Episode 1,390: Jefferson and Slavery: Non-Cartoon Version

Guest: Kevin Gutzman

WOODS: This is one of a sporadic series I think I'm going to do, responding to some tweets that I've just described to the poor folks, from this Teri Kanefield. And I'm just going to bring on people of different backgrounds and different subject area mastery to talk about these different things, because even though she is a million miles from the truth, she's still raising issues that make good podcast episodes. And as a guy who releases five of those a week, I'm always desperate for good topics. And when I read your email response to me to what she had to say about Jefferson and slavery, I just thought, all right, that's an episode. That's an episode right there.

So let me read to the folks the tweets that pertain to Jefferson. S first she's going after David Boaz from the Cato Institute, and that's just funny in and of itself, because Boaz has gone out of his way to smear other libertarians like me or Jacob Hornberger, obviously harmless people, as white supremacists or as being, at the very least, highly insensitive, because every time we mention American history, we don't constantly talk about slavery. And so it's just funny to see him taken to task in his own book *The Libertarian Mind* for not constantly talking about slavery. I mean, he's getting a taste of his own medicine. It's so funny. Anyway, so this is what Kanefield says:

"This book is a well-written piece of propaganda, complete with an incorrect, simplified, and whitewashed, literally, view of American history. Boaz tells us America was founded on the precepts of individual liberty. We can stop right there." So you see, there's no point in trying to appease people like her by throwing other libertarians under the bus, because she's not going to be appeased, if you say, well, look, I smeared Jacob Hornberger for you; isn't that good enough? I mean, she couldn't care less. You're all white supremacists as far as she's concerned.

So she continues: "The nation was founded on the institution of slavery, and taking land from native people (whoever grabs gets). Boaz, like most libertarians, loves quoting Thomas Jefferson. When Jefferson said beautiful things about liberty, he didn't mean for everyone. He meant white men."

And then one more tweet: "Libertarians overlook the fact that there were two rival factions at the founding of the nation, the Jeffersonians and Hamiltonians." Yeah, I never even heard of those people until these tweets, Kevin. And then she says: "Hamilton was anti-slavery and in favor of a strong central government. Jefferson thought individual liberty meant the freedom to own slaves."

All right, now, that's all we're going to say. We're just going to leave it right there. So there are a number of questions I might ask you about this, but I guess my first would be: what grade level would you assign that analysis to? I mean, that's about as surface a reading of everything as you could get. So how do you want to start? Because I want to go back and get your email that you wrote to me, but where do you want to go with this?

GUTZMAN: Well, I guess listeners might be interested to know that she's the author of a children's book on Alexander Hamilton, so it's not surprising that she takes a children's approach to these questions. That's what she's published, a children's version of the conflict between Jefferson and Hamilton. Of course, Hamilton in her account is kind of a godlike figure who manifests all the virtues we might hope somebody in the past would have manifested.

WOODS: All right, let's get back to Hamilton and Jefferson in a minute. You know a little something about Jefferson, Mr. Jefferson biographer more or less, so let's get back to that in a minute. I want to read what you wrote to me, because I sent out an email on this general subject to my list, and you wrote this back:

"You know what's most annoying about the "you must mention slavery" stuff? Everyone had slavery, a in the whole world. When Jamestown was settled in 1607, no one anywhere in the history of the world had criticized slavery as immoral. Abraham, Isaac, Jacob, and Moses owned slaves. Aristotle said it was natural. Jesus bucked convention by hanging out with prostitutes and Gentiles, besides having his followers perform various works on the Sabbath, but didn't criticize slavery. And Muhammad recruited followers by promising them shares of all the populations Muslim armies could enslave. In the 19th century, that included American sailors captured by the Barbary states.

"What was different about the modern West in this regard? The first arguments about its morality arose in the Anglosphere in the late 17th century. The first anti-slavery society was formed in Philadelphia in 1775, and the Royal Navy abolished the Middle Passage in the 19th century. Meanwhile, Saudi Arabia outlawed slavery in 1970. It's still common in northwest Africa, etc. And by the way, how did Europeans end up with so many African slaves in the 16th and 17th centuries? Yet, these people never criticize other civilizations for having this once universal institution. They instead drum into people's heads that, far from taking the lead in abolishing it, the West was alone in having it. Besides that, about 1 million of the 11 million Africans brought through the Middle Passage ended up in what is now the USA, and yet one never hears these people ragging on Brazil, Haiti, Cuba, Mexico, Nicaragua, Venezuela, Colombia, etc., certainly not on Puerto Rico, for having slaves. Polls show that young Americans think it's an American institution.

