

Interpretation

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Interpretation

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Inquiries: Patricia D'Allura, Assistant to the Editor,
INTERPRETATION, Queens College, Flushing, N.Y.
11367-0904, U.S.A. (718)520-7099

Ethnicity and the Problem of Equality

KENNETH C. BLANCHARD, JR.

Northern State University

The study of ethnicity is an appreciation of difference. Discrete populations of human beings are characterized by their own languages and idioms, myths and modes of thought, physiognomies and physiques. We may become attracted to these differences merely because they are novel; if we remain attracted, it is because we have cultivated a new taste. This appreciation of difference appears as a healthy counterpart to a more primitive sort of thinking, according to which 'stranger' has the same meaning as 'enemy,' and 'foreign' is indistinguishable from 'bad.' If we can agree that the first mode of thought represents progress beyond the second, then we may well inquire how this progress became possible. I submit that the authentic appreciation of difference depends upon the realization that, however diverse the families of men may be, they are all human and that this is what makes it possible for us to love them. The subjects of ethnicity are more than a random collection of interesting colors, sounds, and flavors: they are the manifold expressions of a power which the Greeks called *logos*. This power, Aristotle believed, is the definitive human characteristic: it distinguishes us from all other visible creatures. Whatever our origins or appearances, then, we are all ontologically akin.

This paper explores the concept of ontological kinship in the writings of two men who confronted it as a problem, Aristotle and Thomas Jefferson. Both thinkers recognized that profound differences exist between human beings and that these differences can easily become the basis of claims made against one another. Both men were compelled to ask whether or in what degree observable inequalities justify an unequal distribution of goods, honors, and powers. And what common rights, if any, can men claim solely on the basis of a common nature? Aristotle and Jefferson reached surprisingly similar answers to these questions, answers which can be of use to us today, for we are forced to grapple with the same problems. Hostility between populations continues to be generated, not only by the ethnic and racial distinctions themselves, but also by the unequal distribution of power and wealth among these groups. To mention but a single example, Asian Americans tend to score higher on Scholastic Aptitude Tests than white Americans, who score higher than Hispanic and black Americans. These scores reflect in turn greater academic and economic achievement over all.¹ What accounts for these disparities? "They are due to discrimination," we would say, to give what is at any rate the most pious answer. But even if it

were possible to explain away the position of Asian Americans at the top, we would still be haunted by the suspicion that these unpleasant data reflect an unequal distribution of intellectual talent. I believe it is a fear of this possibility that underlies much of the hypersensitivity over race and ethnicity in contemporary academic discourse. We have witnessed on many college campuses virtual witch hunts for "racists." We have witnessed increasing attempts to divide student bodies into discrete and homogeneous groups, and to alter not only admission standards but course content for these various groups. We have witnessed the reintroduction of race and ethnicity as standards of fitness in the academy, such that only black scholars can teach the civil rights movement, or Hispanic scholars the history of Mexican Americans. More than one professor, witnessing these events, has suspected that the underlying motive of their proponents is a real fear that minority students "just can't cut it" in an open and equal academic environment.²

If the source of this hypersensitivity is indeed a fear of inferiority, one might suggest that the most potent remedy is to prove the opposite: to show that intelligence is equitably distributed among all racial and ethnic populations. My first response is that, in the current environment, it is simply impossible to put the question. But there are two additional reasons which make this avenue of address unpromising. First, while it is easy enough to refute any argument *in favor* of a genetically unequal distribution of intelligence, the converse may be impossible to establish. Etiological questions in social science are notoriously difficult to resolve. Like almost all social and political scientists, I am confident that the disparities in achievement between groups are ephemeral and have nothing to do with natural endowment. But is my feeling of confidence a secure enough foundation for the rights and dignity of so many people? No. In the second place, even if we could demonstrate that natural endowment were entirely unrelated to race and ethnicity, this would not mean that all *individuals* are equally endowed. Some human beings *are* taller, stronger, and faster than others. Some individuals are, almost certainly, more intelligent than others. There exists, then, a conceivable population which would be inherently more intelligent than the rest of us. If such a population were somehow to coalesce, would intellectual superiority entitle its members to exploit nonmembers? Would they be entitled to lordship over the persons and properties of those who did not make the cut? If the answer is to be no, then we must discover and elucidate some ground for human rights and dignity more firm than any judgment concerning the diverse talents of men.

Such a basis was discovered by Aristotle and, perhaps independently, by Jefferson. It is the purpose of this essay to isolate the idea of human equality in their writings and, more importantly, to show that this idea has a redemptive power. I hope we all agree that tolerance and mutual respect are civilized qualities. I believe it is clear that our times are, on the whole, more civilized in this respect than ages past. I believe it is also clear that the study of ethnicity is or

at least ought to be a particularly civilized activity. I submit that it was the idea of human equality that made it possible for Aristotle and Jefferson to become more civilized than their own times tended to be. If these suggestions may be credited, then we might benefit from this review. It may well be that the acceptance or rejection of the idea of equality will determine whether ethnic studies in the next century will contribute to progress or to decline.

