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**The ethics of identity: Constructions of self and other in the
nineteenth century American landscape**

Bolton, Linda, Ph.D.

The University of Arizona, 1994

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THE ETHICS OF IDENTITY: CONSTRUCTIONS OF SELF AND OTHER IN
THE NINETEETH CENTURY AMERICAN LANDSCAPE

by
Linda Bolton

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A Dissertation Submitted to the Faculty of the

DEPARTMENT OF ENGLISH

In Partial Fulfillment of the Requirements
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In The Graduate College
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THE UNIVERSITY OF ARIZONA
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As members of the Final Examination Committee, we certify that we have read the dissertation prepared by Linda Bolton

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and Other in the 19th Century American Landscape"

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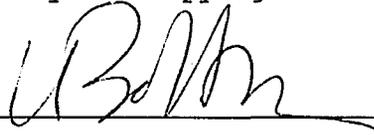
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A handwritten signature in dark ink, appearing to be 'UBM', is written over a horizontal line. The signature is cursive and somewhat stylized.

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DEDICATION

For my Mother,
Lorraine Williams Bolton

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ABSTRACT

When the Puritan fathers sailed to the new world, they did so, in the language of Martin Buber, to build a new house in the cosmos, one grounded in a rigorous notion of faith and Christian virtue. The journey to America was represented as both a mythic and heroic quest--one rooted in an ideology of conquest and progress, such that the Puritans saw themselves as a chosen people whose Anglo-Saxon heritage proved their racial and historical superiority. What underscores Puritan thought, as it constitutes a mythological and ideological legacy for the subsequent founding of American democracy, is its inherence in an ethics of conversion: in its roots lie the essential philosophical and political issues that will dominate the American landscape in the 18th and 19th Centuries--the problematic conversion of land, as nature, wilderness, property; the problematics of authority and power in the evolution of a political structure intended to preserve the natural, equal rights of each individual, and most critical, the ethical construction of the Other, as Indian, as African, against and through whom the American self will be defined.

This dissertation argues that the invention of the American free self is one entwined in the mythology of private property, and as such, subverts the concept of natural rights and equality as the democratic ideal takes factual shape. The problem which permeates the American landscape is neither merely political, nor the failure of ideals; rather, it is a problem of ethics, through which the presence of the Other is denied reality. The Other, as African and Indian, is excluded and obliterated from the factual ground of being: difference, as it constitutes otherness, is constructed not as being-for-itself, or

authentic subjectivity, but as being-in-itself, as that which is made object for the use and appropriation of a legitimate self. The conversion of the African into slave, and the Indian into savage denies each recognition in the realm of the public, and the realm of the proper, and thus must be understood as an originary ethical violence deeply embedded in the American landscape.

INTRODUCTION

This dissertation proposes to accomplish precisely what its title implies: it is conceived as an investigation into the relationship between the cultural formulation of identity, reflected in the literature of the Nineteenth Century American tradition, and the dynamics of ethical responsibility and intent. The province of the ethical, as Martin Buber would suggest, is the province of relation: it is that public and conceptual sphere in which the notion of identity--as both a social and philosophical construction--comes to presence, and is revealed. If the founding of a new world America can be understood as the attempt to create an unspoiled economic and political opportunity, in which, as J. Hector St. John de Crevecoeur and Thomas Paine would assert, "Man becomes what he ought to be," it is simultaneously the philosophical opportunity for the re-invention of the ethical relation between self and other, sameness and difference.

When the Puritan fathers sailed to the new world, they did so in the attempt to build a new house in the cosmos, one grounded in a rigorous notion of faith and Christian virtue. The journey to America came to be represented as both a mythic and heroic quest, one through which the dispossessed European was transformed into the "western pilgrim," that visionary actor whose Anglo-Saxon heritage proved his racial and historical superiority to "finish the great

circle"(Crevecoeur 39) of western progress and civilization. And yet, the creation and emergence of a specifically American mythology must be understood in terms of the essential opposition of the European, as new world colonist, and an American landscape inhabited by the Indian, the European's dark Other. What underscores Puritan thought, as it represents a mythological and ideological legacy for the founding of American democracy, is its inherence in an ethics of conversion, in and through which difference, as it is encountered in the body of the Indian, and subsequently, in the African, is denied reality. The conversion of the Indian into savage, and the African into slave, constructs difference (and hence, otherness) as the non-"I", as the non-legitimate self, and thus makes possible that ultimate violation in which the body of the other becomes the site upon which an American self is erected.

This dissertation is an interdisciplinary and comparative study of the concepts of identity and otherness, history, and property, as pivotal concepts at the very heart of the articulation of an American consciousness. Chapter One investigates the evolution of natural rights doctrine, and the philosophical construction of "person," from its classical formulation as an inherent hierarchy, through its modern revision in Locke's Second Treatise of Government, and the polemical writings of Thomas Paine. In Common Sense and The Rights of Man, Paine proposes a vision of America in

which the equal, natural rights of human beings can achieve realization, for Paine's America is first an ethical possibility in which human beings might rediscover their biblical, and hence, relational, destiny. Chapter One proposes to argue the revolutionary significance of Thomas Paine's literary legacy as it posits the possibility of an American democracy in which the ideal of natural right constructs itself as a truth which transcends phenomenal experience, to envision the creation of a republic in which genuine human equity is possible, even as it manifests itself in individual and racial differentiation.

Chapter Two focuses on Crèvecoeur's Letters From an American Farmer as a pivotal text in which the ideals of the new republic find full articulation. Like Paine, Crèvecoeur's Letters postulate the emergence of an American landscape where "man is free as he ought to be" (36), but Crèvecoeur's concept of the "free American" is one conceived through the paradigm of property. The Crèvecoeurian ideal American comes to presence as the farmer, and thus is defined through his essential opposition to both the Indian and the African. In so far as the Letters constructs the American self through the language of property, it necessarily casts the Other as adversary, for it envisions human identity and essence as if it were both insular and monolithic. Crèvecoeur's text poses a central problem: whatever the intrinsic value which inheres in the concepts of freedom and equality, that ideal is, in

its material formulation within the American landscape, immanently flawed, in so far as it denies the fundamental reality of human identity as the principle of difference.

Chapter Three investigates Jefferson's Notes on Virginia as an inquiry into the problem of the Indian and African's otherness, with respect to the logic of an American identity. If Notes casts the Indian as the other-to-be-defeated, it posits the presence of the African as the other-already-in-defeat. Neither the Indian nor the African assume presence as authentic subjectivity in Jefferson's system of natural science, and consequently, the ethical relation is obliterated through the self-reflexive gaze of a privileged "I" (and eye). The latter part of the chapter explores the Declaration of Independence as "an expression of the American mind," as Jefferson himself would name it in 1825, and questions its revolutionary content in light of the philosophical assumptions about human identity that inform the Jeffersonian consciousness.

Chapter Four argues that it is Frederick Douglass who re-enacts and issues the ethical command which shatters the illusion of a free republic and reveals the false mythology of a "new" world democracy. Building on the Levinasian concept of the ethical interlocutor, this chapter argues that Douglass becomes "the face" whose presence disrupts the supremacy of the same, institutionalized through slavery, to

command the invention of justice. Douglass emerges as the outsider, the excluded self, who through the activity of speech seeks to impose the command of ethics where politics would prevail.

I. THE SIGN OF THE SELF: THOMAS PAINE AND THE
REVOLUTIONARY ETHICS OF NATURAL RIGHT

In casting back to the problematic issue of beginnings that characterizes the emergence of the American republic, one of the most compelling voices to arrest our attention in that 18th Century literary landscape is that of Thomas Paine. An odd choice, perhaps, from which to begin a discussion of the originary sources of that distinctly "American" consciousness and identity-- for it is through the pen of Jefferson that the spirit of the "American mind" will find its most perfect expression. And yet, in the righteous anger that permeates Common Sense, and in the passionate appeal that graces the language of The Rights of Man, Paine-- though neither American nor Founding Father-- reminds us of the universal significance of the American founding. Perhaps precisely because Paine was not invested in the new world landscape as "territory," or the object of propertied conquest--as is the Virginia of Jefferson's Notes, or the frontier in Crèvecoeur's Letters--the America of Paine's vision is one in which another kind of possibility is posited. For Paine, America "was the only spot in the political world where the principles of universal reformation could begin," and where, borrowing the prophetic language Crèvecoeur had utilized ten years earlier, "man becomes what he ought to be" (Rights of Man 128).

But where Crèvecoeur reads "property," and "prosperity" into the 18th Century American landscape, Paine finds a philosophical Eden: first, as a site of return, in which the biblical brotherhood of "man" could be re-visited and recalled; and ultimately, as the site of a redemptive human activity, through which government would be bent to its rightful authority--not as the tyrannical, but as an enactment of "moral theory" predicated upon the "indefeasible, hereditary rights of man" (Rights of Man 130). In short, Paine's America would become the originary site of "a new era to the human race," where the natural, equal rights of man would finally find recognition, celebration, and unequivocal assertion. As Paine would say of himself, "My principle is universal. My attachment is to all the world, and not to any particular part"-- his words signal the metaphorical significance of the American founding, not simply for those who would find land and sustenance upon its soil, but far more, as an ascensional motion in the spiritual life of man. Paine's America is the starting point through which revolution will liberate "human being" to remember its primordial authority as one rooted in "the divine origin of the rights of man at the creation." For in that biblical, mythological origin, Paine finds identity, and source: "Here our inquiries find a resting-place, and our reason finds a home"(41). In America's natural "magnitude," Thomas Paine wishes to "build a new house in the cosmos," as

Martin Buber would subsequently name it--one neither rooted in power nor privilege--but scriptural equity, and *duty*. In 1792, as perchance may even be true today, his was indeed, a "revolutionary" conception.

It is, in certain respects, quite appropriate to summon the spirit of Buber in recalling the legacy of Paine. Perhaps more so than any other figure of his era, Paine embraced the American settlement, and its inevitable rebellion against the British empire, not solely as an historic event in the reformation of European social and political culture, but as an opportunity to transform the language and structure of western philosophical thought as it attempts to address the difficult question of the inherent nature of human being; or as Buber would ask nearly two-hundred years later, "What is Man?" What Paine shares with Buber is a spiritual kinship; for despite the tremendous differences in their material lives and callings, one might argue that Thomas Paine and Martin Buber belong to that same distinct lineage of "ethical revolutionists." And while some may object to the comparison suggested here, for Paine certainly was not a philosopher--not in his own eyes, and definitely not in the gaze of his peers, many of whom, like John Adams, deemed Paine's work "a poor, ignorant, malicious, short-sighted, crapulous mass" (as quoted in Bailyn 71)--one might nevertheless read The Rights of Man as a sort of passionate, spiritual parent of Buber's I and Thou. Why? Because like Buber, Paine's greatest ambition

was to revolutionize the ethical construction of human identity and relation. The "America" of Paine's Common Sense and The Rights of Man is precisely the physical site upon which human beings must attempt to "build a new house in the cosmos"--and further, one predicated upon actualization of the essential truth of human equality, such that Paine's notion of originary equality "in the order of creation" calls to mind the Buberian "I and Thou" as the primary relation of human "being."

But let us return to Paine's participation in the 18th Century debate on human identity and natural right, before we accept such seemingly irreverent comparisons. We begin then with Paine's more traditional historical personage: revolutionary propagandist, or in the words of one of the pre-eminent historians of American independence, the author of "the most brilliant pamphlet written during the American Revolution, and one of the most brilliant ever written in the English language" (Bailyn 67).

For historian Bernard Bailyn, Paine's greatest contribution to the struggle for American independence lay in his passionate effort to challenge and, indeed, dismantle the prevailing assumptions in European, and Anglo-American notions of government. Bailyn argues that underlying the proliferation of political and social arguments for an independent American republic, there remained "unspoken, even unconceptualized presuppositions, attitudes, and habits of

thought that made it extremely difficult for the colonists to break with Britain"(76). With the publication of Common Sense in January 1776, those unspoken, if distinctly operative, faiths-- in the wisdom of nobility, the justifiable constitution of government through monarchy, and the "natural" inequity in human birth and circumstance-- were not simply challenged, but reversed; and even if Paine's ideas were not directly implemented nor fully embraced, they "forced thoughtful readers to consider . . . a wholly new way of looking at the entire range of problems involved"(75-6). Unlike many of his new world colleagues, Paine sought not reform, but revolution: "The aim of almost every other notable pamphlet of the revolution . . . was to probe difficult, urgent and controversial questions and make appropriate recommendations. Paine's aim was to tear the world apart--the world as it was known and as it was constituted"(Bailyn 82). As such, the language of Common Sense is neither timid nor diplomatic; rather, it comes to voice as a text that eschews mere politics for the higher ground of moral certitude, and ethical investigation.

"The cause of America is in a great measure the cause of all mankind," Paine writes in the Introduction to Common Sense, and at once establishes the universal import of the American opportunity for revolution. At stake for Paine is neither the personally transformative "admission" possible through Crevecoeur's "great asylum," in which the

dispossessed European finds "place" through the paradigm of property, nor the potentially public recognition offered in the Jeffersonian promise that "every man is a sharer in the direction of his [] republic . . . and is a participator in the government of affairs" (Writings 661). Rather, for Paine, at stake in the American enterprise is a nearly biblical notion of human redemption whereby "man" will re-discover the truth of an originary kinship, lacking in any intrinsic inequity, and the practical opportunity to determine the external restraints upon his natural freedom, necessitated by immorality and greed. As A. Owen Aldridge suggests in Thomas Paine's American Ideology, Paine's literary motive was far more moralistic than politically rhetorical, and as such, "Common Sense must be interpreted as embodying an ideological structure, the essence of which was fundamentally ethical" (17).

In Aldridge's view, what distinguishes Paine's contribution to the literature of the American Revolution is its emphasis on the moral justification for American independence. Whereas much of the literature of the period focused upon the economic rationale for the colonies to achieve an independent status, "Paine clearly believed that considerations of ethics overbalanced those of self-interest in the behavior and thinking of the American people . . . Paine in Common Sense had sought to justify independence as a legitimate moral enterprise before proposing it as either

desirable or feasible. Only after undertaking this moral justification as a preliminary step, did he proceed with his efforts to convince his readers that independence was also the most expedient solution to their problems and to demonstrate that they possessed the military and economic resources necessary to gain it."(Aldridge 25).

The moral content of Paine's argument in Common Sense lies in its assertion of both the "evil" of government, and the original equality of human being. Government, Paine argues, "even in its best state is but a necessary evil," for "Government, like dress, is the badge of lost innocence . . . For were the impulses of conscience clear, uniform, and irresistibly obeyed, man would need no other lawgiver"(24). Paine's assertion here sounds distinctly Rousseauian, for Paine also embraces the ideal of a natural, initially moral society, prior to the imposition of government. And while Paine classifies that earlier existence as the "state of natural liberty"-- as opposed to Rousseau's "natural society"-- in both constructs it is want and necessity which disrupts that initial state of liberty, and severs man's relation to others. Rousseau explains that "as soon as one man needed the help of another, as soon as one man realized that it was useful for a single individual to have provisions for two, equality disappeared, property came into existence, labour became necessary" ("Discourse"145). In Paine's construction, it is government, more so than property,

through which human beings suffer the loss of equality. Government, for Paine, is the explicit sign of man's "fall"--as "the badge of lost innocence"--for its necessary emergence marks a specifically moral failure: "Here then is the origin and rise of government; namely, a mode rendered necessary by the inability of moral virtue to govern the world"(26). Paine, like Rousseau, believes in the originary goodness and fraternity of human beings. However, where Rousseau's "natural man" is solitary and a-religious, Paine's "natural man" is an inherent Christian who exists in spiritual relation to others.

Common Sense then is Paine's critique of the evolution of government as it becomes an essentially immoral agency, through which human being is falsely differentiated. As evidence, Paine cites the imposed distinction between "kings and subjects"--a distinction, he reminds us, "for which no truly natural or religious reason can be assigned"(29). Further, Paine argues: "Male and female are the distinctions of nature, good and bad are distinctions of heaven; but how a race of men came into the world so exalted above the rest, and distinguished like some new species, is worth inquiring into, and whether they are the means of happiness or misery to mankind"(29). The conclusion, Paine asserts, is simple, specific, and obvious to *common sense* : the construction of government through monarchy constitutes a violation of both

the natural and sacred orders. If the establishment of government, particularly through the reign of a monarchy--the Aristotelian "best regime"--disrupts human equality as the original order of creation, it therefore represents an unequivocal "sin" against the scriptural command of God, for finally, "it is the pride of kings which throws mankind into confusion"(29). Added to that initial "sin" is the notion of hereditary succession--"an insult and an imposition on posterity"--as it perpetuates a social and political reality nature itself abhors and ridicules: "For all men being originally equals, no one by *birth* could have a right to set up his own family in perpetual preference to all others for ever, and though himself might deserve *some* decent degree of honors of his contemporaries, yet his descendants might be far too unworthy to inherit them. One of the strongest *natural* proofs of the folly of hereditary right in kings, is, that nature disapproves it, otherwise she would not so frequently turn it into ridicule by giving mankind an *Ass for a Lion*" (32-33).

Certainly for historian Bernard Bailyn, Common Sense was a revolutionary document because Paine's critique of the structure of British government overturned the prevailing assumption--and one distinctly operative in the thirteen colonies--that "the liberties Americans sought were British in their nature: they had been achieved by Britain over the

centuries and had been embedded in a constitution whose wonderfully contrived balance between the needs of the state and the rights of the individual was thought throughout the Western world to be one of the finest human achievements"(69). It was not simply that Paine blatantly attacked the historical and immediate failings of the British monarchy and its "farcical" constitution, but that he simultaneously rejected the philosophical foundations upon which the very concept of government, as the construction of a political reality, had been erected. At its heart, Common Sense could be nothing less than revolutionary, for beneath its rhetorical maneuvers "was the flaming conviction, not simply that Britain was corrupt and that America should declare its independence, but that the whole of organized society and government was stupid and cruel and that it survived only because the atrocities it systematically imposed on humanity had been papered over with a veneer of mythology and superstition that numbed the mind and kept people from rising against the evils that oppressed them"(Bailyn 82).

And yet, while Bailyn extols the political significance of Paine's text, he chooses to overlook its ethical dimensions. Paine's assertion that government and society were rooted in cruelty is foremost an ethical judgment, and only secondarily, a political one. Bailyn is right in

suggesting that Paine wanted none other than "to tear the world apart," for the real intent of Paine's critique in Common Sense is not the reform of the machinery of government, but the deliberate attempt to shatter the foundational "truths" upon which Western notions of government and society had been built. Paine's objection before the historical presence of an existent tradition of political philosophy is that it is a tradition which resides in the unethical. For at issue is the concept of natural right, and the original status of human "being" as it makes its appearance in the world. Let us then examine that tradition, as it comprises *convention*, or the rule of antiquity-- against which Paine would wage war--in which the juxtaposition of natural right, human identity, and political society first finds full articulation.

Historically, natural right doctrine grounds itself in the fundamental supposition of individual inequality. What characterizes human reality, in its classical comprehension, is an inherent inequity, such that, as Aristotle articulates it, "some are marked out to be ruled, but others to rule"(Politics 21). The source of that distinction lies in the individual capacity for thought, where he who "can foresee by *thought* is by nature a ruler," and he who "[cannot foresee by *thought* but] can carry out the orders with the body is by nature a subject or a slave"(Aristotle

17). In this context then natural right contends "that some men are by nature superior to others, and therefore according to natural right, the rulers of others," such that "equal rights for all appeared to the classics as most unjust"(Strauss 135). Put simply, if human existence is understood as naturally uneven, and hence, hierarchical, then the greatest possibility for the realization of human liberty, or "excellence," as Aristotle deems it, lies with the rule of the wise, or those marked as thinkers--ideally conceived as the "best regime."

But the classical concern with the notion of a "best regime" is not exclusively a political judgment; rather, it reveals a particular ontological *Weltanschauung*. As political philosopher Leo Strauss argues, "when the classics were chiefly concerned with the different regimes, and especially with the best regime, they implied that the paramount social phenomenon, or that social phenomenon than which only the natural phenomenon are more fundamental, is the regime"(137). Or as Paine would argue, "government" before society; perhaps even more astutely, "government" before God. To embrace the classical notion of a best regime is to embrace the idea that human "being" is knowable and objectively revealed. Aristotle's 'man' is fully at home in the universe, and his essence is revealed through his instrumentality. Here human existence manifests itself in a unified totality, a universe of things, if you will, in which

man too is a thing, an instrument that "can best accomplish its task by serving one and not many functions"(Aristotle 17)[emphasis mine]. Returning to the language of Martin Buber, Aristotle's human being is made "it," neither "I" nor a "Thou," for in this framework, "man is comprehended only in the world, the world is not comprehended in him." Classical thought thus envisions the world as a "self-contained space, in which man too has his fixed space . . . [is] given his own dwelling-place in the house of the world, not indeed, in one of the highest storeys, but not in one of the lower either, rather in the respectable middle"(Buber, Between Man and Man 127).

