's academical²⁴⁹ crown. It not only served as the architectural centerpiece of the University, but it was also the place Jefferson wanted most of the learning, reading, and writing to take place. He spent hours designing the Rotunda's architecture and then carefully considered the placement of book and how it would be catalogued. Jefferson's influence is thus widely acknowledged by scholars who studied the historical development of the University's library:

The initial collection of books was selected by him, and by his efforts it was made possible to acquire the collection chiefly by purchase. Because of his wide and insatiable intellectual curiosity and of his lifetime of enthusiastic adventures as a

²⁴⁷ Jefferson to Cabell, Monticello, February 3, 1825. From Cabell (1856) p. 339.

²⁴⁸ This included both the Federalist and Anti-Federalist perspectives.

²⁴⁹ Jefferson coined the word "academical."

booklover, the selection was of comprehensive scope and authoritative quality. The books were arranged for use according to his subject classification adapted from Francis Bacon. He chose the first two Librarians, and he formulated the first library regulations (Clemons 1954, 1).

Despite Jefferson's impressive library at Monticello, he spent more time than anticipated selecting books for the university's library, and whenever he needed assistance in selecting for a particular subject matter, he almost always turned to Madison. In the summer of 1824, this was precisely the case:

I have undertaken to make out a catalogue of books for our library, being encouraged to it by the possession of a collection of excellent catalogues, and knowing no one, capable, to whom we could refer the task. It has been laborious far beyond my expectation, having already devoted 4. hours a day to it for upwards of two months, and the whole day for some time past and not yet in sight of the end. It will enable us to judge what the object will cost. The chapter in which I am most at a loss is that of divinity; and knowing that in your early days you bestowed attention on this subject, I wish you could suggest to me any works really worthy of place in the catalogue. The good moral writers, Christian as well as Pagan I have set down; but there are writers of celebrity in religious metaphysics, such as Duns Scotus etc. alii tales [and others of such kind] whom you can suggest. Pray think of it and help me.²⁵⁰

Always quick to respond to any request made by Jefferson, Madison composed a list entitled: "A Theological Catalogue for the Library of the University of Virginia." This catalogue provided theological references for centuries one through five as well as a section entitled miscellaneous.²⁵¹ Like Jefferson, Madison agreed that even though the University would not provide a school of divinity, its library should devote a section to the historical development of theology.

In addition to his extensive focus on creating the library's catalogue, Jefferson devoted significant amounts of time thinking of ways to fund the type of book collection he deemed essential for the intellectual development of students and faculty researching

²⁵⁰ Jefferson to Madison, Monticello, August 8, 1824. From Smith (1999) p. 1897.

²⁵¹ Madison to Jefferson, Montpelier, September 10, 1824. From Smith (1999) p. 1899.

and studying at the university. He suggested to Cabell they either petition the General Assembly or request a bank loan for additional resources: “Forty or fifty thousand dollars would enable us to purchase the most essential books of text and reference for the schools, and such an apparatus for Mathematics, Astronomy and Chemistry as may enable us to set out with tolerable competence, if we can, through the banks or otherwise the whole sum at once.”²⁵² These efforts not only supported Jefferson’s ultimate goal of creating the most eminent university in the nation but they also complemented his position that books were an important source of capital.²⁵³ Jefferson’s attention to the smallest detail affecting every aspect of book selection provides another important example of his administrative development. Jefferson’s commitment to the library is also found in his last will and testament in which he bequeathed his personal library to the university.²⁵⁴

THE IMPORTANCE OF HONOR, INTEGRITY, AND INSTITUTIONAL LOYALTY

The final component of the organizational structure Jefferson established for the university focuses on the honor code and ways in which to discipline unruly students. These measures, particularly the university’s emphasis on academic integrity and honor, remain in place to this very day. Jefferson and the Board of Visitors maintained “punishments for major offenses shall be expulsion, temporary suspension, or interdiction of residence or appearance within the precincts of the University. The minor punishments shall be restraint within those precincts, within their own chamber, or in

²⁵² Jefferson to Cabell, Monticello, February 23, 1824. From Cabell (1856) p. 291.

²⁵³ Jefferson to Madison, Monticello, September 16, 1821. From Smith (1999) p. 1831 in which Jefferson argues: “Books constitute capital. A library lasts as long as a house, for hundreds of years. It is not then an article of mere consumption but fairly of capital, and often in the case of professional men, setting out in life it is their only capital.”

²⁵⁴ Jefferson’s Will. See Ford (1899) p. 395.

diet; reproof of the professor privately, or in the presence of the school of the offender ... dismissal [sic] from the school-room for the day, imposition of a task” (Patton 1906, 127). As highlighted in chapter three, the younger Jefferson was suspicious of oaths and as Jefferson aged he did not waiver from this position, particularly when outlining the university’s honor code: “When testimony is required from a student it shall be voluntary, and not an oath, and the obligation to give it shall be left to his own sense of honor” (Patton 1906, 128). A portion of the university’s first students were disruptive and less than enthusiastic about their intellectual development, making the honor code established by Jefferson and the Board all the more important.

Patton (1906) describes in great detail one of less than memorable incidents involving certain members of the university’s first students. On Saturday, October 1, 1825, several students rioted the lawn, an all too common event that occurred regularly on the grounds during the university’s first years. On this evening, however, matters quickly spun out of control. The students involved made profane statements and used derogatory language towards members of the faculty, and then subsequently picked up sticks and brickbats to confront the faculty who rose up in anger as a result of the disorderly conduct being displayed. The faculty were enraged with this behavior and refused to tolerate incidents of the sort. They, as a result, demanded the Board of Visitors punish the accused students. The students, even the ones who did not participate in the rioting, denied the occurrence of these events and sixty-five signed their names to a memorandum stating this was the case. They submitted this signed document to the faculty. The Board, after learning of these events, summoned the students to meet with them collectively at the Rotunda. This begins one of the most famous stories associated

with the University of Virginia. It was remembered by Henry Tutwiler, one of the first students enrolled at the university, and a witness to this historic meeting:

At a long table in the center of the room sat the Board of Visitors – most of them men venerable for their age and distinguished for their great services to the country – Thomas Jefferson, James Madison, Chapman Johnson, Joseph Cabell, John Cocke, James Breckinridge, and George Loyall. Mr. Jefferson arose. He began by saying that this was the most painful event of his life, but soon became so much affected that he could not proceed. He then turned to Mr. Johnson, and said that he must commit to younger hands the task of saying that which he felt himself unable to say. Those who have seen and heard this eminent lawyer will remember his dignified bearing, his bright and intelligent face, his earnest and persuasive manner. If eloquence is to be estimated by its effects, I have never heard any that surpassed this. His glowing appeals to their honor, the withering scorn with which he denounced the outrages, were irresistible. When the guilty students were asked to come forward and give their names, without any apparent concert there was a simultaneous rush to the table. While Mr. Trist was taking down the names, one of those concerned in the riot arose and disclaimed on the part of himself and his associates the acts of outrage which has been perpetrated by only a few, and said that no one felt more scorn for the guilty authors.²⁵⁵

This story emphasizes the importance of honor and integrity within the confines of university life. As Patton (1906) reminds us: “Jefferson addressed to the rational and manly among them a dignified appeal for a right sense of honor and a proper co-operation with the faculty – an appeal which was an overwhelming answer to “the paper” which sixty-five of the students had communicated to the faculty” (134). It also speaks to Jefferson’s insistence that students behave in a manner that epitomizes the values and norms associated with an institution that sought to distinguish itself as the premier university in the nation; in a word, these types of student-led disturbances would not be tolerated under any circumstances whatsoever. The faculty, as a result of this meeting, expelled four students and issued less severe punishments to others who were found guilty of disruptive and dishonorable behavior.

