

The Great Paradox: The Founding Fathers and Slavery

Today it is easy for us to see a glaring contradiction in the new republic. While the founders of the United States proclaimed a system of government based on the protection of individual liberties, many of them were also slave-owners who claimed a right to own other human beings. The United States counted almost 700,000 slaves in its population of four million. Washington, Madison, Randolph, Mason and half the members of the Constitutional Convention owned slaves.

George Washington, for example, had bought two young brothers—Frank and William Lee—at an auction back in 1767. William Lee became Washington’s personal servant. Everywhere that Washington went, William went along to help him dress, shave, hunt, and even change horses on the battlefield. William was with Washington in Philadelphia at the First Continental Congress, in New York when the Declaration of Independence was read aloud to the Continental Army, when Washington crossed the Delaware, at Valley Forge, at the Battle of Monmouth when Washington needed a new horse on the battlefield, and at Yorktown when the British surrendered. William Lee even accompanied Washington to Philadelphia in 1787 to attend the Constitutional Convention.

When Cornwallis marched through Virginia, British officers promised freedom to enslaved people who supported the British cause. Seventeen of Washington’s slaves and twenty of Jefferson’s ran away to join the British. Under the terms of the British surrender at Yorktown, this “property” was restored to the Americans. Washington sent his soldiers

to recover his lost slaves, including 18-year-old Esther and 20-year-old Lucy. Similarly, when Ona Judge, a household slave of Washington’s wife, ran away in 1796, Washington offered a ten-dollar reward for her return. Washington even attempted to have Ona kidnapped when she was found in New Hampshire, although he never succeeded in recovering her. *In the Shadow of Liberty: The Hidden History of Slavery, Four Presidents and Five Black Lives* (2016), historian Kenneth Davis tells this story and concludes: “For a man who had fought so long and so hard for freedom, it is astonishing Washington could not comprehend that an enslaved person might want the same right.”

How could our nation’s founders—men with the ideals of freedom, liberty, and democracy—also have accepted slavery? The Southern plantation owners who attended the Constitutional Convention had been surrounded by enslaved African Americans for all of their lives. Their slaves were uneducated and illiterate. Most of the slaves spent their lives in manual labor. The slaves’ behavior was shaped by the constant threat of whippings and other physical punishments. As a result, these wealthy landowners came to believe that their slaves were an inferior race. They did not see them as complete human beings. The Southern landowners also needed the labor of their slaves to run their plantations and work as servants. No doubt it was easier for them to mistreat their workers when they did not view them as real people.

While it is true that we cannot judge those in the past by today’s standards, it is equally true that

Jefferson's Views on Slavery

Jefferson owned more than a hundred slaves. They performed the constant work in running his home at Monticello, Virginia. Jefferson also had a long-term relationship with Sally Hemings, one of his slaves, after the death of his wife. Hemings was three-quarters white and actually the half-sister of Jefferson's wife. Jefferson and Hemings had several children together.

In his first draft of the Declaration of Independence, Jefferson had originally included a paragraph blaming King George III for the evils of the slave trade. However, this paragraph ignored the eagerness of the colonists to buy slaves, and the Southern states finally insisted that the paragraph be removed if they were going to sign the Declaration. In 1778, Jefferson drafted a bill to prevent the importing of slaves into Virginia, but this also never passed.

In *Notes on the State of Virginia* (1785), Jefferson addressed the question of slavery. He predicted that American slavery would someday die out. At the same time, he believed that African Americans were inferior to whites: "Comparing them 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 . . . and in imagination they are dull, tasteless and anomalous (*peculiar*)." Despite the fact that they might have learned from their more educated masters, Jefferson could not find a single African American who "had uttered a thought above the level of plain narration." He hesitated to "degrade a whole race of men in the scale of beings which their Creator may perhaps have given them." But he had this impression: "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 whites in the endowments both of body and mind. . . . This unfortunate difference of . . . faculty (*ability*) is a powerful obstacle to the emancipation of these people."

there were people at the time who did condemn both slavery and the slave trade. In England, Dr. Samuel Johnson had made fun of American patriots who demanded liberty but owned slaves themselves. In his pamphlet *Taxation No Tyranny*, Dr. Johnson asked "How is it that we hear the loudest yelps for liberty amongst the drivers of negroes (*African Americans*)?"

By the time of the Constitutional Convention, several northern states had begun abolishing slavery. In 1780, Pennsylvania ended slavery for children born in the state. Three years later, the Massachusetts Supreme Court ruled that the state's constitution required the abolition of slavery.