"America was founded on slavery in about the same way as it was founded on outdoor plumbing. It was a nasty fact of life throughout the world that we got rid of and never defended as a principle."

See, this is the kind of email you get when you're Tom Woods. You get an email like that from Kevin Gutzman [laughing]. So that's your response, I guess, more or less, is that the constant — the whole controversy, by the way, that led to my initial email that I sent out to my list that you were responding to, was that Jacob Hornberger from the Future of Freedom Foundation had sent out, for heaven's sake, a fundraising letter to his list, and when she was talking about liberties that Americans have lost and how much freer Americans had been in

the past, and then he got the usual, *What about slavery? How dare you not talking about slavery?* even though the criticizing him for this runs a think-tank, 75% of whose scholars no doubt have written the same thing at one time in their lives or another. But yet, oddly enough, it was only Jacob Hornberger, who by pure coincidence, belongs to a different think-tank, who was to be publicly berated for this. And then you wrote back to me this thing about the supposedly constant need to talk about slavery and nothing else. There is some merit to this.

And I might also add, by the way, that the very people today, who go out of their way to lecture us about the evils of slavery, and, *How can you not talk about slavery?* and this and that — yeah, we talk about slavery plenty. It's never enough for these people. These people, in my opinion, are the least likely to have opposed slavery when abolitionism was highly unpopular, because today, of course, who's in favor of slavery? Nobody. So of course, it's easy to go around saying, "Oh, you should be more against slavery than you are." Okay, but that's easy to do today. But the sort of people who pride themselves on saying easy, obvious moral commonplaces today, would they really — is that the character type, is that the personality type that would have had the guts in 1850 to say, *Yep, we're going to get 2% of the vote, but I am going to come right out and tell you that slavery is immoral and should be abolished*? I don't buy it, personally. I don't buy it. But that's a separate matter, and that's purely speculative.

Do you want to elaborate on this matter, or should we jump into Hamilton and Jefferson?

GUTZMAN: Well, I do want to talk about what you just said in connection with Hamilton and Jefferson. It didn't take guts for Hamilton to give money to an abolition society, but what did take guts was for young Burgess Jefferson in his mid 20s and his older cousin, the respected member of the House of Burgesses, Richard Bland, to sponsor an abolition plan in the Virginia General Assembly in the 1760s. In fact, they got berated all day long by basically everybody else in the House of Burgesses. Did that make them shut up? No, it didn't make Jefferson shut up.

She says in one of her tweets that Jefferson stood for freedom for white men. That's false. In fact, I've just been writing the section of my next book on then-Vice President Jefferson's and his colleague, his friend, the governor at the time of Virginia, James Monroe, and their response to Gabriel's Rebellion in 1800. And their answer to this was: look, of course, as long as slavery is legal, we can't allow rebellions. It's dangerous to the general population. But then the two of them, Monroe and Jefferson, agreed that Gabriel's rebels, who were people involved in the biggest slave conspiracy we know of an American history — this occurred in 1800 in and around Richmond — they both agreed that the rebels actually hadn't done anything immoral. So Jefferson says, maybe, in our society, these people have to be treated as criminals, but we could find a place where they wouldn't be considered criminals to send them to between now and the time that we can persuade the rest of Virginians that we need to get rid of slavery.

So basically, Jefferson and Monroe end up agreeing, and in fact, the editor of Monroe's papers says one of these letters with Jefferson over this question was the first time in Monroe's correspondence where he mentions the idea that he would like to see slavery in Virginia abolished. These people, essentially they were in a situation in which they had this institution — Monroe says, you know, we inherited this from the British imperial policy and that now, between this moment and the time that we get rid of it, we're stuck in this situation where

we have no choice but to enforce it. So there's never a point at which either of them says, "You know, this is really a great idea. I'm looking forward to hanging some rebels." In fact, I don't think Jefferson ever defended slavery at all.

