



THOMAS JEFFERSON RESEARCH CENTER

Our purpose is to cultivate in the largest number of our future citizens an appreciation both of the responsibilities and the benefits which come to them because they are American and Free.

James Bryant Conant, President, Harvard University
1933-1953

THE PRICE OF FREEDOM IS RESPONSIBILITY

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WAS JEFFERSON SLANDERED?

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by Theodore Fred Kuper

The accusation that Thomas Jefferson was the father of several illegitimate children was publicized by a politically motivated malcontent and was thoroughly discredited in Jefferson's day. Mr. Theodore Kuper, one of the leading experts on Jefferson, says, emphatically, that Jefferson was slandered.

Mr. Kuper has been interested in Thomas Jefferson for many, many years. In 1923, Jefferson's famous home, Monticello, was in private hands. Mr. Kuper was the driving force in the struggle to save and restore Monticello. He was instrumental in establishing the Thomas Jefferson Memorial Foundation and was the Foundation's National Director from 1923 through 1935. The Foundation is entirely self-supporting and independent of government. It operates on admission fees paid each year by the 500,000 or more visitors who come to marvel at Jefferson's creativity.

Mr. Kuper is, understandably, disturbed by what he is convinced is a false and slanderous accusation against Jefferson. Here, in Mr. Kuper's own words, are his comments prepared specifically for publication by the Thomas Jefferson Research Center.

One hundred and seventeen years before Professor Fawn Brodie published her *"Intimate History" of Thomas Jefferson* (1974), Henry S. Randall published all the facts about the charge that one of Jefferson's slaves, Sally, was his concubine and gave birth to a number of children by Jefferson.

James Callendar was responsible for the accusation. He was a mendicant alcoholic writer, who wrote and had published some articles favoring the then Republican Party against the Federalists. For these he had succeeded in getting a few petty gifts of cash. When Jefferson was elected President, Callendar was in jail, and had paid a \$200 fine, persecuted with many others under the Alien and Sedition Laws. President Jefferson declared these laws unconstitutional and promptly

ordered all pending charges to be abandoned, all persons in jail charged with violation of those laws to be freed forthwith, and any fines paid to be refunded. This gave freedom to Callendar and the refund of his \$200. But he sought much more, to be appointed to a position then held by a Federalist in the Richmond Post Office. Request soon became demand and finally blackmail.

A dormant publication of ill repute in Richmond was reactivated. Callendar joined it and revived the old abandoned charge against Jefferson.

The Federalists made use of this canard in their effort to defeat Jefferson in his bid for a second term.

The people supported Jefferson. The discredited Callendar ended his career by walking into the James River, where his body was found.

Following Randall, every biographer of Thomas Jefferson, without a single exception, reviewed the Callendar accusation and rejected it because it came from an alcoholic blackmailer and such a charge was very contrary to Jefferson's well-established character, so contrary to his relations with his daughters and grandchildren, as to be absolutely unbelievable.

This is Fawn Brodie's fourth biography. Each of her previous books (describing the lives of Sir Richard Burton, Thaddeus Stevens and Joseph Smith, the Mormon prophet) emphasized sexual misbehavior.

So by various methods of analysis she convinces herself to be, at last, the sole supporter of the canard by Callendar.

However, Professor Brodie's devotion to the sexual features of the book caused her to fail miserably as a historian when she dealt with the two most important events and documents of our American Revolution, and also with respect to an important event regarding Jefferson that happened during Professor Brodie's lifetime.

On page 123, Professor Brodie quotes in full the letter John Adams wrote to his wife Abigail. It was dated July 3rd, 1776.

"Yesterday the greatest question was decided — the second day of July 1776 will be the most memorable epoch in the History of America —"

Of course John Adams was jubilant since after weeks of debate in which he championed Independence, the Continental Congress adopted the Resolution — "that these *Colonies are* and of right ought to be *free and independent states* —"

Until July 2nd, 1776, the *Colonists* were fighting and petitioning their King for the restoration to them of their rights as *British Subjects*. Until the moment the question was decided in favor of Independence, the Declaration could not be even considered. The Committee of Five had been appointed to prepare a Declaration of that Independence in such effective rhetoric as to convince Washington and his armed forces to accept their new objective and also to persuade foreign nations to provide the much needed military aid.

On the very same July 2nd, 1776, when Congress answered the great question in favor of Independence, Thomas Jefferson's draft was taken under consideration by the Congress, the debate continued on July 3rd and into July 4th, *when the Declaration was adopted*.

It is difficult to believe that all of the foregoing review of the happenings on July 2nd and July 4th, 1776 were out of her mind and memory when Mrs. Brodie wrote page 123.

On page 124, she assumes that the letter John Adams wrote was regarding the *Declaration* and that therefore Jefferson was in error in his record that the Declaration was adopted on July 4, 1776, since John Adams' letter established the date as July 2nd, 1776.

