Introduction

On September 17, 1787, the same day that the delegates to the Constitutional Convention in Philadelphia were signing their names to the proposed new federal Constitution for the states, Thomas Jefferson, then in Paris serving as ambassador to France, was preparing a package to be shipped to his friend, James Madison. In it were nine copies of his book, *Notes on the State of Virginia*, and a letter requesting that Madison distribute copies to John Jay of New York, Charles Thompson and David Rittenhouse of Philadelphia, Francis Hopkinson of New Jersey, John Francis Mercer of Maryland, and Ralph Izard and Edward Rutledge of South Carolina. Jefferson prepared a second shipment destined for Alexander Donald in Richmond, Virginia, containing fifty-seven copies of the *Notes*; the accompanying letter requested him to make forty copies available for sales but to distribute personally the other sixteen copies to influential Virginians, including Governor Edmund Randolph, George Washington, James Monroe, George Mason, James McClurg, and Richard Henry Lee. Yet another box contained a personal copy for George Wythe in Williamsburg, along with another forty-six for distribution at his discretion. Taken all together, this impressive list of recipients for Jefferson’s *Notes* in 1787 reveals the extensive network of political contacts and friends in America retained by the US minister to France – indeed, it is a roster of key American figures and statesmen active and prominent in national politics.¹

The timing of these momentous shipments is central to understanding what Jefferson had been doing in writing, publishing, republishing, and distributing Notes on the State of Virginia in the seven years previous. Although he had first composed the book in 1780–1781 – in the midst of the Revolutionary War, before the security of the Confederacy was assured, and before calls for reforming the Articles of Confederation began to take prominence – the book was first published privately in 1785 in Paris. When he deployed it again in 1787, it was part of his effort to shape the political debate over the nature of constitutionalism unfolding in America between 1786 and 1788. The book was a considered statement of his ideas about republican constitutionalism, and although he would later admit to revising some of the opinions expressed therein (he would, however, never again substantially revise the book itself), he was convinced in 1787 that these ideas needed broader circulation in order to shape the minds of Americans likely to be engaged in debates over constitutional reform.

Jefferson’s thoughts turned in earnest to a second English edition of Notes on the State of Virginia in January 1787, despite the fact that he had rebuffed overtures from both friends and printers to publish this work for some time. In fact, he initiated the process of republishing the Notes rather suddenly around the time he first heard of the meeting of the Constitutional Convention. Unfortunately, for reasons beyond his control – chiefly owing to an unresponsive Paris printer as well as a trip to southern France – the 1787 London edition took much longer than he had expected to be prepared for distribution. Yet he was determined to see some copies of it in America as soon as possible, and so his shipments to Madison, Donald, and Wythe reveal more than Jefferson’s desire to communicate with his friends: they reveal his ambition to shape American political debate. With the publication of the London edition delayed, Jefferson distributed instead copies of the 1785 edition (which he took care to correct and supplement with addenda) that he had printed privately in Paris and retained for over two years – a fact that further was currently serving as the secretary of the Continental Congress, and a prominent member of the influential American Philosophical Society (APS). Rittenhouse, more notable as a scientist, was also a member of the APS, and was serving as the treasurer of Pennsylvania in 1787. Hopkinson had been a member of the Continental Congress and served in New Jersey’s ratification convention. Mercer, a transplant to Maryland from Virginia (where he served in the House of Delegates), was a member of the Maryland House of Delegates, and one of Maryland’s representatives to the Constitutional Convention. Izard was not currently serving in national politics in 1787, but was prominent in national politics, having served as a Revolutionary diplomat and a member of the Continental Congress, and was elected to the Senate in 1789. Rutledge, whom Jefferson had come to know in the Continental Congress, was serving in the South Carolina state legislature. Wythe had been Jefferson’s law school mentor, but was prominent in national politics as well, having served in the Continental Congress and the Virginia House of Delegates. Donald was another Jefferson intimate, who helped circulate Jefferson’s views on the Constitution during Virginia’s ratification convention.