So her claim that Jefferson stood for freedom for white men, well, it's true insofar as white men, but the implication that he only thought freedom was for white men is utterly false and has actually no support in anything Jefferson ever said. So I don't know why she's making this claim, except that, I guess it's part of the cartoon and the kind of Manichean Hamilton-versus-Jefferson schema that she's got in mind. It's of course popular today in certain precincts to be attacking the image of Thomas Jefferson. And by the way, of course, my general worldview is not the same as Thomas Jefferson's, but I think this trend we have now, this popularity of finding people who were important in the history of our civilization and just devoting oneself to attacking the memory of that person all the time, how do we explain this? It seems to be of a piece with the general trend of knocking capitalism, Christianity, republican government, the Electoral College, the Supreme Court, the Senate's apportionment, just any element of American — capitalism, the resulting distribution of wealth in the population. Basically, anything that comes to mind, people of a particular disposition are going to attack it. And I don't think that can be productive. It certainly isn't productive in our society, which I think is a far less happy one than it was in my and probably in your memory.

WOODS: Yeah, no doubt about that. And I think one part of the problem is that the other side, namely our side, just right now is, I think, just going through a really dry period in terms of people who are charismatic and funny and knowledgeable who can stand up toe to toe with these people. It seems like — I mean, not that I identify what the Republican Party, but the Republican Party by and large is hopeless, because half the time they concede 80% of the left's argument, and it just —

GUTZMAN: They do. That's their first step. Their first step is, *Well, you know, you have well-placed grievances*. I mean, I think I've told you the story. When I was an undergraduate at the University of Texas in 1980, I had a friend who was an immigrant from England, and he was a real Thatcher admirer. You know, Thatcher, at the time was privatizing the coal mines and the railroad industry and public housing and so on. And so he thought of himself as a Thatcherite. And I asked him once, what do you think of the political parties here, and he said, well, you know, Democrats wants socialism today, and Bob Dole says wait till next Tuesday. And I think that's still the Republican impulse, as well. We don't like the idea of where you want to go, but we can't really argue against it, so let's just say it's impractical at the moment.

WOODS: Now, the thing is, if I had to make excuses, I could more easily make an excuse for a politician than I could for an intellectual.

GUTZMAN: That's true.

WOODS: An intellectual stands to lose nothing other than prestige, and nobody's entitled to prestige, and certainly you shouldn't be hankering after it. You should be looking for the truth, and if prestige follows, well, then, all to the good.

GUTZMAN: Right.

WOODS: But if the general public wants socialism, it is hard to sell them on the market, but that's why you're supposed to be backed up by an intellectual cadre of people who can get out there and make really, really good arguments and wipe the floor with the other side, to the point that you'd be embarrassed, you'd be intellectually embarrassed to be associated with Alexandra Ocasio-Cortez. I mean, who in his right mind with a reasonable IQ level is not embarrassed to be associated with her? And I mean that in all sincerity. And yet, we just haven't got that, or we do, but the people who have those talents, they can't break through, because of course, the media wants the mediocrities. They want to highlight the mediocrities, so as to say to the public, *All right, here are your choices: this mediocre, kind of know-nothing, semi-right-wing guy, or Mr. PhD leftist who is really smart and speaks three languages.*

GUTZMAN: Right, right.

WOODS: All right, so what about this point she makes? It's not really clear what she's trying to say here, but it does seem there's at least an insinuation. She says — and here, I'm just repeating myself — "Hamilton was anti-slavery and in favor of a strong central government. Jefferson thought individual liberty meant the freedom to own slaves." All right, but first of all, she should have juxtaposed: "Hamilton was anti-slavery and in favor of a strong central government. Jefferson was pro-slavery and in favor of a weak central government." That's how she should have put it, because that would have made her point a lot clearer, and I think that is the point she's trying to make.

GUTZMAN: Right, but Jefferson never defended the rights own slaves. He never said there's a right to own slaves. He just didn't.

