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CHAPTER 5

That All May Be Free

■ Slavery and the Revolutionary Philosophy

By the middle of the eighteenth century, slavery in the United States was an integral part of a maturing economic system. There had been protests against the slave trade, some colonies had imposed almost prohibitive import duties, and some religious groups, notably the Quakers, had questioned the right of one person to hold another in bondage. There had been, however, no frontal attack upon the institution, and even in the Northern colonies, where there was no extensive use of slaves, the majority of the articulate colonists paid little attention to slavery. Perhaps it was the colonists' preoccupation with their economic and political relations with England that accounted for the widespread indifference with which they regarded slavery. Colonial problems were so urgent that little time was left in which colonists could concern themselves with humanitarian matters. If there could be assurance that blacks would neither conspire to rebel nor offer aid and comfort to the French or the Indians, there seemed to be little reason to be concerned over this condition.

This general attitude prevailed up until the end of the French and Indian War in 1763. This significant year not only marked the beginning of a new colonial policy for England but also ushered in a new approach, on the part of the colonists, to the problem of slavery. There was, moreover, a discernible

connection between the two developments. As colonists saw in England's new colonial policy a threat to the economic and political freedom that they had enjoyed for several generations, they also seemed to recognize a marked inconsistency in their position as oppressed colonists *and* slaveholders. John Woolman, a New Jersey Quaker, and Anthony Benezet, a Philadelphia Huguenot, had already begun their anti-slavery activities in the Middle colonies, and others, such as Benjamin Franklin and Benjamin Rush, had joined in the work to free the slaves. But there had been no dramatic denunciation of the institution by any outstanding political leader in the colonies. The resurrection of the hated navigation acts and the imposition of new regulations like the Sugar Act of 1764 brought forth eloquent defenses of the position of the colonists. One act of Parliament had, as James Otis declared, "set people a-thinking in six months, more than they had done in their whole lives before." They began to think of their dual role as oppressed and oppressor. Almost overnight the grave but quiet efforts of Benezet and Woolman bore fruit, as some colonial leaders began to denounce not only England's new imperial policy but slavery and the slave trade as well.

The Whig policy of "benign neglect" lent itself to the flow of ideas across the Atlantic as much as it winked at the clandestine flow of commerce in numerous directions. There is little reason to believe that the colonists were unaware of the revolutionary literature flowing from the pens of such French thinkers as Rousseau. There were enough revolutionary ideas in England, however, to inspire a movement against the proscribing policy of the parent country. Long before 1776 most Americans viewed John Locke's treatises on government as political gospel, and upon numerous occasions after 1763 they used these works to bolster their arguments. Locke's *Constitutions of Carolina* had recognized slavery in that colony, and his treatises on government defended the replacement of James II by William and Mary. If Locke could justify the revolution of 1688, certainly the same line of reasoning could justify the colonial action of the 1760s and 1770s.

It was almost natural for the colonists to link the problem of black slavery to their fight against England. The struggle of blacks to secure their freedom was growing. When James Otis was penning his eloquent protest in the *Rights of the British Colonies*, in which he affirmed the black's inalienable right to freedom, blacks themselves were petitioning the general court of Massachusetts for their freedom on the grounds that it was their natural right. The incident in Boston in March 1770 must have greatly impressed many of the colonists with the incongruity of their position. The presence of British soldiers in Boston excited the indignation of the people, and many wondered what could be done about it. The decision was made by a group, described by defense counsel John Adams at the trial of the British soldiers as "a motley rabble of saucy boys, Negroes and mulattoes, Irish Teagues and outlandish Jack Tars." Led by Crispus Attucks, a runaway slave, and shouting, "The way to get rid of these soldiers is to attack the main guard," they rushed into King Street to protest by action. They were fired upon by several men

of Captain Preston's company. Attucks was the first to fall, two others were killed instantly, and two others later died from wounds.

Attucks could hardly be described as a saucy boy. Nor was he deserving of the other harsh things John Adams had to say about those who fell in the Boston Massacre. Attucks was more than forty-seven years old and had made his living during the twenty years after he ran away from his Framingham master by working on ships plying out of Boston harbor. As a seaman he probably felt keenly the restrictions that England's new navigation acts imposed. He had undertaken to make the protest in a form that England would understand. Attucks's martyrdom is significant not as the first life to be offered in the struggle against England. Indeed, there ensued almost five years of peace during which time it appeared as though Samuel Adams and his group would not get their war after all. The significance of Attucks's death seems to lie in the dramatic connection that it pointed out between the colonists' struggle against England and the status of blacks in America. Here was a fugitive slave who, with his bare hands, was willing to resist England to the point of giving his life. It was a remarkable thing, the colonists reasoned, to have their fight for freedom waged by one who was not as free as they.