The prevailing ontological assumption in Aristotle's Politics, and classical theory in general, is that civil society precedes the individual. In other words, to be human is to exist within a human community characterized by specific "associations," what W. Jaeger terms the "three simplest presuppositions" which define "the fundamental natural condition of all political existence"(271)--i.e., the master-slave, male-female, and the parent-child relations. If, on one hand, Aristotelian theory recognizes an essential inter-dependence in human existence--in that the 'natural' slaves are as critical to the well-being of the state as are the 'natural' rulers--or what Hegel would later characterize as the indispensable presence of the Other in the achievement of authentic self-consciousness, Aristotle's

human being comes to presence, in identity, as an "It," not as an "I"; as thing, not full subject. For Aristotle, one is either master or slave; each of whom is bound by an ontological destiny whereby natural law fulfills its telos: the attainment of 'the supreme good,' since "every association is formed for the sake of some good (for all men always act in order to attain what they think to be good)"(16).

Aristotle subsequently concludes that the state "exists by nature and is prior to each [of its parts]"(19). If human essence and identity are 'fixed,' as it were, by nature, and if the prerequisite for self-conscious existence--in Hegelian terms, the definitive sign of being "human"--resides in one's position in a system of ontological oppositions, then there can be no human "being" prior to "association," prior to community as the state. Or as Aristotle explains, "the state comes into being for the sake of bare existence"--in other words, being "human" finds its definition through subservience: as ruler, to the "state;" as slave, to the "ruler."

The notion of subjectivity which rules Aristotle's system is characterized by an hierarchy of interdependence, but it is relation without possibility of mutual recognition; it precludes the emergence of the individual as "I." Here consciousness of the self emerges through recognition of one's functionality, or perhaps, one's limitation: the slave

recognizes his limited ability to reason, and his superior capacity to labor, and thus his consciousness of self inheres in a fundamental *objectivity*-- Heidegger's "instrumentality"-- such that he emerges in the world as object, slave, but not as authentic subjectivity capable of becoming the Hegelian "being-for-itself." Given the classical connection among form, function, and virtue, to embrace one's 'destiny' is to realize potential, to achieve Aristotle's "excellence," to fulfill the ontological oracle promised by natural law. Thus what is by nature "right," and therefore "just," is not rooted in the will or the consent of "the people" (whose lesser constitution prevents their capacity for reason and knowledge of justice), but that which is ordained by nature: that is, the rule of the lower by the higher forms, as *logos* rules emotion, male rules female, as the soul rules its body--all toward the service of a supreme end.

In classical rights doctrine, that supreme end is understood not as freedom, but as duty, or the acquiescence before a higher authority --viz. the rule of natural law and hierarchical difference. In Aristotelian thought, the supreme end of human association is an existence defined through the state, in which every relation is contained and authenticated, for it is only through the state, as a kind of primordial reality, that the essence of what it means to be human is discoverable. One understands then how Aristotle can assert "that man is by nature a political animal," since the

operative assumption here is that "man" as human being is not free. Aristotle has, unintentionally no doubt, transformed "being" into matter--or that which is devoid of spirit and interiority. To postulate the priority of political society over the individual is to equate human 'being' with matter, as that which "possesses gravity in virtue of its tendency toward a central point," as Hegel phrases it (Philosophy of History 17).

Perhaps it seems peculiar to utilize Hegel as a means of getting at the objectification of human 'being' which informs natural right theory in its classical articulation. And yet, it is Hegel who best articulates the essential ontological paradox represented by Aristotelian/classical thought: human "being," conceived in its essence, cannot be both "free" and subject to natural law; that is, to an exteriority through which it attains unity and completion. Human 'being' cannot be contained in the principles that govern matter, because it is not that which "has its essence out of itself"--rather, as Hegel skillfully demonstrates, to be human is to experience a "self-contained existence," the essence of which is freedom. Thus can Hegel argue in The Philosophy of History that "the consciousness of freedom first arose among the Greeks, and therefore they were free; but they, and the Romans likewise, knew only that *some* are free--not man as such. Even Plato and Aristotle did not know this. The Greeks, therefore, had slaves; and their whole life and the maintenance of their

splendid liberty, was implicated with the institution of slavery: a fact moreover, which made that liberty on the one hand only an accidental, transient and limited growth; on the other hand, constituted it a rigorous thralldom of our common nature--of the Human"(18).

Hegel's analysis reveals the extent to which classical natural right theory subjugates human essence to an ontological servitude before the law and rule of nature--as it subjugates slave and woman to the law and rule of hierarchical difference. Classical natural rights theory ordains the rule of the majority by the few, whose 'duty' it is to legislate and craft the conditions of a political and public reality. But as Hegel suggests, that reality, in that it excludes otherness, or difference, becomes one in which neither full freedom nor authentic self-consciousness is possible: freedom here is constituted through contingency and place.

As Hannah Arendt convincingly demonstrates in The Human Condition, the notion of freedom in classical and Aristotelian thought must be understood as coeval with the realm of the *polis*. In citing the pivotal distinction between the public and private in classical philosophy, Arendt argues that Aristotle's contention that man is, by nature, a political being marks the distinction between the realm of necessity--as the basis for inherently 'natural' human association--and the political, or realm of action

(praxis) and speech (leis), "out of which rises the realm of human affairs (*at ton anthropon pragmata*, as Plato used to call it) from which everything merely necessary or useful is strictly excluded"(25). Natural society, as pre-political association, is characterized by violence, and as such, belongs to the realm of the private, the household, where the head "ruled with uncontested, despotic powers"(Arendt 26). The intrinsic violence of natural society is overcome only through the construction of the *polis*, where speech and persuasion replace the rule of force, i.e. as necessity. Freedom then exists as the exclusive domain of the political, where one is released from the inherent violence and inequality of the household, or realm of the private. Arendt concludes, "to be free meant both not to be subject to the necessity of life or to the command of another and not to be in command oneself. It meant neither to rule nor to be ruled. Thus within the realm of the household, freedom did not exist, for the household head, its ruler, was considered to be free only in so far as he had the power to leave the household and enter the political realm, where all were equals"(30-31).

But it is precisely this construction of equality and freedom which is contradictory, and against which Hegel rebels. If the polis is the sphere of freedom, it is a sphere from which the majority are excluded. Aristotelian "equality"

inheres in the supposition that the majority, as the "unequal," are not, and cannot be free to rise above the necessity of the biological, or the household, to enter the political realm in which the individual discovers his autonomy, and thus, identity. As Hegel asserts, Aristotelian freedom privileges the few, not the many nor the whole; human existence is trapped in an ontological servitude: man as "man," as human being, is not yet free. Being itself, whether it manifests itself in the privilege of the master or in the labor of the slave, is contained and determined by circumstance and fate. The essence of being human in the world is defined and constituted through an exteriority--the presence of an antecedent causal reality. Man knows neither his essential autonomy and integrity, nor his participation in the realm of spirit. As the slave serves the state with his body, the master serves through intellect and decision. Neither is free, for each is locked into an ontological opposition that denies and defies transcendence.

I have suggested that there exists, in the Aristotelian notions of freedom and subjectivity, an indispensable necessity for the presence of the other that self-consciousness may occur. But to utilize the term "indispensable" here is somewhat misleading. Even the term "Other" is plagued with difficulty, given that it never escapes politicization. In a brief, but interesting article, "Aristotle on Slaves and Women," W.W. Fortenbaugh takes up

the issue of otherness, and argues that Aristotle's insistence on the natural depravity of the other-as-slave, and by extension, as woman, is not intended to deny either her essential humanity. It is, rather, Aristotle's attempt to explain "why different kinds of people have different functions or roles in society"--an explanation, Fortenbaugh suggests, that reflects Aristotle's "newly developed bipartite psychology"(138). The slave is "slave" because of his inability to deliberate, although he is capable of an emotional and illogical response, meaning "slaves can make judgments involved in emotional responses and therefore have at least a minimum share in the cognitive capacity peculiar to men in relation to other animals"(Fortenbaugh 136). Similarly, women are capable of deliberation, but their deliberative capacity is flawed--it is ruled by emotion, "is *akuron*, that is to say it lacks authority and is overruled easily"(138). Fortenbaugh's discussion is apparently designed to demonstrate that the essential humanity of the slave and woman is preserved, despite their social and political subordination.

But even if one is theoretically willing to accept Fortenbaugh's thesis, it is predicated upon the assumption that the humanity of the other can be extracted from the problematic of space, and spatial relation. Again it is Hannah Arendt who brilliantly demonstrates the fundamental relation in classical thought between the construction of

person and spatiality. The slave and woman exist exclusively within the realm of the private, specifically, within the household. Not only are they then relegated to the realm of necessity, but they are deprived of participation in objective reality. Arendt explains: "To live an entirely private life means above all to be deprived of things essential to a truly human life: to be deprived of the reality that comes from being seen and heard by others, to be deprived of an 'objective' relationship with them that comes from being related to and separated from them through the intermediary of a common world of things, to be deprived of the possibility of achieving something more permanent than life itself. The privation of privacy lies in the absence of others; as far as they are concerned, private man does not appear, and therefore, it is as though he did not exist"(53-54).

If the slave and woman can exist only within the private sphere, their existence is constructed in and through silence; they do not participate in the space of the polis, that sphere of real human affairs, distinguished and created through action and speech. To be deprived of speech is then to be denied reality, for neither the slave nor the woman is allowed "appearance" in that reality constituted as authentic--or that space in which freedom is possible, and where identity is recognizable.

Leo Strauss has argued that the idea of natural right can be fundamentally understood as an inquiry into the origin of human existence. In its classical interpretation, human nature is distinguished by an hierarchical order, as well as by the capacity for reason and speech. Thus what is good is a life that consists in "living thoughtfully, in understanding, and in thoughtful action"(Strauss 127), or in the words of Aristotle, "a life of activity governed by reason." Classical thought prioritizes one's obeisance before the laws of nature, and the state, such that "duty" becomes the essential arbiter of human freedom.

When the concept of natural right emerges as a pivotal construct in the articulation of American democracy, its interpretation has changed considerably from the Aristotelian emphasis on duty and privilege. Central to the "modern" tradition is a rejection of the a-priori existence of the state, and the postulation of human existence which precedes political association. The distinction is critical, for it makes possible the assertion that human existence is characterized by an original potential for equality. Thus the primary fact of existence is understood not as duty, but as right, or the intrinsic right of the individual to self-preservation. Political association is understood to emerge through agreement, not nature, as the conscious activity of human will and reason. When the right to self-preservation becomes the primordial fact conditioning human experience,

then the ideal of justice must be adjusted: right replaces duty, and consent replaces the authority of convention, whether that convention is understood as the compliance with a standard beyond the conscious activity of the human will, or as the acceptance of an innate human hierarchy. Thus modern natural right is predicated upon the priority of consent, and the construction of justice through contract.

Beginning with Hobbes, modern natural right theory postulates the essential integrity of human beings, as "self-moving systems of matter in motion, each of which by the necessity of nature equally seeks to continue its own motion, and is equally fragile . . . must be allowed to have equal rights" (Macpherson 226). This insistence upon the innate integrity of each individual existence, Macpherson argues, qualifies Hobbes as the originator of modern natural rights doctrine: "Thus in Hobbes the natural right of every man to everything is deduced from the natural right of every man to preserve his own life, which in turn is deduced from the equal mechanical need each has to continue his own motion, and the equal fragility of each. What places Hobbes as the fountainhead of modern natural rights doctrine is his insistence on mundane (not heavenly or transcendent) equality of right . . . Instead of inferring from men's observable needs and capacities some purpose or will of Nature or God, and then deducing rights (and obligations) from the purpose or will, as had usually been done (and usually with the

result of finding unequal or hierarchical rights and obligations), Hobbes moved directly from observed needs to equal rights"(227).

If Hobbes revolutionizes natural right theory by postulating the equality of right, independent of birth, he also posits an image of human nature which is competitive and contentious. For Hobbes, human beings exist in perpetual conflict, such that the rights of every other individual act to cancel the rights of any other: "But the right of all men to all things, is in effect no better than if no man had right to anything. For there is little use and benefit of the right a man hath, when another as strong, or stronger than himself, hath right to the same"(ELAW 14:10). Thus for Hobbes the natural condition of human existence is war; a condition which can only be superseded through contract, where human beings, as agents of reason, agree to surrender their rights in order to protect themselves from one another.

Perhaps what is most important about the Hobbesian design lies in its construction of human subjectivity. If classical theory builds natural right around the notion of a fixed and knowable human essence, then it is Hobbes who releases that essence to become full, autonomous subjectivity--as the self-propelled and self-directed being, conscious of its rightful, and potential freedom. The notion of individuality which informs the Hobbesian construct defines human essence in terms of its potential, rather than

its purpose or limitations. But the Hobbesian subject is not simply, nor equally free; that freedom is disrupted by struggle and tension, what Macpherson calls "the universal opposition of individual motions"(227), and therefore leads Hobbes to postulate the political ideal of the sovereign state. Yet, despite Hobbes' political conclusions, his celebration of the equal potential of each individual makes possible the turn toward a potentially democratic reality, which finds its first significant articulation in the work of John Locke.

Locke begins the Second Treatise by asserting the natural equality of human beings: "there being nothing more evident, than that Creatures of the same species and rank promiscuously born to all the same advantages of nature, and the use of the same faculties, should also be equal one amongst another and without subordination or subjection"(8). In Locke's vision of origin, human beings first exist in a communal kinship, "being all equal and independent," the natural inheritors of God's bounty. But the initial impulse toward an unqualified democracy of equally independent individuals is quickly superseded through his doctrine of property. What distinguishes Locke's theory of rights is the idea that human beings have a natural right to claim and own property, a right which precedes the structures of government: indeed, a right inferred by the dictate of Scripture, and the law of reason.

At the core of Locke's thought is the idea that human beings possess a certain property in themselves: "Yet every man has a property in his own person . . . the labour of his body, and the work of his hands, we may say, are properly his"(19). What distinguishes human essence is the capacity to labor, and therefore, it is labor which constitutes the essential right to claim property: "Whatsoever then he removes out of the state that nature hath provided, and left it in, he hath mixed his labour with, and joined to it something that is his own, and thereby makes it his property"(19). The right to property then is grounded in both the individual's "ownership" of his own labor, and the natural right to self-preservation. In Locke's thesis, human beings have a natural and moral right to appropriate the earth in order to meet the needs of their material subsistence, and most critical, that right is not dependent upon the consent of others. Locke argues that "If such a consent as that was necessary, Man had starved, notwithstanding the Plenty God had given him"(19). Clearly then, Locke constructs human identity through the unqualified right of the individual to claim ownership of his labor, to alienate it as a commodity, and to transform God's natural "bounty" into parcels of private property. And that right is conceived as one both morally sanctioned, and historically prior to the rise of the political order. Human beings agree to enter political society not simply to protect the right of

self-preservation, but to guarantee their existing rights of property, first established in the state of nature.

One way of reading Locke's natural rights theory is to situate it against the structure of Aristotelian logic. While Locke rejects Aristotle's innate, "natural" hierarchy, he replaces it with an *earned* hierarchy, where individual place is defined through labor. For Locke, it is property which neutralizes the Aristotelian fate-through-birth: the agency of labor, as one's property in oneself, enables one to transcend the realms of necessity, nature, and fate. The Lockean equation privileges activity-- not the priority of the innate, nor the rule of convention--as the sign of objective person-hood, and therefore, that which will determine one's social and political status.

And yet, even as one acknowledges Locke's rejection of an intrinsic social hierarchy, it is also true that he maintains similar structures of stratification, as a principle of differentiation, grounded upon the capacity and desire to labor. For it is clear that in the Lockean state of nature, each individual's capacity for labor will result in a "natural" inequality: the strongest, or most ambitious, will prosper most, given that the greater the labor, the larger the claim to property. Further, as C.B. Macpherson has demonstrated, when Locke reads into the state of nature the introduction of money, through "tacit and voluntary consent," he justifies the active accumulation of more property than is

necessary for individual subsistence, and this permits Locke to transform "the mass of equal individuals, (rightfully) into two classes with very different rights, those with property and those without." The "initial equality of natural rights, which consisted in no man having jurisdiction over another, cannot last after the differentiation of property"(231). Simply put, even before human beings transcend their existence in the state of nature, the existential possibility of an unqualified democracy--as the model of relation--has been usurped and canceled. Civil society, as Locke envisions it, comes into being, not to safeguard the rights of each individual, but to "protect unequal possessions, which have already in the state of nature given rise to unequal rights"(Macpherson 231).

This distinction, purportedly "natural," between those with property and those without is not, however, solely rooted in the activity of the individual. Rather it becomes the sign of an even more critical difference, as that which signals a difference in reason, or rationality. The Lockean right to ownership derives from the Scriptural command, and therefore, those who follow that command to subdue nature and appropriate it as property, act both according to the law of God and the law of reason: "God, when he gave the world in common to all mankind, commanded man also to labour, and the penury of his condition required it of him. God and his reason commanded him to subdue the earth, i.e. improve it for

the benefit of life, and therein lay out something upon it that was his own, his labour"(Locke 21). Human rationality here is initially conceived in terms of the impulse toward purposeful activity and conquest, such that the individual, "in obedience to this command of God, subdued, tilled, and sowed"(21)--though first, as Locke makes clear, conquest was necessary in order to sustain and benefit one's material existence, i.e. the right to self-preservation.

However, as Macpherson's immensely insightful analysis reveals, once the concept of money is introduced, what defines human rationality is forever altered. Macpherson argues that after the invention of money, the mark of rational behavior "shifts from industrious appropriation of that modest amount of land that a man could use to produce what he and his family needed, to appropriation of amounts greater than he could use for that purpose. And when this unlimited accumulation becomes rational, full rationality is possible only for those who can so accumulate"(Possessive Individualism 232)[emphasis mine]. The Second Treatise makes it clear that unlimited appropriation by some, indeed by the few, is both natural and morally just: "God gave the world to men in common; but since he gave it them for their benefit, and the greatest conveniences of life they were capable to draw from it, it cannot be supposed he meant it should always remain common and uncultivated. He gave it to the use of the industrious and rational . . . not to the fancy or

covetousness of the quarrelsome and contentious"(21-22)[emphasis mine].

Thus the equation between a higher principle of reason and the industry first to appropriate land as property, and then to accumulate it as capital is firmly established. Even before the structures of political society have been framed, the activity of human beings in the pursuit of capital has eclipsed any authentic potential for genuine democratic association. If Locke rebels against the Aristotelian tradition and its distinction between masters and slaves, he replaces it with the equally restrictive division between the fully rational, propertied few, and the less rational, unpropertied many. Locke's "masters" defy the circumstances of birth through capital and "reasoned" accumulation. Again, it is Macpherson who best explains this notion of "differential rationality": "With Locke the difference in rationality was not inherent in men, not implanted in them by God or Nature; on the contrary, it was socially acquired by virtue of different economic positions. But it was acquired in the state of nature; it was therefore inherent in civil society . . . Locke's notion of differential rationality justified as natural, not slavery, but the subordination of one part of the people by their continual contractual alienation of their capacity to labour. The differentiation came about because men were free to alienate their freedom. The difference in rationality was a result, not a cause, of that alienation.

But the difference in rationality, once established, provided a justification of differential rights" (PI 246).

If Locke begins in the Second Treatise to develop a theory of equal natural rights, and so dismantle the classical ideal of an innate hierarchy, he concludes that work with the imposition of a social and political structure in which the specifically unnatural rights of the propertied minority find full protection. Indeed, Locke's property-owners might be understood as the symbolic predecessors of the Aristotelian masters--particularly in light of the assertion that political society exists to protect the extant, historically antecedent rights of the propertied; those without property, those who exist as laborers, while necessary, are not full members of the political realm; they are, instead, its object. For to be laborer, and not owner, was to embody the sign of a moral failure. One's refusal, or inability, to appropriate and accumulate was finally a failure to obey the command of God. Further, it was a failure of the mind: the material evidence of a rational incapacity. If the property-less could not aspire to a fully rational life, neither could they be recognized as full and equal members of political society. To exclude the non-propertied majority from the political arena--as did Aristotle's *polis*--is, as we have seen, to make of human "being" an object, a commodity, a silenced "he" or "it," but certainly not, as Paine and Buber so passionately teach us, to accord

recognition as either an "I" or "Thou." Once again the Other is silenced, and subordinate--made into a kind of "raw material," Macpherson calls it, "out of which riches and dominion might be derived". Once again, upon the face of the Other, as Levinas will later name it, are the parameters of object-ness imposed, and the potential for recognition denied.