WOODS: But people say, what about his own personal life? If you own slaves of your own and then you protest, "But I've never actively defended the ownership slavery," people might think that rings hollow.

GUTZMAN: They might. Yes, they might. And I can't defend Jefferson's personal behavior, other than to say that there was a time early in his political career when he wrote to a friend and said, when my next crop comes in, I anticipate making a provision for my slaves. And then it turned out that the tobacco price fell substantially, and he ended up taking loss that year. So it's kind of a cryptic statement. We don't know what he really meant by that, "making provision for his slaves." But I think by the time he was in his later years, he had debt, and Virginia had a law that said that if you had creditors, you couldn't free your slaves until they had been satisfied. So he couldn't have done anything about that anyway. He couldn't have freed them in his will, and so on. In general, though, I don't want to be understood as defending Jefferson's private behavior. I think he could have been less self-indulgent when it came to expenditures on the fine things of life and that kind of thing.

On the other hand, when it comes to Jefferson as a public figure, which I think is what she's getting at, leaving aside the argument and ad hominem element of the usual case about Jefferson that his critics make, there's just nothing to it. There's no defense of slavery. In fact, he took very significant steps as a politician, as an office-holder, that ultimately helped bring about the end of slavery, including, of course, writing the first draft of the law that banned slavery from the Midwest; calling on Congress to pass the law that banned importation of slaves at the earliest possible, constitutionally permitted moment, the earliest morning of January 1st, 1808. And there are other things he did against slavery too: besides, of course,

spreading the idea that slavery was wrong, making it an idea that had a lot of purchase on a lot of people. Even now, people make the argument that slavery is wrong, and they tend to echo Jefferson somehow.

WOODS: What about the implication that she's making that, if you really cared about slavery — like even now, just in retrospect, if you're just looking back on American history, if you care about slavery, you would have to be somebody who sympathizes with people who wanted a strong central government?

GUTZMAN: Well, that's just a non sequitur. It's not really related, I think. It's a coincidence that Hamilton paid dues to an abolition society and favored large government, a large central government. And by the way, we don't have any evidence that he ever did anything against slavery other than once paying dues to an abolitionist society. Our friend Phil Magness has sought such evidence and proven unable to find any. So I'm willing to believe that he just kind of lent his name to the idea of abolition and gave a few shekels at one point to an abolition organization without really taking any other significant steps. It's not as if he, say, had written the most influential American book of the 18th century and included a lot of anti-slavery stuff in it, as somebody else did.

WOODS: Are we talking about *Notes on Virginia*?

GUTZMAN: We are, yeah.

WOODS: I'm sorry to ruin your joke, but just in case anybody doesn't know about Jefferson's text. But people could say that the slave-owning states did use states' rights arguments in defense of slavery, and so that goes to show there's something bad about federalism and decentralized government.

GUTZMAN: Well, Jefferson's understanding was that slavery would end, it must end, the younger generation should be taught that it needed to end, and that it had to end by the vote of people in the states. So he did not subordinate his general belief in the principle of subsidiarity to his desire to get rid of slavery; that is, you might say, well, getting rid of slavery should have been his top political priority, and it logically follows that everything else should have been subordinate to that. But as you and I've discussed before, and as I've emphasized and laid out in the first chapter of my book on Jefferson, his chief priority, after of course republicanism, which was a given, was subsidiarity, federalism. And then within the states, subordination of policymaking through the counties to ward republics, what we would call precincts. And so he didn't take that position. He thought that once you took that position, then you inevitably would end up with an entirely centralized system, so you couldn't yield on that point. But he did also go to his grave thinking slavery in America would end. He didn't ever think that that question had any other possible answer. Eventually, people would just be convinced that slavery had to go, even in the South.

WOODS: I've sometimes made the argument that, just think about the way large centralized states have treated minorities within their borders. In other words, if you're trying to come up with a morality play, whereby centralization leads to just outcomes, you've got some pretty big asterisks that you're going to have to place there, because —

GUTZMAN: Yeah, people listening to us may not know that you're half Armenian.