In Chapter 2 of the first book of the *Politics*, Aristotle makes two arguments to support his contention that politics is a natural rather than an unnatural activity. First, he argues that political communities develop naturally, and growth toward a predetermined end is the meaning of "nature." Second, he argues that man is *the* political animal, that is, that it is the capacity for moral-political activity that distinguishes human beings from all other visible creatures. This assertion may seem odd, given that some animals are gregarious and that some men are drifters. But according to Aristotle, man alone possess the power of logos. Logos is that *power* which makes possible both reason and speech.

Voice, of course, serves as a sign of the painful and the pleasurable and for this reason it belongs to other animals also; for the nature of these advances only up to the point of sensing the painful and the pleasurable and of communicating these to one another. But speech serves to make known what is beneficial or harmful, and so what is just or unjust; for what is proper to man compared to the other animals is this: he alone has the sense of what is good or evil, just or unjust, and the like, and it is an association of beings with this sense which makes possible a household and a city. (1253a10–15)³

Logos is the power to make certain distinctions and to communicate them to others who are equally capable of apprehending them. The most important of these is between what *seems good* to us (the pleasant) and what *really is good* for us, and between justice and injustice. Logos is the definitive human characteristic. Just as the powers of sensation and locomotion separate animals from plants, so the power to perceive and communicate moral distinctions separates human beings from all other visible creatures. And it is precisely this activity which is the foundation of the family and the city. Indeed, any creature who is incapable of such association, or from a natural self-sufficiency does not need it, is either subhuman or superhuman: a beast or a god.

Taken at face value, this would seem to mean that all human beings are equal in kind: they not only can but must participate in politics. But for Aristotle this equality presents a problem: political life requires that some rule and others obey; familial life requires the subordination of the wife and children to the father; and last but not least, in his times civilized life itself did not seem possible without slavery. How can these necessarily unequal relationships be reconciled with the natural equality that is spoken of above? The answer with respect to slavery, of course, is that it cannot be reconciled with natural equality. Aristotle defines a slave by nature as "an individual who, being a man, is

by his nature not his own but belongs to another.” That is to say, a slave is like a hammer. A man can survive and be human without a hammer, but a hammer cannot really be what it is—an instrument—unless it is owned and used by a human being. A man who by nature could have no life on his own, who could not exist apart from being owned and operated by another man, would be a human instrument or slave. This difference which justifies the rule of the master over his slave is one of *kind* rather than one of degree. It would be as absurd to say that the master rules the slave because he is smarter than the slave, as to say that a carpenter is smarter than his hammer, or that a runner is smarter than his legs. Consequently, only “those [men] who differ from others as much as the body does from the soul or brutes do from men (they are so disposed that their best function is the use of their bodies) are by their nature slaves, and it is better for them to be ruled despotically. . .” (1254b16–19). No one would deny our right to exploit something. The abortion rights argument—whether its conclusion is valid or not—begins with the unobjectionable premise that it is just to exploit one’s own body for the sake of one’s self. And even the most extreme animal rights activist would acknowledge the right of animals to exploit plants and of nonhuman predators to exploit their prey. And so, according to Aristotle, it is just for the master to appropriate and exploit any creature whose nature differs from his own in the way described. Such creatures exist to be exploited. But his fundamental political principle, that the human differentia is the power of logos, stands in direct contradiction to the proposition that there are in fact *men* who differ from others as much as the body does from the soul. It is doubtful whether Aristotle really believed that any human beings were slaves by nature; certainly he suggests no empirical test by which natural slaves could be differentiated from true human beings. And the theoretical standard he does set would be sufficient to condemn all or almost all slavery as it actually existed.

On the other hand, Aristotle insists that the relationship between man and wife is *not* despotic. It is political. Why? Because it consists of two free human beings whose capacity of soul differs not in kind but only in degree. Both the male and female are able to deliberate, but the male also possesses “authority.” Consequently, their relationship is similar to that of fellow citizens in a free regime, the only difference being that citizens usually rotate in offices—taking turns ruling and being ruled—whereas the superior position of the male in the household is permanent. For a man to regard his wife in the same way as he regards his slaves and domesticated animals is barbaric, for her nature differs from that. Similarly, nature confers authority over children to the father. This is because the deliberative element in the soul is not yet complete in the child. Accordingly, Aristotle says: “The ruler of a household, as a husband and a father, rules both his wife and his children, who are free, but he does this not in the same manner: he rules politically over his wife but royally over his children” (1259a39–b1). The most obvious characteristic of political rule, according to Aristotle, is the tendency of the citizens to take turns in office. Since the

wife does not take turns ruling over her husband, how can this rule be described as political? It can only be because the wife *participates* in economics—decision making for the good of the household. If she did not, the deliberative element in her soul would be useless, and Aristotle denies that nature makes anything in vain. Rule over the children, on the other hand, is described as “royal” because children do not participate in that deliberation; instead, their parents deliberate for them, as a king tends the interests of his citizens or as a shepherd looks out for the good of his flock.