In the years that followed the Boston Massacre, the colonists, as though pricked by conscience, frequently spoke against slavery and England at the same time. In 1773 the Reverend Isaac Skillman went so far as to assert that in conformity with the laws of nature, slaves should rebel against their masters. In 1774 Abigail Adams wrote her husband: "It always appeared a most iniquitous scheme to me to fight ourselves for what we are daily robbing and plundering from those who have as good a right to freedom as we have." About the same time, Thomas Jefferson wrote "A Summary View of the Rights of British America," in which he said that the abolition of slavery was the great object of desire in the colonies, but that it had become increasingly difficult because Britain had consistently blocked all colonial efforts to put an end to the slave trade.

In their thinking some colonists had thus moved from the position of acceptance of the institution of slavery to the position that it was inconsistent with their fight with England and finally to the view that England was responsible for the continuation of slavery. This view was translated into action in the fall of 1774 when the Continental Congress passed an agreement not to import any slaves after December 1, 1775. Georgia, the only colony not represented, adopted a similar measure in July 1775. These can hardly be regarded as antislavery measures, however. It must be remembered that there was general resentment against England's "Intolerable Acts," passed earlier in the year, and that many of the enactments of the first Continental Congress were retaliatory measures of a temporary nature.

The test of the colonists' regard for slavery came in their reaction to the Declaration of Independence, which was submitted to the Continental Congress by Thomas Jefferson. The formulation of a general political

philosophy to justify the drastic step the colonists were taking was generally acceptable, even to the proposition that all people, being created equal, were endowed with "certain unalienable Rights . . . Life, Liberty, and the pursuit of Happiness." Jefferson's specific charges against the king were harsh and uncompromising. Among them were the following:

He has waged cruel war against human nature itself, violating its most sacred rights of life and liberty in the persons of a distant people who never offended him, captivating and carrying them into slavery in another hemisphere, or to incur miserable death in their transportation thither. This piratical warfare, the opprobrium of *infidel* powers, is the warfare of the Christian king of Great Britain. Determined to keep open a market where MEN should be bought and sold, he has prostituted his negative [veto] for suppressing every legislative attempt to prohibit or to restrain this execrable commerce; and that this assemblage of horrors might want no fact of distinguished die, he is now exciting these very people to rise in arms among us, and to purchase that liberty of which he deprived them, by murdering the people upon whom *he* also obtruded them; thus paying off former crimes committed against the *liberties* of one people, with crimes which he urges them to commit against the *lives* of another.

These charges, described by John Adams as the "vehement philippic against Negro slavery," were unacceptable to the Southern delegation at the Continental Congress and were stricken from the document.

The members of the Continental Congress doubtless realized that Jefferson's bold accusations of the king were at considerable variance with the truth. The slave trade had been carried on not only by British merchants but by colonists as well, and in some colonies no effort had been made even to regulate it. There was, moreover, much favorable disposition to slavery in the Southern colonies, an attitude shared by a larger number than the "few bold and persevering pro-slavery men" described by George Livermore. Those who favored slavery at all realized that if Jefferson's views prevailed in the Declaration of Independence, there would be no justification for the institution once the ties to England were completely cut. It would be better, therefore, to reject the strong language in which the complete responsibility was laid at the door of George III. In thus declining to accuse the king of perpetuating slavery and the slave trade, the colonists contented themselves with engaging in what Rufus Choate later called "glittering generalities" and in connecting all too vaguely the status of blacks with the philosophy of freedom for all people.

The silence of the Declaration of Independence on the matter of slavery and the slave trade was to make it equally difficult for abolitionists and proslavery leaders to look to that document for support. Even if Jefferson did say that all men were created equal, it could not be forgotten that the antislavery passages of the Declaration were ruled out altogether. By endowing all with inalienable rights superior to those of positive law, it was,

however, a standing invitation to insurrection that few could accept. The implications of the Declaration, however vague, were so powerful that Southern slave owners found it desirable to deny the self-evident truths that it expounded and were willing to do battle with abolitionists during the period of strain and stress over just what the Declaration meant with regard to society in nineteenth-century America.

■ Blacks Fighting for American Independence

From the beginning of hostilities in 1775, the question of arming blacks, slave and free, consistently plagued the patriots who most of the time had trouble enough without this aggravating situation. The fear of slave insurrections had caused the colonists to exclude blacks from militia service even in Massachusetts in 1656, and in Connecticut in 1660. Despite this exclusion, blacks frequently participated in wars against the French and the Indians, thus developing a tradition of military service that was alive at the time of the War for Independence. As early as the battles of Lexington and Concord in April 1775, blacks took up arms against the British, and their presence at subsequent battles in the spring and summer of that eventful year is an important part of the military history of the struggle.