WOODS: That's right. They may not. My mother's maiden name was Bakoian, so the example of the Ottoman Empire might be a useful one. That was a large territorial expanse, and let's say the Armenians did not enjoy autonomy to the extent that certainly they weren't able to prevent the deaths of as many as a million and a half of them. And so there's that. And then, of course, there are much more obvious examples of large totalitarian states that did not treat the minorities within their borders particularly well. So there's no clear way to say, well, if you centralize, this solves the problem. And of course, as Western society centralized in one state after another, the resulting wars became more destructive than previously, so there were a great many deaths connected with that. So there's a lot of death associated with the state one way or the other, but certainly, it seems like keeping its scope as limited as possible, even territorially, does seem to keep it in check to some degree, even if it doesn't instantly put an end to all moral enormities.

GUTZMAN: Right.

WOODS: Can we now, for the sake of your limited time — I don't want to bother you too much today, but I found that other article, and I just felt like, I've got to get Gutzman to say something about this thing, too. And by the way, I am going to owe you one big favor after all this, doing this to you [laughing].

But there's an article over on CNN by Joseph Ellis, who is a reasonably well-known American historian. And in fact, if anything, I'm way understating that. And they've got this provocative title for this article, "The Green New Deal isn't socialism. It's what the Founding Fathers wanted." So we start in this piece with him saying that, look, let's define socialism, and he defines it in the classical sense of state or collective ownership of the means of production. And he says, look, these people are not calling for that, so let's stop using these boogeyman terms. And he says the reason the founding fathers would have approved is that they believed in republicanism, and so they believed in a society where we collectively make decisions about really pressing matters, and we do this together in the public square via politics. And that's precisely what the Green New Deal is all about, and so they would have approved.

Now, let's just say first of all, even if that part is true, that does certainly not mean they would have approved specifically of the Green New Deal. The most he could possibly have proved here is that they approved of so-called collective decision-making. But it certainly does not live up to that headline. So what did you think when I put you through the pain of reading this article?

GUTZMAN: Well, it reminded me that back in the '90s, when Annette Gordon Reed published her book, *Thomas Jefferson and Sally Hemings*, disproving Ellis' assertion in his prize-winning Jefferson book that there had been no sexual relationship between Jefferson and Sally Hemings, Ellis then went into the popular media and said, well, since we know that Thomas Jefferson had sexual misdeeds in his life, the Senate should acquit Bill Clinton in his impeachment trial. And actually, the impeachment trial was ongoing at the time, and so he immediately turned that to contemporary use. And of course, you might think, well, what Jefferson did in private has nothing to do with Bill Clinton committing various felonies in the White House or in suits involving his behavior in the White House. But anyway, the point is that Ellis has previously demonstrated his propensity for trying to make contemporary arguments based on pretty remote readings of his historical data.

I think the idea that the people who made the American Revolution would have favored having a federal government policy involving retrofitting every building in America and banning the internal combustion engine and so on is just ridiculous. Obviously, it's completely contrary to what we were just talking about, which is the underlying principle of the Constitution that the central government had limited authority. It had a limited ambit. It didn't have general power. There wasn't any — of course we've heard people howling about this for the last three years. There was not any way for the national majority to speak through the Constitution. There's no "American people." There are elections in the states for the Senate and the states for the House and the states for presidential electors, and then those people are all somehow federal representatives. There's no American elections. There are only separate elections in the states. There are only separate policies about encouraging — or at least, constitutionally, there should be only separate policies about encouraging solar power usage and settlement. And I can't imagine that half the people, or more than half the people who were involved in the American Revolution would have favored turning all this authority over to the central government. There's no way that wouldn't happen.

WOODS: Yeah, of course not.

GUTZMAN: And of course, even if they would have favored it, it still would be an awful idea. It would involve total authority of the general government over everything we do, basically. That's what the Green New Deal contemplates.

WOODS: Right, because it's not even just the expressly energy-related sections of the Green New Deal. There's also a huge amount of just general left-wing, social-justice wish list material in there — employment, wages, affirmative action — that makes you think that the energy stuff is almost just a fig leaf for them to just do these other things that they really want to do. Because a point I've made with Bob Murphy a number of times is that if you really, really thought that this crisis we're facing with climate were really one that threatened the world, that threatened civilization itself, you would not also be trying to carry out a social revolution at the same time. You'd say, *You know what, folks? We've got to do one thing at a time. Let's save the planet first, and then we'll do more affirmative action. But right now, we've got to focus entirely on one thing*. But the fact that they're not goes to show that, obviously, there's something else going on here. But yeah, there's nothing that theoretically could be left untouched by this plan, and so that by definition means the framers wouldn't have wanted it.

