When Thomas Jefferson gave his first Inaugural Address in 1801, he taught an important lesson about how Democracies manage their common national political life in the face of enduring conflicts over interests and enduring conflicts over values. The philosopher Harry Jaffa, in his recent book *A New Birth of Freedom*, points out that the election of 1800, called by some historians the Revolution of 1800, was the first occasion in recorded history of a regime peacefully and in good order surrendering power to a regime dominated by its political opposition.

It’s worth remembering that the political divisions of the presidency of the first Adams were unusually bitter. Only the political conflicts of the years immediately preceding the Civil War were deeper. By 1861, however, there had been sixty years in which opposed regimes had succeeded each other peacefully and with no dire consequences for anybody except for the thousands of postmasters, customs agents, and other federal employees who owed their positions to patronage. The Confederacy had to break this tradition in order to break up the Union. But that tradition of accommodation and engagement among people of different views was not yet a tradition in 1800, and even smaller matters than slavery might then perhaps have proven to the world that democratic regimes are too unstable to survive, that every serious conflict over money, or over principle, or conflicts over money disguised as conflicts over principle, would cause divisions so deep that the two sides would prove unable to live with each other.

The main lesson of the election of 1800 was that serious conflicts can be managed within the Union, and indeed, that the opposing parties are better off within the Union than outside of it, since any group that leaves the Union over divisions on one particular issue can expect to find itself divided and destroyed by the some other issue later. The lesson of the election of 1800 was the lesson of mutual engagement even in the face of enduring differences, a lesson every heterogeneous
group of people needs to learn, whether it consists of a nation in which there are
many religious traditions, each believing that they have the word of God, or a
small common enterprise like a company or a church, in which we cannot expect
always to come to agreements but are bound in one way or other to work out a
common habit of life with each other anyway.

Adams’s Federalists and Jefferson’s Democratic Republicans were profoundly
divided about the kind of nation they wanted the United States to be. The Fed-
eralists sought a nation dedicated to commerce and navigation, a nation whose
sophisticated and metropolitan culture would cut a figure on the world stage. The
Jeffersonians envisioned a nation of small farmers dependent upon nobody and
content to enjoy a freedom secured by international isolation. The Federalists
looked to the great cities, to Philadelphia, New York, and Boston, to become cen-
ters of power and wealth and learning and culture. The Jeffersonians believed that
cities were to the country what tumors and sores were to the body. The two par-
ties disagreed about interest issues, and class issues. But they also disagreed about
some fundamental values, about what a good society would look like. The par-
ties disagreed not only about the particular powers the central government should
have (could the federal government establish a bank or not?), but even about what
kind of thing a central government should be. For the Federalists freedom was the
freedom to design a great public enterprise together and carry it out; we develop
our freedom when we get together and decide how to do some important thing
that needs doing, what Isaiah Berlin calls Positive Freedom. For the Jeffersonians
freedom was only the freedom to be left alone, and a great plan, even one decided
by the people reflecting together, is only a great temptation; they were adherents
of what Isaiah Berlin calls Negative Freedom.

The two parties disagreed also about such basic things as which nations should
the United States regard as friendly, with the anglophil Federalists waging an
undeclared naval war on Revolutionary France, and the Francophile Democratic
Republicans declaring war on England, the greatest power of that time, just as
the collapse of Napoleon’s invasion of Russia made it possible for the British to
devote all of their attention to war with America.

Worse yet, neither party was willing to imagine that the political opposition
posed by the other was anything short of treasonable. To the Jeffersonians, the
Federalists were a monarchist clique seeking to subvert the American Revolution
and to saddle the United States with a government whose broad powers and deep
pockets — filled with IOUs to the great financiers — suspiciously resembled the
corrupt British government that the revolutionaries had shaken off. To the Feder-
alists, the Jeffersonians were visionaries and fanatics differing from the Jacobins
in France only in not at the moment having in their hands the rope that works the guillotine. And the Federalists protected themselves from these Jacobins, and their presumed sympathizers among the Jeffersonians, with the Alien and Sedition Acts of 1798, follies so noxiously inimical to the spirit of American politics ever since that only such things as the Fugitive Slave Act, the Dred Scott decision, the Plessy decision, or the Chinese Exclusion Act rise to their level.