And yet to read Locke solely as the modern inheritor of an Aristotelian logic, as the re-interpreter of a classical notion of hierarchy, is unfair. Locke *does* attempt to wrench the human essence free from the Aristotelian fate-through-birth and the invisible dictate of nature and necessity. Locke's human being is, at least initially, equally free--and that freedom is predicated upon the idea that every individual is sole proprietor of his own body and labor. The ironic, and deeply problematic, element in Locke's philosophy of natural right is its inherence in the concept of property. For even as he acknowledges the mystery of human "being" in its primordial variation and difference, as well as the right to own its own activity, it is through Locke that the idea of demonstrable personhood, full and authentic subjectivity, is envisioned through the emblem of property. One might propose that in Locke we find the antecedent for the Hegelian structure of recognition, where property is not simply a response to human need, but "the first embodiment of

freedom" (Philosophy of Right 45)--that concrete reality through which individual existence is made visible in the world. In a Hegelian perspective, property authenticates the primacy of spirit over matter; thus it becomes the symbolic ground through which human autonomy and identity is glimpsed. Or as Eric Cheyfitz comments in The Poetics of Imperialism, that while "property is not essence, which is the very heart of identity in Western metaphysics; yet it is the sign of essence, in the sense that it is only through an elaboration of properties that we can define, or indicate, a perpetually transcendent identity"(49).

Thomas Paine would agree with Locke that the origin of human identity is to be found in the Creation, and not in the laws of hierarchy that inform classical convention. But when we turn to the moral philosophy of the Rights of Man, we find that Paine and Locke part company. If, as we have seen, Locke's "natural man" is conceived through the emblem of property, Paine's "human being" comes to presence through the primacy of relation: for Paine, the question of natural right is neither primarily political nor economic; rather it is a question answered in the simple facticity of human identity and origin.

From the beginning of Rights of Man, Paine unequivocally rejects the classical idea that man is essentially political. So far as Paine is concerned, Aristotle would be both

fundamentally a-historical, with regard to the primacy of the political, and morally wrong. In Paine's view, to impose "innate" distinctions upon human identity is to falsify the historical origin of human existence. And yet, interestingly, Paine would agree with Aristotle that human existence in the presence of others, within the realm of community, is characterized by "duty" and certain kinds of responsibilities. But before we can explore these connecting differences, we must first turn to Paine's Rights of Man as it articulates a philosophy of origin, in which the idea of natural right is fully implicated.

If as Leo Strauss has suggested, the idea of natural right represents an investigation into the origins of human being, Paine's response is stunningly simple and specific. The fact of human existence, Paine argues, does not lie in the "precedents drawn from antiquity" precisely because the law and rule of antiquity does not and cannot constitute a point of origin: "if antiquity is to be authority, a thousand such authorities may be produced, successively contradicting each other: but if we proceed on, we shall at last come out right: we shall come to the time when man came from the hand of his maker. What was he then? Man. Man was his high and only title, and a higher cannot be given him" (Rights 40). Reiterating the position voiced in Common Sense, Paine locates human existence and identity in the "divine origin of

Creation," and argues that by virtue of that originary genesis, "Every history of the creation . . . whether from the lettered or unlettered world . . . all agree in establishing one point, *the unity of man*; by which I mean that man is all of *one degree*, and consequently that all men are born equal and with equal natural rights"(42)[emphasis mine].

Paine's argument asserts that natural right is an intrinsic element of one's identity as human being, for if man's genealogical lineage derives from Adam, "why not then trace the rights of man to the creation of man?"(41). Paine answers that, in fact, this is the only legitimate authority through which human existence can be understood-- all other accounts are blatantly ahistorical, the inventive fictions of "an upstart of governments, thrusting themselves between, and presumptuously working to *un-make* man"(41). If the real question underlying natural rights theory can be posed as, "What is man?", Paine answers with clarity and precision: "every child born into the world must be considered as deriving its existence from God. The world is as new to him as it was to the first man that existed, and his natural right in it is of the same kind"(42). Put simply, the relation of natural right to human identity is, for Paine, neither derivative of an Aristotelian privilege nor accumulated through Lockean competition; rather it is a pure "given," coeval with a divine and historical authority that

"shows that the equality of man, so far from being a modern doctrine is the oldest upon record"(42).

I have here greatly emphasized the Paineian connection between a divine origin and natural right. And admittedly, one must acknowledge that Paine's argument demonstrates neither the sophistication of Aristotle, nor the rational elaboration of Locke. Indeed, one might argue that Paine's treatise on natural right, particularly as it is expressed in the Rights of Man, is glaringly simplistic, and fundamentally Christian. And in some respects, perhaps that is true. Paine's response to the question of human identity is both simple, and one grounded in a distinctly Christian ethic. Certainly from the vantage-point of a "post-modern," late 20th Century perspective, one has reason to suspect both the fundamentalism of Christian doctrine, as well as the apparent simplicity of an historically philosophical argument. Unlike Aristotle or Locke, Paine easily becomes a peripheral figure, whose literary efforts fall under the guise of propaganda, not philosophy, nor political science.

But the Rights of Man, for all its obvious simplicity, is finally a deeply passionate defense of the originary equality of human "being," even as it manifests itself in individual differentiation. Where Locke separates and distinguishes between individuals through ambitious labor, Paine re-joins them through an originary genealogy that transcends proprietary privilege. Where Aristotle

distinguishes individual identity through the primacy of mind over body, Paine proposes the inter-dependence of one person upon another, acknowledging that while human beings may possess differing skills and abilities, each is nevertheless linked through an originary unity where "the distinction of the sexes is pointed out, but no other distinction is even implied" (Rights 42). If Aristotle privileges a human hierarchy marked by the innate capacity (or lack thereof) for thought, and Locke privileges a social hierarchy measured in property, it is Paine alone who privileges the primacy of relation as the essential condition of human being. The Rights of Man proposes that it is not government which is necessary to human existence, at least not in any absolute sense-- what is absolute and necessary is the relational identity of one human being to another: only through cooperative effort does one man build a home in the world, does human being secure the terms and reality of its existence as both permanent and private. In Paine's state of "natural liberty," individual existence is only made possible through cooperative "comradeship," (and so here I link Paine, through an ideological familiarity, with another prophetic voice of ethical responsibility, W. E. B. Du Bois): "Four or five united would be able to raise a tolerable dwelling in the midst of a wilderness, but one man might labour out the common period of life without accomplishing anything; when he

had felled his timber he could not remove it, nor erect it after it was removed; hunger in the mean time would urge him to quit his work, and every different want call him a different way" (Common Sense). A. Owen Aldridge suggests that Paine would argue that "as long as individuals remain perfectly just in their mutual relationships, a primitive society such as he has described could remain without government, but the influence of vice--an inevitable accompaniment of human character--renders some form of control necessary"(49).

Given that Paine's model for human existence is biblical, hence relational, it is not surprising that he conceives natural right, and its subsequent evolution into civil rights, as those which inhere in duty. Unlike Aristotle, however, Paine's idea of duty derives from the presence of the Other--what Buber might name an "ethical" responsibility. Paine's notion of duty hinges upon the human being's recognition of a divine origin, and thus, his fundamental unity with every other human being with whom he shares the earth: "By considering man in this light, it places him in a close connection with all his duties, whether to his creator, or to the creation of which he is a part; and it is only when he forgets his origin or, to use a more fashionable phrase, his birth and family, that he becomes dissolute"(43). Having established the familial relation of human identity, Paine's definition of natural right exhibits

a similar simplicity, and "fundamentalism": "Natural rights are those which always appertain to man in right of his existence. Of this kind are all the intellectual rights, or rights of the mind, and also all those rights of acting as an individual for his own comfort and happiness, which are not injurious to the rights of others. Civil rights are those which appertain to man in right of his being a member of society. Every civil right has for its foundation some natural right pre-existing in the individual, but to which his individual power is not, in all cases, sufficiently competent" (43).

By Paine's standard both Aristotle and Locke fail to grasp the truth of human identity, for each constructs natural right through an act of denial. Neither acknowledges the primal and familial bond that marks human existence, and therefore, each conceives human identity through a logic of opposition and competition. As natural right engages the origin of being, Paine would suggest that one begin at the very beginning: at the dawn of creation--in and through which man and woman find breath and being.

Government then must be understood as a "compact" between individuals, and hence one which, ultimately, must acknowledge the "mutual dependence and reciprocal interest which man has in man" (131). In the latter sections of Rights of Man, Paine returns to the prophetic call sounded in Common Sense: the founding of the American republic constitutes the

first genuine opportunity for human beings to establish government as "a delegation of power for the common benefit of society"(138). As "the polis" represents the key political ideal of Aristotelian thought, it is the concept of the "republic" which commands Paine's ideal. The "republic" is the *res-publica*, "the public affairs, or the public good," which Paine literally translates as "the *public thing*." As concept and spatial relation, it is not owned by the one as monarch, nor the few as privileged aristocracy, but belongs to the shared and equal "interest of the public, as well individually as collectively"(146). The republic, as it represents political association, is not primal, but crafted--it is a "thing," over which the collective experience of the human being will preside. And this, Paine contends, is what marks the American democratic republic: that it is government conceived through equal representation, such that the historically silenced find voice, and "representation." Thus government becomes what it should be--"no more than some common center in which all the parts of society unite"(149). Finally, government is bent toward its rightful authority. The founding of the American republic is, for Paine, the sign of a new world order; one in which each individual "appears" in the public realm, as a participant in a political system where "representation" is "ingrafted upon democracy"(148). Accordingly, the American landscape becomes the site of a historic potential: "What Athens was in miniature, America

will be in magnitude. The one was the wonder of the ancient world--the other is becoming the admiration and model of the present"(148). Resonating in a Hegelian certitude, Paine's America will comprise "the land of the future," where, as Paine suggested in Common Sense, man becomes what "he ought to be."

Of the past, and its "revered" traditions of aristocratic and *hereditary* rule, Paine is brutally critical: political rule by an aristocracy is first, and most blatantly, "an assumption of power for the aggrandisement of itself," and more seriously, "a total violation of every principle, sacred and moral"(136). Again, the objection is ethical: "All hereditary government is in its nature tyranny," which can "have no other significant explanation than that mankind are heritable property"(139). And if Paine's indictment is most immediately aimed at the French government of 1792, it is, at essence, an indictment of an entire cultural tradition through which the poor and the uneducated and non-propertyied "others," upon and through whom the face of common humanity manifests itself, are converted into objects: Aristotle's "natural slaves and women"; Locke's non-propertyied, unambitious laborers; the European's red "savage" and barbaric, ape-like African. In Paine's language, the history of western political rule is one of conquest -- through which all those previously marked "others" become the raw material and the face-less bodies upon whom a

civilization has been erected. For Paine, western political history is marked by this constant: the conquest of the human being in the name of privilege and power, in a world divided into conquerors and slaves, where "the conqueror considered the conquered not as his prisoner, but his property" (137)-- and here we must recall that for Paine the only authentic distinction is that of biology, and perhaps grace, in that God created man and woman. As Paine is all too cognizant, to make human being into "property" is, as Martin Buber might name it, to violate the "primary word" of being and existence; or in the apocalyptic language that colors Rights of Man, to make an individual "object" is to consecrate a sin against God and the sanctity of human "Being" itself.

Let us return then to the idea that Rights of Man might be read as a literary predecessor, at least in spirit, to Martin Buber's I and Thou. On first reflection, Paine's text is severely lacking; Paine is not the philosopher that Buber certainly is. And yet, there persists an ideological cord through which the two, as thinkers chiefly concerned with the dynamics of relation, find kinship. If we cannot name Paine's work in the tradition of philosophy, neither can we relegate it to the category of propaganda, any more than we can make Paine a mere pamphleteer. At least one scholar has suggested that we, instead, think of Paine as a "polemicist"--as one who would wage war for the importance of an idea, or an ideal.¹ Indeed, for Thomas Paine that "war," though waged

through word and not arms, resulted in his imprisonment. Paine's commitment to the ideal of human freedom is unequivocal; as Sidney Hook comments, "He was a true cosmopolitan who felt that he was personally engaged wherever injustice was committed or freedom denied" (Essential Writings of Thomas Paine xx). And while Hook celebrates Paine's legacy as a defender of individual right, and "the cause of human dignity and freedom," he too struggles with the nomenclature through which to name Paine's "place" in the annals of western political thought. Hook suggests that we read Paine as "the greatest phrasemaker of his age," echoing the idea that Paine's lasting contribution resides in his ability to translate the ideas of an abstract, and academic, philosophy into a language that compels action and response in the public sphere.

One might then suggest that where Buber is philosophic, Paine is passionate. Paine wants to tear the world apart in order to pose that critical Buberian question--which is not, "How is it to be understood that there is such a being as man?"--but "How is it to be understood that such a being as man has emerged and stepped forth from the animal world?" (Between Man 155). Paine would respond that the answer rests with God: it is an originary destiny, given in creation and conception. Buber would answer that it is a spiritual identity, an "anthropological fact" through which human being

knows itself: "that there is in the world a being who knows the universe as a universe, its space as space, its time as time, and knows himself in it as knowing it"(155). What Buber voices in the restricted corridors of philosophic discourse, Paine asks ordinary "thinking" humanity to act upon--the realization and truth of human equity in the presence of difference. Action, Paine insists, is invested in the ethical--it is a product of individual or collective choice. To invest in a burgeoning "republic," certainly as it manifested itself in the America of 1792, was to postulate the priority of human being, even in difference, as the fundamental fact of all private and political life. In Common Sense and The Rights of Man, Paine's real mission is to render the political secondary to the ethical, to the human. Paine translates, into a public sphere, the meaning of the idea of human equity, not as theory, but as a truth which transcends phenomenal experience. In that sense, Paine's Rights of Man anticipates the ethical command of Buber's I and Thou. And at the very least, it sounds the call for a new world to rise, in recognition of the natural and sacred rights of human "being" and individual presence made visible in the world.

And so we return to the idea, posed at the beginning of this chapter, that in Thomas Paine one discovers an originary source through which a distinctly "American" identity and mythology is conceived. If Paine celebrates the emergence of

an American republic, it is not as a territorial opportunity, upon which Crèvecoeur and Jefferson will expound, but as genuine existential possibility. Paine's America becomes the site upon which human freedom presides, and the space in which its material realization is finally achieved. If Paine is not a philosopher, he is a visionary. In his eye, the American landscape remains "the only spot in the political world where the principles of universal recognition could begin." Or more specifically, "the cause of America is in a great measure the cause of all mankind," for Paine's America is the battlefield upon which the individual, marked by difference, finds place.

II. CONVERSION ETHICS: THE PURITANS AND CREVECOEUR'S
LETTERS FROM AN AMERICAN FARMER

"[The natives] are neere all dead of the small poxe, so as the Lord hath cleared our title to what we possess," John Winthrop, writing to an English friend, 1634.

In Regeneration Through Violence, Richard Slotkin argues that the emergence of a specifically "American" mythology originates in the intellectual, and literary efforts of the colonists to define a relationship to the American landscape. At issue are the conflicting images of the New World--as a garden of plenitude, or unrealized paradise, and as wilderness, the site of spiritual and physical danger, and potentially, of transformation and redemption. The Puritan image of America is crucial, for it makes possible the construction of a mythology in which the "heroic" is defined as a moral imperative: if America is the "wildeorness" (Nash 2), it is the place and realm of the demonic, a symbolic hell, against which the Puritan, as emissary of God's will, must struggle and conquer. To tame the wilderness is to engage in the divinely sanctioned battle against the forces, and presence of evil--internally, as

unconfined nature comes to represent the pervasive possibility of spiritual temptation, and externally, in its transformation from lost paradise into the vision of John Winthrop's "Citty upon a hill," where "a due forme of Government both civill and ecclesiasticall" could be erected (as quoted in Beitzinger 31).

If Puritan mythology makes possible the translation of nature into a wilderness which demands redemption, so too it makes possible the conversion of the Indian, as its original inhabitant, into the "wildeor," the beast who inhabits the wilderness. What underscores Puritan thought, as it constitutes a mythological and ideological legacy, is its inherence in an ethics of conversion: the Indian, as he embodies the reality of difference, becomes not human Other, but beast--the "satanic savage" whose conversion or destruction is demanded, and ordained, in the Puritan drama of enacting God's will.

"The Indian became important for the English mind, not for what he was in and of himself, but rather for what he showed civilized men they were not and should not be," writes Roy Pearce in Savaqism and Civilization (5). Pearce argues that for the Puritan consciousness, the Indian symbolized not only the antithesis of a rigidly structured theological perspective--where the Indian as wildeor is encountered as the demonic presence--but the tangible antithesis of the

European notion of the self. In so far as the Indian was granted humanity, it was a humanity grounded in opposition, such that in the English mind, "they knew he was bound inextricably in a primitive past, a primitive society, and a primitive environment, to be destroyed by God, Nature, and Progress to make way for Civilized Man"(4).

But let us return to the idea of an original mythology, as it is represented in the Puritan legacy. When the Puritan fathers sailed to the New world, they did so, in the language of Martin Buber, to build a new house in the cosmos, one based upon a rigorous notion of faith and Christian virtue. The journey to the New World was represented as both a mythic and heroic quest--one rooted in an ideology of conquest and progress, such that the Puritans saw themselves as a chosen people whose Anglo-Saxon heritage proved their racial and historical superiority. The Puritan fathers who settled the New World were not simply colonists, but a uniquely qualified people endowed with a providential role in world history.

And yet, the New world in which the colonists prepared to create a new and better "house," was not a vacant wilderness, but one inhabited by native peoples. As such, Slotkin argues, the emergence of a distinctly American mythology finds its origins in the attempts of the colonists to encounter the presence of the Indian as the other, and

therefore, confront "the fatal opposition between two worlds, two distinct races, two vastly different realms of thought."

Samuel Purchas's "A Discourse on Virginia" (1625) expresses the initial, inescapable opposition which informs Puritan thought. Of the natives, Purchas writes: "On the other side considering so good a Countrey, so bad people, having little of Humanitie but shape, ignorant of Civilitie, of Arts, of Religion; more brutish than the beasts they hunt, more wild and unmanly then that unmanned wild Countrey, which they range rather than inhabite; captivated also to Satan's tyranny in foolish pieties, mad impieties, wicked idleness, busie and bloody wickednesse: hence have we fit objects of zeale and pitie, to deliver from the power of darkness . . ."(in Pearce, Colonial Writing, 23). For Purchas, the Indian, as the other in the American landscape, is not authentic otherness, but object. The native, transformed into satanic beast, can exist only in and through his essential "thingness," as the "It" which stands in opposition to the Puritan "I," as that which must be overcome, or eliminated, for the realization of that divinely inspired "Citty upon a hill."

Purchas's transformation of the Indian reveals, in Hegelian terms, that dynamic through which the construction of the self takes place within and through the operation of a dialectical process. Self-consciousness, as the definitive essence of what it means to be human, confronts the world,

and thus, the "Other," as its object, against which it must struggle to achieve and realize its own self-certainty. The Puritan conversion of the Indian into "satanic beast," becomes then, a version of the Hegelian "struggle unto death," where one self-consciousness strives to establish the illusion of its autonomy by superseding the Other, by reducing it to thing-hood, or bondage, such that the Other exists only to be appropriated, and or, destroyed. The conversion of the Indian into beast, into the "satanic savage," whose "souls in the wilderness were as unregenerate as their lands were uncultivated" (Berkhofer 83), was to deny both the Indian's interiority, as an authentic consciousness, as well as his historicity. If the structure of Hegelian thought unmasks the dynamic through which the Puritan is able to transform the Indian into an "It," so too it reveals the falsity of that process--for Hegelian self-consciousness is neither a self-bounded nor monological entity; rather, for Hegel, "Self-consciousness exists in and for itself when and by the fact that, it so exists for another; that is, it exists only in being acknowledged" (111). If one of the central insights of the Hegelian system is its insistence upon the necessity of the other in the constitution of the self--where the movement of self-consciousness toward its actualization, its evolution to become the "I," is intrinsically interwoven and inter-dependent upon the existence of the other--then the Puritan conversion of the

Indian, as one grounded in an exclusive logic of identity, is both inherently flawed and false.

One of the critical elements which makes possible the conversion of the Indian, first into beast, and subsequently, into "savage," is the relationship, in the European mind, between "Civilitie" and property. What characterizes and proves the Indian's "unmanly" bestiality is, in Purchas's language, that "they range rather than inhabite"--the Indian is beast not solely because of his difference, confirmed through his darkness, but in his essence as hunter, as well. When in 1635, Governor Winthrop justified the European appropriation of Indian lands, he did so through the emblem of property. As Howard Zinn reminds us, "When the Pilgrims came to New England, they too were coming not to vacant land but to territory inhabited by tribes of Indians. The governor of the Massachusetts Bay Colony, John Winthrop, created the excuse to take Indian land by declaring the area legally a 'vacuum.' The Indians, he said, had not 'subdued' the land, and therefore had only a 'natural' right to it, but not a 'civil right.' A 'natural right' did not have legal standing"(13). Winthrop's language reveals the extent to which recognition of the Other, as authentic self or cultural order, is constituted in and through the mythology of property. If the Indian had inhabited the American landscape long before European arrival, what they had not done was to cultivate it, or translate it into a scheme of parcels,

which, as the Puritan knew, was commanded by God's law. If that failure was first evidence of a moral depravity, it was ultimately the incontrovertible sign of a lesser humanity.