²⁵⁵ From Patton (1906) p. 132-3.

JEFFERSON'S REGULAR INTERACTION WITH UNIVERSITY STUDENTS

Although the university's first encounter with honor code violations was disheartening, it did not hinder Jefferson's desire to interact with as many students as possible. In many ways, it afforded him a wonderful opportunity to recreate the intimacy associated with his presidential dinners. Burwell Stark, an early university student, recorded the atmosphere at Monticello when Jefferson hosted students for dinner:

While at the University I remember it was my good fortune and great pleasure to dine several times with ex-President Jefferson. It was his custom to invite to dinner about a dozen pupils at one time till all had visited him two or three times. His hospitality and sociability made us free in his company, and endeared him to all our hearts. As an instance of the high estimation in which the students held him, when they saw that he would pass on a certain side of our grounds they would often go out of their way in order to receive his recognition and most courteous bow (Patton 1906, 104).

Patton (1906) tells of another account with Jefferson made by one of the university's first students:

Mr. Jefferson had a wonderful tact in interesting his youthful visitors, and making even the most diffident feel at ease in his company. He knew from what county each student came, and being well acquainted with most prominent men in every part of the State he would draw out the student by asking questions concerning them, or about something remarkable in his neighborhood, thus making one feel that he was giving instead of receiving information; or he would ask about the studies of the students, and make remarks about them or the professors, for all of whom he had a high admiration. He was thus careful to pay attention to each individual student (106).

The time and attention Jefferson spent acquainting himself with members of the student body mirrored the way in which he structured communications while president. Jefferson understood the important role students played at the university and made important strides to cultivate their learning experiences. Writing to Giles he noted:

I verily believe that as high a degree of education can now be obtained here. And a finer set of youths I never saw assembled for instruction. They committed some irregularities at first, until they learned the lawful length of their tether; since

which it has never been transgressed in the smallest degree ... They [the students] shall carry hence the correct principles of our day, and you may count assuredly that they will exhibit their country in a degree of sound respectability it has never known, either in our days, or those of our forefathers. I cannot live to see it. My joy must only be that of anticipation.²⁵⁶

Jefferson was adamant that students graduating from the University of Virginia would be the future leaders of the state.²⁵⁷ This objective was central to the existence of the university, and nothing provided greater joy to the retired Sage from Monticello²⁵⁸ than the realization that he was responsible for creating a public institution that would enhance and preserve the development of republican government in Virginia and throughout the nation. This observation points to Jefferson's administrative transformation even further and provides an excellent account of how in his later, more mature years he was able to connect his philosophical principles with sound administrative technique.

FINANCIAL CONSIDERATIONS AND BARRIERS THAT HINDERED COMPLETION OF THE UNIVERSITY

The General Assembly's establishment of the university's charter did not ensure that it would reside in financial security or institutional stability for any significant length of time. The University bill approved the distribution of \$15,000 annually from the Literary Fund. As Cabell accurately pointed out in his correspondence with Jefferson after the University Bill passed in the legislature: "Rest assured, however, that the opposition will not cease. The enemies of the institution²⁵⁹ will send up their friends to oppose us."²⁶⁰ Two years later, Cabell's suspicions were realized more fully as the university was consuming large amounts of debt because the legislature did not approve

²⁵⁶ Jefferson to Giles, Monticello, December 26, 1825. From Ford (1899) p. 356.

²⁵⁷ Jefferson regarded "state" in this context to include both Virginia and the nation.

²⁵⁸ Dumas Malone (1977) was the first to coin this characterization of Jefferson.

²⁵⁹ Certain segments of the Virginia clergy opposed the creation of the University because of its omission of religious studies from the curriculum; certain members of the Virginia General Assembly were also opposed to the increased costs associated with building Jefferson's academical village.

²⁶⁰ Cabell to Jefferson, Richmond, February 25, 1821. From Cabell (1856) p. 208.

and appropriate adequate financial resources: “It does appear to me that there is a powerful party in this State; with whom it is almost a passport to reputation to condemn the *plan and management* of the University. They have extended their influence over some honest and intelligent men, who do not concur in their political prejudices. Perhaps this may be the natural right of old political conflicts. Yet I sometimes think I can see something more.”²⁶¹ The legislature approved the university’s creation, but that did not provide the necessary funds for its development into the type of institution Jefferson envisioned. Thus, in addition to the time and energy Jefferson spent designing the university’s architecture, library, and governing body as well as developing guidelines for faculty recruitment, curriculum, textbook selection, and the honor code, he also was responsible for addressing public criticism from a variety of individuals and groups across the state who argued the cost associated with creating a public university was exorbitant and wasteful of taxpayer dollars. Just as Jefferson had done as president, he responded to each critique in writing with overwhelming vigor and confidence. He knew this was the last contribution he could provide to the nation, and under no circumstances would he allow Virginians to leave unopened the type of gift that would continue to give for future generations. As he eloquently described to Cabell:

I have been long sensible that while I was endeavoring to render our country the greatest of all services, that of regenerating the public education, and placing our rising generation on the level of our sister States (which they have proudly held heretofore), I was discharging the odious function of a physician pouring medicine down the throat of a patient insensible of needing it. I am so sure of the future approbation of posterity, and of the inestimable effect we shall have produced in the elevation of our country by what we have done, as that I cannot repent of the part I have borne in cooperation with my colleagues. I disclaim the honors which this writer has ascribed to me, of having made liberal donations of timber and stone from my own estate, and of having paid all the contracts for

²⁶¹ Cabell to Jefferson, Williamsburg, March 24, 1823. From Cabell (1856) p. 281.

materials myself, and I restore them to their true source, the liberal legislators of our country.²⁶²

Jefferson knew that history and posterity were on his side and what his contemporaries could not appreciate future generations would. Unlike at earlier points in his career, Jefferson was more aware of the importance of expressing his personal gratitude for those who championed his causes and worked towards their implementation.