GUTZMAN: Your objection reminds me of the point that people were making back during the Obama administration. Well, if Obama had really thought that climate change is going to destroy human life on the planet or the possibility of human life on the planet, he wouldn't have decided to pursue Obamacare before turning to doing something about global warming. He wouldn't have thought this should be his second priority.

WOODS: Right, right, right. I mean, as Bob would say, why are we even talking about the minimum wage? That's just a waste of time and energy? Why would we even talk about any issue at all? If you're talking about any issue at all other than this, then you don't really believe it. You don't actually believe it. All right, I think I'm going to let you get going. We got a lot in there in just a half-hour timespan. Tell folks about — just say a quick word — we've done episodes on it, but given that we just talked about Thomas Jefferson, it's only right that we say a word about your book *Thomas Jefferson, Revolutionary*.

GUTZMAN: Well, *Thomas Jefferson, Revolutionary* is a study of Jefferson's radical political program. So I take five themes that ran through his entire career as a statesman and show how they manifested from time to time and how he tried to further his basic principles. So the first one — of course, Aristotle says, you know, lead with your best point. So the first chapter is about this principle of federalism. And I show that, from the point when he made himself known throughout the continent in 1774 to his last political letter in 1825, that was Jefferson's chief political concern, that authority needed to be decentralized within the British Empire. It should be held mainly by the colonial legislatures vis-a-vis the king and the Parliament. But within each of those states, eventually, he favored — he said, within the federal system, I favor the states over the federal government, but I favor the counties over the states, and I favor the precincts, what he called ward republics, against the counties. So that's the first chapter.

The second one is about freedom of conscience, which he thought was a natural right, that people had the right to make their own decisions about matters metaphysical and that the government shouldn't be forcing them either to participate in any kind of ceremony indicating some kind of metaphysical commitment or to help pay for that kind of thing to be done by the government.

Then there are chapters on assimilation and colonization; that is, on what to do about what we nowadays would think of as the race question. So he thought that American Indians could be incorporated into American society and hoped for that to happen and worked to make that happen. And he also thought that black slaves were entitled to be free, as everyone else was, but at least within Virginia, he believed that Virginia whites were prejudiced against them, and so they should be found some other place to which they could be sent.

Then the final chapter is about public education, of which there was none in Virginia during the colonial period, except that a couple of dozen boys would be sent to the College of William and Mary. And Jefferson envisioned having every child be provided three years of education on the public dime. And in fact, at one point, he said in correspondence: well, of course, I didn't say males." And then eventually, a Quaker reformer wrote to him and said that he was considering education for slaves, and Jefferson said, well, if you read my bill "For the more general diffusion of knowledge," you'll see that it doesn't exclude that; it says "children." So in Jefferson's lifetime, this led to the establishment of the University of Virginia, which he remade along democratic lines in terms of its curriculum and its internal governance, its location, all kinds of other factors. And, of course, in his day, they didn't succeed in establishing primary and secondary schools in Virginia, but when they ultimately did, they were structured more or less on Jefferson's lines, too.

So these aren't the only important things Jefferson was concerned with. In the introductory section of the book, I talk about some of the one-offs, laws that he got past just as soon as he proposed them, so they weren't things that ran through his career. But if someone who's even thinking that he's pretty familiar with Jefferson's political life reads the book, I'm sure he'll see that he's influencing us in ways that we don't usually recognize. For example, he was the one that came up with the idea of a decimal coinage, of which the United States had the first one ever and which we now think of as basically universal.

WOODS: It is a tremendous book, and you absolutely will love it, and you will learn things about Jefferson you didn't know. So I'll link to that book at TomWoods.com/1390, along with

some other Kevin Gutzman material. KevinGutzman.com is the website. And Kevin, thanks very much for chatting with me today.

GUTZMAN: Happy to do it, Tom.