The ethics of conversion which dominate Puritan thought comprise an intellectual and mythic legacy for the subsequent founding of American democracy. When Notes of Virginia appears in 1784, and Thomas Jefferson emerges as the self-styled American patriarch- philosopher, positing the creation of a new world order built on the concepts of equality and freedom, he must reconcile that vision with the historical legacy bequeathed him by his Puritan predecessors. For in its Puritan roots lie the essential philosophical and political issues that will dominate the American landscape in the 18th and 19th Centuries: the problematics of land--as nature, as wilderness, as property; the problematics of authority and power in the evolution of a political structure intended to preserve the natural, equal rights of each individual; and perhaps, most crucial, the ethical construction of the Other, as Indian, as African, against and through whom the American self will be defined.

"Those who labor in the earth are the chosen people of God, if ever He had a chosen people, whose breasts He has made His peculiar deposit for substantial and genuine virtue," proclaims Jefferson in the Nineteenth Query of the Notes on Virginia (280). Two years earlier, Crèvecoeur's

Letters From an American Farmer painted the "real American" in precisely the same language. Answering the question, "What is an American," Crèvecoeur's narrator-farmer responds, "We are a people of cultivators, scattered over an immense territory . . . united by the silken bands of mild government, all respecting the laws, without dreading their power, because they are equitable . . . we are the most perfect society now existing in the world. Here man is free as he ought to be" (36).

The echo of the Puritan past resonates in Jefferson and Crèvecoeur's celebration of the farmer. Drawing upon the motif of the lonely Christian who journeys into a howling wilderness to transform and redeem it, the ideal American now emerges as the farmer, who as "tiller of the earth," gives birth to the real garden: an American wilderness transformed by the industry of agriculture into the new Eden. And as America symbolizes the new Eden, it is the farmer who becomes her Adam--who enacts the scriptural imperative to "fill the earth and subdue it," whose husbandry fulfills his rightful destiny as he who realizes his "dominion" over nature, "and over every living thing that moves upon the earth" (Genesis 1:28).

And yet, if the essential notion of the heroic quest remains intact, what has changed is the representation of nature. By the 18th century, the American landscape is no longer that unregenerate Puritan wilderness, but a terrain of

magnificent contrasts, one equally "placid and delightful" as it is "wild and tremendous;" a land marked by "the most sublime of nature's works," as is Virginia's Natural bridge, or the "terrible precipices" of her Blue Ridge Mountains, "one of the most stupendous scenes in nature," a vista so unrivaled that it "is worth a voyage across the Atlantic"(Jefferson 192-97). Even as Jefferson documents and celebrates the spectacular sublimity of its natural scenery, what most distinguishes the American landscape is that it is, in facticity, the site of an unparalleled experiment in human possibility: "America, though but a child of yesterday, has already given hopeful proofs of genius, as well as of the nobler kinds, which arouse the best feelings of man, which call him into action, which substantiate his freedom, and conduct him to happiness"(214). The grand legacy of the American enterprise has already been cast--here, for the first time in the history of human experience, "man is free as he ought to be."

If it is possible to regard Jefferson as one of the original American philosophers, then Crèvecoeur might be considered one of her first ideologues. Letters from an American Farmer, which, unlike Jefferson's Notes, is written for a popular audience, reverberates with the idealism of the 18th Century, as it extols the triumph of freedom, opportunity, and Anglo-Saxon "progress" that characterize the new republic. Crèvecoeur's Americans are "the western

pilgrims who are carrying along with them that great mass of arts, sciences, vigour, and industry which began long since in the east; they will finish the great circle"(39). But if we look closely at Crèvecoeur's presentation of the farmer as the heroic ideal, and later as that ideal informs the Jeffersonian agrarian-democratic republic, we are confronted with a complex intersection of philosophical, racial, political, and ethical configurations that strike at the core of what comes to be articulated as an intrinsically "American" consciousness and destiny.

When Crèvecoeur represents the essence of the American ideal through the paradigm of the farmer, he does so to celebrate the possibility of individual freedom inherent in the concept of a political democracy. Crèvecoeur's farmer transcends his biblical origins to embody the very idea of individuality and autonomy. The ideal of democracy, as the Letters unfolds it, resides in its power to overturn and dismantle the hierarchic political and social structures of the European past, releasing the individual to pursue and define the parameters of his own self-worth. "By what invisible power has this surprising metamorphosis been performed? By that of the laws and that of their industry. The laws, the indulgent laws, protect them as they arrive, stamping on them the symbol of their adoption; they receive ample rewards for their labors; these accumulated rewards procure them lands; those lands confer on them the title of

freemen, and to that title every benefit is affixed which men can possibly acquire" (38). The metamorphosis to which Crevecoeur refers is a movement from shadow, or the province of the non-self, to subject, who--through the agency and ownership of his own labor--steps into the realm of the proper. The individual achieves and perceives his own identity through property, for if the accumulation and translation of land into property confers the "title" of freedom, it does so by conferring "place" in the realm of the public.

Quite clearly, the metaphysics of identity at work in Crevecoeur's text is one fixed in the emblem of property, where property is understood as "the very mark of identity, as that which is identical to itself : what we typically call a 'self' or an 'individual'" (Cheyfitz 50)[emphasis mine]. The scenario Crevecoeur dramatizes, the process through which the historically dispossessed move from invisibility, "from being the slave of some despotic prince," into the light of the visible, "from nothing . . .into being" (55-56), returns us to the Hegelian assertion that property is "the first embodiment of freedom," and that it is only through property, as the sign of the self, that recognition is possible. Indeed, in Crevecoeur's text, property confers freedom precisely because it confers *name* ("the most useful acquisition [one] can make"), and therefore, a place in the proper: "His good name procures him credit. He is now

possessed of the deed . . . he is become a freeholder . . .
he is naturalized, his *name* is enrolled with those of the
other citizens of the province . . . *he has a place* . . .
and for the first time in his life counts for something"
(55)[emphasis mine].

But there is already a problem submerged in the American soil. If the metaphor of property makes visible that essence we call "the self," it must do so through the imposition of boundary. In its Lockean context, the boundaries of property serve not merely to designate that which has been enclosed, and therefore marked as "mine," but, as Jennifer Nedelsky has demonstrated, those boundaries constitute "a powerful symbol of rights as limits to government," which become in the American mind, "a source of security whose sacredness acts as a barrier even to the power of the state" ("Bounded Self" 162). To construct the self through the language of property is to envision human identity as if it were insular and monolithic--it is to bound the essence of the self in an absolutism, what Eric Cheyfitz calls "a kind of tyranny of the semantic or the univocal or the proper," a construction which neither permits nor receives difference.

Here we come to a central point. Whatever the intrinsic value and truth which inhere in the concepts of equality and freedom--as they form the philosophical foundation for the construction of political democracy--that

ideal, as it takes shape in the 18th C American landscape, is immanently flawed: it incorporates and consecrates an implicitly erroneous vision of the human essence, for it denies its fundamental reality, as the very principle of difference. The problem which permeates and plagues the American landscape is neither simply political, nor a failure of ideals; rather, it is, in all its complexity, a problem of ethics, through which the presence of the other is denied reality. The Other, as Indian, as African, is excluded and obliterated from the factual ground of being; and thus, difference, as it constitutes otherness, is constructed not as being-for-itself, or authentic humanity, but as being-in-itself, or that which is made object for the use and appropriation of a legitimate self.

Thus Crèvecoeur's narrator can pose the question of the identity of the new American, and answer, "He is either European, or the descendent of an European," and so draw the boundaries of the new republic such that its indigenous peoples exist without place, without identity, without recognition. Even as Crèvecoeur triumphs America's lack of boundary--for she is "the great asylum," which knows, "properly speaking, no strangers," that lone space in a new world where "there is room for everybody"-- he must, in the same gesture, impose one. The Indian, in spite of being native to that very soil, does not figure in this peculiar construction of person; the Indian, because he is Indian and

not European, does not warrant, and is not permitted recognition as a self. The Indian is granted humanity, is seen and made visible, only as "the savage," as the incarnation of what civilized "men were not and must not be" (Pearce 5).

And yet, Letters From an American Farmer is a text of greater complexity than its initial images suggest. The landscape celebrated with unbridled idealism in "What is an American," is neither as simplistic nor monolithic as it first appears. In subsequent letters, as the farmer St. John's eye spans outward, away from the moral order of its agricultural center, the vision darkens, and one begins to sense the presence of a burgeoning doubt in St. John's struggle to maintain his faith in the promise of an intrinsically American dignity, as that of "the new man, who acts upon new principles," and "new ideas" (40).

As the horizon stretches westward, beyond the lawful settlements of its independent freeholders, one encounters the frontiersman, the back settlers, whose abrupt transformation as a "people who have suddenly passed from oppression, dread of government, and fear of laws, into the unlimited freedom of the woods" (48), renders them a different breed of American. If the farmer represents the best virtues of European civilization, then the back settlers, situated on the edge of "the great woods," embody the excesses and corruption to which civilized beings may

fall prey. Existing "beyond the reach of government" (42), and "living in or near the woods"--that subversive wilderness the Puritans so fervently feared--where "their actions are regulated by the wildness of the neighborhood" (47), the frontiersman becomes something of a "mongrel breed, half civilized, half savage"(48), against whose "lawless profligacy" even the manners of the Indian are preferable.

And yet, it is precisely in his Indian-ness, in his semi-savagism, that the back settler is to be feared. For the mark of his condition is not solely his proximity to the woods, but his abandonment of the plough for the gun, of the farm for the hunt. In his opposition to the farmer, whose industry dictates that his "time is divided between labour and rest, and leaves none for the commission of great misdeeds," the frontiersman falls prey to "the toil of the chase, the idleness of repose, or the indulgence of inebriation" (49). Thus does St. John assert, "our bad people are those who are half cultivators and half hunters; and the worst of them are those who have degenerated altogether into the hunting state. As old ploughmen and new men of the woods, as Europeans and new made Indians, they contract the vices of both." The back settler, "remote from the power of example and check of shame," becomes "no better than carnivorous animals of a superior rank," whose existence is characterized by "a perfect state of war; that of man against man" (42-49).

But even as St. John laments the degeneracy that permeates the back settlements, the frontier-hunter, unlike the real Indian, maintains a place within the proper parameters of the republic. The frontier-hunter, in spite of his proximity to the boundary which separates savagery from civilization, remains, in essence, a European; as such, he is not savage, but the pioneer whose bold advance into the woods prepares the way for the subsequent arrival of the authentic American settler: "Thus are our first steps trod, thus are our first trees felled, in general, by the most vicious of our people; and thus the path is opened for the arrival of a second and better class, the true American freeholders; the most respectable set of people in this part of the world: respectable for their industry, their happy independence, the great share of freedom they possess, the good regulation of their families, and for extending the trade and the dominion of our mother country" (51).

Ultimately, as Crèvecoeur's text suggests, the frontier-hunter will discover his place in the inevitable advance of American civilization, as it spans westward to transform "that hitherto barbarous country into a fine fertile, well regulated district" (43). As the imposition of law, and moral order, expands its dominion, the fate of the frontier-hunter is relatively clear: "prosperity will polish some," making possible their incorporation into the formal bounds of the republic, or "vice and the law will drive off

the rest . . . making room for more industrious people, who will finish their improvements" (43). And therein lies the principle existential difference between the frontiersman and the Indian: the frontier-hunter, despite his viciousness and semi-savagism, is not the savage in the American landscape; rather, he is an agent of change, of history, whose ultimate fate resides in his fully human right to make a choice. The Indian, however, makes no such choice, for whatever nobility he may possess, he is nonetheless "a race doomed to recede and disappear before the superior genius of the Europeans" (102). The Indian, as Jefferson will attempt to convince us, is neither an agent of change nor the subject of history-- converted into the sign of pre-historical existence, the Indian is the obstacle to be overcome that democratic freedom and Anglo-Saxon progress may reign triumphant in the new world.

One of the interesting facets of Crèvecoeur's text is its shifting perspective toward the Indian, and particularly, its implicit acceptance of the "natural" disappearance of native peoples. The farmer St. John is capable of intellectually accepting the latent humanity of tribal people, for after all, it is to the Indian that he flees with his family, as the violent conflict of war invades the security of his previous existence. Arguing that "self-preservation is above all political precepts and rules," St. John decides to "willingly descend" into the "inferior" state

of savage life, for though he risks the possibility of his family's "becoming wild," it is an alternative which removes them from "the accursed neighborhood of [the] Europeans," and offers the possibility of escaping "that certain destruction which awaits . . . if I remain here much longer" (204-5). And yet, earlier in the Letters, St. John is philosophically resolved to accept the systematic disappearance of the Indian from the landscape as a whole. The contradiction here is implicitly an ethical one; its resolution is perhaps best explained through an ideology of primitivism, for Crèvecoeur's persona holds fast to the mythology of western progress, and the Indian, even when he is granted the romantic nobility that characterizes his presence in the last letter, must ultimately be sacrificed for civilization to prevail. The question of ethics therefore recedes--the Indian is not really problematic, for as he is converted into the symbol of what Roy Pearce calls a "primitive good which would sustain any critique" (142), his existence is transferred from the realm of facticity into the realm and province of the imagination. Pearce explains: "Since this Indian was that noble savage who theoretically embodied all that good men should be, for primitivists in the seventeenth and eighteenth centuries what he actually was came less and less to be a serious issue. What mattered was what Europeans should be. The need was to recover that portion of the primitive self

which civilization had corrupted and, in the process, to lay bare the faults of civilization" (136).

The Indian, now converted into noble savage, exists as idea, but not as reality; the ethical dimension disappears as the actuality of the Indian's otherness is erased, for ultimately, to exist as symbol is not to be. Interestingly, then, it is not in the fate of the Indian, despite St. John's intimacy with native culture, that the ethical dimension surfaces; rather it arises in the encounter with the African, who emerges as the absolute stranger in this landscape, and reveals itself as the problematic essence at the very core of the American ideal and reality.

The most stunning moments of Crèvecoeur's text occur in the ninth letter, "Description of Charles-Town." Charleston is a world far removed from the simplicity of the farm, as well as the pioneering independence of the frontier, and Crèvecoeur's opening lines reflect its peculiar distinction: "Charles-Town is, in the north, what Lima is in the south; both are capitals of the richest provinces of their respective hemispheres" (153). Charleston is the place of the market, and St. John's initial impressions suggest an aesthetic and economic achievement unparalleled on the American horizon. What distinguishes Charleston is its opulence, its "display of riches and luxury," apparent in the gaiety of its inhabitants, "the elegance of their houses, their sumptuous furniture . . . the magnificence of their

tables" (154). Indeed, St. John tells us, Charleston is "the center of our beau monde," where "all is joy, festivity, and happiness" (155).

But St. John's celebratory awe is abruptly and violently disrupted in the most arresting scene of this text. Traveling through the woods, on his way to dinner at one of those elegant houses, St. John is rather innocently "examining some peculiar plants which [he] had collected," when his attention is wrested by the intrusion of "a Deep rough voice" that "uttered, as I thought, a few inarticulate monosyllables." Looking about in alarm, he tells us, "I perceived at about six rods distance something resembling a cage, suspended to the limbs of a tree; all the branches of which appeared covered with large birds of prey, fluttering about, and anxiously endeavoring to perch on the cage." St. John fires on the birds, and as he discovers the cause for their convergence, reveals an image unequalled in its sheer horror and violence: "horrid to think, and painful to repeat, I perceived a negro, suspended in the cage, and left there to expire! I shudder when I recollect that the birds had already picked out his eyes, his cheek bones were bare; his arms had been attacked in several places, and his body seemed covered with a multitude of wounds. From the edges of the hollow sockets and from the lacerations with which he was disfigured, the blood slowly dripped, and tinged the ground beneath. No sooner were the birds flown, than swarms of

insects covered the whole body of this unfortunate wretch, eager to feed on his mangled flesh and to drink his blood" (167).

One of the striking elements of that scene resides in the dramatic intrusion of reality upon the idealized and idyllic landscapes of the text. The seductive allure of Charleston's wealth and opulence is suddenly and brutally unmasked, and its actual reality renders St. John nauseous, helpless, and horrified. The presence of the African is indisputably real, and as such, it is an encounter with otherness that shatters St. John's confidence as the self-contained subject, firmly grounded in his identity. Throughout the Letters, the experience of otherness has been contained in the presence of the Indian. But the Indian is always a romanticized entity--the Other whose existence is subsumed in a philosophy of reflection; the Indian is "seen" only as the mirror through which the European, as legitimate self, sees itself reflected back; the Indian is the mirror in which civilized man sees what he *is not* and *must not become*.

In the African, however, Crèvecoeur encounters the Other whose very existence as other has been erased. The African whose bloody, mangled body is displayed in the tree can neither be romanticized, nor justified through the false nobility of a primitivist philosophy. In the conversion through which the African is made *slave*, he is simultaneously denied recognition in the factual and philosophical ground of

the human; as chattel, as the human being converted into property, his is an absolute object-ness: in the garden of the Southern patriarch and planter, the African "exists" only for the appropriation and consumption of the European-American self.

When Crèvecoeur's narrator-persona stumbles upon the African in-the-tree, he uncovers the intellectual, spiritual, and ethical failure that stains the heart and soil of the new republic. The ideal of the American farmer, whose garden symbolizes the moral integrity and positive independence of the individual, is violently and subversively undermined in its Southern variation. For if at the crux of that ideal, as Crèvecoeur's Letters originally envisions it, is the sacred principle of equal natural rights, the Southern imposition of slavery on the American landscape denies the African that most fundamental of Lockean rights-- the individual's ownership of his own person and labor as an intrinsic right to self-preservation. In the perverse and diseased machinations of the Southern mind, not only does the African possess no right to self-preservation-- in itself a self-negating construction, for the African to be slave, must be human, and to be human is to own the right to self-preservation (certainly as Locke formulates it)-- his very death is mandated through an ironic twist of language and idea: ". . . I heard that the reason for this slave being thus punished, was on account of his having killed the

overseer of the plantation. They told me that the laws of self-preservation rendered such executions necessary" (168). For Crèvecoeur's St. John, the reality unmasked by the African constitutes a violation, not merely of an ideal, but of the ethical foundation that underlies the very idea of progress, or civilization, in which the identity of the Euro-American self inheres.

When in the Third Letter, Crèvecoeur raises the question of the identity of the new American, the answer is full of a celebratory faith in the essential integrity and decency of a "resurrected" people, whose promise would be realized in the diligent industry of each, aspiring individual. As Stephen Arch has articulated it, Crèvecoeur's "new" American is "a man psychologically and morally remade by his exposure to a new and expansive land. Freed from the religious, political, and spatial constraints of the old world, he is 'resurrected' . . . The American is a 'regenerated' human being!" (48). But the movement of the text, as the narrator of the Letters journeys away from the apex of the farm, is marked by dissension and dread-- the American reveals himself not an originator, but an imitator, perhaps even a prisoner, of his own frightful history.

In the overall schema of Crèvecoeur's text, the encounter with the African is far more than the revelation of an aberration that plagues the Southern soil; it is finally a call to consciousness--an encounter with an absolute and

incontestable manifestation of evil. In a dramatic reversal of the Puritan paradigm, Crèvecoeur's narrator discovers that the presence and activity of the demonic resides, not in the "savagery" of tribal people, but in the legacy of those "western pilgrims" called to "finish the great circle" of European enlightenment. And importantly, it is not simply the existence of slavery which dismantles his faith, for slavery has an historical precedent in the evolution of "civilized" nations: "We are told, it is true, that slavery cannot be so repugnant to human nature as we first imagine, because it has been practiced in all ages, and in all nations" (161). What troubles St. John is that the existence of slavery in the new republic signifies a failure of the mind and the imagination--most obviously, it is a failure to grasp the real meaning of progress, of civilized existence: "We certainly are not that class of beings which we vainly think ourselves to be; man an animal of prey, seems to have rapine in his heart; nay, to hold it the most honourable occupation in society: we never speak of a hero of mathematics, a hero of knowledge of humanity; no, this illustrious appellation is reserved for the most successful butchers of the world" (162). If Crèvecoeur's farmer can accept the historical precedent of slavery, he cannot accept its intrusion upon the American ideal. As such, his experience in Charleston becomes not merely the evidence of a singular, regional wrong, but the

occasion for an authentic abhorrence before the very nature and capacity of human beings themselves.

In an apocalyptic revision of his earlier inquiry, Crèvecoeur's farmer is now moved to ask, "What then is man?" (158). And, the answer suggests the depth of his fall --his is an irreparable shattering of faith and ideal: "The history of the earth! Doth it present anything but crimes of the most heinous nature, committed from one end of the world to the other? . . . one would almost believe the principles of action in man, considered as the first agent of this planet, to be poisoned in their most essential parts . . . Is there then no supervising power who conducts the moral operations of the world, as well as the physical . . . doth it abandon mankind to all the errors, the follies, and the miseries, which their most frantic rage, and their most dangerous vices and passions can produce?" (161).