ORIGINAL COST OF THE UNIVERSITY

The original cost of the University of Virginia's academical village, which included the Rotunda and eight schools, estimated at \$350,000.²⁶³ This was significantly higher than what Jefferson originally proposed to the General Assembly. In November 1820, he estimated the completed university would cost \$162,364;²⁶⁴ in September 1821, his new estimate was \$195,000;²⁶⁵ and in his "View of the Whole Expenses of the Funds of the University," which outlines actual cost, estimated cost, and averages, his total reached \$219,790.26.²⁶⁶ This, of course, fell short of the final budget of \$350,000, which caused a stark amount of criticism across the state, from certain groups and individuals at the highest levels of Virginia government to the average citizen.

LEGISLATIVE CONCERN AND PUBLIC CRITICISM OVER THE INCREASED COST OF THE UNIVERSITY

The completion of the University was sluggish and time-consuming, and as with most major construction projects, the actual costs outweighed the estimated costs. Cabell reported to Madison that a large majority of his colleagues in the General Assembly instructed him "to beg Mr. Jefferson and Mr. Madison to finish the buildings with their

²⁶² Jefferson to Cabell, Monticello, February 7, 1826. From Cabell (1856). P. 366.

²⁶³ See "A Sketch of the University of Virginia" (1885) p. 9.

²⁶⁴ Jefferson to Cabell, Poplar Forest, November 28, 1820. From Cabell (1856) p. 184.

²⁶⁵ Jefferson to Cabell, Monticello, September 30, 1821. From Cabell (1856) p. 219.

²⁶⁶ Jefferson to Cabell. From Cabell (1856) p. 221.

\$60,000 and if it should not be enough, not to commence any building which cannot be finished” (Addis 2003, 99). Jefferson quickly exhausted the annual \$15,000 appropriated by the General Assembly, and thus a significant financial dilemma emerged. As Addis (2003) observed: “Construction on the ten pavilions surrounding the inner lawn began in 1817, but the capstone of the campus – the Rotunda – overran its budget and created another flash point of religious controversy because of its secular symbolism.²⁶⁷ Jefferson’s reservoir of goodwill in Richmond and Williamsburg was nearly exhausted by the 1820s” (88). Madison was eager to respond to the financial dilemmas affecting the completion of the university. In an 1823 letter, he wrote Jefferson:

The friends of the University in the Assembly seem to have a delicate task on their hands. They have the best means of knowing what is best to be done, and I have entire confidence in their judgment as well as their good intentions ... One of the most popular objections to the Institution, I find is the expence [sic] added by what is called the ornamental style of the Architecture. Were this additional expence [sic] as great as is supposed, the objection ought the less to be regarded as it is short of the sum saved to the public by the private subscribers who approve of such an application of their subscriptions.²⁶⁸

Cabell was less diplomatic than Madison, and his opinions were strikingly candid: “I see no essential good to result from stopping short of our object, merely to have the credit of having a little money in hand, which the enemies of the institution would aver that we wished to spend, but had not the courage to part with. They would exaggerate the sum eventually necessary to complete the establishment, and laugh at our policy.”²⁶⁹ Jefferson agreed with both outlooks, although his position on the subject was even more

²⁶⁷ The term “secular symbolism” largely refers to Jefferson’s decision to omit a school of theology from the University’s curriculum. The Rotunda not only symbolized the architectural center of the academical village but it also represented the place where all types of learning and knowledge could be obtained separate from religious doctrine. Such efforts were unprecedented in the nation’s state-sponsored educational history.

²⁶⁸ Jefferson to Madison, Montpellier, January 15, 1823. From Hunt (1910) p. 113 and Smith (1999) p. 1854.

²⁶⁹ Cabell to Jefferson, Williamsburg, November 21, 1821. From Cabell (1856) p. 222.

direct than Cabell's, in large part because he was overly sensitive of any criticism regarding the university's architecture. Writing to Cabell:

The great object of our aim from the beginning, has been to make the establishment the most eminent in the United States, in order to draw to it the youth of every State, but especially of the south and west ... Had we built a barn for a college, and log huts for accommodations, should we ever have had the assurance to propose to an European professor of that character to come to it? Why give up this important idea, when so near its accomplishment that a single lift more effects it? ... To stop where we are, is to abandon our high hopes, and become suitors to Yale and Harvard for their secondary characters to become our first. Have we been laboring then merely to get up another Hampden Sidney or Lexington? ... The report of Rockfish Gap authorized us to aim at much higher things.²⁷⁰

According to Jefferson, "much higher things" included improving morality, enlarging the mind, enlightening councils, instructing industry, and advancing the power, prosperity, and happiness of the nation.²⁷¹ For these efforts to occur, the legislature had an obligation to support the university financially; anything less was clearly unacceptable.

DIVERTING FUNDS AWAY FROM PRIMARY EDUCATION: AN INADEQUATE AND UNFAIR ARGUMENT AGAINST THE UNIVERSITY AND JEFFERSON

One of the most popular arguments against the university was that it diverted resources away from publicly funded efforts that supported primary education. Jefferson addressed this critique directly and took personal offense that his political and administrative efforts leading to the creation of the university undermined initiatives that held the potential to advance public education at all levels of instruction. He remained steadfast, throughout the course of his life, including retirement, that his first preferences were for primary schools not a university. In 1826, four months before he died, he reminded Cabell: "I hope you have not lost sight of the annual tabular report of the

²⁷⁰ Jefferson to Cabell, Monticello, December 28, 1822. From Cabell (1856) p. 260.

²⁷¹ See Jefferson's memorandum to the Virginia House of Delegates, January 6, 1818, in which he outlined these criterion and objectives. From Cabell (1856) p. 400.

primary schools, necessary as a preliminary to perfect that branch of the general system of education.”²⁷² The General Assembly, however, was not interested in funding such an effort; therefore, Jefferson directed his attention to creating, building, funding, and institutionalizing a university for Virginia because the legislature would support that project. He often argued that it was “safer to have a whole people respectably enlightened, than a few in a high state of science, and the many in ignorance.”²⁷³ Even though establishing elementary schools was Jefferson’s preference, he reminded his adversaries, as well as posterity, that he championed a universal system of public education throughout his political career. In a letter to Breckinridge, Jefferson made this very point clearly, succinctly, and with zero ambiguity:

If it be asked what are we to do, or said we cannot give the last lift to the University without stopping our primary schools, and these we think most important; I answer, I know their importance. No body [sic] can doubt my zeal for the general instruction of the people. Who first started that idea? I may surely say, myself. Turn to the bill in the revised code, which I drew more than forty years ago, and before which the idea of a plan for the education of the people, generally, had never been suggested in this State ... Let us keep our eye on the whole system. If we cannot do everything at once, let us do one at a time. The primary schools need no preliminary expense; the ultimate grade requires a considerable expenditure in advance. A suspension of proceeding for a year or two on the primary schools, and an application of the whole income, during that time, to the completion of the buildings necessary for the University, would enable us then to start both institutions at the same time.²⁷⁴

The university’s adversaries remained hostile regardless of what Jefferson and the university’s friends reminded them of in terms of facts. He made several public comments in his defense and then directed his attention to the administrative, political, and financial matters directly affecting the development of the university. No one of the

²⁷² Jefferson to Cabell, Monticello, February 4, 1826. From Cabell (1856) p. 364.