In May 1775, the Committee on Safety—commonly known as the Hancock and Warren Committee—took up the matter of the use of blacks in the armed forces and came to the significant conclusion that only freemen should be used since the use of slaves would be “inconsistent with the principles that are to be supported.” It is doubtful that this policy was adhered to, for evidently slaves, as well as free blacks, fought in the Battle of Bunker Hill. Furthermore, many slaves were manumitted in order to serve in the army. Indeed, one of the outstanding heroes of the battle, Peter Salem, had shortly before the battle been a slave in Framingham, Massachusetts. One story, not thoroughly substantiated, says that Salem won the admiration of his comrades in arms by shooting the British Major Pitcairn. Mounting the redoubt and shouting, “The day is ours,” Pitcairn, who displayed more valor than judgment, received the full force of Peter Salem’s musket. The death of Pitcairn was a part of the moral victory won by the patriots on June 17, 1775.

Peter Salem was not the only black who succeeded in distinguishing himself at Bunker Hill. Another, Salem Poor, a soldier in a company and regiment made up largely of white men, won the praise of his superiors, who said that in the battle he “behaved like an experienced officer as well as an excellent soldier.” In an official commendation presented to the general court of Massachusetts these military leaders said, “We would only beg leave to say, in the person of this said negro centres a brave and gallant soldier. The reward due to so great and distinguished a character, we submit to the Congress.” While Peter Salem and Salem Poor stand out for their



AFRICAN-AMERICAN MASON. Prince Hall, fighter in the War for Independence, established Masonry among blacks after he was initiated by a British army lodge in 1775. (Fisk Archives.)

extraordinary feats of heroism, other blacks were integrated into the companies of whites and performed services for which they were later commended. Among these were Caesar Brown of Westford, Massachusetts, who was killed in action; Barzillai Lew, a fifer and drummer; Titus Colburn and Alexander Ames of Andover; Prince Hall, later an abolitionist and Masonic leader; and many other Massachusetts blacks: Cuff Hayes, Caesar Dickerson, Cato Tufts, Grant Cooper, and Sampson Talbert. While this is certainly not an exhaustive list, it is indicative of the early use of blacks in the War for Independence.

The black soldier had by no means won the right to fight for the independence of the United States. In the formulation of an overall policy for military service shortly after General Washington took command, it was decided that the services of blacks were not needed. Out of the council of war that Washington held on July 9, 1775, an order was sent to recruiting officers that they were not to enlist “any deserter from the ministerial army, nor any stroller, negro, or vagabond, or person suspected of being an enemy

to the liberty of America nor any under eighteen years of age." It was a rather strange expression of gratitude for the services rendered by blacks that Washington and the high command found it desirable to exclude them from enlistment.

The ban on enlistment obviously did not affect blacks already in the service, but within a few months a movement was afoot to rid the army of all blacks. On September 26, 1775, Edward Rutledge of South Carolina moved in the Continental Congress to discharge all blacks in the army. Although he was strongly supported by many Southern delegates, he lost his point. On October 8, however, a council of war composed of Washington, Major Generals Ward, Lee, and Putnam, and several brigadier generals met and considered the use of blacks. It was agreed unanimously to reject all slaves and, by a large majority, to reject blacks altogether. Ten days later a group of civilians, among them Benjamin Franklin and Thomas Lynch, met with Washington and the deputy governors of Rhode Island and Connecticut to discuss plans for recruiting a new army. It was again agreed to reject blacks altogether. On November 12, 1775, General Washington issued an order instructing recruiters not to enlist blacks, boys unable to bear arms, or old men unable to endure the fatigues of campaign.

Thus, the new army under George Washington had settled the question of the black soldier by deciding not to permit any black, slave or free, to enlist. There is no indication that there would have been a change of policy had not the British made a political move that harassed the feeble Continental army almost as much as a significant military maneuver. On November 7, 1775, Lord Dunmore, the governor of Virginia, issued a proclamation that caused immediate concern among the patriots. In part, he said, "I do hereby . . . declare all indentured servants, Negroes, or others (appertaining to rebels) free, that are able and willing to bear arms, they joining his Majesty's troops, as soon as may be, for the more speedily reducing this Colony to a proper dignity." Had Washington known of this proclamation on November 12, he perhaps would not have issued his order prohibiting the enlistment of blacks. As soon as he learned of Dunmore's designs he manifested great concern. During the month of December he was most alarmed at what the consequences of the wholesale enlistment of blacks in the British army might mean in Virginia. In a letter to Richard Henry Lee on the day after Christmas, Washington asserted that if Dunmore was not crushed before spring, he would become the most formidable enemy to the cause of independence. His strength would increase "as a snowball, by rolling; and faster, if some expedient cannot be hit upon to convince the slaves and servants of the impotency of his design."