If one reads Crèvecoeur's Letters From an American Farmer as a scriptural text of the new republic, the Ninth Letter is certainly one of its most powerful moments. What Crèvecoeur accomplishes is indeed pivotal, for through the appearance of the African, he unmaskes the problematic content of ethics: in the faceless presence of the unnamed African, the ethical surfaces, to demand recognition, and response.

When St. John encounters the African, he is in full possession of his world, and of himself as part of that

world. Indeed, he is engaged *with* the world, such that his excursion through the woods might be read as evidence of his specific freedom, for St. John is involved in the act of gathering and collecting plants--an activity which reinforces his power as human being, as he who collects and "knows," as he who strives toward knowledge to engender possession. The African surfaces as an intrusion--more, as a violent interruption--the African is the interruption/intrusion of violence as it breaks through the apparent surrender of the world under St. John's grasp, and domestication. In the language of philosopher Emmanuel Levinas, the African appears as "the interlocutor," the one who disrupts, and in the disrupting, calls forth a demand for response: "To hear justice cry out in the groaning of affliction--to hear the voice of conscience . . . For me to know my injustice, for me to catch sight of the possibility of justice, a new situation is required: someone has to call me to account. Justice does not result from the normal play of injustice. It comes from the outside, 'through the door,' above the fray; it appears like a principle external to history"(Levinas 39-40)[emphasis mine].

And yet, if we investigate the nature of that response, we find that it is thoroughly problematic. The farmer St. John is horrified, we know. And though he wishes to relieve the pain of the African's suffering, he is unable to do so. What he does is to offer a simply human, if impotent,

response: "Had I a ball in my gun, I certainly should have despatched him; but finding myself unable to perform so kind an office, I sought, though trembling, to relieve him as well as I could. A shell already fixed to a pole, which had been used by some negroes, presented itself to me; I filled it with water, and with trembling hands I guided it to the quivering lips of the wretched sufferer"(168). Having done so, St. John "mustered strength enough to walk away, and soon reached the house at which [he] intended to dine"(168). And yet, the encounter with the African is neither forgotten, nor fully incorporated. The experience with the African becomes the occasion upon which St. John both acknowledges and recounts the betrayal of his own history--as a history too often motivated by power, and devoid of ethics-- and his words become his work to acknowledge that failure, even if he, in the moment, cannot find a way to assuage its wrongs.

Levinas has argued that it is, ultimately, in the face of the other that the ethical resides. For Levinas, the face of the other "is the fact that a reality is opposed to me, opposed not in its manifestations, but as it were in its way of being, ontologically opposed"(19). For the face is itself "a 'pure act'" that "resists identification, does not enter into the already known . . . speaks": the ethical surfaces as resistance, made manifest in the other's gaze, for "true exteriority is in this gaze which forbids me my conquest"(55). The African-in-the-tree is faceless; his eyes

have been picked out by birds, "his cheek bones were bare"-- he is gazed upon, but he does not, and cannot gaze back. And yet, his reality, as that opposing freedom, cannot be fully denied. For though his appearance is as the conquered, his very presence is the reality which both interrupts the solipsistic veil of reason, and exposes its inherent violence. The African's faceless, nameless presence is the ultimate sign of the ethical (and ontological) violence which plagues the American landscape--for it is not solely the existence of slavery in which that violence is contained, as St. John acknowledges, it is rather the construction of a world in which the individuality and the substance of the other is denied reality, expression, its *face*. The conversion of the African into slave places him in that infinite system of cognition and category; he is the universal, not the particular, he is "the foreign being [which] becomes a theme and an object", whose particularity as this human being, this entity, *this opposing freedom*, is both denied and ignored. But the African, even in his nameless death, resists: his is the presence which demands response, for he is that "someone" through whom the possibility of justice is glimpsed.

III: WRESTLING WITH JEFFERSON
AND THE IDEALISM OF REVOLUTION

Let us begin with a central proposition: that it is tremendously difficult to cast an eye towards the past, and to summon forth the problematic legacy of Thomas Jefferson. As past and recent scholarship continues to demonstrate, Jefferson has been, and remains, a peculiar enigma in the American mind and imagination. Perhaps most challenging for contemporary interpreters is that seemingly vast and irreconcilable chasm between the Jeffersonian legacy of ideals --the historical activity of a public agent and persona-- and the glaring inconsistencies of a private life marked by contradiction, controversy, and as one scholar recently concluded, "failure." Writing on the occasion of the 250th anniversary of Jefferson's birth, historian Paul Finkleman was moved to assert: "Even historians who have concentrated on his faults argue that Jefferson, along with Lincoln, 'is the central figure in the history of American democracy.' Yet this 'apostle of liberty' could never reconcile the ideals of freedom, expressed in the Declaration of Independence and his other writings, with the reality of his ownership of men and women and his leadership of a

slaveholding society . . . Scrutinizing the contradictions between Jefferson's professions and his actions does not impose twentieth Century values on an eighteenth Century man. Because he was the author of the Declaration and a leader of the American Enlightenment, the test . . . is not whether he was better than the worst of his generation, but whether he was the leader of the best; . . . whether he was able to transcend his economic interests and his sectional background to implement the ideals he articulated. Jefferson fails the test"(Onuf 181).

And yet, speaking at that same anniversary convention was the equally prominent scholar, Joyce Appleby, who would ask: "What is there about Jefferson that connects so powerfully with every generation of Americans? How can his ideas continue to hold their buoyancy in the fluctuating currents of our public life? Why is Jefferson the only president whose name forms an adjective of general meaning? The words *Washingtonian*, *Jacksonian*, *Wilsonian* direct us to a past political regime. Only *Jeffersonian* circulates in contemporary conversations"(Onuf 1). If the language of Appleby's inquiry seems simplistic, its content is not. For even as Finkleman unmask the conspicuous failures of the individual, Appleby reminds us that the historical and the personal may necessarily part company. The Jefferson whose legacy continues to influence and inform "contemporary conversations" is the one who sustains and nurtures our

symbolic, and perhaps, distinctly racial, memory. In the public discourse and agency of an indisputably flawed individual, we discover, once again, that sacred lineage of origin. The public Jefferson lingers and resonates in the American literary and national imagination-- a father and founder, a man of ideas bearing responsibility for the historic achievement of a human future grounded in the possibility of freedom. We cannot afford to dislodge or dismantle the public Jefferson; but as recent interpreters rightly suggest, it is the private Jefferson with whom we must continue to wrestle.

Paul Finkleman is correct: in that historic moment during which Jefferson drafted the Declaration of Independence, he owned 175 slaves. Jefferson was first a propertied and privileged Southerner, incapable of resolving either his "economic interests" or his "sectional background" to privately realize or "implement the ideals he articulated." And if the contradictions implicit in Jefferson's personal past trouble Finkleman, one of the legitimate heirs of that Jeffersonian ideal of an enlightened, intellectual aristocracy, they are deeply problematic for me, both in mind, and in body. For I inhabit that body Jefferson dismissed for its lack of imagination, and despised for its lack of beauty and incapacity for

reflection. And yet I can neither simply dismiss Jefferson, nor despise him his faults. At the center of the fabric of 19th Century America, Jefferson looms, mythic and legendary. Let us turn first then to examine the words--toward a public discourse in which an originary potential, an authentic vision of freedom, is postulated as ideal.

It is initially significant that Finkleman characterizes Jefferson as a "leader of the American Enlightenment," and not, as has been customary in previous versions of the narrative, as a leader of the American Revolution. The linguistic choice is revealing; to cast Jefferson as the leader of an American Enlightenment is to suggest an imitative impulse, a lack of philosophical originality. This is the argument which informs Henry Steele Commager's work, Jefferson, Nationalism, and the Enlightenment. Commager argues that "the Old World imagined the Enlightenment and the New World realized it. The Old World invented it, formulated it, and agitated it; America absorbed it, reflected it, and institutionalized it"(3). Commager's analysis locates Jefferson, and particularly the literary contribution represented by Notes on Virginia and the Declaration of Independence, as part of an existent tradition characterized by an Old World sensibility that "addressed itself to the exploration of Climate, or to the interaction of Nature and Man . . . that embraced civilization, or the social, political, and moral institutions of Man"(37); one delineated

by the substantial efforts of the Count de Buffon, the Abbe Raynal, Montesquieu and Voltaire.

The Jefferson who emerges through Commager's interpretation is the man-of-reason, a *philosphe* whose primary motives are dominated by an intellectualism that championed the "sovereignty of Reason, and the axiom that reason could penetrate and master the laws of Nature and of God." But Jefferson's is not an intellectualism severed from the tangible world, rather like his European colleagues, it intends to convince, to persuade thinking humanity to conform to those laws, "not only in philosophy and ethics, but in politics, economy, law, education, even in art and literature, for they knew that: 'All are but parts of one stupendous whole/ whose body Nature is, and God the soul'"(4).

And yet, however convincing Commager's analysis, particularly as it reveals many of the theoretical assumptions operative in Jefferson's intellectual process, it does not account for the lasting symbolic resonance in the Jeffersonian legacy which Joyce Appleby pinpoints. As we will investigate, to the extent that Jefferson shares in the ideological suppositions of the Old World Enlightenment, his work, and his presence transcend those limitations. Unlike the Abbe Raynal or the Count de Buffon, the Jeffersonian legacy can neither be contained nor fully explicated through the historical stasis of Enlightenment thought.

Perhaps a starting point, in exploring Jefferson's positionality to the Enlightenment, is to turn to his own words, and allow his participation in the dialogue. In the last extant text of his public career, Jefferson affords us a rare moment of conscious self-reflection. In a letter to the Chairman of the 50th Anniversary Celebration of the Declaration, Mayor Roger C. Weightman, Jefferson offers a final note on the significance of his public and private career. At the end of his life--for less than two weeks later, Jefferson would die on that very day of celebration--he cast himself as "one of the surviving signers of an instrument pregnant with our own, and the fate of the world" (Writings 729).

The Jefferson who speaks through this last public text celebrates himself not merely as thinker, or the student of ideas, but as an activist whose linguistic and tangible activity forever altered the course of human history. Reflecting on the historic significance of the Declaration--as both the sacred document at the heart of the American enterprise, and one fathered and authored by his own hand--Jefferson asks that we, his progenitors, the American people in successively triumphant generations, revere and grasp not merely its content, nor its literary contribution to the history of ideas. Rather, Jefferson emphasizes its implications as a text borne of a prophetic vision, a work of upheaval and origin: a text resonate with the power of

revolution, then demonstrable in the new world, in America, but ultimately, one which would ignite and inspire the revolutionary impulse throughout the world. This is Jefferson's last public testimony and "will": "May it be to the world, what I believe it will be (to some parts sooner, to others later, but finally to all) the signal of arousing men to burst the chains under which monkish ignorance and superstition had persuaded them to bind themselves, and to assume the blessings and security of self-government. That form which we have substituted, restores the free right to the unbounded exercise of reason and freedom of opinion. All eyes are opened, or opening, to the rights of man. The general spread of the light of science has already laid open to every view the palpable truth, that the mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately, by the grace of God. These are grounds of hope for others. . . let the annual return of this day forever refresh our recollections of these rights, and an undiminished devotion to them" (Writings 729-30).

If at the inception of his career, Jefferson might have been content to regard himself in the tradition of European intellectualism, by its end, in the quietly reflective moments before his death, he had transcended the limited corridors of the philosophical to enter the realm of the revolutionary: father of a political and social ideal made

real, existent as a factual reality fifty years after its tumultuous appearance; and, founder of a new world order, destined to realize and fulfill the Hegelian prediction, that "America is therefore the land of the future, where in the ages that lie before us, the burden of the World's History shall reveal itself"; for Hegel would subsequently assert what Jefferson clearly hoped, at least in that last letter, would form part of the constituent content of his remembered legacy: that "It is for America to abandon the ground on which hitherto the History of the World has developed itself" (Philosophy of History 86-7).

Before, however, we explore the revolutionary content of Jefferson's legacy, let us return first to the Commager argument, and the question of Jefferson's "Enlightenment" orientation.

Notes on Virginia; Enlightenment Text?

Notes on Virginia, Henry Commager argues, "was on one level, a guide book, even an encyclopedia; it was on another level a polemic-- a refutation of the libels and canards that so many Europeans hurled at America--and on a still higher level, a philosophical inquiry, an interpretation, and a platform. It discussed not only government, but the nature of government, not only education, but the purpose of education,

not only the statistics of native races and the economy of Negro slavery, but sociological problems of uniformity or differentiation in mankind, and moral problems of race and slavery. Like Crèvecoeur's Letters of an American Farmer, it both probed and illuminated the American character. And--though only by implication--it presented more fully than any other treatise of its day what might be called the agenda of the American Enlightenment"(36).

Quite clearly, one can discern the tremendous influence of Enlightenment thought upon Jefferson's principle text, Notes on Virginia. From its opening lines, in which he attempts an "exact description of the limits and boundaries of the state of Virginia," Jefferson posits the existence of a natural world which is discoverable--through analysis and observation--measurable, and hence, fully knowable. In the first queries of the book, Jefferson offers an exhaustive description and analysis of the Virginia terrain and wilderness landscape; here, Jefferson speaks in the voice of the "natural scientist," confident of a Newtonian world regulated by a rational and harmonious order. But as the Virginia of the Notes is transformed into the sign and symbol of an emergent America, Jefferson's purpose is also transformed. Notes is not simply the investigation of a newly explored natural habitat, but the vindication of a new world against the charges of "degeneracy" that permeated European

opinion and argument. Against the prevailing discussion, led by the Abbe Raynal and the Count de Buffon, of the relationship between "Climate and civilization," Jefferson's real intent in the Notes is to establish, conclusively, the observable superiority of the new world landscape. Answering the claims of its critics--that "America had been doomed, by nature itself, to degeneracy. For it was in truth a new world, one which had emerged later from the Flood. . . which was still afflicted with dismal swamps, impenetrable forests, and desperate extremes of heat and cold"(Commager 39)-- Notes determines to prove, through the authority and authenticity of experience and objective observation, the demonstrable superiority of the new world environment.

If the Count de Buffon could argue: "1. That the animals common to both the old and new world are smaller in the latter. 2. That those peculiar to the new world are on a smaller scale. 3. That those which have been domesticated in both have degenerated in America; and 4. That on the whole it exhibits fewer species"(Notes 206), then Jefferson would accept the challenge to demonstrate, through rigorous analysis and visible confrontation with "fact," the abject falsity of those claims. Indeed, Jefferson was compelled to argue that "the largest of all terrestrial beings" once existed in new world America; evidence enough, he suggests, that "should have sufficed to have rescued the earth it inhabited, and the atmosphere it breathed, from the

imputation of impotence. . . to have stifled, in its birth, the opinion of a writer, the most learned, too, of all others in the science of animal history, that in the new world, 'La nature vivante est beaucoup moins agissante, beaucoup moins forte': that nature is less active, less energetic on one side of the globe than she is on the other" (Notes 206).

Jefferson's methodology in the initial inquiries of the Notes emphasizes the rational, and the experiential, as primary vehicles of discovery for the representation of "truth." Underlying the Jeffersonian insistence on exactitude and specificity is the Newtonian assumption that the world, in its phenomenal appearance, can be comprehended, and hence, "known" through the logic of deductive analysis. Jefferson's "Virginia" is a systematic whole, ruled by an internal principle which is objectively discoverable, visible, and inherently rational. Put crudely, Jefferson's "world" makes sense: it is penetrable, explicable, and consistently true to the rule of reason. As Henry Commager has suggested, the operative assumptions which permit Jefferson's conclusiveness and certainty reverberate in an Enlightenment faith in the discoverability of natural law, the indisputability of experiential inquiry, and the capacity of the human being to un-lock, through the twin agencies of reason and self-reliance, the essential content of the natural and human worlds.

Of the Notes, Commager comments: "it was a typical Enlightenment inquiry, this by Barbe-Marbois on the geography, the minerals, the cascades and caverns, the counties and townships, the weights and measures, of Virginia, for with these it mingled questions about 'all that can increase the progress of human knowledge,' 'the administration of justice,' 'the different religions,' and the 'customs and manners of the people' (37). Even as the Notes sets out to dismantle the conclusions promulgated by an European intellectual gentry, so too it shares, with Buffon and the Count de Raynal, an internal sense of mission: "All of these inquires were scientific, all were sociological, all were, eventually, moral; for the *philosophes* were natural philosophers, they were social philosophers, they were moral philosophers, and none more unequivocally than Jefferson" (37). That mission defined itself as a commitment to the supposition that the goal of thought, and scientific inquiry, in particular, is the search for a discernibly rational order. In so far as Jefferson restricts his "eye/I" to the natural terrain, his argument compels consideration. When he turns that eye, and "I," upon an investigation of the human being, his vision falters.

The pivotal, and most potent passages of the Notes, which center upon Jefferson's confrontation with the Other, and more generally, the concept of otherness --as it

manifests itself in the human body and form, --betray the presumed objectivity of a "scientific" inquiry. Jefferson's "rational order" is, at best, highly suspect, because it resides in the purely academic assumption that the Other is as "knowable" as are the "deductible" laws of Nature.

Jefferson's "Other" has been relegated to the sphere of flora and fauna; a presence in the world whose purpose, origin, and "place" in the grand scheme of Being can be grasped, explicated, contained, and therefore, known. The primary difficulty here exists in the relationship between the acquisition of knowledge, that is, the verb "to know," and its possessive corollary, the verb, "to own." In the logic and perspective of a Jeffersonian/Enlightenment *Weltanschauung*, to know is to master; to master--be it nature or man--is, nakedly, "to own." And when we return to the Virginia of the Notes, we find that it is neither a mysterious nor treacherous landscape for Jefferson; rather, both literally and figuratively, it is a "property" securely under the command of Jefferson's possession.

When we investigate the ontological assumptions that inform Jefferson's Notes, we discover the ruling presence of an "enlightened" subjectivity engaging its world as an object worthy, and open to examination and reflection. Experience yields fact, Jefferson repeatedly tells us, consistently asserting his faith in the ability of an educated aristocracy

of scientists and philosophers to discover the essential content of a rationally "natural" world. But notions of the "rational" and the "natural" constitute a genuine problem in Enlightenment thought: as philosophical historian, John H. Randall, points out, " what was rational was *ipso facto* natural, and what was natural was what appealed as reasonable to the enlightened commonsense of the progressive thinker-- especially, for the middle-class business man, what led to prosperity and wealth" (567)[emphasis mine]. The difficulty here is plainly visible: to implicate the rational in the natural is to subjugate "the natural" to the mastery of human conceptualization, and comprehension. It is to divest the world, and ultimately, being itself, of its mystery--to proclaim it property, or that which can be known, and subsequently, owned. Thus difference, as it constitutes the essential, existential condition of human being, must also lend itself to rational explication; it too must be penetrable, and fully comprehensible. But the problem of knowledge is one permeated by the assumptions of culture and identity, and therefore, Jefferson encounters the Other through the structure of hierarchical opposition: as the physical reality of an America landscape is demonstrably superior to the European, so too the "American" becomes species-superior to the "unenlightened humanity" of the Indian, and the "inferior reason" and "dull, tasteless imagination" of the African.

The assumptions which dictate Jeffersonian objectivity are internally self-reflexive. Jefferson's failure before the presence and face of the Other is neither purely subjective, nor racial--rather, one might characterize it as one of the failures of Enlightenment "science." That is, it exhibits a failure to "pierce the veil of appearance," as Cornel West terms it, "to disclose, unearth, and reveal what has hitherto been concealed"(95). More simply, perhaps the fallacy in Jefferson's rationally scientific study of the human being resides in its very emphasis on the correlation between being and essence, idea and reality, difference and place. If Jefferson's scientific inquiry probes and unveils the distinctive qualities and attributes of the Indian and the African in order to justifiably, and with the sanction of reason, re-assign each to an inferior physical, moral, and historical species-status, then it is a science compelled and committed to fulfill its own agenda. Put crudely, it becomes a science motivated by a self-reflective impulse that converts difference into abnormality; more formally, it is science which conflates objectivity with ideology. The peculiar and self-apparent difficulty here is perhaps best capsulized in the words of Marx: "But all science would be superfluous if the outward appearance and the essence of things directly coincided"(as quoted in West 95).