²⁷³ Jefferson to Cabell, Monticello, January 18, 1826. From Cabell (1856) p. 267.

²⁷⁴ Jefferson to Breckinridge, Monticello, February 15, 1821. From Peterson (1984) p. 1452.

founding generation of Americans was a greater champion for public education than Thomas Jefferson; the primary documents and public record speak for themselves.

PUBLIC OPINION AND GROWING FINANCIAL CONCERNS REGARDING THE UNIVERSITY

As Jefferson raised the intellectual and social expectations for the university, and as cost rose beyond what the General Assembly allocated, the poor, wealthy, and those in between began to question the usefulness and importance of establishing this type of institution. Addis (2003) described the situation accurately: “Jefferson and Cabell had to stand fast against different levels of Virginia society. The rich viewed Jefferson’s ideas on public education as a “plan to educate the poor at the expense of the rich.” ... Jefferson thought that too much of the Literary Fund money went toward the poor and their charity schools. Many poor people were too proud to accept an education handout and some of the funds for the charity schools went unclaimed” (97). Jefferson’s response to this type of criticism focused on one of the central themes that became the hallmark of his position on public education: “Our course is a plain one, to pursue what is best, and the public will come right and approve us in the end.”²⁷⁵ The university’s architectural appearance and strong emphasis on providing a classical education, unfortunately, did little to unite citizens of different economic spheres together in support of state-sponsored higher education. Again, non-supporters continued their objections to the establishment of the university regardless of the arguments in favor of state-sponsored education.

Student enrollment also hindered public support. In 1825, Jefferson reported:

Our students are at present between 50. and 60. and are coming in 2. or 3. every day. We hear of many on the road who cannot come on, the Richmond and Fredsbg [sic] stages having ceased to run. Some of them hire horses and get on. The schools of ancient and modern languages, and Mathematics have a little over

²⁷⁵ Jefferson to Madison, Monticello, April 7, 1822. From Smith (1999) p. 1840.

or under 30 each. Nat. Philosophy fewer, because few come yet well enough prepared in Mathematics to enter that school to any advge [sic]. They are half idle, all, for want of books, Hilliard's supply shipped from Boston the 2d. inst. [sic] being not yet arrived. Charlottesville has not had the offer of a single border, and I think will not have one as long as a dormitory is unoccupied.²⁷⁶

The university's small student population added fuel to the fire when its opponents took into account how many times Jefferson and the Board requested loans from banks and the legislature. In 1820, Jefferson secured a \$60,000 loan at six percent interest;²⁷⁷ in 1823, the Literary Board issued another \$60,000 loan to aid in the completion of the Rotunda;²⁷⁸ and in 1825, Jefferson deposited \$50,000 into the university's account, which covered expenses for books, building completion, faculty salary, and laboratory equipment.²⁷⁹

Jefferson thought one way to combat this criticism was to outline expenditures. When costs increased, he provided the Board with an updated list of expenses. Jefferson was always quick to remind the university's critics that creating a public institution was not an inexpensive endeavor. In 1824, for example, he not only provided Madison and the Board with an estimated account for the year, but also with an estimated annual account beyond 1824 that showed the university's income and expenditures.²⁸⁰ In 1825 he sent Madison an enclosure that meticulously described the "State of Income and Expenditures for the University of Virginia, 1825-1827,"²⁸¹ in which he outlined income estimates and expenditures for the years 1825, 1826, and 1827. Jefferson's emphasis on

²⁷⁶ Jefferson to Madison, Monticello, March 22, 1825. From Smith (1999) p. 1930.

²⁷⁷ See Addis (2003) p. 98.

²⁷⁸ Jefferson to Madison and James Breckinridge, Monticello, February 16, 1823. From Smith (1999) p. 1856.

²⁷⁹ See Jefferson to Madison and the Board of Visitors of the University of Virginia, Monticello, August 4, 1825. From Smith (1999) p. 1940. Also see Cabell (1856) p. 355.

²⁸⁰ Jefferson to Madison and the Board of Visitors of the University of Virginia, Monticello, April 9, 1824. From Smith (1999) p. 1892. Also see Cabell (1856) p. 302-4.

²⁸¹ Jefferson to Madison, Monticello, April 15, 1825. From Smith (1999) p. 1936.

administrative matters, infrastructure, business and academic affairs, and the needs of students is clearly evident within these budgetary projections. These efforts highlight Jefferson's understanding of administrative matters and points to Gallatin's influence over him during the presidency regarding fiscal management.

Jefferson and Madison, however, vigorously defended the position that the state legislature should forgive the university's debt. Jefferson corresponded to Madison: "The belief is so universal that the ensuing legislature will dispose in some way of the University debt, and liberate our funds, as that we ought to save what time we can by provisional preparations."²⁸² In 1824, Jefferson's ability to persuade members of the General Assembly paid off, and they agreed to waive repayment of several loans taken out of the Literary Fund in support of the university. This was an important victory for the university and for Jefferson. It provided the Board with the necessary funds to begin their search for distinguished faculty in Europe, and it also made clear that Jefferson remained a powerful figure within the confines of state politics. It should also be noted that Jefferson's attention to the administrative needs of the university as well as his impeccable record keeping regarding the financial status of the institution increased the likelihood that the legislature would forgive the debt substantially and strengthened public confidence in Jefferson's ability to implement the mission and goals of the university.