Madison and Jefferson responded to this challenge by drafting the Virginia and Kentucky resolutions, which claimed the power of the state governments to interpose on behalf of their citizens in cases where the federal government threatened their basic rights. The two acts differed in some profound ways — Madison’s Virginia resolution, unlike Jefferson’s Kentucky Resolution, only gives the states the power to intervene against the government in obvious cases of gross abuse of human rights, and does not give the states a veto over just any measure it feels to be objectionable. But those who cited the precedent of these two resolutions of 1798 were never at any loss for ways to depict any political issue as a grave crisis for the Constitutional order. (Indeed, one way to rise to power in the United States is to treat every issue of straightforward partisan politics as if it raised grave constitutional issues, so that one can wrap one’s wishes in the mantle of a desire to defend the rule of law. I’ll leave the application of this principle to you.) The doctrine of the Virginia and Kentucky resolutions, contrary to the intentions of Jefferson and Madison, would have a long and ugly afterlife as Calhoun’s doctrine of Nullification, under which South Carolina claimed the right to abolish a federal tariff of which it disapproved. Even in our day states-rights strict constructionists read these resolutions against the intentions of their authors. The states-rights doctrines under which some Southern states sought to resist racial integration are the distant and brutalized grandchildren of the Virginia and Kentucky resolutions. In their own day, the Virginia and Kentucky resolutions were not, however, understood as part of the normal process of partisan politics, a kind of states-rights version of checks and balances. Rather, they were an appeal to revolution, like the Declaration of Independence, or like the bill of attainder that the Puritan revolutionaries drew up against Charles I. And perhaps only the Adams administration’s decision to back down from wholesale repression and from war with France prevented them from becoming such documents.

The campaign of 1800 was especially hard fought, and Jefferson didn’t win it clearly. As you know, under the Constitution male slaveholders got three fifths of an extra vote for every slave they owned, giving them power out of proportion to their numbers. Without this extra vote, Adams and not Jefferson would have narrowly won the election of 1800. Even in the Electoral College, Jefferson had
to beat off a startlingly opportunist challenge by his running mate, Aaron Burr. Nevertheless, John Adams, in accepting the disputed and arguably unfair outcome of the election and ceding power to his opponent gave the United States a great gift, comparable to the gift that George Washington himself had given the new nation when he refused to allow himself to be given a crown, choosing instead, like so many military Presidents after him, but unlike so many military rulers of other countries, to reject the role of Man on Horseback in favor of the role of civilian President.

When Jefferson announced in his inaugural address that “We are all republicans, we are all federalists,” the first thing he meant by that was that in America it is safe to lose.

Let us, then, fellow-citizens, [Jefferson says] unite with one heart and one mind. Let us restore to social intercourse that harmony and affection without which liberty and even life itself are but dreary things. And let us reflect that having banished from our land that religious intolerance under which mankind so long bled and suffered, we have yet gained little if we countenance a political intolerance as despotic, as wicked, and capable of as bitter and bloody persecutions.

Now of course this last is a little dig at the Sedition Act. But it is also a promise that the defeated Federalists have nothing to fear from Jefferson and his party. He does not merely ask that the other party show bipartisanship, which might mean nothing more than to knuckle under. He promises to restore “harmony and affection,” something that he implicitly concedes has been as strained by the Republicans as by the Federalists. It has not been the tradition of American political parties, despite what the gasbags on TV say on Sunday mornings, to drive each other to the wall even when they get the chance. There are pragmatic reasons for this. It is easier to persuade a defeated party to accept its defeat if all sides know that the winner won’t make of victory more than it really means. The power that voters grant the victors is temporary by design, and provisional by tradition. Presidents are not merely elected monarchs. Further, electoral victories are the work of loose coalitions. I don’t only mean here that American parties are baggy monsters with no special discipline, although they are, and it’s probably a good thing that they are, but that the blocs of voters on one side don’t all agree about all the issues and don’t feel about them all with the same intensity. Because of this one cannot hope to rule without making heterogeneous temporary alliances with some parts of the other side against some parts of one’s own. And you cannot
hope to make these temporary alliances with people who suspect that you might seek to drive them into exile. One cannot have one’s way without seeking the friendship of significant elements of the opposing party, and one can’t do that unless one agrees in advance to give them fair play. Indeed, the most profound political realignments in our history seem to happen not when one party is able to trample the other party’s ideas but rather when one party takes over a large part of the other’s agenda, as the Jeffersonians ultimately wound up adopting most of the program of the defeated Federalists.