There are, then, important differences of degree between the capacities of soul of the different members of the household. But there is *no difference of kind*, and this has fundamental moral and political consequences when we turn to the question, Who benefits, and in what degree, from household rule? Aristotle defines the teleology, or purpose, of rule over the members of the household in contrast to that of the rule over animals and slaves. In the latter case, the ruler and the ruled possess a fundamentally different status with respect to the purpose of the association.

The rule of the master, although when truly exercised is to the interest of both the slave by nature and the master by nature, is nevertheless primarily to the interest of the master but indirectly to the interest of the slave; for it cannot be preserved when the slave perishes.(1278b32–37)

That is, one might argue that cattle benefit from the beef industry: their herds are larger, their lives longer and more comfortable, and their deaths less painful than if they lived apart from man. The same would be even truer of horses. Mutual benefit makes the relationship *appear* friendly and harmonious rather than violent, and therefore in accord with nature. But the benefits to the subordinate are purely incidental to animal husbandry: a man feeds his cows and horses for his own sake, not theirs. And he feeds his slave for the same reason as we put gas in our cars: because otherwise these devices will do no work. On the other hand, “the rule over a wife and children and the entire household,” says Aristotle, “whether exercised for the sake of those ruled or for the sake of something common to both ruler and the ruled, is *essentially for the sake of those ruled* . . . but indirectly it might be for the sake of the rulers themselves” (1278b39–1279a2). The father, then, may indeed benefit from the operation of the household, but he earns this benefit only in so far as he is one more member, not by virtue of his superior status as father. Household rule is by nature entirely distinct from the appropriation and exploitation of resources that characterize slavery, animal husbandry, and economics in the purely financial sense. The association of the household exists for the sake of each of its members. The superior intellectual talent of some of those members does not in the least earn them a greater share in its benefits; if anything, it is the weakest members who deserve to benefit the most. As objects of value, then, all the human beings enclosed within the household are created equal.

Aristotle goes to such trouble about the household not only because it is an

important element in the political association, but because the distinction between household rule and despotic rule becomes the standard for one of the most important political judgements of all: Which constitutions are good and just? Which are bad and unjust? The purpose of the political community is understood in the same way as that of the household: it is the good both of the society as a whole and of each human being in it.⁴

It is evident, then, that the forms of government which aim at the common interest happen to be right with respect to what is just without qualification; but those forms which aim only at the interest of the rulers are all erroneous and deviations from the right forms, for they are *despotic*, whereas a political community is an association of freemen. (1279a16–21)

Human beings will differ in talent, education, etc., within regimes, and the proportion of talented and educated individuals may differ between regimes. Consequently, we may speak of some institutions—such as a property qualification for office—as just *relative* to an aristocratic constitution. The appropriation and exploitation of one group of human beings by another is always and everywhere unjust, however. Whether the government is a single man, as in Iraq, or a minority, as in South Africa, or a majority faction, does not affect the judgement. A just regime, on the other hand, is one in which the benefit of the ruling group—whether it is a majority or not—is given no preference *at all* over that of any human being within the regime. Aristotle would agree with Jefferson that some persons are more fit than others to be a president or a senator. But when it comes to the *purpose* of the regime, whether we understand this purpose as a distribution of resources or as a protection of unalienable rights, all men are created equal.

Furthermore, Aristotle doubted whether the obvious differences in character and talent that occasionally distinguish one citizen from another could justify the political elevation of one class of citizens over another. The difficulty is that any characteristic which is susceptible to differences in degree, instead of dividing men into upper and lower classes, will rank them on a single linear scale from least to most. This is true regardless of what the standard is.

Those who claim to rule because of wealth or similarly because of birth, are thought not to speak justly at all. For it is clear that again, on the same principle of justice, if one of them is more wealthy than each of the others, he should be the ruler of all the others; and in a similar way, the one who surpasses in noble birth all the other contenders on the basis of freedom should assume the leadership of all the others. The same applies to aristocracy, which is based on virtue: for if, of the ruling body, one of them is more virtuous than each of the other virtuous men, then, on the same principle of justice, he should be the authority. (1283b14–27)

Any argument, then, which could justify the rule of one ethnic group over another—say on the basis of IQ tests or SAT scores—would immediately be-

come a threat to every member of the ruling group but one. An identical argument (so close it may be a transliteration) is found in a fragment of Abraham Lincoln's.

You say that A. is white, and B. is black. It is *color*, then; the light, having the right to enslave the darker? Take care. By this rule, you are to be slave to the first man you meet, with a fairer skin than your own.

You do not mean *color* exactly? You mean the whites are *intellectually* the superiors of the blacks; and, therefore have the right to enslave them? Take care again. By this rule, you are to be slave to the first man you meet, with an intellect superior to your own.⁵

Since any argument which would justify the rule of a master class or master race ends up putting everything into the hands of a single *master*, the only political order which would be just by nature would have to emerge by means of a universal equality of opportunity—universal rotation of offices, selection by lot, or democratic election. In his reflections on these and other devices in the *Politics*, Aristotle sets in motion the historical development of the idea of constitutionalism.