Washington had to act quickly. On December 31, he partially reversed his policy regarding the enlistment of blacks and in a report to the president of the Continental Congress said that he was permitting the enlistment of free blacks. He said that the free blacks who had served in the army were very much dissatisfied at being discarded. He further reported that it was

feared that they would seek service in the British army if they were not permitted to serve with the patriots. On January 16, 1776, the Continental Congress approved a policy permitting free blacks "who had served faithfully in the army at Cambridge" to reenlist but made it clear that no others were to be received.

Virginians were alarmed. The hated Dunmore was openly soliciting support among their slaves. They felt constrained to counteract this bid with pleas and promises to blacks. On November 23, 1775, an article appeared in a Williamsburg paper severely criticizing Dunmore's proclamation and pointing out to blacks that the British motives were entirely selfish. Blacks were urged not to join Dunmore's forces and were promised good treatment if they remained loyal to the Virginia patriots. On December 13, the committee of the Virginia Convention officially answered the Dunmore proclamation. It not only denounced the British for enticing slaves away but also promised pardon to all slaves who returned to duty within ten days.

The alarm of the military high command and of Virginians was fully justified. Edmund Pendleton wrote Richard Henry Lee on November 27, 1775, that slaves were flocking to Dunmore in abundance. In March of the following year, Dunmore reported to the British secretary of state that the enlistment of blacks was proceeding very well, "and would have been in great forwardness, had not a fever crept in amongst them, which carried off a great many fine fellows." During the remainder of the war large numbers of blacks escaped to the British lines, seeking the freedom that had eluded them during their stay in the colonies. Wherever the British armies went they attracted many blacks, and Maryland, Virginia, and South Carolina were especially alarmed over the future of slavery regardless of the outcome of the war. As late as 1781 Richard Henry Lee would write his brother that two neighbors had lost "every slave they had in the world. . . . This has been the general case of all those who were near the enemy."

The presence of British troops in America and the war itself had an unsettling effect on slavery in general. Slaves ran away in large numbers even if they had no intention of reaching the British lines. Thomas Jefferson estimated that in 1778 alone more than 30,000 Virginia slaves ran away. David Ramsay, the South Carolina historian, asserted that between 1775 and 1783 his state lost at least 25,000 blacks. It has been estimated that during the war Georgia lost about 75 percent of its 15,000 slaves. How effective the British were in utilizing this manpower is not at all clear. Here and there, such as at Ft. Cornwallis, there are accounts of blacks serving in the British army. Perhaps their service was more valuable than has been believed, for in 1786 a corps of runaway blacks that had been trained by the British during the siege of Savannah were still calling themselves the "king of England's soldiers" and continued to harass the countryside of Georgia in an eighteenth-century resistance movement.

The British bid for blacks during the war had the effect of liberalizing the policy of the colonists toward them. Not only did Washington order the

enlistment of some free blacks, but most of the states, either by specific legislation or merely by a reversal of policy, began to enlist both slaves and free blacks. In 1776 a New York law permitted the substitution of blacks for whites who had been drafted. In the same year Virginia went so far as to permit free mulattoes to serve as drummers, fifers, and pioneers, and in the following year Virginia merely required that all blacks who enlisted should furnish a certificate of freedom secured from a justice of the peace. In 1778 both Rhode Island and Massachusetts permitted slaves to serve as soldiers. In the same year North Carolina, in legislating against fugitive slaves, made it clear that the penalties under the law were not to be applied to liberated slaves in the service of North Carolina or the United States.

Under the more liberal laws of the states, blacks began to enlist in the state and Continental armies in large numbers. In 1778 Massachusetts and Rhode Island felt that enough black soldiers could be raised within their borders to form separate regiments. Indeed, it appeared as though states were now vying with each other in enlisting blacks. New Hampshire offered the same bounty to black soldiers that it was giving to whites, and masters were given bounties as payment for the freedom of their slaves. When the recruiting of white soldiers in Connecticut declined, a vigorous enlistment of blacks began. New York offered freedom to all slaves who would serve in the army for three years, while owners were given a land bounty for their slaves. Before the end of the war most states, as well as the Continental Congress, were enlisting slaves with the understanding that they were to receive their freedom at the end of their service.