All references herein to Jefferson’s Notes on the State of Virginia are by query and page numbers, according to the edition of the text printed in WTJ, 123–325.
emphasizes Jefferson’s sense of urgency in the fall of 1787. But once again, misfortune plagued Jefferson’s efforts to distribute the Notes. Unforeseeable negligence at the port at Le Havre delayed the arrival of the books in America – which should have taken no more than a few weeks – for more than six months, more than a year after his sudden decision to publish Notes and have the work reprinted and made available to the public on a wide scale. In this way, the vagaries of eighteenth-century printing and shipping obscured Jefferson’s immediate ambitions for the Notes. They also are partly responsible for later interpretations of the Notes as being written primarily for scientific or European audiences. This book aims to correct such interpretations by telling more completely the story of Jefferson’s goals through analysis of the text itself and of the events leading to its composition, publication, and dissemination.

READING JEFFERSON, MISREADING THE NOTES

This story of Jefferson’s efforts to distribute the Notes, and his understanding of its political purpose, has not been fully explained. This is partly due to the common assumption that because Jefferson was absorbed by his duties as minister to France during the time of the Constitutional Convention and its ratification, he was removed from domestic political debate surrounding the new Constitution. Although it is often pointed out that John Adams was following events in America from his diplomatic post in London and that he wrote his Defence of the Constitutions of Government of the United States of America for the specific purpose of influencing constitutional debate, there is little sense in the scholarship of the period that Jefferson made any effort to insert himself in the drafting or ratification of the Constitution of 1787. Jefferson’s absence and apparent lack of interest inform Joseph Ellis’s

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assessment that Jefferson maintained a “detached perspective” on events back home and that he, unlike James Madison, was “never animated” by “elaborate reasoning about constitutional structure.” For many, the conclusion of Jefferson’s authoritative biographer, Dumas Malone, is the final word on the matter:

Jefferson, who had done such superb service as a legislative draftsman and was so deeply interested in the problem of formulating fundamental law, was denied the opportunity to share personally in the making of a constitution … His most important actual contribution to the constitutional thinking of this period was made indirectly, through the books he sent Madison from Paris.  

Although it does not appear to be the case that the Notes made it to America in time to influence the Convention, we argue that Jefferson’s absence from the American scene should not be read as indicative of a lack of effort on his part to insert himself into the debate. We believe that the Notes should be read as an effort to shape American constitutional thinking.

More troubling than assuming that Jefferson’s absence meant a lack of involvement is the complicated reception with which the content of Notes on the State of Virginia has been met. Perhaps the greatest obstacle to understanding Jefferson’s political ambitions for the book is a common tendency to view the book as lacking any coherent literary structure or unifying political purpose. Convincing readers that Jefferson aimed to use the Notes for a political purpose therefore requires explaining how Jefferson intended the book to be read. There is a widespread sense among scholars that the evident idiosyncrasies and minutiae that comprise the textual surface of the book exhaust its substantive depth; which is to say, it is held by most to be merely a compilation of disconnected, if erudite, reflections, observations, and eccentric details, which together convey an attentive mind or perhaps a spirit, but not a coherent thesis.

Jefferson scholars in the twentieth century contributed most of all to this “Compilation View” of the Notes. Malone’s multivolume biography dismissed it as “an ad hoc work,” which “was tossed off in a few summer weeks and based on materials he had already collected and already understood,” and with which he was never “much concerned about its literary form.” Malone identified “a philosophical tone” in the work, but found nothing that illuminated Jefferson’s thought more generally. Later scholars have taken the book more seriously than Malone did, but his sense that the book gestured toward philosophical claims and yet failed to coalesce into a book that could be understood coherently has been shared widely. Henry Steele Commager described the

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Introduction

book as “on one level, a guide book, even an encyclopedia; on a different and higher level it was a philosophical inquiry, an interpretation, and a platform.”

Even scholars who praised the book’s literary qualities sometimes concluded, as did Alf Mapp, that “though the largely statistical portions of the book have no more style than an almanac, many of its constituent essays have an Addisonian polish and clarity.” Perhaps the most representative treatment of the Notes can be identified in the work of Merrill Peterson, the most prominent Jefferson biographer of the late twentieth century, who argued that “the Notes on Virginia was simply a glorified guidebook, descriptive, crammed with facts, informative on a broad range of subjects,” although it was “touched with philosophy.” Although he would later describe it as “uniquely interesting as a guide to Jefferson’s mind as well as to his native country,” Peterson characterized its literary structure as “a mélange of information and opinion on many subjects.” Later, he concluded that as “a work of observation, it lays no claim to artistry or to philosophy, yet possesses both,” but that it broadly articulated “a series of Enlightenment directives for the intelligence of the new American republic.”