JEFFERSON'S VISION APPRECIATED: SUPPORT FOR THE UNIVERSITY INCREASES

Despite various forms of public critique, once the architectural structure of the university began to take shape, the library opened, the pavilions completed, faculty assumed their positions within the colleges, and students enrolled in classes, people

²⁸² Jefferson to Madison, Monticello, November 6, 1823. From Smith (1999) p. 1879.

began to marvel at the masterpiece Jefferson created. Shortly after the University opened, Cabell noted to Jefferson: “I cannot describe the satisfaction which I feel reflecting on the present prospects of the University ... How can this State and nation ever repay you, my dear sir, for this great and good work! What must be your feelings in contemplating this precious work of your hands!”²⁸³ Madison expressed similar sentiments: “Mr. Jefferson has been the great projector & the mainspring of it [the university].”²⁸⁴ In December 1825, Professor George Ticknor of Harvard University, his wife, and Daniel Webster visited Monticello and the university. He publicly commented that Jefferson’s university “was more beautiful than anything architectural in New England, and more appropriate to an university than could be found, perhaps, in the world” (Malone 1977, 423). Dr. William H. Ruffner, former Superintendent of Virginia Public Instruction, noted in his 1872 annual report to the General Assembly:

Probably no institution has ever been founded on this continent which, in the first fifty years of its existence, produced so profound an impression as has been made in the educational world by the University of Virginia. The reputation of its founder, its unique organization, its beautiful situation, its impressive and remarkable architecture, its eminent professors, its thorough instruction, at once gave it character as the leader of Southern education, and as the peer of the oldest and best of American institutions ... Better than all this, its spirit was modes, generous and progressive, and its professors laborious and devoted, as well as able and learned. Such an institution could not fail to become the glory of the Commonwealth; and there is not one of our many superior institutions which will not cheerfully acknowledge a large debt of gratitude to our State University.²⁸⁵

Jefferson’s vision for a state university became the University of Virginia. His administrative and educational mind afforded him the wisdom to implement this vision into reality. Well over a century later, scholars, commentators, organizations, and individuals remain steadfast in their praise of Jefferson’s achievement. More notably, the

²⁸³ Cabell to Jefferson, Norfolk, May 25, 1825. From Cabell (1856) p. 354.

²⁸⁴ Madison to Beasley, Montpelier, December 22, 1824. From Hunt (1910) p.212.

²⁸⁵ From “A Sketch of the University of Virginia” (1885). p.3.

American Institute of Architects confirmed in 1976 that the University of Virginia “was the proudest achievement of American architecture in the past 200 years” (Smith 1999, 1915).

During the early stages of his career, Jefferson achieved extraordinary success as author of the Declaration of Independence and the Virginia Statute for Religious Freedom. His journey upward provided him with fame and the unwavering support of many of his countrymen. From 1776 onward, the majority of American citizens thought of him as a patriot and a proud statesman. By 1818, however, as Carcieri (1997) astutely points out: “He could view the nexus between public education and a democratic republic from many facets (as well as the pinnacle) of public service nearly thirty years after the Constitution had been ratified. Jefferson is, therefore, uniquely qualified to articulate the connection between public education and American constitutional democracy” (5). At the end of his career, Jefferson’s trajectory went downward, meaning he was not involved in creating ideas that would fundamentally alter political philosophy and the practice of republican government. Instead, he consumed himself with the tedious nuances involved in creating a state institution – and yet, the results were remarkably the same. Jefferson made a contribution that will forever be thought of as one of the most important in the history of the nation. It took him becoming the “retired Sage” to realize his ability to connect theory with practice and politics with administration. When this occurred, a marvelous, radically different state institution emerged that the world still looks upon with respect and admiration. These efforts illustrate why Thomas Jefferson is an important, but sadly forgotten, figure of American administrative history.

REFERENCES

- Addis, Cameron. (2003). *Jefferson's Vision for Education 1760-1845*. New York: Peter Lang.
- Cabell, Joseph C. (1856). *Early History of the University of Virginia, as contained in the Letters of Thomas Jefferson and Joseph C. Cabell*. Richmond, VA: J.W. Randolph.
- Cappon, Lester J., Ed. (1959). *The Adams-Jefferson Letters: The Complete Correspondence between Thomas Jefferson and Abigail and John Adams*. Vol. I and II. Chapel Hill: University of North Carolina Press.
- Carcieri, Martin D. (1997). "Democracy and Education in the Thought of Jefferson and Madison." *Journal of Law and Education* 26:1, 1-30.
- Carter, James C. (1898). *The University of Virginia: Jefferson its Father and his Political Philosophy*. Cleveland: Imperial Press.
- Clemons, Harry. (1954). *The University of Virginia Library: 1825-1950: Story of a Jeffersonian Foundation*. Charlottesville: University of Virginia Press.
- Ford, Paul L., Editor. (1899). *The Works of Thomas Jefferson*. Volume X. New York: Knickerbocker Press.
- Ford, Paul L., Editor. (1896). *The Works of Thomas Jefferson*. Volume VII. New York: Knickerbocker Press.
- Grizzard, Jr., Frank Edgar. (1996). "Documentary History of the Construction of the Buildings at the University of Virginia, 1817-1828." Dissertation: University of Virginia: Corcoran Department of History.
<http://etext.virginia.edu/jefferson/grizzard>.
- Honeywell, Roy. (1931). *The Educational Work of Thomas Jefferson*. Cambridge: Harvard University Press.
- Hunt, Gaillard, Ed. (1910). *The Writings of James Madison*. New York: Knickerbocker Press.
- Hunt, Gaillard, Ed. (1908). *The Writings of James Madison*. New York: Knickerbocker Press.
- Kettl, Donald F. (2002). *The Transformation of Governance: Public Administration for Twenty-First Century America*. Baltimore: Johns Hopkins University Press.
- Malone, Dumas. (1977). *The Sage of Monticello*. Boston: Little, Brown, and Company.

- Oberg, Barbara B., Editor. (2005). *The Papers of Thomas Jefferson*. Volume 32. Princeton, NJ: Princeton University Press.
- Patton, John S. (1906). *Jefferson, Cabell and the University of Virginia*. New York: Neale Publishing Company.
- Peterson, Merrill D., Editor. (1984). *Thomas Jefferson: Writings*. New York: The Library of America.
- “Sketch of the University of Virginia.” (1885). Richmond, VA: Whittet & Shepperson, Cor.
- Smith, James Morton, Editor. (1995). *The Republic of Letters: The Correspondence between Thomas Jefferson and James Madison 1776-1826*. Volumes 1-3. New York: W.W. Norton and Company.
- White, Leonard D. (1951). *The Jeffersonians: A Study in Administrative History 1801-1829*. New York: MacMillan Company.