Jefferson's encounter with the otherness of the Indian takes the form of both a philosophical and physical activity

of investigation. Jefferson first raises the presence of the Indian in the Sixth Query, "A notice of the mines and other subterraneous riches; its trees, plants, fruits, etc." The Indian, presumably, constitutes the ground of the "etcetera." But Jefferson's intent, as he has demonstrated through a systematic explication of the physical landscape, is to offer, "in contradiction to [his] representation" in the historical and imaginative "fables" of European literature, a "truthful" account of "the Indian of North America." The authority of the Jeffersonian treatise rests upon his "own knowledge," as well as "the information of others better acquainted with him, and on whose truth and judgement I can rely" (210). From these sources, Jefferson extols the "ardor" and "bravery" of the Indian, particularly evident in battle, for "he will defend himself against a host of enemies, always choosing to be killed, rather than surrender." Yet, however admirable the Indian's bravery, to choose death over surrender--as it implies an act of reason--betrays his rational deficiency, given that the condition of his surrender is "to the whites, who he knows will treat him well" (210).

From there, Jefferson proposes a catalogue of Indian traits: "that he is affectionate to his children," although "indulgent in the extreme"; "that his friendships are strong and faithful"; "that his sensibility is keen," and "that his vivacity and activity of mind is equal to ours in the same

situation"; that the women "are submitted to unjust drudgery"--and here again the Indian reveals his affiliation "with every barbarous people," for "it is civilization alone which replaces women in the enjoyment of their natural equality." Jefferson continues, "The man with them is less strong than with us," and more importantly, "they raise fewer children than we do"--a factor best explained "not in a difference of nature, but of circumstance." [emphasis mine]

However, given the Enlightenment correlation between environment, "circumstance" and prosperity, the Indian's reproductive history assumes a highly symbolic significance. Through the logic of an Enlightenment ideology, reproduction served to confirm prosperity, as Rousseau articulates it: "I am constantly astonished that people should fail to recognize . . . a sign that is so simple. What is the purpose of political association? It is the preservation of prosperity of its members. And what is the most certain sign that they are prospering? It is the number and increase of population"(as quoted in Commager 27).

That Jefferson endorsed the Rousseauian "test" by which to measure the progress, and hence, worth, of a political and cultural order (or association) is illustrated later in the Notes. In Query VIII, "The number of its inhabitants?", Jefferson computes population growth and supplies incontrovertible evidence of the providential status of the American republic. Commager explains: "There was one test of

progress on which philosophers, economists, and statesmen on both sides of the ocean agreed; that was the test of population. . . and by this test the Old World did badly . . . Everywhere the story was the same--five out of twelve children born in the great cities died before they reached the age of five! . . . But look at America. Every where from Maine to Georgia the story was the same: Americans were obeying the Biblical injunction to multiply and replenish the earth. There population doubled not in a century but every twenty or twenty-five years" (27-8).

If then we reconsider Jefferson's commentary on the reproductive tendency of the Indian, in light of this particular ideological equation, it becomes clear that its significance far exceeds mere observational "fact." As "fact," might not the restricted reproduction of the Indian be read as compelling evidence of his necessary--indeed, even ordained?--surrender, if not extinction, before the presence of the "productive" Anglo-American? Jefferson's conclusion would suggest so. Citing the Indian's dependence on hunting, as the definitive mark of his essentialism, Jefferson delineates the connection between essence (hunter), circumstance (famine), and potential species-extinction: "With all animals, if the female be badly fed, or not fed at all, her young perish; and if both male and female be reduced to like want, generation becomes less active, less productive. To the obstacles, then, of want and hazard, which

nature opposed to the multiplication of wild animals, for restricting their numbers within certain bounds, those of labor and voluntary abortion are added with the Indian"(212).

If population reveals essential distinctions within the human community, so too it reveals hierarchical ones--for reason contends that "where food is regularly supplied, a single farm will show more of cattle, than a whole country of forests can of buffaloes." Essentialism, here reflected in the contrast of hunter and farmer, constructs destiny; and while Jefferson subsequently laments that "we have suffered so many of the Indian tribes already to extinguish," his regret centers more upon the tragedy of a lost scientific opportunity than the actual disappearance of tribal peoples from the landscape. The real tragedy, Jefferson concludes, lies in the abstract problem of language and racial origin--that "we have suffered so many of the Indian tribes already to extinguish, without our having previously collected and deposited in the records of literature, the general rudiments at least of the languages they spoke"(226). Quite clearly, or at least for Jefferson, the disappearance of the Indian may be a scientific and linguistic problem, but it is not a moral one.

What is operative here is a process of conversion through which the Indian becomes either specimen or relic, and therefore, existentially speaking, is absolutely contained in a fundamental opposition to the Jeffersonian

eye/"I." The most stunning example of that conversion occurs in Query XI, "A description of the Indians established in that state?". Although the Query begins in the voice of a dispassionate and objective "seer"--"When the first effectual settlement of our colony was made, which was 1607, the country . . . was occupied by upwards of forty different tribes of Indians"(220)--it is quickly transformed into a deeply impassioned argument for the inherent inferiority of the native mind, and body.

Casting his eye over the aboriginal landscape, Jefferson can find "no such thing existing as an Indian monument"(221). But why is this so critical, so revealing, to Jefferson? The answer lies in the notion of "monument:" as that which survives as testimony and record--"and that by surviving, represents or testifies to the greatness or achievement of an individual or age"(* see Oxford Dictionary). In the Jeffersonian context, we might add "race," "species," "culture." The closest Jefferson can come are the tribal "barrows, of which many are to be found all over this country." In the pursuit to uncover precisely the nature of these crude "repositories," and specifically, "on what occasion constructed"--as it may contribute to the effort to penetrate the "veil" of savage existence, and offer a more definitive response to the widely variant theories of the purpose and function of such--Jefferson resolves: "There being one of these in my neighborhood, I wished to satisfy

myself whether any, and which of these opinions were just. For this purpose I determined to open and examine it thoroughly"(222)

That Jefferson was well aware of the violative nature of his "experiment" has been most effectively argued by Richard Drinnon, in Facing West: The Metaphysics of Indian Hating and Empire Building. Drinnon argues, "As he had to know, he would have been guilty of grave robbing, *pro confesso*, had he entered a Charlottesville cemetery, dug up skeletons, counted the bones, and published his findings in Notes on Virginia. Yet he had no hesitation in excavating the mound near his home and putting the results before members of the American Philosophical Society. Had he respectfully studied the ways of his red neighbors, he would have known that they considered burial grounds sacred"(93). Indeed, by his own admission, Jefferson acknowledges that the barrows, even as they are the repositories for the dead, constitute a significant and actively symbolic/sacred presence in the living memory and cultural life of Indian peoples. On the basis of his personal knowledge, Jefferson can testify that "on whatever occasion they may have been made, they are of considerable notoriety among the Indians; for a party passing, about thirty years ago, through the part of the country where this barrow is, went through the woods directly to it, without any instructions or inquiry, and having staid about it for some time, with expressions which were construed

to be those of sorrow, they returned to the high road, which they had left about half a dozen miles to pay this visit, and pursued their journey"(224-25)[emphasis mine]. Jefferson's decision to explore the burial ground is not solely a physical violation; it is, far more importantly, a cultural, personal, and ethical one. And there is certainly no better illumination of the implicit violence toward "difference" and the Other masked by the Enlightenment commitment to scientific inquiry and rational truth.

What permits the ethical flagrancy and violence of Jefferson's speculative activity lies in the implications of the previous conversion, whereby the Indian became "specimen" and "relic." Whether as specimen or relic, the Indian ceases to be. In the factual ground of the human world, the conversion into "relic" makes one object, not subject; and indeed, the Indian is made into an object--as the burial mound is converted into the site of curiosity-- exposed to the distinctly autocratic gaze of an inquisitive and "enlightened" subjectivity: the Jeffersonian eye/"I," engaging and constructing its world through a fundamental opposition to the Other. And in its most obvious meaning, to be "relic" is to be assigned to the realm of the dead, not the living present, nor the future. Here, perhaps more directly than one would even expect, the Jeffersonian inquiry reveals its inherent self-reflective circularity. If the Indian, as well as native culture, can be philosophically

constructed as the aboriginal relic of an earlier, pre-"American," new-world landscape, then the Jeffersonian investigation firmly grounds him, and the specific content of his existence, in a tangible, explorable past whose reality has been rightfully superseded--as evolutionary law must dictate--by the enlightened humanity and culture of a superior race of beings. It is an astonishing move, for it removes native people from the ontological playing field. Jefferson's Indian is, essentially, already "dead"--he is the Other whose actual presence must disappear, whose stubborn resistance must be overcome, whose symbolic value is purely as *the remains*. He is the Other to-be-defeated, to be retired through death. "But the dead have no rights," Jefferson would remark in a subsequent text, and it is a fitting conclusion for the investigation of "the Indian of North America" that appears in the Notes.

While the Indian in Notes is cast as the Other to-be-defeated, the African comes to presence as the Other *already-in-defeat*. Jefferson encounters the African, not as the vestige of an evolutionary past which deserves inquiry, but as pure alterity. The African in Notes is the Other whose conversion into object has been previously effected; whose extant objectification through the situation of enslavement prevents his appearance, as the activity of being "seen," in the existential realm of human presence and identity.

As with "the North American Indian," Jefferson again attempts a catalogue of the observable traits of the African. In this instance, however, he does not feel compelled to offer forward an account of the source of his knowledge; rather, he simply speaks. One must presume that the authority which informs the Jeffersonian treatise derives from a "self-evident" proposition: Jefferson is the thinking subject whose existence is rooted in freedom; the African is the absolute stranger whose presence is contained in and through his brute objectivity: the African is animality indistinct from its material physicality. In its configuration beneath the gaze of the Jeffersonian eye/"I," the African is abstract individuality--what Marx would distinguish as a "freedom from being, not freedom in being"; as that which "cannot shine in the light of being," precisely because it's "individuality loses its character and becomes material"(as quoted in West 22). The African can only exist "in the void," that is in "the realm of absence and concealment"(West 22). For Jefferson, the African takes shape as "animal," which when "unemployed in labor," and "whose body is at rest, and who does not reflect" (257), sleeps. [emphasis mine] Jefferson's African is un-reflective, non-thinking "being." Furthermore, the extent and content of his humanity is undiscoverable, for it remains hidden beneath "that immovable veil of black." The African's is "subjectivity" *in absentia*.

Numerous contemporary scholars, and Winthrop Jordan in particular, have provided extensive analyses of the obvious contradictions in a logic of identity that begins with the assertion of a human equality grounded in "the *brotherhood* of man as imbedded in the story of Genesis," determined to demonstrate that "mankind consisted a single species and that human varieties had come to differ in appearance through the operation of natural causes"(Jordan 195), and concludes with the assertion that "the blacks, whether originally a distinct race, or made distinct by time and circumstances, are inferior to the whites in the endowments of both body and mind," for "it is not against experience to suppose that different species of the same genus, or varieties of the same species, may possess different qualifications"(Notes 262). The inestimable value of that scholarship notwithstanding, perhaps one of the most revealing accounts for that inherent illogicality comes from the 19th Century itself. In the tremendously influential work, Democracy in America, Alexis deTocqueville offers a stunningly simple and profound observation as regards "The Three Races that Inhabit the United States."

On the problem of racial presence and identity, as it manifests itself in the material landscape of American soil, de Tocqueville comments: "The men scattered over [America] are not, as in Europe, shoots of the same stock. It is obvious that there are three naturally distinct, one might

almost say hostile, races. Education, law, origin, and external features too have raised almost insurmountable barriers between them . . . Among these widely different people, the first that attracts attention, and the first in enlightenment, power, and happiness, is the white man, the European, man par excellence. Below him come the Negro and the Indian. . . Seeing what happens in the world, might one not say that the European is to men of other races what man is to the animals? He makes them serve his convenience, and when he cannot bend them to his will he destroys them" (292) [emphasis mine].

What de Tocqueville reveals here is the essential element of contingency: the triumph of "democracy"--as it constructs itself in facticity, not in ideal--is the triumph of the European self constituting its own "happiness" and freedom. But freedom, as Hegel has taught us, is a relative experience; that is, one only discovers the certainty of one's freedom through an existential opposition to the one who is not free. In other words, de Tocqueville quite astutely unmasks the ideological necessity of the hierarchical differentiation of race in the American consciousness--for it is only through the paradigm of opposition that the European can demonstrate his privileged and providential place in the creation of a new world order. And, equally significant, it is through the body of the

Other, marked in its essentialistic difference, that the European builds the materiality of his "happiness."

We return then to the status of Notes on Virginia as a text embodying the ideals of an old world Enlightenment; it most certainly does. It is "polemic," as Commanger has suggested, but it is not, strictly speaking, philosophy--the Jeffersonian inquiry into the existence of the Other never escapes the circularity of self-reflection. It does not pierce the "veil of appearance," but reinforces the correlation between being and essence, difference and "place." Therefore, we must simultaneously comprehend "Enlightenment" as a term that signifies a tangible and material reality even as it signifies a "science" of ideas. This is the point John Herman Randall, Jr., in The Career of Philosophy, insists must inform our historical memory: "Viewed with what objectivity we can summon up, the Enlightenment strikes us as the first thoroughgoing attempt to reconstruct the traditional ideas and institutions of Western society in light of the demands of the triumphant business spirit, by means of the intellectual method presumed to have led to the triumphs of Newtonian science. . . . So the Enlightenment really meant the rapid spread of the aims and ideals of business enterprise and of the intellectual tests and method and model of Newtonian mechanics. It meant the emergence of a rounded middle-class culture, an ideology capable of satisfying most of the intellectual needs of those

it served . . . The first body of ideas which in modern times could claim to be a science of man and society became quite naturally the creed of the merchant and the business man, and was bent to the service of private gain and commercial prosperity" (564).

Jefferson's Declaration : Text of Revolution?

Perhaps it may seem simplistic to propose to examine the revolutionary content of the Declaration of Independence. Certainly for Jefferson, and the leaders of the American war against the British government in 1776, there was no question that the Declaration embodied the very principle of revolution as it announced to the "tribunal of the world" the emergence of an unprecedented possibility in the idea and structure of a political system. And of equal certainty, the Declaration remains in the collective consciousness of the American people, then and now, that sacred document in which the essential truths of a national identity find their perfect articulation.

But the Declaration is more than the supremely eloquent expression of the "American mind" and spirit. It is, in intent, a text of violence, disruption, and revolt--a work of subversion and insurgence, for at its core it does indeed "write itself in volcanic heaving of the old *real* property

crust," as Cixous would say, to assert the fundamental right of an oppressed people to design and determine the factual conditions of their existence. As Jefferson's last words bear witness, The Declaration is born of a philosophical and factual intent to initiate a new era on the stage of human history. Writing in April of that year, John Adams would sound the implicit challenge facing the American people in a turbulent moment: "You and I, my friend, have been sent into life at a time when the greatest lawgivers of antiquity would have wished to live . . . When, before the present epocha, had three millions of people full power and a fair opportunity to form and establish the wisest and happiest government that human wisdom can contrive?"(quoted in Bailyn 160).

This insistence upon both the novelty of the moment, and the event itself, permeates the literature of 1776, finding voice in a score of philosophical and political texts: Paine's Common Sense, Richard Price's Observations on the Nature of Civil Liberty, the Principles of Government, and the Justice and Policy of the War with America, Jeremy Bentham's Fragment on Government. And yet, as Bernard Bailyn has argued, it was Jefferson who issued the greatest challenge, one "destined to transform the course of Western history," for the Declaration "not only declared its participating thirteen states to be a separate nation equal to all other nations but gave reasons for doing so that were

so utterly idealistic and so rational--and yet so manifestly practical--that they stood as a threat and a challenge to every political system that existed. Government, Jefferson wrote, was self-evidently a mere instrument . . . by which men, born equal, seek to secure their lives and liberties and their right to pursue happiness; when a government violates these purposes, it is, he said in a phrase that would ring through the palaces of Europe, 'the right of the people to alter or abolish it'"(158). Jefferson's Declaration of Independence transcended its practical justification for the violence of revolt to announce "in the course of human events" the originary appearance of a political structure predicated upon the ideal of freedom.

And this, Hannah Arendt argues in On Revolution, constitutes an essential element in our historical comprehension of the idea of "revolution": "The modern concept of revolution, inextricably bound up with the notion that the course of history suddenly begins anew, that an entirely new story, a story never known or told before, is about to unfold, was unknown prior to the two great revolutions at the end of the eighteenth century . . . Crucial, then, to any understanding of revolutions in the modern age is that the idea of freedom and the experience of a new beginning should coincide"(21-22). Arendt makes clear that the content of revolution can neither be contained in pure idea/ideal, nor simple violence. Revolution is activity,

in the most profound Hegelian sense, that has as its aim an absolute and radical transformation, whereby an old, known world is shattered--and with it, its imposed and implied structures of person and place-- to usher forth, into being, a previously unknown reality marked by an "eagerness to liberate and to build a new house where freedom can dwell"(Arendt 28)[emphasis mine].

The Declaration, then, is not a revolutionary text because it declares a people's intent to rebel, and justifies their recourse to violence. Violence, in itself, is "no more adequate to describe the phenomenon of revolution than change; only where change occurs in the sense of a new beginning, where violence is used to constitute an altogether different form of government, to bring about the formation of a new body politic, where liberation from oppression aims at least at the constitution of freedom can we speak of revolution"(28). Rather, its revolutionary content must lie in the actuality of transformation it declares existent: where the equal rights of human beings will be authenticated through civil and political institution, where government will function to preserve those rights, and where, should it fail to do so, it relinquishes its authority and legitimacy over the lives of free human beings. Before, however, we accept the conclusivity of Arendt's argument, let us look

closely at the specific language in which that content is housed.

"We hold these truths to be self-evident: that all men are created equal; that they are endowed by their Creator with CERTAIN [inherent and] inalienable rights; that among these are life, liberty, and the pursuit of happiness"--so appears the critical import of the Declaration as it is reproduced in Jefferson's Autobiography. If, as we have shown, the idea of equal right was not a novel one, it was, however, one never realized--one which never found its way into factual application. If the notions of freedom and equality first surface in the philosophical and political legacy of the Greeks, they were understood as attributes granted by *the polis*, not those accorded by birth. What was novel lay in the Declaration's interpretation of those ideas--its unequivocal assertion that equality derived not from government, but from God. In its historical significance, Arendt explains, this meant "that those who not only at present, but throughout history, not only as individuals but as members of the vast majority of mankind, the low and the poor, all those who had always lived in darkness and subjection to whatever powers there were, should rise and become the supreme sovereigns of the land"(33). In contradistinction to the Greek city-state, Jefferson's Declaration placed political power in the hands of those previously designated "slaves" and demanded both their

"appearance" and accountability as active makers of their own historical and tangible existence.

But revolution, as Fanon has taught us, is finally about "bread and land," and as such, it must accomplish not merely an existential, but the material transformation of an existent world. Hannah Arendt agrees, and argues that this is precisely what distinguishes the American revolution--its absolute and categorical rejection of the idea that poverty and want are natural components of human existence: "America had become the symbol of a society without poverty," its own indisputable proof of the fallacy of a conventional wisdom which held that "the distinction between the few, who through circumstances or strength or fraud had succeeded in liberating themselves from the shackles of poverty, and the laboring poverty-stricken multitude was inevitable and eternal"(15). This is the material metamorphosis Crèvecoeur celebrates when he invests property with the single authority to bestow upon the dispossessed not merely "name," and a previously unknown visibility, but "place" and prosperity(53-55). It is the primary idea echoed again in Jefferson's assertion of "the palpable truth, that the mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately, by the grace of God," and realized in the Inaugural promise of "a wise and frugal government, which shall restrain men from injuring one another, which 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" (Writings 323). Furthermore, it is a promise capable of fulfillment, for as Jefferson suggests, the American landscape in 1801 is an uncharted and unclaimed frontier, "a chosen country, with room enough for our descendants to the hundredth and thousandth generation"(323).

Where then do we locate the problematic component of this "sacred text," as William Andrews has called it, and how exactly do we "name" it? It is a very difficult question. First, perhaps, we must remember that when Jefferson authored the Declaration of Independence, he was foremost responding to the concrete circumstances in which American independence would take form. Writing in 1825, Jefferson would offer these reflections on the declaration as a rhetorical act: "When forced, therefore, to resort to arms for redress, an appeal to the tribunal of the world was deemed proper for our justification. This was the object of the Declaration of Independence. Not to find out new principles, or new arguments, never before thought of, not merely to say things which had never been said before; but to place before mankind the common sense of the subject, in terms so plain and firm as to command their assent, and to justify ourselves in the independent stand we are compelled to take"(Writings 719).

In its most objective sense, the Declaration was conceived as a political act, through which the rationale for

self-rule, and political self-determination was presented to an observing world. But this, as we know, was not its sole purpose. In that same letter of 1825, Jefferson went on to say: "Neither aiming at originality of principle or sentiment, nor yet copied from any particular and previous writing, it was intended to be an expression of the American mind." Here, Jefferson signifies its importance beyond the activity of politics, or as Commager has put it, "It is here that we find the expression of what is universal rather than parochial, what is permanent rather than transient, in the American Revolution"(81). When Jefferson classifies the Declaration as "an expression of the American mind," he reiterates its significance as a text embodying a philosophic vision of what ought to be; as philosophy, the Declaration proposes the unique capability of the American self to craft a concrete community in which the possibility of human freedom can be actualized.

