

Bearding Authority

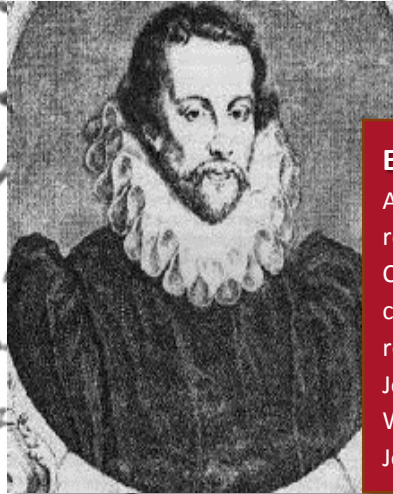
Bland Whitley, The Papers of Thomas Jefferson

Thomas Jefferson's Legal Commonplace Book

Introduction

The Second Series of *The Papers of Thomas Jefferson* will be publishing a letterpress edition of the legal commonplace book that Jefferson kept over the course of his life. The editors are legal historian David Konig and Michael Zuckert, a scholar of political philosophy.

While studying law, Jefferson began abstracting the works he read, not infrequently interjecting his own reflections. As he later wrote, the over 900 entries “were written at a time of life when I was bold in the pursuit of knowledge, never fearing to follow truth and reason to whatever results they led, & bearding every authority which stood in their way.” Actually, Jefferson composed many entries well after completing his legal studies. Throughout his life, he engaged a range of intellectual authorities. This letterpress edition will showcase how Jefferson developed ideas about law, history, and political power.



EDWARD COKE

Although Jefferson devoted relatively little space to Edward Coke, the famed English jurist cast a large shadow—his reports are cited repeatedly by Jefferson's sources and his Whig philosophy appealed to Jefferson's sensibilities.

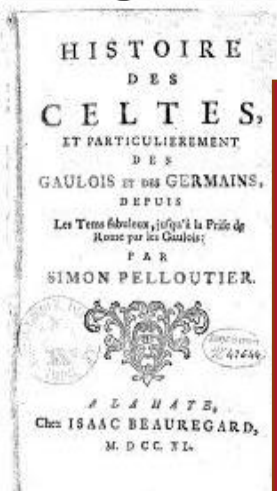
Jefferson's Influences

Perhaps the most challenging aspect of editing the Legal Commonplace Book is its size and scope. Included are the not always complementary subject matters of common law reporting and more literary historical and political writing, as well as six different languages: French (and Law French), Italian, Latin, Greek, and Anglo-Saxon. Some entries are quite long, others barely more than a line. Because he turned to it at different stages of his life, Jefferson was not always consistent in how he presented text.



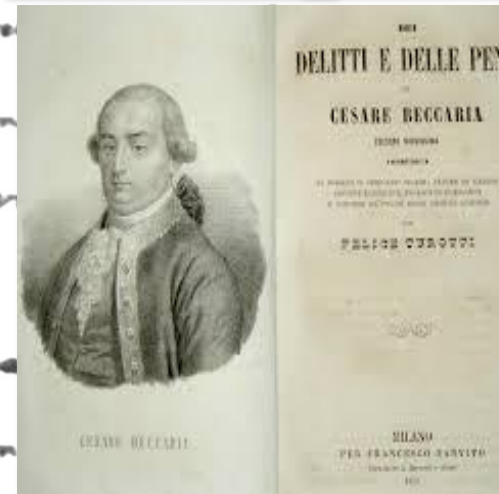
JOHN HOLT

Described by Jefferson as England's greatest lawyer, save Coke, the late-17th and early-18th century justice John Holt dominated Jefferson's commonplacing of English legal report books. Jefferson cited Holt over 150 times, often ignoring majority decisions that had gone against Holt.



SIMON PELLOUTIER

Jefferson took pains to acquire Pelloutier's *Histoire des Celtes*, but his commonplacing was often aggressively critical. Whatever Jefferson's respect for the history, he frequently questioned Pelloutier's assumption that the Celts predominated throughout late-ancient, early medieval Europe and west Asia.



CESARE BECCARIA

Jefferson quoted directly from *Dei delitti e delle pene*, the Italian treatise on criminal justice. Reflecting in part perhaps a relative unfamiliarity in the language, the decision owed more to Jefferson's respect for Beccaria's enlightenment ideals.

Jefferson's Commons

Legal Reporters: Robert Lord Raymond & William Salkeld

Historians of Feudalism: Lord Kames & John Dalrymple

Continental Intellectuals: Montesquieu, Voltaire & Helvetius