CHAPTER SIX:

CONCLUSION:

JEFFERSON: AN ADMINISTRATIVE CREATOR

TOGETHER JEFFERSON, MADISON, AND ADAMS CRITICALLY EXAMINE HOW POSTERITY WILL REMEMBER THEIR ROLES AS AMERICAN STATESMEN

During their retirement years, Jefferson, Madison, and Adams began to reexamine their roles in advancing the development of the American state, and Jefferson's correspondence with each provides two of the most important primary sources associated with the American founders. Unlike Jefferson's friendship with Madison, he and Adams ceased communication from 1801 through 1812, due in large part to their bitter disagreement regarding Adams's decision to appoint "midnight judges" during the final hours of his presidency. It was Abigail Adams, however, who desperately wanted the two statesmen to resurrect their friendship and upon her insistence the elder statesman from Quincy, Massachusetts and his counterpart from Albemarle County, Virginia began corresponding once again. Cappon (1959) has observed that "no correspondence in American history is more quotable or more readily recognized for its historical significance than that of John Adams and Thomas Jefferson" (xxv).²⁸⁶ Between 1812 and 1826, Jefferson and Adams corresponded 158 times, compared with 171 between 1777 and 1801.²⁸⁷ Writing to Adams, once the two mended their friendship, Jefferson remarked:

A letter from you calls up recollections very dear to my mind. It carries me back to the times when, beset with difficulties and dangers, we were fellow laborers in the same cause, struggling for what is most valuable to man, his right of self-

²⁸⁶ It should also be noted that scholars who have annotated and reviewed correspondence between Jefferson and Madison maintain that their letters are just as historically significant, perhaps more so, than those written between Jefferson and Adams.

²⁸⁷ From Cappon (1959) p. xxv.

government. Laboring always at the same oar, with some wave ever ahead threatening to overwhelm us and yet passing harmless under our bark, we rode through the storm with heart and hand, and made a happy port. Still we did not expect to be without rubs and difficulties; and we have had them ... No circumstances have lessened the interest I feel in these particulars respecting yourself; none have suspended for one moment my sincere esteem for you; and I now salute you with unchanged affections and respect.²⁸⁸

Adams was quite touched with Jefferson's kind words and so the two statesmen began an extraordinarily candid discussion about how posterity would judge them individually and collectively. Adams maintained that "In the Measures of Administration I have neither agreed with you or Mr. Madison. Whether you or I were right Posterity must judge."²⁸⁹ Jefferson, out of courtesy, did not respond to Adams's first point but did comment on how he thought posterity would judge his own accomplishments: "My mind has been long fixed to bow to the judgment of the world, who will judge me by my acts, and will never take counsel from me as to what that judgment shall be."²⁹⁰ Both Jefferson and Adams, of course, thought their opinions, decision making, and philosophical reasoning were in the best interest of the nation. They were, nevertheless, overly apprehensive with regard to how posterity would evaluate their contributions to the maintenance and preservation of the American state and both desperately wanted history to record their accomplishments as being unprecedented in the course of advancing democratic theories associated with republican statecraft.

Jefferson's friendship with Madison was consistently more stable than what he shared with Adams. A careful examination of their correspondence reveals that Jefferson's confidence, respect, and admiration of Madison was unparalleled to anyone else he communicated with throughout the course of his life. When Madison retired from

²⁸⁸ Jefferson to Adams, Monticello, January 12, 1812. From Cappon (1959) p. 291-2.

²⁸⁹ Adams to Jefferson, Quincy, May 1, 1812. From Cappon (1959) p. 301.

²⁹⁰ Jefferson to Adams, Monticello, June 27, 1813. From Cappon (1959) p. 337.

the presidency, Adams expressed to Jefferson his concerns that the younger Virginian would be unfulfilled if he was not at the center of national affairs. Jefferson was not only quick to dismiss Adams's claim but also eager to champion Madison's role in supporting the University of Virginia:

I do not entertain your apprehension for the happiness of our brother Madison in a state of retirement. Such a mind as his, fraught with information, and with matter for reflection, can never know ennui. Besides, there will always be work enough cut out for him to continue his active usefulness to his country. For example, he and Monroe are now here on the work of a collegiate institution to be established in our neighborhood, of which they and myself are three of six Visitors. This, if it succeeds, will raise up children for Mr. Madison to employ his attentions thro' life. I say, if it succeeds; for we have two very essential wants in our way 1. means to compass our views and 2dly. men qualified to fulfill them. And these you will agree are essential wants indeed.²⁹¹

Jefferson's unwavering support of Madison and Madison's of Jefferson was unprecedented. They thought of each other in the highest regard, more so than anyone else associated with their generation. Jefferson expressed his heartfelt affection for Madison by designating him the recipient of his gold-mounted walking staff of animal horn in his last Will and Last Testament "as a token of the cordial and affectionate friendship which for nearly now an [sic] half century, has united us in the same principles and pursuits of what we have deemed for the greatest good of our country."²⁹²

Of the almost 19,000 letters Jefferson wrote throughout his eighty-three years, perhaps none represent his reliance on Madison for the preservation of his legacy more than the closing lines of the one he drafted five months before he died:

The friendship which has subsisted between us now half a century, and the harmony of our political principles and pursuits, have been sources of constant happiness to me through that long period. And I remove beyond the reach of attentions to the University, or beyond the bourne [sic] of life itself, as I soon must, it is a comfort to leave that institution under your care, and an assurance

²⁹¹ Jefferson to Adams, Monticello, May 5, 1817. From Cappon (1959) p. 513.

²⁹² Jefferson's Will. From Ford (1899) p. 395.

that it will not be wanting. It has always been a great solace to me, to believe that you are engaged in vindicating to posterity the course we have pursued for preserving to them, in all their purity, the blessings of self-government, which we had assisted too in acquiring for them. If ever the earth has beheld *a system of administration* conducted with a single and steadfast eye to the general interest and happiness of those committed to it, one which, protected by truth, can never know reproach, it was that to which our lives have been devoted. To myself you have been a pillar of support through life. Take care of me when dead, and be assured that I shall leave with you my last affections.²⁹³

In this, one of the last letters Jefferson wrote to Madison, he references his confidence in the system of administration they created for the American state. Establishing the University of Virginia radically transformed Jefferson's thinking about what administration means to the advancement of the philosophical principles found within the nation's constitutional heritage. Building a state institution from the ground up, and having the constitutional and administrative genius of James Madison as his most trusted advisor, provided Jefferson with a rare window of opportunity to articulate the importance of administration to the continued advancement of the state, its democratic institutions, and its citizenry in a fundamentally new way.

Two days after learning of Jefferson's death, Madison wrote an elegant and poignant eulogy to the man he considered *his* closest confidant and trusted advisor:

Long as this has been sparr'd to his Country & to those who loved him, a few years more were to have been desired for the sake of both. But we are more than consoled for the loss, by the gain to him; and by the assurance that he lives and will live in the memory and gratitude of the wise & good, as a luminary of Science, as a votary of liberty, as a model of patriotism, and as a benefactor of human kind. In these characters, I have known him, and not less in the virtues & charms of social life, for a period of fifty years during which there has not been an interruption or diminution of mutual confidence and cordial friendship, for a single moment in a single instance. What I feel therefore now, need not, I should say, cannot, be expressed.²⁹⁴

²⁹³ Jefferson to Madison, Monticello, February 17, 1826. From: www.etext.virginia.edu. Emphasis added.

