Background

In the years leading up to the Civil War, the views of the American founders with regard to slavery became an important issue. President Abraham Lincoln and former slave Frederick Douglass argued repeatedly that the American founders believed slavery was contrary to the principles of the Declaration of Independence and meant to put the nefarious practice on the path to extinction. Others, such as Senator Stephen Douglas, claimed that the founders had intended to leave it to the people of each state to decide whether they wanted slavery or not. And Abolitionist leader William Lloyd Garrison accused the founders of perpetuating slavery forever through the “infamous bargain” or compromise made with slave states during the Constitutional Convention. In hindsight it would seem that there is some ground for all of these claims. One object of this lesson is to allow students to see for themselves what the American founders actually said and did with regard to the institution of slavery.

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| auctioneer's stand, Green Hill plantation, Virginia |
| Green Hill (Virginia) plantation slave auction auctioneer's stand, early 19th century. Image courtesy of [American Memory](http://memory.loc.gov/cgi-bin/ampage?collId=hhphoto&action=browse&fileName=va/va0200/va0279/photos/browse.db&recNum=0&linkText=-1&title2=Green%20Hill%20Plantation,%20Slave%20Auction%20Block,%20State%20Route%20728,%20Long%20Island%20vicinity,%20Campbell%20County,%20VA&displayType=1&maxCols=4) at the Library of Congress. |

At the time the United States declared independence from Great Britain, slavery legally existed in every state, North and South. But as Americans fought to establish self-government and fulfill the principles expressed in the words of the Declaration of Independence, many recognized the great tension between the idea that “all men are created equal” and the injustice of chattel slavery. Slavery had existed in America for over a century, but it was specifically the principles of the Revolution that clearly demonstrated the injustice of the institution, and many Americans hoped for its immediate abolition along with the end of British rule. Thomas Jefferson, for example, in his Summary View of the Rights of British America, wrote that “the abolition of domestic slavery is the great object of desire in those colonies, where it was unhappily introduced in their infant state.” Indeed, in his draft of the Declaration of Independence, Jefferson included an indictment against King George III for waging “cruel war against human nature itself, violating its most sacred rights of life and liberty in the persons of distant people, who never offended him, captivating and carrying them into slavery in another hemisphere.” It was under the tyrannical rule of Great Britain that the importation of slaves into America had peaked, and now, many Americans hoped, the Revolution would lead to the establishment of a nation of freedom for all men, white and black.

Jefferson was not alone in his hatred of slavery. George Washington, the great general of the Revolution and first President of the United States, wrote that his employment of slaves was “the only unavoidable subject of regret” in his life. After the Revolution, Washington wrote to a friend, “I never mean … to possess another slave by purchase; it being among my first wishes to see some plan adopted by the Legislature by which slavery in this Country may be abolished.” Washington resolved to make his own slaves “as easy and comfortable in their circumstances as their actual state of ignorance and improvidence would admit, and to lay a foundation to prepare the rising generation for a destiny different from that in which they were born.” In his will Washington stipulated that his slaves should be freed upon the death of his wife. He could not, he wrote, with good conscience free them sooner, because many had married with the “dower” slaves of Martha’s family, whom he could not legally free; the result would have been that freed husbands, wives, fathers and mothers would have to live with enslaved spouses or children, which could produce “painful sensations, if not disagreeable consequences.” Washington also established a fund out of which the older slaves were to be supported for the remainder of their lives; the children of the freed slaves were “to be taught to read and write; and to be brought up to some useful occupation”; and Washington “expressly forbid the Sale, or transportation out of said Commonwealth, of any Slave I may die possessed of, under any pretence whatsoever” in order to keep as many families intact as possible. Washington realized that this was little compensation for the injustice of slavery, but it was all he could do, given the laws of the state of Virginia at the time concerning the manumission of slaves.

Most of the prominent American founders – including many who held slaves themselves, before the Revolution and after – publicly and privately expressed their disgust with slavery as a vile and nefarious practice. James Madison, for example, remarked at the Constitutional Convention, “We have seen the mere distinction of color made in the most enlightened period of time, a ground of the most oppressive dominion ever exercised by man over man.” And John Adams urged that “every measure of prudence ought to be assumed for the eventual total extirpation of slavery from the United States.”