This notice of a vague philosophical tone, coupled with its apparent disorder, is perhaps the most common trope in interpretations of the book.

It will not do to suggest that these dismissals are merely the product of a phase of Jefferson historiography that has since been improved, as a number of misperceptions about the work continue to pervade contemporary scholarship. Most notably, the notion that the work lacks coherence remains a prominent line of thinking. The fine Jefferson scholar Peter Onuf described the Notes as an “omnium gatherum, never completed bag of a book,” possessing little in the way of thematic coherence, certainly none with a meaningful political message. Charles A. Miller’s excellent book on Jefferson and Nature explains that the book “is not a systematic and unified treatise, nor is it written with a sense of literary proportion.”


9 Alf Mapp, Jr., Thomas Jefferson: A Strange Case of Mistaken Identity (New York: Madison Books, 1987), 160. Mapp continues comparing elements of Jefferson’s literary style: “some of the pleas for liberty have the sinewy terseness of Jonathan Swift and a few passages of natural description anticipate by several decades the most effective prose of the English Romantics.”


explanation that Jefferson resigned himself to “the core futility of his descriptive project” when he “tired from correcting the manuscript of Notes.” Modern editors of the Notes have consciously or unconsciously perpetuated this common view of the book as an incoherent work, even as an unfinished and, most likely, unfinishable one. David Waldstreicher asserts that “Jefferson regarded the Notes as somewhat fragmentary and, at best, a work in progress,” while Thomas Perkins Abernethy says that he “could not possibly consider any intellectual production as ‘definitive.’” One editor, William Peden, seems to be the exception to the rule in at least contending that, while replete with “philosophical speculation” and “curiosity concerning the wonders of nature,” still the printed edition of the Notes as we have it exhibits the kind of care that belies the author’s “often-repeated assertions that he held it of little value.”

To be sure, Jefferson’s own words have encouraged scholars to read him this way. Marie Kimball’s biography (which Malone credited as having shaped his interpretation) has a substantive chapter on the Notes, and relies largely on Jefferson’s unpublished “Autobiography,” in which Jefferson seems to dismiss the work saying that it was a compilation of materials he had been collecting for some time; “these memoranda were on loose papers, bundled up without order, and difficult of recourse.”

Many scholars follow his “Autobiography” to understand the Notes, but there are a number of reasons to wonder about the historical veracity of the comments in Jefferson’s autobiographical essay. To begin, the “Autobiography” was composed almost four decades after Jefferson had begun working on the Notes and long after the work had gained notoriety in the election of 1800. Peden, in his introduction to the first critical edition of the Notes in 1954, astutely notes that Jefferson, then seventy-seven years old, made at least two factual errors in his “Autobiography” regarding the book and its beginnings. The history of the book’s composition and publication that we provide here aims to provide a more complete view than that provided in the “Autobiography.”

In the pages that follow, we also trace literary structures within the Notes that we believe belie these claims. We do not make large claims for the merits of

18 Peden, Notes, xii, n2.
Jefferson’s literary accomplishments (a book that has misled so many careful readers might well be thought to have poorly served its author’s literary purposes). But we argue that these literary elements indicate a sustained and thoughtful attempt to unite the truly varied range of materials, and that attention to these literary elements reveals the purpose that lies at the heart of the book.

That purpose, we argue, flies in the face of other commonly repeated claims about the Notes. The book’s odd form is often explained by suggesting that it is best read as a purely scientific effort written to appeal to European scholars, a collection of scientific essays more designed to impress foreigners than to speak to Jefferson’s countrymen. Thus, Onuf argues that the book “was drafted with an elite European audience in mind.”19 John Chester Miller similarly claims that “this survey of the government, economy, geography, and sociology of Virginia was intended to be circulated in manuscript among a select group of ‘estimable characters,’ primarily French philosophs.”20 This reading is often compounded by the companion misperception that Jefferson not only intended to distribute the book only to Europeans, but that he also intended to prevent the work’s distribution more broadly in America. Robert A. Ferguson’s work on Jefferson helpfully identifies elements of coherent structure in the Notes, but explains that “calling his book a private communication unfit for distribution, he tried hard to prevent its general publication.”21 Peterson describes the Notes as “a book Jefferson had never meant to write and, having written it, tried to withhold from the world.”22 Paul Finkleman repeats concerns that Jefferson expressed about the book, but falsely elevates these into a reason for banning publication altogether when he explains that Jefferson feared publishing the book because of its antislavery passages.23 And again, Charles Miller notes that for an author, Jefferson displayed astonishing reluctance to see his work in print and, indeed, he did not consent to its publication until a pirated, poorly translated French edition forced his hand. Even then, he tried to publish it anonymously and to restrict its circulation to a few European savants, members of Congress and the students at the College of William and Mary.24