²⁹⁴ Madison to Trist, Montpelier, July 6, 1826. From Hunt (1910) p. 248.

Madison used this opportunity, as well as others throughout the remainder of his life, to honor Jefferson's request of taking care of him when dead.

THE STORY COMES TO AND END – JEFFERSON BECOMES AN ADMINISTRATIVE CREATOR

The purpose of this dissertation has been to tell the story of Thomas Jefferson's contribution to the development of public administration. As President of the United States and as Founder of the University of Virginia, he contributed greatly to the maintenance and preservation of the administrative state. In the former position, he transformed executive branch dynamics and sacrificed his principles for the good of the state. In the latter, he vigorously championed for public education initiatives and created a radically different type of state institution for higher education that was specifically designed to ensure the values embedded within the nation's constitutional heritage would be preserved for future generations. Jefferson's ability to restructure the executive branch and his administrative role as an institution builder provides an excellent example of Montesquieu's astute observation that: "At the birth of societies, the rulers of republics establish institutions; and afterwards the institutions mould the rulers." At the beginning of Jefferson's career, he played a pivotal role in defining the types of values that would provide the philosophical and normative foundation for the American state. As president and founder of the University of Virginia, he discovered how democratic institutions held the potential to change the ideas, thoughts, and perspectives of even the most steadfast of statesmen. This type of political, administrative, and institutional transformation should not be forgotten by students of American public administration.

Jefferson considered his establishment of the University of Virginia as one of the most important accomplishments of his political career.²⁹⁵ His attention to the administrative details affecting every aspect of the university provides important lessons for how he contributed to the development of public administration. Larry Terry (2003, 2nd ed.) eloquently argued that administrative conservatorship is an important concept associated with the preservation of democratic institutions. According to Terry: “Someone who engages in the act of preserving is defined as a conservator. More specifically, a conservator is a guardian, someone who conserves or preserves from injury, violation, or infraction” (25). What remains significant for public administration regarding Jefferson’s role in establishing the University of Virginia is that he first had to create an institution that would subsequently afford future generations of public servants, including elected officials in the General Assembly, administrators involved in state government, faculty, students, and university officials, the opportunity “to strengthen and preserve its [the University’s] special capabilities, its proficiency, and thereby its integrity so that it may perform a desired social function” (Terry 2003, 25). According to Jefferson, providing Virginians with a world-renowned, public institution for higher education was one of the most important social functions his university provided to the state.

Jefferson also maintained, however, that the normative values embedded within the nation’s constitutional heritage could not be achieved fully without an educated citizenry. Such was the radical and distinctive contribution the University of Virginia made to the American state. The fundamental premise Jefferson established in support of

²⁹⁵ Jefferson wrote his own epitaph in an effort to emphasize what he wanted to be remembered for most. It reads: “Here was buried Thomas Jefferson: Author of the Declaration of American Independence, Of the Virginia Statute for Religious Freedom, and Father of the University of Virginia.”

this institution was that it served to improve the democratic values associated with American constitutional tradition; in a word, an educated citizenry would be more capable of running the Constitution and advancing the nation in ways that were complementary to the institutional framework established by the Founders. This effort provides a stark contrast to the founding of the University of North Carolina at Chapel Hill, the nation's oldest state institution for higher education. Chartered in 1789, the General Assembly of North Carolina designed this university "for the *people*." Jefferson absolutely insisted that the University of Virginia be an institution "for the *state*." This distinction is of great significance and certainly provides added support and legitimacy for the constitutional school of public administration.

By establishing this state institution – one that fundamentally changed liberal arts education at colleges and universities across the United States – Jefferson ultimately became an "administrative creator," for the creation of an institution must occur before that institution can be conserved. Such a contribution provides an interesting parallel to Madison's excellent observation in *Federalist 51*: "You must first enable the government to control the governed; and in the next place, oblige it to control itself." Jefferson's statecraft and institutional leadership is thus reflected by those who have served the University of Virginia for over 170 years as conservators of its institutional, academic, administrative, economic, and professional responsibilities to the state and its citizenry -- efforts that continuously rank this University as one of the best state institutions for higher education in the nation. Ironically, Jefferson's correspondence with his former law professor at William and Mary, George Wythe, is applicable to this context better than when he was writing from Paris in 1786:

If any body [sic] thinks that kings, nobles, or priests are good *conservators* of the public happiness, send them here. It is the best school in the universe to cure them of that folly ... Let our countrymen know that the people alone can protect us against these evils, and that the tax which will be paid for this purpose is not more than the thousandth part of what will be paid to kings, priests, and nobles who will rise up among us if we leave the people in ignorance.²⁹⁶

The characterization of Jefferson as an administrative creator points to the extraordinary genius of his administrative mind. At the end of his life, he understood how administration affected politics, institution building, and constitutional tradition in ways that had eluded him at earlier points in his career. To understand Jefferson more completely is to understand Jefferson as an administrative creator. Such sentiments provide greater historical legitimacy to a position articulated by a biographer of Abraham Lincoln²⁹⁷ in his observation of Jefferson's contribution to administration and statesmanship:

He imparted to the very recent historical origin of his country, and his followers imparted to its material conditions, a certain element of poetry, and the felt presence of a wholesome national ideal. The patriotism of an older country derives its glory and its pride from influences deep rooted in the past, creating a tradition of public and private action which needs no definite formula. The man who did more than any other to supply this lack in a new country, by imbuing its national consciousness, even its national cant with high aspiration did, it may well be, more than other strong administrator or constructive statesman to create a Union which should thereafter seem worth preserving.²⁹⁸

Let Thomas Jefferson's contribution to the development of public administration in the United States be forgotten no more.

²⁹⁶ Jefferson to Wythe, Paris, August 13, 1786. From Peterson (1984) p. 859. Emphasis added.

²⁹⁷ Lord Charnwood.

²⁹⁸ From Johnstone (1972) p. 498.

REFERENCES

- Cappon, Lester J., Ed. (1959). *The Adams-Jefferson Letters: The Complete Correspondence between Thomas Jefferson and Abigail and John Adams*. Vol. I and II. Chapel Hill: University of North Carolina Press.
- Ford, Paul L., Editor. (1899). *The Works of Thomas Jefferson*. Volume X. New York: Knickerbocker Press.
- Hunt, Gaillard, Ed. (1910). *The Writings of James Madison*. New York: Knickerbocker Press.
- Johnstone, Robert M. (1972). *The Resources of Presidential Power: The Jeffersonian Example*. Diss. Cornell University Ann Arbor: UMI. 73-14, 703.
- Peterson, Merrill D., Editor. (1984). *Thomas Jefferson: Writings*. New York: The Library of America.
- Terry, Larry D. (2003). *Leadership of Public Bureaucracies: The Administrator as Conservator*. New York: M.E. Sharpe.