For a professor of history and a biographer of Thomas Jefferson to be ignorant about the great question decided on July 2, 1776, and to insist on the wrong date for the adoption of the Declaration, seems unbelievable.

But Professor Brodie displays ignorance about another historic event pertaining to Jefferson, when on page 470 she wrote:

"Determined Virginia ladies arranged for the purchase of Monticello as a National shrine on July 4, 1926."

And where was I? What about the Thomas Jefferson Memorial Foundation, created in 1923? And how about the Sesquicentennial of the Declaration celebrated in 1926, together with the commemoration of the death of its author. Both the celebration and commemoration were the happenings at Monticello on July 3, 4, and 5, 1926.

Full information was so readily available to faculty and students right there in the U.C.L.A. Library.

How delighted I should have been had Mrs. Brodie sent a postal card or phoned Monticello, to learn the facts about Monticello, and even about Jefferson, as I have been of free aid to other historians and biographers of Jefferson through the past half century and more.

But apparently her main interest was in the canard by the blackmailer Callendar. In her bibliography on page 563, she listed, Henry S. Randall's published (1952) correspondence with Grisby, but she did not list the three

volume biography of Jefferson by Randall that treated so fully the slanderous charge which was to be so important a part of her biography of Jefferson.

As a lawyer, I find that there is not one item in support of her charge of Jefferson having fathered children by Sally, that would be even admitted as evidence in a Court hearing a case for paternal support of an illegitimate child.

Unfortunately, by her motivation to make this another "Intimate History" from her pen as a historian, she has permitted herself to be of needless disservice to the memory of Thomas Jefferson and to herself as a historian.

IS THIS JUSTICE?

The following is excerpted from a letter that was sent to Los Angeles County District Attorney John Van De Kamp on December 29, 1978. It is reprinted with the permission of its author, Douglas Bruce.

Dear Mr. Van De Kamp:

Five and one-half years ago today, I was sworn in as a deputy district attorney. Representing the public in criminal proceedings was to be my life's work, not just a chance to acquire quick trial experience.

In the 66 months that followed, I have not had a change of heart, just a loss of hope. Therefore, I am resigning as of Jan. 20.

The criminal-justice system is now so far gone, so paralyzed, that radical rehabilitation will have to be imposed by the same outraged electorate that enacted Proposition 13.

The decline is traced most clearly in the spirit of lawlessness prevalent in the appellate courts of California.

Precedent means nothing to them. In recently redefining legal insanity (effective retroactively), a bare majority of our Supreme Court discarded both a centuries-old rule and its own recent opinions.

The will of the Legislature means nothing to them. A clear-cut law requiring that persons who use a gun while committing a major felony be sentenced to prison has also been tossed aside.

The will of the people means nothing to them. Polls, statutes and initiatives have all shown an overwhelming public demand for a death-penalty law. But a majority of our Supreme Court personally disagrees with that conclusion and we all know the current law will be struck down on fabricated constitutional grounds, as others have been twice before.

Although the Legislature has attempted a few scattered reforms, many of which were later rejected by the courts, it likewise has failed to reflect fully the public concern with the arbitrariness of criminal proceedings. Right now, a person convicted of first-degree murder is not required by law to spend one hour in jail, but another who steals \$51 worth of olives (specified as a felony under our Penal Code) could serve three years.

No legislative alternative to the exclusionary rule has been adopted since the appellate courts first formulated it many years ago. Thousands of cases are dropped annually because one or more judges during the entire course of a criminal proceeding might opine that the cop on the beat did not catch the defendant in exact accordance with every detailed rule ever formulated in several hundred thousand pages of court opinions. This exclusion of evidence occurs even though the meaning and application of these rules is the subject of differing interpretations by the judges themselves.

Nor is there any law preventing a judge from continuing a case repeatedly and indefinitely at the request of the defendant and to the detriment of our position and the inconvenience of the witnesses.

So we get active hostility from the higher courts and general indifference from the Legislature. The deck is stacked against us. Unfortunately, our office has not even played well the cards we were dealt.

The strongest of these is publicity. If judges were forced to be accountable to the taxpayers for what happens in their courtrooms, we would not see what now occurs all too often: two-hour lunches breaking up five-hour days, millions of dollars worth of overtime for police officers waiting to testify, and supposedly public proceedings being held in off-the-record whispers at the bench or in chambers. These huddles nearly always involve a defendant's attempt to get an easy sentence without embarrassing the judge into showing to the world the meager reasons for his leniency. If our office refused to participate, this secretiveness would stop. . .

Your office policy . . . makes it . . . difficult for prosecutors to exercise their legal right to disqualify a given judge from hearing a criminal matter, regardless of how inadequate the judge may be. The defense attorneys certainly do not hesitate to help their clients by using this affidavit power, which allows them to automatically remove a strong judge from their case in an attempt to have the case transferred to a more sympathetic one. Trial judges have freely acknowledged to me that they are more concerned with placating defense attorneys, who can and do remove judges from hearing cases, than prosecutors, who can but don't.