Almost at the other end of this history are the writings of Thomas Jefferson. I concentrate on Jefferson because he expresses in his own thoughts and sentiments not only everything that is problematic about equality, but also a clear grasp of the solution to the problem. At first sight, his work seems an unpromising place to look for this solution, for as is well known, Jefferson was not only inclined toward the view that Negroes were less intelligent than white Europeans, but also believed that the black race was ugly. The best-known examples of the idea and the sentiment are found in his *Notes on the State of Virginia*. In Query XIV, Jefferson discusses his proposal for the emancipation of the slaves and their repatriation to Africa. He anticipates a question concerning the second part of that proposal: "It will probably be asked, Why not retain and incorporate the blacks into the state, and thus save the expense of supplying, by importation of white settlers, the vacancies they will leave?" To this he objects:

Deep rooted prejudices entertained by the whites; ten thousand recollections, by the blacks, of the injuries they have sustained; new provocations; the real distinctions which nature has made; and many other circumstances, will divide us into parties, and produce convulsions which will probably never end but in the extermination of the one or the other race.⁶

Jefferson describes this objection as "political," by which he means practical rather than fundamental. It is a fact that whites dislike blacks and a fact that blacks *have good reason* for disliking whites. There is no doubt a connection, one might even suppose a reciprocal relationship, between these two facts:

whites continue to wrong blacks because they cannot bear to face the truth about what they have done in the past; out of denial, then, come new reasons for the black race to despise the white. So regardless of whether integration is a good or a bad thing, white prejudice and the memory of real injustices by the blacks probably render it impossible. Instead, the two races are likely to be divided, for as long as they exist together, into mutually hostile factions.

However distasteful and out of season these thoughts may be to us, it would be almost two centuries before the balance of evidence would shift against Jefferson. And the existence of black nationalism and separatism in the United States would indicate that the question is still alive. In fact, in making the political objection, Jefferson was passing judgement not on the black or the white races, but on the human race. Had he left it at that, we would say only that, in light of the Civil War and the civil rights movement, our estimation of what is practical has changed. But he did not leave it at that. He added other grounds, "physical and moral," for his separatism. The physical objection of course concerns color, which Jefferson considered to be the foundation of a difference in the share of beauty between the two races.

Are not the fine mixtures of red and white, the expressions of every passion by greater or less suffusions of colour in the one, preferable to that eternal monotony, which reigns in the countenances, that immoveable veil of black which covers all the emotions of the other race? Add to these, flowing hair, a more elegant symmetry of form, their own judgment in favour of the whites, declared by their preference of them, as uniformly as is the preference of the Oranootan for the black women over those of his own species. The circumstance of superior beauty, is thought worthy of attention in the propagation of our horses, dogs, and other domestic animals; why not in that of man? (Pp. 264–65)

Jefferson expresses more here than a mere preference for his own kind. He endorses a Heraclitean scale of beauty ranging from the lowliest and ugliest creatures to the white Europeans at the top.⁷ The black race occupies an elevated position on this scale to be certain, but one below that of the whites. This sentiment is as repugnant to us as the idea of the biological integration of the races was to Jefferson. And it is clearly a dangerous sentiment: if it turns out that black and white Americans are fated to live in close proximity, the view of the one race that the other is ugly would surely poison their relations. However, it is at root nothing more than an *erroneous aesthetic judgement*. I call it an error, for I believe it to be an idea with no natural (i.e., self-sustaining) foundation beneath it. Consequently, unless some *artificial* foundation is supplied, the judgement will not be enduring.

Was there an artificial foundation beneath Jefferson's aesthetic judgement against the black race? This is to ask, *Was Jefferson a racist?* It may seem almost impious to ask such a question, given the evidence that I have just produced. Surely no one who made such comments today could escape the

scarlet letter R. But we are social scientists, and our judgements must be more precise than public speech is wont to be. Racism is a form of prejudice: the racist pre-judges, i.e., he makes some judgement in advance of the proper evidence on which this judgement ought to be based. Nor is it any use to show him evidence contrary to his judgement, for he has already made up his mind. Prejudice is one of the most important concepts in social and political science, for prejudices both large and small, benign and malignant, form much of the currency of social intercourse. Indeed, it has been suggested that politics is nothing more than action on the basis of some public prejudice.

According to Plato, prejudice means making up one's mind, and, in order to avoid an unpleasant truth, forgetting why.⁸ And in order to avoid remembering the original reason for the judgement, some alternative must be substituted in its place. *I suggest that the original judgement lying beneath white racism is an entirely justified feeling of guilt: we have been guilty of a crime, and unless this guilt be expiated, some terrible punishment must inevitably follow.*⁹ This truth is very unpleasant. It is scarcely any wonder that some white Americans have been tempted to conceal it beneath the idea that blacks are morally and intellectually inferior and somehow responsible for everything that has happened to them. The Negrophobe has in fact concluded that the black is a threat to him, and if he trades in puerile myths about the black character, this is only to avoid facing the real grounds for that conclusion—his own guilt. But how can we determine whether such a prejudice operates in any particular case? The test is this: the man who is in error will not fear to subject his opinion to criticism; the racist, on the other hand, will go to any lengths to avoid real criticism of his prejudice, for I do not suppose he is willing to risk exposing the unpleasant truth.