Taken as a philosophical argument, the problematic element of the Declaration resides in that tenet which includes among the inalienable rights of man, "the pursuit of happiness." At issue here is both the question of what happiness means, and more critically, whose happiness functions as determinate. If we return to our discussion of natural right doctrine (Chapter One), we discovered an elemental correlation between "happiness" and participation in the polis, as the sphere of human recognition, in

classical/Greek thought. In this context, "happiness" was synonymous with recognition and freedom, both of which were possible only in the public sphere, and hence, the exclusive right of the privileged, propertied few. Thus, there is an original sense in which the notion of happiness is tied to public activity, to participation in the realm of speech and action through which the individual attains presence and recognition in the eyes of the other. One is reminded of the Hegelian edict that "Self-consciousness exists in and for itself when and by the fact that, it so exists for another; that is, it exists only in being acknowledged" (Phenomenology 111).

Happiness, then, must involve the act of recognition, and as such, requires the construction of a public realm in which the American, as individual, by virtue of birth and not privilege, gains recognition through participation. This would seem to be Jefferson's point in the earlier "A Summary View of the Rights of British America" (1774), when he writes: "To remind him ['as Chief Magistrate of the British empire'] that our ancestors, before their emigration to America, were the free inhabitants of the British dominions in Europe, and possessed a right, which nature has given to all men, of departing from the country in which chance, not choice, has placed them, of going in quest of new habitations, and of there establishing new societies, under such laws and regulations as, to them, shall seem most likely to promote

public happiness" (Writings 294). The specific "freedom" denied Jefferson's ancestors, as "free" inhabitants of British soil, consisted in "the citizen's right of access to the public realm, in his share in public power--to be 'a participator in the government of affairs' in Jefferson's telling phrase" (Arendt 124). Put simply, Jefferson's "free" British subjects were not wholly nor authentically free since they were not participators in the processes of government, nor actors in the political/public sphere.

However, two years later, when Jefferson drafts the Declaration of Independence, his terminology has changed. The previous notion of "public happiness" has been revised to assert the primacy of the individual's intrinsic right to "the pursuit of happiness," an alteration which transfers the space of happiness from the public to the private realm. And when we investigate the etymology of the word "happiness," we discover that it signifies "good fortune: good luck: Prosperity" (see Oxford Dictionary). The change is tremendously significant for Jefferson's linguistic choice in the Declaration authorizes the individual to actively pursue the conditions of his specifically private prosperity. And more, the Declaration guarantees that pursuit not merely as legitimate, but one ordained by God, History, and Birth.

And so, we are brought to the critical component of this declaratory promise: who are the "men" for whom "the pursuit of happiness" is a self-evident "truth"? The answer, most

simply, is "the American"--for the Declaration, as Jefferson subsequently defined it, represented the unequivocal expression of the America mind: "there was but one opinion on this side of the water. All American Whigs thought alike on these subjects" (Writings 719). Who then precisely is this American?

Six years after the Declaration of Independence argued the fundamental right of the American to define his political and material reality, Crèvecoeur had answered that the American was "either European, or the descendent of an European," and further, one who "becomes an American by being received in the broad lap of our great *Alma Mater*" (39). Eight years after fathering the essential text of a national character, Jefferson would propose in Notes to further delineate "His" identity through a logic of opposition, whereby "the American" assumes appearance only through his existential juxtaposition to the presence of Otherness as it manifests itself within the borders of his bounded republic. In response to the Crèvecoeurian question, "What is an American," Jefferson resolutely answers, 'He is not an Indian, nor is he African.' And if Crèvecoeur's answer strikes us as transparently ideological, Jefferson's response purports to conquer ideology with science, for Notes' methodological inquiry reveals *essence*. The Indian is savage, possibly possessing "a germ in their minds which only wants cultivation" (258), but whose unenlightened "bravery" compels

their conquest that civilization and "cultivation"--in its metaphorical and literal meaning--might triumph. The African is slave, chattel, lacking even that "germ" potentially cultivable, for so far as experience yields fact, it is in the body of the African that the "human" displays itself sans intellect and imagination: "never yet could I find that a black had uttered a thought"--and one is sorely tempted to arrest the quote here--"above the level of plain narration"(258), Jefferson would testify.

Furthermore, if the Indian and the African are revealed, as the experiential science of the Notes attempts to demonstrate, as deficient humanity, they are, more importantly, constructed as presences beyond the self-contained territorial boundaries of the Republic. For the Indian and the African, even as they are, in body, present, they are neither European nor "the descendants of European[s]"--they are not recognized members of the American republic. And following the self-reflective logic of the Jeffersonian argument, if the African and the Indian are not citizenry, neither are they participants in the public sphere of crafting government, nor "men" entitled by birth to pursue the particular conditions of their specific "happiness."

Suddenly the Jeffersonian argument sounds distinctly Aristotelian; in the New World landscape, neither the Indian nor the African "appear" in the American polis: not as citizens, not as members of the body politic, not as

individuals made visible through the emblem of property. In the logic of western culture, in which Americans are not simply partners, but "pilgrims" destined to "finish the great circle"(Crevecoeur 39), it is through property that one "appears" and comes to presence as an entity, a 'being' worthy of recognition. But authentic recognition is only possible within the ground of freedom, for as Hegel astutely observed, "Freedom is first only a possibility"--theoretically as accessible to the Indian and the African as it is to the European. Freedom, however, is not a theoretic nor abstract entity--it is finally, what marks "man" as human, as it signals his capacity to triumph over the laws of necessity and nature to emerge "person," "subject," master and maker of history. If human identity is marked by freedom, that identity is made visible through ownership, for as Hegel has taught us, "Property is the first embodiment of freedom;" that is, ownership converts abstraction into facticity, property is the vehicle through which a self is glimpsed.

But the Indian eschews "ownership," and the African is "owned"--neither then can make visible a recognizable freedom. And, in fact, this is precisely the conclusion Jefferson articulates in a pivotal comment upon the ontological status of these dark others: "To our reproach it must be said, that though for a century and a half we have had under our eyes the races of black and of red men, they

have never yet been viewed by us as subjects of [natural] history" (262).

Let us return then to our opening question. If the Declaration of Independence is to be read as a "revolutionary" text, it can only be so in the context of an idealistic philosophy; or specifically, as philosophy divorced from the actuality of reality. The Declaration frees some "men," but not *human being* in its real appearance in the world, that is as difference made manifest in the essential diversity of the human body. In so far as the Declaration frees merely "some men," then it does not accomplish revolution, but proposes a revolutionary ideal. As such, it belongs to that tradition which permeates western culture in which thought, philosophy, exists separate and above material human reality. And so, yes, Jefferson could, almost without contradiction, own 175 slaves when he authored that sacred text: one was ideal, a "pure" truth; the other, the dirty, complicated "mess" of economic materiality--two worlds, two realms, permitted to exist independently of one another. And even as Jefferson recognized the ethical contradiction implicit in his "philosophy"-- "And can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are the gift of God? That they are not to be violated but with His wrath? Indeed I tremble for my country when I reflect that God is just; that his

justice cannot sleep forever"(279)--the Declaration honors privilege and property over person. Is it the text of revolution? No. It is a text in which the rhetoric of revolution presents itself.

IV: BEHOLD THIS FACE: I AM THE OTHER AND I SPEAK:
FREDERICK DOUGLASS AND THE ETHICAL DEMAND

One hundred and twenty-four years after the Declaration of Independence proclaimed the emergence of a "new world" committed to the visionary ideal of human freedom its sacred words had called into being, and a quarter-century after its author's death, yet another prophetic voice would issue forth to command the historical consciousness and the spiritual imagination of an embittered American republic. In the latter moments of a deeply problematic founding reign, Jefferson would name the Declaration "an expression of the American mind," and so challenge his progenitors and political heirs, as the guardians and makers of a national identity and a historical destiny, to gather together in its name: to celebrate, and to remember. Of July Fourth, Jefferson would remind us that it is a day of ceremony; of remembrance and recollection: the profound celebration of an ideal becoming real, through which the "eyes" of the world were opened in recognition of "the palpable truth" of the originary "rights of man." Of the Declaration, Jefferson would challenge us to see it again as the "signal of arousing men to burst the chains" in which "ignorance" and "superstition" had wrongly bound them; to re-envision its catalytic power to point the way toward the path of full democracy, liberty, and "the

unbounded exercise of reason and freedom of opinion" (Writings 729).

On July 5, 1852, in a Rochester, New York, auditorium, the American Frederick Douglass would stand forward to accept that Jeffersonian challenge--in celebration, and in remembrance. And if Douglass' celebration differs, in form and in content, it is nevertheless an authentic embrace--his is the body in which an ideal encounters its greatest challenge. Ironically, perhaps, it is in the words of Douglass, self-named "An American Slave", that the spiritual content of a Jeffersonian legacy recovers and (re)discovers its voice. In the contestatory language of Frederick Douglass, Jefferson's challenge is claimed and resurrected--for it is Douglass, James Olney would suggest to us, who authors a subsequently "revolutionary" American text: in the naming of an autobiography, Narrative of the Life of Frederick Douglass: An American Slave, Written by Himself, Olney would argue that Douglass "yokes together" the extreme counterpoints of a dialogic opposition. To be "American" and "Slave" is, at the very least, to embody the horror of contradiction; more so, it is to "present the most radical, the most aggressive, the most thoroughgoing challenge imaginable to the very idea of the American nation and to the Declaration of Independence that proclaimed and summoned into existence the 'United States of America'" ("Founding Fathers" 6). For the slave who bears the name of Frederick Douglass,

to speak, to name himself, as this *particular* opposing freedom, is, as Levinas teaches us, to confront abstraction with reality. It is to enact and call forth a primal relation--it is to expose the existential violence in a rhetoric which pretends not "to touch the individuality of the one who receives the action,"--and we speak here of the one enslaved--nor to look into the "face" of that other against whom one wages war(Levinas 17). In the presence of Douglass, a divided republic is asked to recall its origins, and to confront its blind violence against an unnamed "Other." When Douglass stands before that Rochester audience on July 5th, 1852, he does so with "a qualing sensation"--and yet, he is fully determined, both from the internal, and the exteriority of race and being, to find voice: what his words say is, 'I am that Other--*I am this opposing freedom-- and I speak*'. And in claiming that fundamental right of voice, a distinctly American ideal is resurrected. If Jefferson is the founding author, it is Douglass who becomes the *exemplary* warrior, in whom the rhetoric of ideal assumes body.

When James Olney proposes the argument that Douglass authors a subsequent revolutionary document in the American literary tradition, he refers, of course, to the 1845 autobiography, Narrative of the Life of Frederick Douglass, An American Slave, Written by Himself. Indeed, Olney ascribes to Douglass the stature of "Founding Father," not in terms of that earlier tradition delineated by the literary presences

of Jefferson, and Benjamin Franklin. Rather, Olney proposes that "If Benjamin Franklin is par excellence the autobiographer of the American nation, then Frederick Douglass represents the same for the Afro-American nation." Indeed, Olney further asserts that in the 1845 Narrative, as it originates the specifically African American tradition of the slave narrative, "Douglass produced a document no less astonishing than the documents of Jefferson and Franklin and bearing claims as a founding document equal to the claims of those two earlier national autobiographies"(3). That Douglass seizes the commodity of language to produce the story of his life is, Olney argues, "an act analogous to the writing of the Declaration of Independence," in that through the agency of literacy, Douglass "has authored his own existence" and certified "his identity against any and all who might threaten it"(4-6). When Douglass wrests the power of language and forbidden literacy to claim voice, he names and defines himself. As such, the Narrative, while it may participate in the American archetype of the "self-made man, is also, and in the highest degree, a revolutionary document, for the man who here makes himself begins not just in a lowly social position but in a condition of bondage, of oppression, of chattel slavery, and becoming free requires the breaking of bonds, the overthrow of the oppressor and enslaver. To put it briefly, Douglass's Narrative is a declaration of independence"(Olney 6).

Olney is right: Douglass's Narrative is an astounding document, forged in the very spirit of an American ideal of independence. And to authenticate its inclusion in a "founding" tradition is both right and just. But the Narrative, despite its pivotal import as an originary text in an American literary tradition, is not the sole revolutionary document Douglass authored. Nor am I certain that we can fully accept Olney's argument as it constructs a spatial relation: even as he assigns the Narrative "place" within the Jeffersonian-Franklinian canon, he simultaneously imposes "place" upon Douglass himself. In Olney's terms, Douglass exists in an oppositional relationship to Franklin; if Franklin is the autobiographer of the American nation, Douglass occupies a similar distinction for yet another "America," what Olney names the "Afro-American nation." In spite of that initial, jarring juxtaposition, whereby the name of a slave is linked to that familial circle of the founding fathers, Douglass himself remains outside its bounds. He is the founder of an alternative tradition, whose parameters are defined through a linguistic and territorial separation.

But one is moved to recall the objection Martin Delany voiced in 1852, when he asserted that while "the colored people of the United States" may love their country, "She don't love us." The objection was far from theoretical:

Delany's The Condition, Elevation, Emigration, and Destiny of the Colored People of the United States (1852) argued the fundamental relation between freedom and nation; focusing on the absence of place for the Africanized self within the national boundaries of the American republic, Delany advocated emigration as the primary activity through which the African could claim and achieve his "manhood." If the peoples of African descent constituted "a nation within a nation," it was a nationality defined through color and the condition of enslavement. Delany's argument points up the essential relation that Hannah Arendt has philosophically demonstrated: to exist without "place" is to be relegated to the realm and province of invisibility. How then might one equate "condition" with the concept of "nation"--in which is implied the visibility of identity, and recognition? The answer is self-evident; Olney's Afro-American "nation" is a contradiction in terms--in the tangible reality of an American landscape, it does not exist.

Olney's language no doubt refers metaphorically to a linguistic and literary lineage through which the African self comes to presence. "Nation" here must be understood in terms of its etymological origins, as the Latin "natio," designating "birth," "race," or "people" (**See Oxford Dictionary), and as such, the existence of an African American nation may be theoretically defensible. But such a construction removes language from its material reality. When

Douglass writes the 1845 Narrative, he does so in an America where he is permitted to exist in body, that is, as "brute" or "chattel," but not as a self. Indeed, the Narrative, as is true of Douglass's other writings, bears witness to the very absence of place which defines the African's status. Writing from Europe in the year after the publication of that first autobiography, Douglass would say of himself: "I have no end to serve, no creed to uphold, no government to defend; and as to nation, I belong to none. I have no protection at home, or resting-place abroad. The land of my birth welcomes me to her shores only as a slave, and spurns with contempt the idea of treating me differently; so that I am an outcast from the society of my birth, and an outlaw in the land of my birth" (My Bondage and Freedom 368).

And yet in Olney's 'yoking together' of "Afro-American" and "nation," he makes us cognizant of the problematic relation between the mark of race and the construction of a national identity, or perhaps, more specifically, that distinctly American politics of "body" and "place." When Douglass writes from Europe that his is an existence deprived of the protections or defenses of government, his words underscore the existential alienation of the American-born "African": as native in that providential republican landscape, he is, by birth, its "child"--he is "American"; in body, however, his is the marked presence: despised in its blackness, and denied the interiority of spirit as its ruling

presence, his is the body converted into property. Let us turn first then to this early text of Douglass's public career in which the issues of "body" and "place" find fuller exploration.

In the first revisionary autobiography, My Bondage and My Freedom, published ten years after the Narrative (1855), Douglass enriches and expands upon what Henry Louis Gates, Jr., calls "the fictive self," that is, "the representation in written language of his public self, a self Douglass created, manipulated, and transformed, if ever so slightly, through the three fictive selves he posited in his three autobiographies" (Figures in Black 103). Where the Narrative achieves its moral and imaginative power through a sparsity of language, My Bondage and My Freedom refigures the Douglassian self in far greater fullness: here the presence of its author, and the resonance of his voice, as this particular opposing freedom, supersede the conditions of a recounted experience. My Bondage and My Freedom, though still very much a narrative of the experience of having been born "slave," is far more than mere slave narrative. As the title suggests, its power lies in the representation of an *individual* who both transcends "the veil" and crosses the boundary: if Douglass first casts himself "An American Slave," and in so doing signifies an initially propertied relation, here, in the pivotal significance of the possessive pronoun, he declares that relation abstract, inessential, and

void. If, remembering Rousseau's "Discourse on the Origins of Inequality," the act of claiming property originates in the primacy of language to determine reality--such that the first individual to utter the words, "this is mine" over a plot of earth forever altered both its existence, to proclaim it property, and his own, to become master and owner--then Douglass's appropriation of the "My" signals a similar conversion. Importantly, that Douglassian "My" reverberates in meaning. Having been born "slave," Douglass transfers the rights of property, of "ownership" in his own body, to himself. Declaring the experiences of his "bondage" those of a self capable, and willing, to "own" them, Douglass subverts the mythology of the African absent in self-consciousness. Douglass's "My" asserts the ownership of that self tangible in body--Locke's first condition of freedom--and heralds the presence of the transcendent. Indeed one might propose that Douglass's fictive self is the symbolic manifestation of an idealized Hegelian bondsman, whose work upon the world transforms it, and himself. When Douglass claims the rights to ownership of his enslavement and freedom, he demonstrates, and embodies, the triumph of essence over fate: in the claim of the "my" is revealed an "I"-- commanding recognition, and manifesting its material presence.

In the latter pages of My Bondage, Douglass relays the circumstances of his travel to Europe, a necessary "self-

exile" after the publication of his Narrative, which he tells us both "endangered my liberty, and led me to seek refuge from republican slavery in monarchical England"(365). The irony is obvious, for it is precisely that "monarchical England" against which Paine, Crèvecoeur, and Jefferson waged war; it is in opposition to that British "old world" that America found its *raison d'être*. Shortly after Douglass's arrival, in a letter to William Lloyd Garrison, and subsequently published in The Liberator, Douglass raises the issue of his "place" in a celebrated new world: "In the southern part of the United States, I was a slave, thought of and spoken of as property; in the language of the LAW, '*held, taken, reputed, and adjudged to be a chattel in the hands of my owners and possessors, and their executors, administrators, and assigns, to all intents, constructions, and purposes whatsoever*' "(370). I agree with Gates when he suggests that "Douglass's legacy to contemporary black letters is his masterful use of the trope of irony,"(117) though I would argue that legacy transcends a specifically "black" community. Douglass's irony pierces the ideological veneer of a politically universal identity: if America is the free world, and the sign and symbol of the triumph of equal and natural right, it stands, in 1846, in shadow and shame--false to its ideals, and incapable of its promises. And that failure is most apparent in the fact that it is in England,

and not in America, that Douglass is accorded the recognition essential to self-construction: "Instead of a democratic government, I am under a monarchical government. Instead of the bright, blue sky of America, I am covered with the soft, grey fog of the Emerald Isle. I breathe, and lo! the chattel becomes a man. I gaze around in vain for one who will question my equal humanity, claim me as his slave, or offer me an insult"(371).

If Douglass's irony shatters the illusion of a free republic, and reveals the false mythology of a "new" world, it achieves its intended purpose. In language and in person, Douglass *makes himself* in the very spirit of the Levinasian interlocutor: he is the one who comes forth to face the other, and to call him to account. When Olney celebrates that initially violent "yoking together" of "American" and "Slave" through which Douglass first manifests his presence in language, he interprets its significance as both the act of an individual's declaring his independence, and--in what is an implicit consequence of that first action-- the articulation of the greatest challenge ever "imaginable to the very idea of the American nation." And yet, Douglass's emergence in language is even more than either a declaratory assertion or the postulation of an ideological challenge, though it is each and both. When Douglass writes himself "American" and "Slave," he reveals himself not simply as the unknown African Other, but as a particular being, a

particular freedom, a personality, whose identity as a free self transcends both the dialectical oppositions of slavery and the intellectual abstractions of a debate structured through the logic of reason, and argued through the art of rhetoric. Douglass's disruptive emergence in language is precisely that: a disruption which is, in its personal and specific particularity, the very essence of opposition. Douglass makes himself *the face* that Levinas would have us comprehend as "the pure act," as the absolute opposition; Douglass is the being who expresses himself as this particular self and who turns to face not solely an American nation, but the universal community of free individuals, to say "No." The "No" Douglass speaks is not argumentative, but ethical. It is the "No" of an interlocutor commanding justice. Thus can Douglass conclude his letter to Garrison in the terms of an imperative voice--a word we must grasp as Levinas qualifies it, as an essential power of "the face," where the face "is the fact that a being affects us not in the indicative, but in the imperative, and is thus outside all categories"(21). Or, in the simplistically eloquent language of Douglass: "I took my stand on the high ground of human brotherhood, and spoke to Englishmen as men, in behalf of men. Slavery is a crime, not against Englishmen, but against God, and all the members of the human family; and it belongs to the whole human family to seek its suppression"(37).