Finally, it is also time we stopped giving criminal defendants inducements to plead guilty, either by reducing provable charges or placing upper limits on possible sentences. It's bad enough when judges try to clear their calendars by promising light sentences in exchange for pleas of guilty; ours should be a higher concern.

Your office policy may have banned most sentence-bargaining in theory, but nothing has changed in practice, and individual prosecutors cannot make the change because their colleagues still continue in this insidious practice which comforts the guilty while it coerces the innocent.

Some will argue that the proper handling of criminal cases may cause an increase in the workload, but that should be more than offset by a reduction in costly continuances and repeat offenses. Besides, we seem to have forgotten that the judicial system's reason for existence

is not to perpetuate or protect itself but to strive for justice.

Every day that this fraudulent charade is allowed to continue, we employees are accepting money under false pretenses because we are not allowed to effectively represent the people of California. I wanted this job because of my belief in the basic principles that are supposed to be the foundation of the criminal-justice system. It is that same belief that now requires my resignation.

Douglas Bruce

CHARACTER EDUCATION CORNER

Applied Motivational Skills for Teachers was the title of a three-unit credit course for graduate students in education recently presented at Rockford College in Rockford and Highland College in Freeport, Illinois.

The text for this 35-hour course was the Thomas Jefferson Research Center's Achievement Skills Workbook. Reactions from class members were uniformly enthusiastic. Each graduate was asked to write an evaluation of the course with printed signature optional. Here are portions of some of the letters of evaluation:

"The course content and method of instruction was excellent. I couldn't help but wonder why in all my years of schooling I had never had a course dealing with topics of perception, self-esteem, developing potential, basic needs, values, etc. before this course. It should be a part of the school curriculum beginning even in the elementary grades, and definitely in the junior and senior high schools."

"My self-esteem has been raised; I am more aware of my purpose and goals in life; and I feel a greater self-understanding. I have shared my enthusiasm with family and friends, and my husband has noticed the difference in me. Now I am anxious to apply what I have learned to my students and teaching methods . . . The material used in this course was excellent . . . The course seems to have influenced me more than any course I have taken."

"I thoroughly enjoyed this course and feel it has been one of the most valuable courses I have ever taken. It was certainly not what I expected — the typical education class does little more than transmit information about children, teaching methods, and philosophies of education. It's about time we looked at the teacher herself . . . I think every teacher could benefit from a course of this nature."

"I falsely assumed that the course would be dreary and filled with more theory than practical ideas. Needless to say, I was very pleasantly surprised. I had never expected a course to be such an intense exploration into myself and my relationships with others. The material presented in this course was more useful than any of the material covered in other educational courses because it dealt with me as a person . . . I definitely feel that this is a course which should be offered to all teachers."

"This course has been the most valuable course I have ever taken in my undergraduate or graduate studies. I have learned that I have to begin with understanding myself -- why I do things, why I react the way I do in certain situations, why I have the feelings I have, where my needs are, before I can fully begin to understand another person. How valuable this course could have been if I had taken it before I began teaching. I could have turned many negative problems into positive opportunities. This course is practical. It gets at the root of human problems -- not the symptoms, as in many college courses I have taken."

"I liked the textbook -- it was easy to read, yet concise and complete. I feel I understand the value and the process of goal setting much more now and intend to work up something more definite and organized for my coming school year. It will be much more than the sketchy lesson plans I have previously used . . . I hope you will give this class again and again in Freeport -- there is a big need. I intend to tell everyone who will listen what a worthwhile, tension-free, rewarding and important class it has been."

"I strongly feel that this course has affected a positive change towards my self-awareness and understanding of others. I know a permanent change won't occur overnight, but I am excited that I can feel it begin and I want it to continue. Striving for self-actualization gives me a good feeling and I am actually anxious to get back into the classroom!"

"The value of applied motivational skills for teachers is tremendous because this course, contrary to the majority of courses, does not have a beginning and an end all packed into a two-week time slot. The course is a beginning of a life of increased awareness. . . The push this course gave me towards developing my talents and capabilities was utterly fantastic! . . . The course could be offered to anyone -- teacher, student, business man, housewife, etc."

For further information about Achievement Skills in the Rockford-Freeport area contact Human Resources Development, 1421 West Lincoln Blvd., Freeport, IL 61032. The telephone number is (815) 235-4669.

Achievement Skills and Focus on Living (an industrial version of Achievement Skills) is available in the St. Louis area from Concepts for Creative Living.

In September, Concepts for Creative Living will be starting another course for parents -- Dr. John Gilmore's "Developing the Productive Child."

In July, Mr. and Mrs. Jack Dolen, founders of Concepts for Creative Living, conducted a highly successful two-week course in Achievement Skills for a group of young women at the American Youth Foundation summer camp in Michigan.

For further information in the St. Louis area, contact Concepts for Creative Living, University Club Tower, 1034 S. Brentwood Blvd., St. Louis, MO 63117 or call (314) 863-3365.

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