We may now see that the question Was Jefferson a racist? is not nearly as simple as it seemed. In the first place, Jefferson was intensely aware of the terrible crime of slavery. This is made abundantly clear from his famous statement on slavery in Query XVIII of the *Notes on Virginia*.

I tremble for my country when I reflect that God is just: that his justice cannot sleep for ever: that considering numbers, nature and natural means only, a revolution of the wheel of fortune, an exchange of situation, is among possible events: that it may become probable by supernatural interference! The Almighty has no attribute which can take side with us in such a contest. (P. 289)

If, as I have suggested, the root of racial prejudice in the United States is the refusal to accept one's own guilt, we may conclude that Jefferson's mind was not fertile soil for racism.

Further evidence may be found when we turn from the physical to the *moral* grounds which he adduces for separatism. Jefferson clearly *did* incline toward the view that blacks were less intelligent than whites.

Comparing [the races] by their faculties of memory, reason, and imagination, it appears to me, that in memory they are equal to the whites; in reason much inferior, as I think one could scarcely be found capable of tracing and comprehending the investigations of Euclid; and that in imagination they are dull, tasteless, and anomalous. (P. 266)

But an inclination, or to use a less favorable term, a *bias*, is not the same thing as a prejudice. All of us who have opinions on a subject of which we lack knowledge are guilty of a bias. After much investigation and thought we must confess that *we do not know, but are inclined to believe*, that the earth is round, that light is a wave, that centrally controlled economies inevitably fail. The difference between a bias and a prejudice is that the person who holds the former is willing to admit that he may be wrong. This is to say *he knows that he does not know*, but merely opines about a subject. On the other hand, a man who is prejudiced is unlikely to admit any uncertainty, for uncertainty would leave him exposed to the terrible truth.

Jefferson was fully aware that his views on the intelligence of the black race were unsubstantiated opinion. He says in Query XIV that

The opinion, that [Negroes] are inferior in the faculties of reason and imagination, must be hazarded with great diffidence. To justify a general conclusion, requires many observations, even where the subject may be submitted to the Anatomical knife, to Optical glasses, to analysis by fire, or by solvents. How much more then where it is a faculty, not a substance, we are examining; where it eludes the research of the sense; where the conditions of its existence are various and variously combined; where the effects of those which are present or absent bid defiance to calculation; let me add too, as a circumstance of great tenderness, where our conclusion would degrade a whole race of men from the rank in the scale of beings which their Creator may perhaps have given them. (Pp. 269–70)

Two characteristics which distinguish the physical from the moral sciences require caution here: one, that precise data are far more difficult to acquire when dealing with human faculties than with tangible substances. And Jefferson concedes that the black race has not yet been viewed as a subject of natural history. Consequently, a solution to the empirical problem of the distribution of talents is unavailable to him. Secondly, more is often at stake in the moral than in the natural sciences. The scientist is much less likely to injure someone when speaking of an arrangement of organs or angles of light than when he compares the faculties of men. An error in this matter may cheat not just a family but a race of human beings out of their birthright. “I advance it therefore as a suspicion only, that the blacks, whether originally a distinct race, or made distinct by time and circumstances, are inferior to the whites in endowments both of body and of mind” (p. 270).

And indeed, Jefferson is not only aware that his opinion may be erroneous; he professes an earnest desire to see it refuted. “Nobody wishes more than I

do,” he wrote to Benjamin Banneker, a black scholar, “to see such proofs as you exhibit, that nature has given to our black brethren, talents equal to those of the other colours of men, and that the appearance of a want of them is owing merely to the degraded condition of their existence, both in Africa & America” (p. 882). Jefferson understands that, because of slavery, the “opportunities [in Virginia] for the development of their genius were not favorable.” Consequently, he wishes “ardently to see a good system commenced for raising the condition both of their body & mind to what it ought to be,” as fast as conditions may permit.

From our historical vantage point we can correct Jefferson’s pessimism concerning peaceful integration; nor is it any longer possible to doubt that the black race can produce Euclids, let alone students who can understand geometry. All that remains of Jefferson’s separatism is his racial “conservationism,” that is, a desire to leave the ecology of colors unchanged. Whether such a sentiment could exist today without any trace of race hatred, I do not know. But I believe that racial conservationism is unlikely to persist or to have much influence on its own. For our perception of the beauty of anything is rarely detached from our understanding of the nature or inner power of that thing: men are by nature inclined to believe that what is beautiful is also good; what is ugly, bad; and of course, vice versa (Plato, *Republic* 457b4–5). Our distaste for spiders and cockroaches is directly related to our perception that the one is venomous and the other a spreader of pestilence. These perceptions are of course unreliable: only some spiders are venomous, and the species is on the whole beneficial. Similarly, I suggest that separatism based on aesthetics is unlikely to persist in the absence of the opinion that The Other is bad, that his ugliness affords a view of his inner corruption. And this in turn depends upon the idea that some human beings are good and others bad *by nature*. Indeed, *it may in the long run prove impossible to persist in a belief that a racial appearance is ugly unless one believes that a man may be guilty of something merely because he is black, or for that matter, white.*