The great difficulty at the time was, of course, how such a deep–rooted problem, which had become so ingrained in the way of life of Americans in some parts of the Union, could be eradicated and corrected in a way that was compatible with the safety and happiness of all. The seriousness of this question came to a head at the Constitutional Convention itself, at which time it became apparent that certain states – most notably South Carolina and Georgia – would likely refuse to join the Union under the proposed Constitution if slavery were abolished outright. John Rutledge of South Carolina stated the issue succinctly: “Interest alone is the governing principle with nations. The true question at present is whether the Southern States shall or shall not be parties to the Union.” Mr. Charles Pinckney and General Charles Cotesworth Pinckney, also of South Carolina, argued that the national government should have no authority whatsoever with regard to slavery, including the power to ban or regulate the importation of slaves. Such arguments illustrate the degree to which the economies of South Carolina and Georgia depended on slave labor. However much they might personally wish the extirpation of slavery, the South Carolina and Georgia delegates realized that it was a question of economic self-interest. As General Pinckney claimed, “South Carolina & Georgia cannot do without slaves.” Oliver Ellsworth, anti-slavery delegate from Connecticut, summed up the problem as follows: "All good men wish the entire abolition of slavery, as soon as it can take place with safety to the public, and for the lasting good of the present wretched race of slaves. The only possible step that could be taken towards it by the convention was to fix a period after which they should not be imported."

Legal measures to emancipate the slaves would have to take place at the state level, and these efforts began even before the Constitutional Convention. In two states – New Hampshire and Massachusetts – slavery was ended immediately by state court decisions in the early 1780s. In other states – Pennsylvania was the first in 1780, followed by Rhode Island, Connecticut, New York and New Jersey – plans for gradual emancipation were implemented, usually by granting freedom to slaves once they reached the ages of 18-28, and in these states the numbers of slaves decreased greatly between 1790 and 1810. Other states – mainly in the American South – refused to implement plans for gradual emancipation and retained laws that placed strict limitations on private manumissions, with the result that slave populations rose sharply between 1790 and 1810. Thus the greatest proportion of increase in the nation’s population of slaves took place in four states – Virginia, North Carolina, South Carolina and Georgia – even after Congress prohibited the importation of slaves in 1808.

In all states, North and South, there were other obstacles that made the abolition of slavery a difficult – and possibly dangerous, as some Americans believed – endeavor. Benjamin Franklin, a staunch opponent of slavery, wrote, “Slavery is such an atrocious debasement of human nature, that its very extirpation, if not performed with solicitous care, may sometimes open a source of serious evils.” Although Franklin understood that slavery was grossly unjust, he believed that immediate abolition would have dangerous consequences for all, including the freed slaves themselves. Slaves were not prepared, Franklin believed, to make good citizens, because their condition as slaves – “treated as a brute animal” and “accustomed to move like a mere machine, by the will of a master” – meant that they were not accustomed to making choices in life by the free use of their own natural faculties. Franklin understood that the moral and intellectual condition of slaves was a result of the degraded existence and lack of education forced upon them by their masters, and not the result of “natural” differences between the white and black races. Other founders agreed, including Alexander Hamilton, who wrote that “their natural faculties are as good as ours.” Thomas Jefferson also came to believe that slaves’ lack of “cultivation” was the result of their condition and not nature; even so, Jefferson wrote, “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.” All of this made it all the more pressing to find a way to eliminate slavery. To successfully pave the way for eventual and gradual emancipation, Franklin wrote that Americans had a “serious duty” to “instruct, to advise, to qualify those who have been restored to freedom, for the exercise and enjoyment of civil liberty; to promote in them habits of industry … and to procure their children an education calculated for their future situation in life … which we conceive will essentially promote the public good, and the happiness of these our hitherto too much neglected fellow-creatures.”

Thomas Jefferson was at various times optimistic and pessimistic about the eventual abolition of slavery. He feared that the difference in color alone was enough to permanently divide the white and black races; and even if emancipation were accomplished, “deep rooted prejudices entertained by the whites; ten thousand recollections, by the blacks, of the injuries they have sustained … will divide us into parties, and produce convulsions, which will probably never end but in the extermination of the one or the other race.” By 1820 Jefferson was despondent over the problem of slavery, writing: “We have the wolf by the ears, and we can neither hold him, nor safely let him go. Justice is in one scale, and self-preservation in the other … I regret that I am now to die in the belief, that the useless sacrifice of themselves by the generation of 1776, to acquire self-government and happiness to their country, is to be thrown away by the unwise and unworthy passions of their sons, and that my only consolation is to be, that I live not to weep over it.” Jefferson’s fears were well founded – slavery would only be eliminated more than forty years later after a bloody Civil War at the cost of hundreds of thousands of American lives.

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