Adherents of positions that lose out one time can take comfort from the possibility of winning another day, and indeed sometimes a strategy of concession is the counsel of prudence. The case is harder, but still tenable, for positions that are bound to lose out completely over the long run. Adherents of those positions can safely concede the legitimacy of their defeat so long as they know that it is the outcome of a back and forth of accommodation and concession in which step by step their views have continued to count. The case is only impossible for those who must have their way regardless of whether they are able to persuade others to accept, or at least accommodate, their views or not. But those who must do God’s will, though the world perish, those whose demands are nonnegotiable and to whom every concession is a compromise of principle, are not engaged in politics anyway but in holy war; politics is about persuasion, and being right — or passionately believing that I am right — is not enough if I cannot persuade other people to give me their unforced agreement.

Jefferson’s key claim is that “every difference of opinion is not a difference of principle.” It would be easy to under-read this argument as a demand that we paper over our differences or wrap them in the flag and pretend that they don’t exist. It is true, of course, that for the most part what all sides in America have in common is deeper than what they disagree about. But that doesn’t mean that our disagreements are trivial or that in the name of these great values we should simply ignore those differences. What it does mean is something about the nature of argument in politics. Argument is not just fighting in words, it is not merely using words to get what we might have gotten with fists. Argument is intellectual engagement with those who think differently from ourselves. What this means is that every disagreement is intelligible only in terms of agreement. If I persuade you, it is because I am able to appeal to things that matter to you as much as they matter to me. If I win your agreement, it is by showing that your own deepest values, indeed your own deepest nature, is better reflected by my views than by yours. If I enter into a persuasive relationship with you, I concede that it is possible that you also may be able to make some commanding appeal to my own values,
that in some way unknown now to me you may yet show me something about what my values really mean or really commit me to. Indeed, in a truly persuasive relationship I must be willing to accept that I might not bring you fully over to my own views, because so long as I remain engaged with you I hold open the possibility that you can show me something I could not have guessed about what matters to me.

The view of toleration that Jefferson presents here is a deep one. Toleration often has a hard time making a rhetorical case for itself. The intolerant often seem somehow earnest, as if we have only learned to value tolerance because we don’t care about other things deeply enough — if we really cared, we’d care enough to have our way, even with the sword. Sometimes historians of the wars of religion treat toleration only as a pragmatic recognition of the weakness of human flesh, as if all toleration meant was that after a century and a half of trying to do so neither Catholics nor Protestants had the power to drive the other off the face of the earth, but each not only would if they could, but also cannot really serve their values unless deep down they secretly still do want to do such a thing. Our own Jan Sigismund, the Unitarian king of Transylvania, taught a deeper lesson: since you can no more compel someone to believe in a different version of God than one can compel that person to love you, toleration is not a backing away from religious faith but an expression of it. Jefferson himself used similar language — not from Jan Sigismund — in his Virginia Statute for Religious Freedom.

We are bound to tolerate each other not only because reasonable people know they will continue to disagree — Jefferson concedes, for instance, that the Federalists were not crazy to fear the excesses of the French Revolution, which he describes as “the agonizing spasms of infuriated man, seeking through blood and slaughter his long lost liberty.” Jefferson’s party, he concedes here, may have had a blind spot about just how bloody the Terror was and how corrupt the Directory had become. We are bound to toleration by a prudent recognition of the limitations of our positions. We are also bound to toleration by the recognition that we are sometimes maddened by the things we value, and that only the views of those with whom we share something but not everything are capable of awakening us. I am not a pacifist, for instance. But I know that the pressure of pacifists has sometimes kept me from the kind of self-righteous rage — say with the Serbs in Bosnia — that would have undone the aims of struggles I endorsed.