During the debate at the Constitutional Convention on whether to include slaves in calculating a state's population size, Gouverneur Morris openly attacked slavery:

He never would concur (agree) in upholding domestic slavery. It was a nefarious (wicked) institution. It was the curse of heaven on the states where it prevailed (was widespread). Compare the free regions of the Middle states, where a rich and noble cultivation (farming) marks the prosperity and happiness of the people, with the misery and poverty which overspread the barren wastes of Virginia, Maryland and the other states having slaves Proceed south . . . and

every step you take through the great region of slaves presents a desert increasing with the increasing proportion of these wretched beings.

Upon what principle is it that the slaves shall be computed in the representation? Are they men? Then make them citizens and let them vote.

The admission of slaves into the representation when fairly explained comes to this: that the inhabitant of Georgia and South Carolina who goes to the coast of Africa, and in defiance (resistance; disobedience) of the most sacred laws of humanity tears away his fellow creatures from their dearest connections and damns them to the most cruel bondage shall have more votes in a government instituted for protection of the rights of mankind than the citizen of Pennsylvania or New Jersey who views with a laudable (praiseworthy) horror so nefarious a practice . . .

George Mason, although a Virginian and slave-owner, also condemned slavery:

This infernal traffic originated in the avarice (greed) of British merchants. . . . Slavery discourages arts and manufactures. The poor despise labor when performed by slaves. They prevent the emigration of whites, who really enrich and strengthen a country. They produce the most pernicious (harmful) effect on manners. Every master of slaves is born a petty tyrant. They bring the judgment of heaven on a country. As nations cannot be rewarded or punished in the next world, they must be in this. By an inevitable chain of causes and effects, Providence punishes national sins by national calamities.

Other Southerners, however, defended the continuation of slavery. Charles Pinckney of South Carolina told the delegates at the Convention:

If slavery be wrong, it is justified by the example of all the world. He cited the case of Greece, Rome and other ancient states . . . In all ages, one half of mankind have been slaves An attempt to take away the right [to own slaves], as proposed, will produce serious objections to the Constitution, which he wished to see adopted.

In the end, the Constitutional Convention passed three important provisions on slavery:

1. The “Three-Fifths Compromise” counted three-fifths of a state’s enslaved population for purposes of both representation and taxation.
2. The Slave Trade Compromise stated that Congress would not have the power to prohibit the slave trade for the next twenty years. While Northerners and even most Southern states, like Virginia, wanted an end to the slave trade, the rice-growing states of South Carolina and Georgia needed more slaves and refused to agree to the Constitution without this provision.
3. The Constitution gave slaveholders the right to claim the return of their **fugitive slaves**—runaway slaves who had escaped to states where slavery was illegal: “No person held to service or labor in one state, under the laws thereof, escaping into another shall . . . be discharged (*released*) from such service or labor, but shall be delivered up on the claim of the party to whom such service or labor may be due.” (Article IV, Section 2, Clause 3).

The Historian's Apprentice

1. Why were these slave-holding provisions so important to Southern delegates?
2. Is it fair to condemn the founders of the republic—Washington, Jefferson, Madison and others—for having permitted the continuation of slavery?
3. Imagine that you are a member of the Constitutional Convention from Pennsylvania, where slavery had been abolished in 1780. Write a short speech to the other members of the Convention urging that the Constitution include the abolition of the slave trade.
4. Besides enslaved African Americans, what other groups were ignored by the delegates to the Constitutional Convention? Why?
5. Read several chapters from Kenneth Davis, *In the Shadow of Liberty: The Hidden History of Slavery, Four Presidents and Five Black Lives* (2016). Then present an oral book report to your class.

Civic Virtue and Civic Participation

The Constitution of 1787 relied on a secret ingredient: civic virtue. **Civic virtue** is the willingness of citizens to set aside their personal interests for the good of the community. Without civic virtue, the new system of democratic government could not work.

Civic virtue was especially shown in people's loyalty to democratic values and through their military service. During the Revolution, American Patriots had volunteered for militia service or enlisted in the Continental Army for little pay. They risked their lives for independence and freedom. In the new republic, ordinary citizens continued to volunteer in state militia. The new Constitution also depended on citizens giving some of their time to public service to make the government work.

Civic virtue requires **civic participation**. This is the participation of ordinary citizens in the process of government. In a democracy, ordinary citizens participate in government by voting in elections and by serving in public office.

The Constitution established many ways for citizens to participate in the political process and to monitor and influence government. Citizens can join political parties or interest groups that express their views or elect their candidates. They can participate in public demonstrations that celebrate achievements or that protest policies. They can write and publish articles and letters in a free press. They can have parades and give or listen to speeches. They can petition government leaders for change. They can vote and run for public office.

In the Revolutionary period, citizens had made use of all these methods of civic participation. Critics of British policies wrote articles in newspapers and published pamphlets. The Sons of Liberty organized boycotts, demonstrations, and even violent actions. After the Revolution, citizens continued using these same methods. Federalists and Anti-Federalists debated whether to adopt the new constitution in the press and in heated discussions in private