It is on this point that Jefferson made his greatest contribution toward solving the problem of equality. Indeed, it is this contribution that led us to be interested in him. Jefferson drafted the Declaration of Independence, and the core of that document—which became the birth certificate of the American nation—is the self-evident truth that “all men are created equal.” What does this phrase mean? From the logic of the Declaration alone we can determine the following: that all men (i.e., human beings, for women are among the governed) have certain essential rights, merely in virtue of being human. This is to say that these fundamental rights do not depend on any quality or power which could distinguish one human being from another, hence equality. The Declaration draws two political principles from the idea of equality: that the purpose of government is to protect these rights, and that no man may exercise the powers of government over another without that other’s consent. Since this is described

as a self-evident truth, we infer that these things follow necessarily from the very idea of humanity. Man is—by definition—the creature whose nature it is to govern himself, both as an individual and as part of a political community. He is capable of recognizing and respecting the rights of others, and consequently of deserving that his own rights be respected. He has a natural right to consent to government, which is to say that he may enter into a community whose essential purpose it is to see that men get what they deserve. If he respects the rights of others, then he deserves the full protection of that community; if he violates the rights of others, then he deserves punishment. This power of self-government *is* human nature, it is the inner power concealed behind the multiplicity of human faces. It is then a fundamental error to believe that any racial or ethnic physiognomy can betray guilt or innocence; rather, the human physiognomy is the natural indication of responsibility and hence of dignity and worth.¹⁰ And if every human face indicates only one *kind* of being, can any of us continue long to believe that a racial type is ugly?

There are two obvious objections to reading the Declaration in this way. The first was made by Stephen Douglas in his famous debates with Abraham Lincoln, and is frequently repeated today both by critics of the American founding and by southern conservatives like M.E. Bradford. Since the Declaration was ratified largely by slaveholders on behalf of slave states, the argument goes, the word “men” in “all men are created equal” could not have referred to the slaves. Instead it meant “Englishmen,” i.e., “men who look like us.” This argument is disposed of easily enough; at least as far as Jefferson is concerned, by glancing at his original draft of the Declaration. In a passage later edited out, Jefferson explicitly refers to slavery as a part of a “cruel war against human nature,” and condemns a market where “MEN should be bought and sold.” This much is perfectly consistent with Jefferson’s treatment of slavery elsewhere, and with his lifelong advocacy of emancipation. His writings and letters simply leave no doubt that he considered negro slavery to be a violation of the principles of the Declaration, and hence of natural right.¹¹ And even without Jefferson’s antislavery passage, the logic of the Declaration is strictly inconsistent with any justification of human slavery. To read the word “men” as “Englishmen” would reduce the document from a *justification* of independence to an entirely arbitrary statement of *preference* for independence. This would defeat its explicit purpose, described in its first sentence: to explain ourselves “out of a decent respect for the opinions of mankind.” Of course, it is certain that many of the signatories did not fully implement its logic either in thought or in deed, but it is in the nature of evidence, argument, and especially law, that what we say often means more than we would like it to mean.

The more decisive objection to this reading is that it is inconsistent with Jefferson’s opinion of black intellectual talent. After all, the justification for slavery had always rested on the idea that the slave belongs to that immense set of creatures who are intellectually inferior to the white master. Stephen Doug-

las—whose “pro-choice” attitude toward slavery rested on an implicit justification of slavery—expressed the Negro’s status in this way: in a fight between a white man and a Negro, I must side with the white man; in a fight between a Negro and an alligator, I must side with the Negro. This elegant analogy combines a small measure of liberality toward the slave (he is, at least, superior in status to a dangerous reptile) with the implicit argument that anything which a Negro may with justice do to an alligator, a white man may with justice do to a Negro. The question which becomes decisive here—if indeed men may indeed be divided into classes according to intellectual talent—is whether such a classification commits Jefferson, or ourselves, to Judge Douglas’s arrangement of justice.