APPENDIX

PRIMARY SOURCE COLLECTION

This dissertation relied heavily on primary sources as a means of emphasizing Jefferson's contribution to the development of public administration. Each primary document is footnoted throughout the manuscript to include who wrote the document, where it was written from, the date it was written, and the location where it was collected. The primary sources were collected from the Library of Congress, Alderman Library at the University of Virginia, the Jefferson Library at Monticello, and Newman Library at Virginia Tech. Some of the older primary sources, like Cabell (1856), which contains each letter written between Jefferson and Joseph Cabell regarding the founding of the University of Virginia, were found in the Special Collections Section of one or more of the libraries mentioned above. Some of Jefferson's letters, correspondence, and documents were also found on-line through the Jefferson portal on the University of Virginia's website (<http://etext.virginia.edu>). These are also highlighted as footnotes within various sections of the manuscript.

PRIMARY PAPER SOURCES USED FOR THIS DISSERTATION:

- Adams, Henry, Ed. (1960). *The Writings of Albert Gallatin*. Vol. I. New York: Antiquarian Press.
- Cabell, Joseph C. (1856). *Early History of the University of Virginia, as contained in the Letters of Thomas Jefferson and Joseph C. Cabell*. Richmond, VA: J.W. Randolph.
- Cappon, Lester J., Ed. (1959). *The Adams-Jefferson Letters: The Complete Correspondence between Thomas Jefferson and Abigail and John Adams*. Vol. I. Chapel Hill: University of North Carolina Press.
- Ford, Paul L., Editor. (1894). *The Works of Thomas Jefferson*. Volume IV. New York: Knickerbocker Press.

- Ford, Paul L., Editor. (1896). *The Works of Thomas Jefferson*. Volume VII. New York: Knickerbocker Press.
- Ford, Paul L., Editor. (1897). *The Works of Thomas Jefferson*. Volume VIII. New York: Knickerbocker Press.
- Ford, Paul L., Editor. (1905). *The Works of Thomas Jefferson*. Volume IX. New York: Knickerbocker Press.
- Ford, Paul L., Editor. (1905). *The Works of Thomas Jefferson*. Volume X. New York: Knickerbocker Press.
- Hamilton, Alexander. (1955). Hamilton on the Louisiana Purchase: A Newly Identified Editorial from the New-York Evening Post. *The William and Mary Quarterly*, 12:2, 268-281.
- Hirst, Francis W. (1926). *Life and Letters of Thomas Jefferson*. New York: The MacMillan Co.
- Hunt, Gaillard, Ed. (1910). *The Writings of James Madison*. New York: Knickerbocker Press.
- Hunt, Gaillard, Ed. (1908). *The Writings of James Madison*. New York: Knickerbocker Press.
- Hunt, Gaillard, Editor. (1906). *The Writings of James Madison 1790-1802*. Volume VI. New York: G.P. Putnam's Sons.
- Jefferson, Thomas. (1999). *Notes on the State of Virginia*. New York: Penguin.
- Mattern, David B., et al. (1986). *The Papers of James Madison: Secretary of State Series*, Volume Five. Charlottesville, VA: University Press of Virginia.
- McLaughlin, Jack, Editor. (1991). *To His Excellency Thomas Jefferson: Letters to a President*. New York: W.W. Norton and Company.
- Oberg, Barbara B., Ed. (2005). *The Papers of Thomas Jefferson*. Vol. 32, 1 June 1800 to 16 February 1801. Princeton: Princeton University Press.
- Peterson, Merrill D., Editor. (1984). *Thomas Jefferson: Writings*. Vol. I. New York: The Library of America.
- Smith, James Morton, Editor. (1995). *The Republic of Letters: The Correspondence Between Thomas Jefferson and James Madison 1776-1826*. Volume I. New York: W.W. Norton and Company.

Smith, James Morton, Editor. (1995). *The Republic of Letters: The Correspondence Between Thomas Jefferson and James Madison 1776-1826*. Volume II. New York: W.W. Norton and Company.

Syrett, Harold C., et al. (1979). *The Papers of Alexander Hamilton*. Volume 24. New York: Columbia University Press.

Syrett, Harold C. and Cooke, Jacob E., Editors. (1965). *The Papers of Alexander Hamilton*. Vol. VIII (February 1791-July 1791). New York: Columbia University Press.

HOW PRIMARY SOURCES WERE READ

Jefferson wrote almost 19,000 letters during the course of his lifetime. He covered almost every subject known to man, including: international relations; politics (local, state and national); political philosophy; law; affairs in Virginia (legislative, political, administrative, and agricultural); religion; perspectives and opinions on leaders around the country and the world; finances; posterity; architecture; agronomy; weather; education; books; family affairs at Monticello; horses and riding; his physical health and the health of his contemporaries; paleontology; oenology; botany; zoology; mathematics; and foreign languages, especially Latin, Greek, and French.

Examining Jefferson's political career through primary documents reveals the extraordinary breadth of his intellectual interests. In most cases, Jefferson discussed multiple topics of interest, particularly in his correspondence with Madison and Adams. For example, in his letter to Madison on February 17, 1826, Jefferson focused on a wide variety of subjects from state politics, University matters, his overwhelming personal debt, and then at the end, he eloquently articulates how much Madison's friendship means to him and what he thinks of their contribution to the development of a system of administration that radically improved the lives of the American citizenry. A large

number of the primary sources used in this dissertation fit this format. The ideas that highlight either Jefferson's lack of administrative understanding at the beginning of his career or his vastly improved recognition of the connections between administration and constitutional tradition during his retirement years are interwoven into a variety of discussions that have little to do with the topic of this dissertation. And such is the beauty of Jefferson's public and private papers. To develop a comprehensive understanding as to who Thomas Jefferson was is to appreciate all the areas of interest that he gravitated toward throughout his life. This also can help explain why public administration scholars have failed to recognize Jefferson's contribution to the field. Topics relating to how he thought about administration are buried in between and all around the other major interests that captivated his attention. The same can also be said for a number of Madison and Adams's primary documents.

In addition, several of the primary sources that are critical to developing a more comprehensive understanding as to how Jefferson became a central figure within American administrative history have been out of print for nearly 100 to 150 years. Paul Ford's multi-volume work and Jefferson's complete correspondence with Joseph Cabell are important examples of this observation. Cabell's (1856) work can be found only in the Special Collections section of most libraries, if they own a copy at all. The collection of primary documents was the most important methodological aspect of this dissertation project. Jefferson's own words provide the intellectual substance for this story.

To increase accuracy and objectivity every letter in Ford, Smith, Cappon, and Cabell's collections were read in their entirety. The primary sources for Madison, Adams, and Hamilton were read in segments based on the dates associated with the

letters and how that corresponded with the topic being examined at a particular point in the story.