It is this vision of political life, of continued engagement in agreement and disagreement along shifting lines of difference, that Jefferson lays out in his first Inaugural. When he argues that “every difference among us is not a difference of principle,” he not only concedes that sometimes in the heat of partisan strife
he had pretended the opposite, he also points to this stratum of agreement upon which disagreement rests. But the question of just how deep these agreements are, and whether they suffice to contain all disagreements, is left an open one. Did this agreement commit opponents of slavery to tolerating it forever? Jefferson himself, although a slaveholder, and a man whose limitations have recently been made all too clear to us, wrote that he trembled for his country when he reflected that God is just, and wrote that if it came to an issue of force between slaves and masters he could not imagine that God could intervene on the masters’ side. Lincoln wrote of the glaring contradiction between Jefferson’s words in the Declaration of Independence and the fact that the nation that declared the inalienable rights of all men to life, liberty and the pursuit of happiness, that he wished to keep alive the nag of the promise he wished to insist upon even as he recognized that he had neither the means nor the strength to keep that promise, so that the country he founded would feel the discomfort of its position until it kept that promise.

When Lincoln delivered his first Inaugural Address, half of the states that would form the Confederacy had already seceded, and the question of whether the slaveholders would accept political defeat in the same way the Federalists had was becoming a less and less open one. Lincoln offered the south what seems to us a major concession, although it was also one that his party had insisted upon throughout the election season of 1860, which was that although he was pledged to prevent the spread of slavery into the new territories of the West, that he would not interfere with slavery where it existed. Jefferson tolerated slavery because he felt it had become economically unviable, but the invention of the cotton gin had proven him wrong, and slavery was as economically strong in 1859 as it had ever been. Lincoln felt that slavery could not survive unless it expanded, because the profitability of slavery in the upper south depended upon its ability to export its slaves to new territories. His concession is a pragmatic one, but not fundamentally a concession of principle, since he believes that keeping slavery out of the territories will put it in the path of ultimate extinction. The South would not accept this position because they would not accept any position that did not look to the perpetuation of slavery forever, and they demanded that the federal government at least treat slavery as a question about which it had to remain morally neutral, if not to treat it as something positively good in itself.

Are we indeed required to treat moral issues that divide us as if they were morally neutral? I don’t want to take that position, because taking it requires me to treat moral differences as if they were merely differences in taste, and to do that to people’s moral objections is to render them complicit in things they have reason to regard as morally objectionable. The conclusion to Lincoln’s first
inaugural looks like a sentimental flight of fancy, but in fact it presents something of an answer to this problem. Here are Lincoln’s famous words:

I am loth to close. We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battle-field, and patriot grave, to every living heart and hearthstone, all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature.

What are these better angels of our nature. They are certainly not a kind of intellectual deus-ex-machina which dissolves our moral differences in a warm bath of patriotic reverence. What they are are a reminder of the great agreements in whose terms we carry out our disagreements, even moral disagreements of a profound kind. Lincoln is not bound to treat his moral objections to slavery as unreal merely because not everyone shares them. But he is also not free to trample his opponents merely because he is sure they are wrong. He is bound to remain in a position of persuasive engagement with them. And they, in their turn, are bound to remain in a position in which they are amenable to persuasion, and not to take positions which they should know better than to take merely because they are rhetorically strong.

Lincoln imagines he is persuading slaveholders like the great Virginians of the preceding generation, who opposed slavery but felt, like one who has a wolf by the ears, that they did not know how to let it go. What he promises is that he will end slavery in a way which takes their interests into some account, that he will not trample them merely because he thinks they are wrong. But another kind of slaveholder has risen to prominence in the mean time, one who believes that slavery is a positive good, and that kind of slaveholder has an ally in those who think that slavery must be tolerated because governments cannot intervene in moral issues about which the people are divided. Lincoln wonders whether those who make the argument that slavery is a good thing, or a morally neutral thing, really believe it. If they do believe it, then why do they look down on slave traders? Why do they allow their children to play with the children of their slaves, but not with the children of slave traders? Might their argument that slavery is a positive good be merely something they say because it sounds trumping, not because they really believe it? To slaveholders who, despite what they say, feel that slavery is wrong, Lincoln offers accommodation in defeat: you can end slavery on your
own terms, so long as you commit yourself to ending it. He will give them what deep down they really want, as one gives to alcoholics and drug addicts what they really want when one commits them to treatment.