Jefferson demonstrates that it does not. In the first place, he draws a distinction between intellectual and moral talent. He says in Query XIV that

Whether further observation will or will not verify the conjecture, that nature has been less bountiful to them in the endowments of the head, I believe that in those of the heart she will be found to have done them justice. That disposition to theft with which they have been branded, must be ascribed to their situation, and not to any depravity of the moral sense. (Pp. 268–69)

Jefferson is *not* arguing here that blacks are goodnatured but childish. Rather he is arguing that, even if their race is less likely than that of the whites to produce such geniuses as Epictetus, Terence, and Phaedrus, it is equally capable of producing fully functional human beings. Whereas the ability to understand or derive advanced geometrical theorems may indeed distinguish one human being from another, the *moral sense*, the ability to understand and derive conclusions about justice, distinguishes human beings from all other visible beings. Jefferson reads their so-called disposition to theft precisely as a sign of this moral sense. For

The man, in whose favour no laws of property exist, probably feels himself less bound to respect those made in favour of others. When arguing for ourselves, we lay it down as a fundamental, that laws, to be just, must give a reciprocation of right: that without this they are mere arbitrary rules of conduct, founded in force, and not in conscience. And it is a problem which I give to the master to solve, . . . whether the slave may not as justifiably take a little from one, who has taken all from him, as he may slay one who would slay him? (P. 269)

Since the master and the slave are equal in their possession of the moral sense, relations of justice between them ought to involve a reciprocation of right. Slavery is a fundamental violation of this reciprocation, based as it is on the simple principle: “You work. I’ll eat.” It is to the slave’s *credit* if he should refuse to accept the master’s terms. And there is no reason to suppose that a morally responsible creature, exploited by his equal, as the slave has been,

should forever limit his response to petty theft. Jefferson was a careful reader of Locke's *Second Treatise*, and Locke makes it clear that deadly force is justified against anyone who would try to get me into his power, for "I have no reason to suppose, that he, who would *take away my Liberty*, would not when he had me in his Power, take away every thing else" (III.18.6–8). By enslaving a creature who is his moral equal, the former has given to the latter not merely just reason to steal but just reason to slit his throat in the night upon the earliest opportunity. Jefferson's recognition of this truth led to his insistence upon gradual emancipation and accounts for his suspicion that peaceful integration of the races was politically impossible. But he did not suppress the truth, as his fellow Virginians did, and so he stands, I would argue, outside the evolution of race hatred in the southern United States.

From these considerations, Jefferson could draw two inferences. First, that the black race was as capable of moral excellence as the white race. "We find among them numerous instances of the most rigid integrity, and as many as among their better instructed masters, of benevolence, gratitude, and unshaken fidelity" (Query XIV, p. 269). Second, and more importantly, that the question concerning their measure of intellectual talent is quite irrelevant to the basic questions of justice. In a letter to Henri Gregoire, Jefferson repeats his sincere wish to see "a complete refutation of the doubts I myself entertained and expressed on the grade of understanding allotted them by nature, and to find that in this respect they are on a par with ourselves" (p. 1202). And he again acknowledges that these doubts were based on insufficient evidence: "I expressed them therefore with great hesitation." But he goes on: "*whatever be their degree of talent it is no measure of their rights*. Because Sir Isaac Newton was superior to others in understanding, he was not therefore lord of the person or property of others" (p. 1202, my emphasis). This distinction between talent—intellectual or otherwise—and rights is fundamental not only to the idea of political liberty but to democracy as well. For human beings are manifestly unequal in many respects and in many ways may be ranked as better or worse. But they must be equal in something, else there would be no common name. Said Lincoln, "the negro is not our equal in color—perhaps not in many other respects; still, in the right to put into his mouth the bread that his own hands have earned, he is the equal of every other man, white or black."¹² Human identity is a matter of not of talents but of rights, flowing from our common nature as morally capable beings.

What redeemed Jefferson, and the only thing that will redeem us, is a simple appreciation of what the human *being* is. There are many obstacles to such an appreciation. We tend to confuse the look of things for what those things really are, we are tempted to judge people by the color of their skin rather than the content of their characters. But there are other obstacles as well. Most of us are strongly inclined to believe that the intellectual endowment of diverse races and ethnic groups is roughly equal. And since racists almost always believe that the

other group is unequally endowed, we allow ourselves to suspect the converse: that anyone who believes in or suspects unequal endowment must be a racist. This is dangerous not only because it prevents us from appreciating men like Jefferson but because it leaves the argument against racism dependent on an empirical question which is not in our power to resolve. Nor would a resolution with regard to race be enough. For it is very unlikely that *individual* human beings will turn out to be equal in intellectual endowments: we are not all Isaac Newtons, or Thomas Jeffersons, or Martin Luther Kings. But we are human beings, and as such we demand to be treated as responsible creatures, capable of self-government. This is to say that we insist on the right to do precisely as we please with whatever is exclusively our own. We insist on this as individuals—this is what we mean by “liberty,” and we insist on it when we join together as communities—this is what we mean by “democracy.” And unlike the characteristics mentioned above, the right of self-government is not susceptible to differences in degree: one either has it or not because one either is or is not human.

I am strongly inclined to believe that we will discover, over the course of time, that no differences in the intellectual endowment of various ethnic groups exist, or that if they do exist, they are both marginal and ephemeral in nature. But I insist that this empirical problem does not affect the principal questions of justice which have confronted us in previous centuries and will continue to confront us in the next. Slavery was a monstrous injustice not because Jefferson was wrong about the intellectual endowment of the Negro—which I believe he was—but because it is the very meaning of injustice for any human being to make himself lord of the person and property of another. Segregation had to be abolished not because black children possess as much promise as white children—which I believe they do—but because it is a manifest injustice for any group of citizens, even the majority, to govern in their own interest at the expense of others. The idea of equality, which has been equally accessible to Aristotle, Jefferson, and ourselves, ought to be the point of departure for any social and political science, not merely because it is good, but also because it is true.