22 Peterson, “Thomas Jefferson’s Notes,” 51.
24 Miller, Wolf by the Ears, 38. Miller is, as we explain, taking Jefferson’s own explanation to James Madison at the time, and his “Autobiography” at face value. We suggest that these accounts should be read skeptically.
Here again, scholars have often uncritically accepted this view and settled into repeating it as the standard account of the work’s intended audience, despite good evidence suggesting that Jefferson desired the book’s wider distribution in America.

Fuller explanations of our reasons for disputing these claims will have to wait until our broader discussion of the composition and publication history of the Notes in Chapters 1 and 6, but for now it is important to say that such claims about Jefferson’s purpose in writing, printing, reprinting, and distributing the Notes contribute to misunderstandings about the book’s content. A book written with no literary structure, for foreigners, and for strictly private distribution should be approached differently than one with a coherent structure and written for a broad audience in a country living through a traumatic period of political change. Clarifying the historical record is an essential step toward understanding the book’s meaning.

So it is important to note, for instance, that it is not true that Jefferson wrote the book for Europeans: one of his earliest copies – a handwritten manuscript draft – he had deposited at the American Philosophical Society in Philadelphia, and the bulk of his personally distributed volumes went to Americans. The copy that he sent in 1781 to the French diplomat the Marquis François Barbé-Marbois (the “foreigner of distinction” to whom the work itself was originally intended) was only a portion of the longer, final version that he sent to the printer in 1785. But Jefferson maintained this date in the book’s “Advertisement” introducing the printed edition. Nor is it true that Jefferson published it reluctantly: he did so quite eagerly, printing 200 copies in 1785 at his own expense, over thirty of which he hoped to distribute to matriculating students at William and Mary. It was agreed that these copies would be somewhat restricted to students, but it is unclear how this action should be construed as part of an effort to keep the work restricted within a close circle of friends. It is also true that Jefferson lamented the work being translated without

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25 As Michael Zuckert has argued, Jefferson’s major writings can be placed in one of three basic categories: public writings and speeches, including state papers, such as the Declaration of Independence; private writings, mostly correspondence, but also memoranda, notes, and accounts; and his only published book. See Michael Zuckert, “Appendix: On Reading Jefferson,” in his The Natural Rights Republic: Studies in the Foundation of the American Political Tradition (Notre Dame, IN: University of Notre Dame Press, 1996), 87–89. As with his public writings, his private writings cannot be read as transparent expressions of his thoughts or intentions. In corresponding with particular persons Jefferson took care to speak of agreements, rather than disagreements, whenever possible, and to maintain a level of tact and decorum which was polished with politeness while at the same time adhering to honesty. He erred on the side of caution in praising others but hesitated to accept high praise for his own accomplishments. “These qualities of his private writings make for much of the confusion that scholars find in [Jefferson]. They also imply,” Zuckert rightly discerns, that his private writings and correspondence “must be interpreted with great caution.” So too must Jefferson’s public writings be read and interpreted with care.

26 WTJ, 124.
his permission, and perhaps being retranslated back into English in an unauthorized edition (a common practice at the time). But he did not cringe at the thought of any edition appearing in translation, as he seems to have implied to friends. When he discovered that a poor translator had been hired for a French edition, Jefferson quickly intervened and himself chose a new translator for the Notes – one with whom he worked closely in preparing the French edition, providing some of the translation himself. It seems very unlikely therefore that Jefferson opposed a French edition, although he wanted to ensure that once it appeared it would not be read in a bad translation. When he finally rushed to have a reputable London publisher print the book in early 1787 and have hundreds of copies of it sent to American booksellers, we contend that it was because his friends in America informed him that there were plans being made for a constitutional convention.

