C H A P T E R 1

Thomas Jefferson, John Adams, and the Déclaration des Droits de L’Homme et du Citoyen

I a i n M c L e a n

I am among those who think well of the human character generally. I consider man as formed for society, and endowed by nature with those dispositions which fit him for society. I believe also, with Condorcet . . . that his mind is perfectible to a degree of which we cannot as yet form any conception.

Thomas Jefferson to William Green Munford, June 18, 1799, in Peterson (1984), 1064

All doors of all departments were open to him at all times, to me only formally and at appointed times. In truth, I only held the nail, he drove it.

Thomas Jefferson on his relations with the Marquis de Lafayette in 1789, from speech at banquet in honor of Lafayette, Charlottesville, VA, November 20, 1824, in Malone (1951), 46

I N T R O D U C T I O N

Thomas Jefferson lives, as John Adams said on July 4, 1826, a few hours after Thomas Jefferson died and a few hours before John Adams died. Among other things, he lives through his direct influence on constitutional design. In the field of human rights, he influenced both the U.S. Constitution and Bill of Rights (especially the First Amendment), and the French Declaration of the Rights of Man and the Citizen of 1789 (DDHC). The purpose of this chapter is to examine Jefferson’s role in the French declaration. It is a role that has been seriously underestimated both by American scholars who do not read French and by French scholars unwilling to admit that their revolution was not homegrown.

The five years that Jefferson spent as American minister in Paris (1784–89) represent an extraordinary conjunction of the French and

Jefferson’s sojourn was equally a confluence of two rivers of the scientific Enlightenment. From a common fount a century earlier they had diverged, but reunited in the salons of Mme Helvétius and Sophie de Grouchy, Marquise de Condorcet. Jefferson and the Marquis de Condorcet met regularly in Paris and admired one another. More generally, it was a time of fruitful cultural exchange. Where would American architecture have been but for Jefferson’s books and sketches from Europe? Would Americans still think Madeira was the finest European wine if Jefferson had not introduced them to Médoc? Where would the Library of Congress and the art and science of bibliography have been, had not Jefferson collected books so eagerly in Paris and then sold his library, and presented his catalog (rediscovered in 1989), to Congress in 1815?

There is enough human interest in the story of Jefferson in Paris to have persuaded Ismail Merchant and James Ivory to film it (moderately accurately). The recently widowed Jefferson went to Paris in 1784 with his eldest daughter Martha. On hearing in 1785 that his youngest daughter Lucy had died of “a most unfortunate Hooping Cough,” he planned elaborately for his remaining child Maria (Polly) to join them in the care of his young slave Sally Hemings (a job she was too immature to do, according to Abigail Adams). Sally Hemings was his late wife’s half sister. DNA (Y-chromosome) analysis has, however, proved that the child she bore in Paris was not Jefferson’s (Foster 1998). While in Paris, Jefferson fell in love with Maria Cosway, the flirtatious Anglo-Italian wife of a gay English painter, but in his Dialogue between my Head and my Heart (1786) addressed to her, Jefferson’s Head suppresses his Heart. There is no evidence that the Heart ever had its way, then or later. In the French Revolutionary Terror of 1793–94, Maria Cosway retired to a convent to run a school.

For a long time the French historiography of the Revolution was a return to the barricades. The Revolution was seen through the lens of the author’s position in contemporary French politics. This did not make for good historiography. So, when Jellinek (1902) first suggested that the DDHC was strongly influenced by the American Revolution and American Revolutionary ideas, he was denounced as a foreigner who had no right to appropriate the sacred symbol of la gloire (cf. Boutmy 1902). Jellinek was quite right. But when French scholars have returned to look (however reluctantly) for the American influence on the DDHC, they have looked in the wrong place. Ignoring the obvious facts that Jefferson was in Paris, and John Adams either in Paris or in London, for the whole material time, they have looked for influences in the American state constitutions and in the reports reaching France about the drafting and ratification of the U.S. Constitution, while