Although recent scholarship has focused almost entirely on the autobiographies, as well as upon Douglass's presence as the originator of an African American literary voice and tradition, this chapter proposes instead to explore the other Douglass--the public self and speaker, whose words constitute a different kind of legacy. Arguably, one which transcends and supersedes the constraints of "category"--whether of literary convention, or the politics of rhetoric and the passion of the polemical, or the blood-memory of race. I want to turn first then to that early speech, offered in exile, in which Douglass begins to articulate an ethical philosophy.

On May 12, 1846, at Finsbury Chapel in Moorfields, England, Douglass offers a "Reception Speech," in which he accepts the opportunity to speak to the problematic of slavery as it informs the reality of an American nation. Following the example of the Narrative, Douglass's primary mission here is to reveal: to make the abstraction called "slavery" tangible in its full particularity. Douglass begins by examining the word "slavery," and its dilution in and through an abstract public discourse. The word "slavery," Douglass suggests, has become through prevalent usage and common conversation identified "with that which I think it is not," and accordingly, subject to a dissolution which "detract[s] much from the horror with which the term slavery is contemplated" (Bondage 408). As Douglass reminds his European listeners, "It is common in this country to

distinguish every bad thing by the name of slavery.

Intemperance is slavery; to be deprived of the right to vote is slavery . . . to have to work hard is slavery . . ." (408).

What Douglass points to is that process of abstraction by which an idea, a concept, is divested of its authentic meaning. What Douglass embodies, as he stands before that European audience, is the correlation of concept and material reality: Douglass speaks in the voice and body of the American slave. Of the concept "slavery," his definition is precise and specific: "Slavery in the United States is the granting of that power by which one man exercises and enforces a right of property in the body and soul of another. The condition of a slave is simply that of the brute beast. He is a piece of property--a marketable commodity, in the language of the law, to be bought or sold at the will and caprice of the master who claims him as property" (408). If Douglass contests the abstractions of language, and its ability to mask reality, he also reveals the inherently philosophical problem that plagues the construction of "law" through the logic of an Enlightenment reason.

Emmanuel Levinas argues that "to bring about a human order," that is, community constructed in/as freedom, "is to set up a just State, which then is the possibility of surmounting the obstacles that threaten freedom" (17). In other words, Levinas posits freedom as the obeisance before a necessary command: "we must impose commands on ourselves in

order to be free"(17). But Levinas's "command" is not coeval with the creation of "rational law." If law originates in the impulse of the human will to achieve and realize its freedom, it quickly becomes impersonal: law manifests itself as precedent, as the impersonal, and as such, betrays the spirit of freedom. Why? Because freedom is immediate and personal. Law is not; as "law" it delineates the province of the impersonal and the "exteriorization," as Russian philosopher Nikolai Berdyaev names it, of the spiritual nature of man into the predictably known perimeters of social order(Slavery and Freedom 60). Law institutionalizes relation to make it rational, orderly, comprehensible; in that process, Levinas would argue, it submits human being to "the commands of [a] written law," as the precedent, and "the impersonal reason of institutions," in which individuals, as these, (this) "particular" freedom(s), are neither seen nor accounted for. As such "the commands of written law," as an institutionalized order, "become in a certain way alien to the will, which is at every instant renewed"(17). Put simply, freedom can neither be exterioritized nor legislated; it belongs neither to a venerable past nor a providential future. Freedom, Levinas argues, is the creation of *justice*. And justice is not conceived through the implementation of law, but rather, as a relationship authored in and through *respect*. If, as Hegel has taught us, respect presupposes that transcendent act of recognition, then Levinas would challenge

us to imagine "recognition" as a mutual command. Where "the one respected is not the one to whom, but the one with whom one renders justice. Respect is a relationship between equals. Justice presupposes this original equality"(43-44)[emphasis mine].

Douglass, in that same Levinasian spirit, issues a comparable challenge to his British audience on that evening in May of 1846. "Slavery," Douglass asserts, is neither a political nor particularly intellectual issue; it is not an abstraction. Unmasked and revealed in its tangible meaning-- and again, Douglass insists upon the correlation of idea and reality-- it is "the common enemy of mankind," a 'crime against God' and "all the members of the human family"(379). If slavery is wrong, and Douglass obviously knows that it is-- or as he unpacks it in that tremendous Fourth of July Address, "There is not a man beneath the canopy of heaven that does not know that slavery is wrong *for him*"(Foner 191)-- it is wrong because it subjects justice to the tyranny of the impersonal. Justice ceases to be relation. In the presence of slavery, justice is transferred from the realm of ethics to the primacy of law, or the rule and imperialism of "the same." But, Douglass argues, the "law" in so far as it legitimates the ownership of one human being by another is criminally false. To make of human being-- African, Indian or Woman-- "slave" is to rationalize, through the legislation of law, an originary injustice, predicated upon an ethics of

negation and violation: "the slave is a man, and as such, is entitled to your sympathy as a brother. All the feelings, all the susceptibilities, all the capacities, which you have, he has. He is a part of the human family" (Bondage 416).

Let us return, however, to the idea here posited, that slavery represents 'the rule and imperialism of *the same*.' We must first discover what "same-ness" implies. When Crèvecoeur asks, "What is an American," his answer is resplendent with the positivity of identity. The "American" is "either a European or the descendant of a European," who by enrolling his "name" along with the citizens of his region, declares himself visible, existent. That existence, however, is forged through the sign of property. "Property," as Crèvecoeur represents it, confers "name," and "place" in the proper. In the Crèvecoeurian equation, identity is constructed through exteriority: the self appears only through its objectification in property. That equation, however, sets up a poetics of recognition such that the "I," as the autonomous self made visible through property, recognizes any other self as an "I" only if it too appears through the mediation of property. The politics of identity and recognition are then dictated by the principle of sameness : the other who manifests an existence characterized by difference--that is, specifically, the non-European and/or the non-proprietary self--is not simply not-seen, but subsumed as concept, in which "is dissolved the other's alterity" (Levinas 50).

Levinas characterizes this philosophy of identity as "the supremacy of the same over the other"(51), and argues that it is the initial act of violence which permits the other's "capture" and "domestication"(50). For Levinas, "violent action does not consist in being in a relationship with the other; it is in fact an action where one is as though one were alone"(18). If the construction of identity is mediated through the principle of sameness, then the other, as difference, as a pure alterity, must be negated. That negation occurs through the imposition of a logic disguised as the rational-- what we uncovered in the Jeffersonian "natural science," whereby both the Indian and the African became the non-historical presences whose diversity could be surrendered, and hence, comprehended, through their conversion into the abstraction of generality. This, Levinas would have us understand, is the ultimate violence precisely because it collapses the other's particularity and substitutes "the other becoming a mass": "In other words, what characterizes violent action, what characterizes tyranny, is that one does not face what [one's] action is being applied to . . . it is that one does not see the face in the other, one sees the other freedom as a force, savage; one identifies the absolute character of the other with his force"(19).

Here then we come to the pivotal significance of "the face." To make of the other "a mass" is to deprive that other

of its face. But it is "the face" of the other which constitutes the ontological fact of human existence. As Levinas explains, "the face is the fact that a reality is opposed to me, opposed not in its manifestations, but as it were in its way of being, ontologically opposed. It is what resists me by its opposition and not what is opposed to me by its resistance . . . it is an opposition prior to my freedom, which puts my freedom into action"(19)[emphasis mine]. If the face of the other is an ontological opposition existing prior to the self-discovery of the "I," how then is its conversion into mass made possible? The answer must lie in the constitution of knowledge as that activity through which the self grasps its authority over the world.

If we return to the Hegelian notion that the self, as self-consciousness, only discovers its certainty through demonstrating its opposition to a natural world over which it exercises the authority of conquest, then knowledge is similarly an activity of conquest. Knowledge, or cognition, is that activity of the self as it orders and names its world. The world is encountered as *the foreign*, which is translated into an object--a conquerable territory. The conversion through which nature becomes object is one of conception: its foreign-ness dissolves in so far as it can be subsumed through the activity of cognition, where by "it falls into the network of a priori ideas" which the "I" "bring(s) to bear, so as to capture it"(Levinas 50). What

this means is that the constitution of knowledge is not a neutral process; rather, it presupposes a relation of power. The world is made to surrender before the "knowing" eye of the conquering self.

The encounter with difference, as it constitutes the existence of the other, is likewise submitted to this cognitive process. Otherness, as it marks the spirit of the Indian and the body of the African, is first encountered as *the foreign* --as such it signifies its ontological opposition. But if its foreign-ness can be "grasped," that is, conceptualized, its ontological opposition can be subsumed. This, Levinas would argue, is precisely the process cognition permits: "Cognition consists in grasping the individual, which alone exists, not in its singularity which does not count, but in its generality, of which alone there is science"(50). To grasp the African as a generality is to simultaneously deny him his face. To construct the African's difference through the abstraction of generality is finally to force his surrender before the categories of the cognitive self. And here, as Levinas adamantly argues, "every power begins. The surrender of exterior things to human freedom through their generality does not only mean, in all innocence, their comprehension, but also their being taken in hand, their domestication, *their possession*. Only in possession does the I complete the identification of the diverse. To possess is, to be sure, to maintain the reality

of this other one possessed, but to do so *while suspending its independence*"(50)[emphasis mine]. The conversion of difference through the activity of cognition displaces the ontological priority of the other. What it allows is yet another conversion. The African, or the Indian, is now transferred from the realm of ontology to the realm of objectivity: he becomes an abstract entity, and therefore, is conceived as force--that which manifests itself as either the obstacle, or the enemy, which hinders, and therefore disrupts, the unqualified freedom of the self-certain I. Thus can we understand how the Indian is refigured as the savage, or the other-to-be-defeated, and the African as the slave, the other-already-in-defeat. In either construction, it is the other whose face is ignored. In each construction, the other is denied any, and all particularity.

If we turn once again to Douglass, the assumption that law and justice represent the correlation between idea (or ideal) and reality now reveals its inherent problematic. While the creation of law may originate in the will to freedom, once it is institutionalized as "law," it constitutes itself as that "rational order" in which truth and justice inhere. But as Levinas has demonstrated, rationality is internally possessive: "Reason, which reduces the other, is appropriation and power"(50). Thus is it possible that the commands of law may indeed inhere in the politics of possession and power, rather than freedom and

justice. This is what Douglass attempts to illuminate when he argues not the illegality of slavery, but its fundamental immorality. Douglass does not argue in the language of modern philosophy; nevertheless when he asserts that the responsibility for slavery--both in its existence and its abolition-- lies with "all mankind," his words transcend the boundaries of national politics to invoke the command of the ethical. Douglass posits "justice" in much the way Levinas does: as a relation of *respect* which disrupts the illusion of truth disguised in the supremacy of "sameness." Slavery, so far as Frederick Douglass is concerned, is not merely the absence of justice; it is the institutionalization of war-- it is an absolute violence directed against a free being whose ontological difference, and facticity, precedes the law of reason.

I have here offered a fairly extensive interpretation of the philosophy of Emmanuel Levinas. My justification is quite simple: Levinas is an interpreter of the condition of "otherness," and a philosopher of ethics. As such, his work offers a framework through which to reconsider Douglass's public persona and linguistic legacy. I do not argue that Douglass is "philosopher," *per se*, but that the Douglassian legacy constitutes a command to admit and acknowledge the ethical. Through Levinas, we understand "the ethical" as that which is ontologically prior to the imposition of reason; as that which envisions "justice" as a relation between equals.

For Levinas, "Justice *presupposes*. . . original equality"(44). In an essential sense, this is the underlying content of Douglass's public presence: Douglass, I contend, is a warrior--not in the exclusive realms of politics or economics, nor even literature; Douglass makes himself *this opposing freedom*, the face upon which is inscribed that primordial, ontological "No." His is the face which contests the imperialism of myth and "universal truth." Douglass speaks to remind us that particularity is the rule of existence; or in the words of Berdyaev, if universal values exist, as truths, they do so in "concrete and individual form. Hypostatization of universal values is a false direction for consciousness to take. Outside personality no sort of universality exists. The universe is to be found in the personality of man, in the personality of God"(70). Justice then is to be found in the relation of one "man" to another. Let us, at this point, permit Douglass to elaborate for himself.

I want to turn now to the 1852 July Fourth Oration--arguably, one of the greatest "texts" Douglass authors. Invited to speak before a New England audience, in both recognition and celebration of that historic day on which the "truths" of man's equal and natural rights were inscribed as the law and logic of a providential republic, Douglass asks: "Fellow-citizens . . . why am I called upon to speak here to-day? What have I, or those I represent, to do with your

national independence? Are the great principles of political freedom and of natural justice, embodied in that Declaration of Independence, extended to us?" (Foner 188). The answer, of course, is blatantly obvious. Douglass is abstractly the faceless and unaccounted American other, the "third party," as Levinas calls it--the one excluded from both the politics of inclusion and the embrace of "love." It is necessary to say here that "the third party," as Levinas defines it, "is the free being whom I can wrong by constraining his freedom"(37). From the moment that Douglass steps before his audience, he positions himself as its outsider--the excluded one; that Douglass presumes to speak demonstrates not simply the authenticity of his freedom--for Douglass, who has been slave does not aspire to become "master"--but its inherent ethical responsibility. The free, Douglass argues, bear the responsibility for the creation of a just world. Or as Berdyaev puts it, "Slaves cannot prepare a new kingdom, one to which in fact the very word 'kingdom' is not to be applied; the revolt of slaves always establishes new forms of slavery. Only free men can so grow as to achieve this"(72).

I have suggested that we consider Douglass's Fourth of July Speech as both participant in a Jeffersonian legacy in which the ideal of freedom finds its fullest literary articulation, and as response to that very legacy. What distinguishes Douglass, however, even as he embraces the ideals of liberty that Jefferson espoused, might be

understood as the difference between politics, or the realm of the political, and the command of ethics. The ethical manifests itself, so far as Douglass is concerned, in the presence of a primordial, and hence, eternal truth; the political constructs itself as "law," as such it is temporal, impersonal, and more importantly, vulnerable to the persuasive manipulation of greed and self-interest.

When Douglass speaks on July 5, 1852, he faces an America in which the power of mythology has superseded the potential and possibility of an idealized origin. When Jefferson writes the Declaration, he does so in the spirit of originary activity. America in 1776 is, as Hegel would say of freedom itself, at that moment, "first only a possibility"--it is an unrealized achievement, whose primary reality manifests itself as an ideal, as an idea capable of actualization. If the Declaration in 1776 was what Jefferson subsequently named it, "an expression of the American mind," it was an expression yet to be made manifest. The Declaration articulated the sanctity of a "principle"--it called into being the vision of a world in which human freedom, individual liberty, and the potential for justice could be realized, and enacted through law. Of the Declaration and its signers, Douglass is philosophically respectful: "The signers of the Declaration of Independence were brave men. They were great men too--great enough to give frame to a great age . . . The point from which I am compelled to view them is not,

certainly, the most favorable; and yet I cannot but contemplate their great deeds with less than admiration. They were statesmen, patriots and heroes, and for the good they did, and the principles they contended for, I will unite with you to honor their memory"(186). It is in this sense, as the respect for principle and ideal, that Douglass participates and celebrates a distinctly "American," and a specifically Jeffersonian legacy.

And yet, in 1852, the promise, and principles of liberty and justice and equality stand radically opposed to the tangible reality of a Fugitive Slave Law, by which "slavery has been nationalized," and through which there is "neither law nor justice, humanity nor religion"(196) for the African presence on American soil. By 1852, the idealism for a new world America exists primarily as myth; it is, as Douglass argues, a mythological point of origin--it is not a material, evident, reality. Thus can Douglass assert, "America is false to the past, false to the present, and solemnly binds herself to be false to the future"(190). Here again Douglass returns to the insistence that idea and reality exist only in correlation: "freedom" as ideal is an empty and abstract concept. It's meaning only takes form in the concrete: "freedom," as the realization of justice, Douglass suggests, occurs as both an obligation, and a responsibility. America's "falseness" lies in her failure to bear the responsibility for translating ideal into

actuality--a failure we might understand as the inability, perhaps the refusal, to institutionalize "principle" as law-- a failure most blatantly marked by the institutionalization of slavery in its legal appearance. But that failure is also evident as a people's refusal to accept the responsibility for a historical present independent of its ideological origins.

This is the challenge Douglass's Independence Day Oration poses; at essence, it is a contestatory "text" for it takes as its premise the idea that freedom connotes responsibility and action--for Douglass, at least, freedom is neither an abstract nor philosophical concept. To idealize the past is to impose the primacy of myth in the face of existence; it is, as Douglass articulates it, to "trample upon" that which is sacred. For Douglass, "man" is sacred. And for Douglass, the sacred is the realm of the eternal, of the holy--it is not the province of the political. Thus can Douglass answer the call for his presence on that hallowed day by asking, "What, to the American slave, is your 4th of July?" and so evoke the boundaries that separate freedom from enslavement, "man" from "chattel," ideal from its corruption in reality, to answer: "a day that reveals to him, more than all other days in the years, the gross injustice and cruelty to which he is the constant victim. To him, your celebration is a sham; your boasted liberty, an unholy license; your national greatness, swelling vanity . . . There is not a

nation on the earth guilty of practices more shocking and bloody than are the people of the United States, at this very hour"(192).

What Douglass raises is the priority of a truth which transcends both the rhetoric of an ideal, as "principle", and the phenomenological appearance of a "revolutionary" political and historical entity. If America constitutes a "new world," its identity resonates in a "national poetry and eloquence" that more naturally occupies the ground of myth than existence. Existence, Douglass attests, is lived in the *body*; it is the unmistakable fact of "being"--it is, in 1852, the lived distinction between the auction block and the esteemed stage of Corinthian Hall. It is, in its abject nakedness, a matter of ethics: the political, Douglass tells us, resolves itself in and through dispute and contention. The political is the realm of argument, and persuasion--precisely as Aristotle taught. The ethical, however, rises from some primordial source, to contend that freedom presupposes obligation and respect--what Douglass names as scriptural, and therefore, "eternal"--and that "justice," as it would manifest itself in the world, demands a personal accountability.

"Fellow-citizens . . . I am not included within the pale of this glorious anniversary! Your high independence only reveals the immeasurable distance between us. . . The rich inheritance of justice, liberty, prosperity and independence,

bequeathed by your fathers, is shared by you, not by me. . . This Fourth July is *yours*, not *mine*. You may rejoice, I must mourn"(189). That Douglass speaks still as slave, even in the practical reality of his "freedom," affirms his abandonment of the rhetoric of argument for the command of ethics. Douglass does not, even in the articulation of claiming membership, citizenship, in this "polis," demand inclusion. In so far as we have investigated the remnants of an Aristotelian presence in the political ideals of an American republic, Douglass, unlike Jefferson, wants not to be master, but servant. And yet, perhaps even that is an inaccurate comment. What Douglass wants to be, in this writer's view, is that Levinasian "face": that presence, before whom words lose their ephemerality; and in whom, word conjoins and marries its appearance as "fact." When Douglass draws the boundaries of race and person, so too he invokes the borders that divide person and property, sameness and difference. Violence, Douglass would argue, (and Levinas would agree) is not contained in law, but in action. It is the action, the activity, of inhabiting the world "*as if one were alone*."

Henry Louis Gates, Jr., has argued that Douglass's greatest gift resides in the writings, the autobiographies. For Gates, *to write* is to make visible the certainty of phenomenological appearance. When Douglass authors the 1845 Narrative it is an act of self-creation, and the act of making manifest an historical presence: Douglass is the a-

historical African, whose existence, Gates tells us, is "shrouded in silence" (Figures in Black 104). But writing, as Walter Ong would have us understand, is an act that privatizes: real speech must be communal. It engages and evokes "community"--as does that July 4th Oration, in which Douglass asserts both membership and exclusion: "I am not included within the pale of this glorious anniversary";--'I am the Other', Douglass says: 'I am the one who will call you to account.' Or, as Douglass argued, "Humanity, justice and liberty demand the service of the living human voice"(as quoted in Gates 106). The responsibility for the creation of justice transcends the merely personal--it is, finally, that which is possible only within the language of respect, the language of relation. One might propose that justice requires confrontation: the Other, manifesting himself as an absolute alterity, as difference marked in body, is the pure act of speech, in and through which the ontological surfaces to demand recognition.

It is difficult to reconsider Frederick Douglass; more so to impose the command of ethics where politics would prevail. But politics makes of equality a phenomenological "voice," as Gates might articulate it--an appearance--historical, yes-- but nevertheless tangential and contingent. The political constructs being as that which is dependent upon how one is seen; it asserts the priority of reason over essence. Ethics constructs "being" as the primordial, that

essence which is, before the imposition of the law of reason, before "the law of the fathers," as Helene Cixous names it. It is, as Douglass signifies, "the eternal,": truth before reason, before law. The truth, Douglass reminds us, precedes and transcends reason, law, and politics. Is slavery wrong? The answer is self-evident: "There is not a man beneath the canopy of heaven that does not know that slavery is wrong *for him.*"

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