NOTES

1. The relative achievements of black and white America are summarized in *A Common Destiny: Blacks and American Society*, Gerald David Jaynes and Robin M. Williams, eds. (Washington: National Academy Press, 1989). See especially the first chapter, “Summary and Conclusions.” This study presents an account of impressive absolute progress on the part of black Americans measured against a persistent disparity between them and their white counterparts.

2. “It’s easier for the faculty to level down by arguing that everything in the curriculum is just ideology than it is to pile on the work that’s required, because deep in their hearts many of the ideologues don’t believe that these minority kids can cut it.” Quotation from Fred Siegel, “The Cult of Multiculturalism,” *The New Republic* 204 (Feb 18, 1991):36.

3. Quotations from Aristotle's *Politics* are taken from the excellent translation of Hippocrates G. Apostle and Lloyd P. Gerson (Grinnell, IA: Peripatetic Press, 1986). Slightly more precise, but less accessible to those unfamiliar with Greek, is the translation by Carnes Lord.

4. This is not to deny that the household and the city are very different institutions, according to Aristotle. Indeed, he begins the *Politics* by warning us against those who confound the two. The primary natural purpose of the family is to serve the needs of everyday life. But what is one living for? The family alone cannot provide an adequate answer to this question, but the city can. The end purpose of the city is the good life, the life which justifies itself. In order to achieve this end, the city incorporates the family but is obviously more than the sum of the families.

5. *Abraham Lincoln: His Speeches and Writings*, Roy P. Basler, ed. (New York: World Publishing Company, 1946), p. 278. The same argument also occurs in a fragment where Lincoln cites Henry Clay. Clay argues that the defense of slavery on the grounds of the intellectual inferiority of the Negro "if it proves anything at all, proves too much. It proves that among the white races of the world any one might properly be enslaved by any other which had made greater advances in civilization. And, if this rule applies to nations there is no reason why it should not apply to individuals; and it might easily be proved that the wisest man in the world could rightfully reduce all other men and women to bondage." *The Political Thought of Abraham Lincoln*, Richard N. Current, ed. (New York: Macmillan, 1967), p. 328. One should note that Clay's argument is supported by the theory and practice of the Third Reich. Both in *Mein Kampf* and in the Nazi state the elevation of the folk resulted in the elevation of the *Führer*.

6. Thomas Jefferson, *Writings* (New York: Library of America, 1984), p. 264. All quotations from Jefferson are from this source.

7. "The handsomest ape is ugly compared with humankind; the wisest man appears as an ape when compared with a god—in wisdom, in beauty, and in all other ways" (Heraclitus).

8. The earliest and to my mind most compelling analysis of prejudice can be found in the *Apology* of Socrates. Socrates finds himself accused of conducting certain investigations and of teaching certain sciences, such as physics and rhetoric, when in fact he has no part in these things. How, then, did he come to be accused of practicing them? He explains that his real business—the public business of philosophy—was to interrogate each of the citizens in order to find out whether that citizen is as wise as he claims to be—whether he knows what he claims to know about important things like justice, virtue, and piety. Inevitably it turns out that the citizens know less than they had supposed: by asking them embarrassing and difficult questions, Socrates exposes their ignorance. This is not a pleasant experience. They learn to hate Socrates, and say that he is disgusting and corrupts the young. When someone asks what Socrates does or says that is disgusting and corrupting, "they say the things that are ready at hand against all who philosophize. For I do not suppose they would be willing to speak the truth, that it becomes quite clear that they pretend to know, but know nothing." To put it in more familiar language, Socrates is the victim of a stereotype.

9. "I view their distresses," wrote David Rice in 1792, "I read the anger of Heaven, I believe that if I should not exert myself, when, and as far, as in my power, in order to relieve them, I should be partaker of the guilt." From Charles S. Hyneman and Donald S. Lutz, eds. *American Political Writing during the Founding Era* (Indianapolis: Liberty Press, 1983), p. 859.

10. See *First Things*, by Hadley Arkes (Princeton: Princeton University Press, 1986). Professor Arkes argues that the entire logic of politics and morality flows from the fact that human beings are, by nature, morally responsible creatures.

11. Jefferson says at the end of Query VIII that "In the very first session held under the republican government, the assembly passed a law for the perpetual prohibition of the importation of slaves. This will in some measure stop the increase of this great political and moral evil, while the minds of our citizens may be ripening for a complete emancipation of human nature" (p. 214). He continued to hope for such a ripening to the end of his life.

12. Springfield Debate, July 17, 1858. In Paul M. Angle, ed., *Created Equal: Complete Lincoln-Douglas Debates of 1858* (Chicago: University of Chicago Press, 1958), p. 82.