These were not the actions of an author who was desperate to shield his book from sight. Instead, they were the actions of a man with an important political book, written to convey his thoughts on crucial issues of the day, who set about publishing and distributing the book in order to influence political events. Jefferson’s actions more closely resemble those of his friend Adams, who, anticipating an effort at constitutional reform in the late 1780s, penned his own significant work of political thought, *A Defence of the Constitutions*, and had it rushed to America, eager to influence the course of events. Understanding Jefferson’s actions as such also makes more sense of Madison’s decision, in *The Federalist*, to directly confront the constitutional theory embedded in Jefferson’s Notes – the only time Publius referred to another living author by name.

The surface of the Notes does suggest a lack of structure. The book is divided into twenty-three “queries,” so named because they were his responses to – and take their chapter headings from – a questionnaire that was circulated to each of the American states by a member of the French diplomatic mission. Most queries stand alone in some sense, although there is no standard format, or subject matter, and while some queries are very long (Query VI is the longest), the length of others (Query III is only a sentence long) suggests that their only purpose is to provide an answer to a line of the questionnaire. There is little in the way of transitions between queries, and even within some queries the subject matter appears to get lost in digressions. And at no point does Jefferson lay out a thesis or state explicitly some common purpose that would unite the whole; indeed, the “Advertisement” at the front of the 1787 edition warns:

[T]he subjects are all treated imperfectly; some scarcely touched on. To apologize for this by developing the circumstances of the time and place of their composition, would be to open wounds which have already bled enough. To these circumstances some of their imperfections may with truth be ascribed; the great mass to the want of information and want of talents in the writer.  

27 *WTJ*, 124.
Readers, then, unaware of the actual history of the work’s composition and publication histories, can be forgiven for thinking that the book lacks the finishing polish of a unified literary work and for taking this opening to mean that the Notes was merely written (as the 1787 “Advertisement” goes on to say) “in answer to Queries proposed to the Author, by a Foreigner of Distinction, then residing among us.” But in fact, this disclaimer about the meager contents and narrowly intended audience of the 1787 edition is misleading, for not only is Jefferson’s characteristic “mock modesty” on display here but also the wording repeats a straightforward heading that Jefferson himself wrote at the beginning of his 142-page hand-written manuscript, which was later loaned to the printer in Paris to be used as the basis for typesetting the 1785 edition:

NOTES on the State of VIRGINIA; written in the year 1781. somewhat corrected and enlarged in the winter of 1782. for the use of a foreigner of distinction, in answer to certain queries proposed by him . . . MDCCCLXXII.

Readers with knowledge of the book’s origins would know that, even if the intended audience had been limited to Marbois, or even to a small circle of friends – which, as we shall see, is very unlikely – this is hardly sufficient to explain the authorized printing of 200 copies in Paris in 1785 and 1,000 copies in London in 1787. As we explain below, the query format and the prefatory explanation of its origin are important components of the book’s literary structure.

Jefferson spoke in such terms frequently about the work, but this must not be taken as proof of the Compilation View, even if his comments have provided generations of readers and scholars with an all-too-easy explanation of the book’s genesis, one that obscures the political purpose Jefferson had in mind when he was packing the boxes to be shipped to America in 1787. As we explain in more detail in Chapters 1 and 6, his professions of disinterest in the book and aversion to having it published owe more to an eighteenth-century gentlemanly disdain for self-promotion – the kind of public stance that allowed men like Jefferson and his fellow Virginian George Washington to disclaim an ambition

Eric Stockdale, *Tis Treason, My Good Man! Four Revolutionary Presidents and a Piccadilly Bookshop* (New Castle, DE: Oak Knoll Press and The British Library, 2005), 179. See *PTJ* 11: 107 (Jefferson to Stockdale, February 1, 1787): in reply to repeated letters from the London printer stating his interest in this work which come highly recommended, Jefferson demurely claimed: “I never did intend to have them made public, because they are little interesting to the rest of the world.”

Coolie Verner, *A Further Checklist of the Separate Editions of Jefferson’s Notes on the State of Virginia* (Charlottesville: Bibliographical Society of the University of Virginia, 1950), 4–5. In his checklist, Verner indicates the uncertainty in limiting this manuscript to the period “1781–1782?” by the inclusion of a question mark. On the digital image of the heading (p. i) on the MHS copy, it is clear that Jefferson had originally represented the time of composition as “winter of 1782–1783” but for some reason subsequently struck out “-1783.”