To those who felt that slavery is a positive good Lincoln also offers something, and that is accommodation in defeat. Anyone who enters into a political contest must be prepared to accept defeat. And anyone who wins a political contest must be prepared to offer accommodation in defeat. An ethos of tolerance does not require that one always look to the perpetuation of views which one finds intensely morally repugnant. It only demands that one play fair, and that one offer accommodation in defeat. Those on either side who refuse to offer, or to accept, accommodation in defeat are not engaged in politics, but only in the preparatory stages of violent conflict. In the event, the slaveholders were unwilling to accept accommodation in defeat, and chose instead a course in which 640,000 Americans lost their lives.

There is an irony about moral conflicts in which neither side feels obligated to offer accommodation in defeat. We draw lines in the sand as ways of proving to ourselves our moral seriousness. And there’s often no reason to think that that seriousness isn’t justified. I draw a line in the sand because I think right matters to me, and that the story of politics is not just a story about money and force. But once I draw a line in the sand, I can’t just disengage from those on the other side of it, if the issue about which I drew the line really matters. Once I have drawn a line in the sand, I have no choice but to engage in a contest of force with those on the other side of it. But contests of force are usually won by those who are strongest, not by those who are right. My desire to prove that politics is not just about force commits me to a state of affairs in which the outcome will indeed by determined only by force, only by who is stronger. But at the same time, if I don’t draw that line in the sand, who am I? What really matters to me? What won’t I trade away if I have to?

I don’t think this is a problem that admits of many good solutions. But Lincoln’s thought about it in the Second Inaugural Address is the deepest examination of it; indeed, it is the most profound speech, and the most gravely beautiful, ever given by an American politician. Lincoln notices how the moral claims of both sides involved a certain amount of narcissism and self-deceit:

Neither party expected for the war, the magnitude, or the duration, which it has already attained. Neither anticipated that the cause of the conflict might cease with, or even before, the conflict itself should cease. Each looked for an easier triumph, and a result less fundamen-
tal and astounding. Both read the same Bible, and pray to the same God; and each invokes His aid against the other. It may seem strange that any men should dare to ask a just God’s assistance in wringing their bread from the sweat of other men’s faces; but let us judge not that we be not judged. The prayers of both could not be answered; that of neither has been answered fully. The Almighty has His own purposes.

Two key propositions confront each other in these words. The first is that political issues sometimes really are matters of right and wrong, and it is of crucial importance that one commit one’s self to the right things. The second is that because our moral pretensions are full of narcissism and self-deceit, we must never allow ourselves to imagine that we know for certain that we really are in every way the good guys. Politics is not morally neutral. But at the same time we are never allowed to act as though we had in our own hands the sword of God, and as soon as we imagine that we do, we are already fools. The tragedy of politics is that even when we are right, we are never as right as we think we are, and we are never as different from those who are wrong as we might hope to be.

Lincoln does not merely ask the victorious North to be a magnanimous victor. He demands that it recognize that it of the same moral kind as its enemies.

If we shall suppose that American Slavery is one of those offences which, in the providence of God, must needs come, but which, having continued through His appointed time, He now wills to remove, and that He give to both North and South, this terrible war, as the woe due to those by whom the offence came, shall we discern therein any departure from those divine attributes which the believers in a Living God always ascribe to Him?

The point here is that the North cannot imagine itself to be morally superior to the South because the North itself was complicit in the offense of slavery. But I think the point is deeper than this. The deeper point is that you must never allow yourself to imagine that you are of a different moral substance from your enemies. Indeed, when you imagine that you are of a different moral substance from your enemies, you have already lost your moral way, even if you are in fact right about the issue at hand. The demand here is for a kind of moral generosity that is hard to imagine at any time, and hardest of all in wartime:
With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation’s wounds; to care for him who shall have borne the battle, and for his widow, and his orphan—to do all which may achieve and cherish a just, and a lasting peace, among ourselves, and with all nations.

Behind even the agreements that those who disagree with each other must share is something deeper, and that is the moral kinship, the humanity, of even the deepest enemies. It is the ability to see and honor this that is the foundation of Lincoln’s greatness. It’s called loving your enemies.