Only two states, Georgia and South Carolina, continued to oppose the enlistment of black soldiers. It was a source of considerable embarrassment to Colonel John Laurens, who in 1778 was asked to raise several battalions of blacks in his native South Carolina. In 1779 the Continental Congress recommended that 3,000 blacks be recruited in Georgia and South Carolina. The Congress was to pay the owners not over \$1,000 for each slave recruited, and at the end of the war the slave was to be set free and given \$50. Georgia and South Carolina were alarmed over the plan and summarily rejected it. Despite several pleas from Laurens, neither state ever permitted such enlistment. By this time, Washington had so completely accepted the idea of blacks as soldiers that he could write of South Carolina and Georgia, "That spirit of freedom which at the commencement of this contest would have gladly sacrificed everything to the attainment of its object, has long since subsided, and every selfish passion has taken its place." Even in these states, however, slaves were running away—to fight with the British and win their own freedom or with the patriots and win the freedom of their country as well as their own.

Of the 300,000 soldiers who served the cause of independence, approximately 5,000 were blacks. Despite the fact that the bulk of the black population was in the South, the majority of black soldiers were from the North. They served in every phase of the war and under every possible

condition. Some volunteered, others were drafted, while still others were substituted for white draftees. There were only a few separate black fighting groups. In Massachusetts two black companies were formed, one under Maj. Samuel Lawrence and the other—the Bucks of America—under Middleton, a black commander. Connecticut put a black company in the field under the leadership of Capt. David Humphreys, while the Rhode Island black company was under Col. Jeremiah Olney and later under Col. Christopher Greene. Some of these groups won the admiration and respect of their leaders and of the citizenry. Lawrence's company was described as a group "of whose courage, military discipline, and fidelity" their leader always spoke with respect. On one occasion his men rescued him after he was completely surrounded by the enemy.

The command of an all-black company was, at first, studiously avoided by most of the white officers. There was, therefore, some difficulty in securing a commander for the Connecticut company of blacks. Finally, Captain Humphreys volunteered his services, and under his leadership the group so distinguished itself that thereafter officers were said to have been as desirous of obtaining appointments in that company as they had previously been of avoiding them. In the Battle of Rhode Island, August 29, 1778, the black regiment under Colonel Greene "distinguished itself by deeds of desperate valor." On three occasions they repulsed the Hessian soldiers, who were charging down on them in order to gain a strategic position. In 1781, when Colonel Greene was surprised and killed near Points Bridge, New York, his black soldiers heroically defended him until they were cut to pieces, and the enemy reached him over the dead bodies of his faithful men. One white veteran described them as "brave, hardy troops. They helped to gain our liberty and independence."

The vast majority of black soldiers served in fighting groups made up primarily of white men. The integration of them was so complete that one Hessian officer, Schloezer, declared that "no regiment is to be seen in which there are not Negroes in abundance: and among them are able-bodied, strong, and brave fellows." Not only were they in the regiments of the New England and Middle Atlantic states, but they were also to be found fighting by the side of their white fellows in the Southern states. Hardly a military action between 1775 and 1781 was without some black participants. They were at Lexington, Concord, Ticonderoga, Bunker Hill, Long Island, White Plains, Trenton, Princeton, Bennington, Brandywine, Stillwater, Bemis Heights, Saratoga, Red Bank, Monmouth, Rhode Island, Savannah, Stony Point, Ft. Griswold, Eutaw Springs, and Yorktown.

As in any undertaking that involves large numbers of persons, most of the blacks who served in the War for Independence will forever remain anonymous. There were some, however, who by their outstanding service won recognition from their contemporaries and a conspicuous place in the history of the War for Independence. Two blacks, Prince Whipple and Oliver Cromwell, were with General Washington when he crossed the Delaware

Slaves Want Freedom, Too—1777

To the Honorable Counsel & House of [Representa]tives for the State of Massachusetts Bay in General Court assembled, January 13, 1777.

The petition of A Great Number of Blackes detained in a State of slavery in the Bowels of a free & Christian Country Humbly shuweth that your Petitioners apprehend that they have in Common with all other men a Natural and Unaliable Right to that freedom which the Great Parent of the Unavers hath Bestowed equalley on all menkind and which they have Never forfeited by any Compact or agreement whatever—but thay wher Unjustly Dragged by the hand of cruel Power from their Derest friends and sum of them Even torn from the Embraces of their tender Parents—from A popolous Pleasant and plentiful contry and in violation of Laws of Nature and off Nations and in defiance of all the tender feelings of humanity Brough hear Either to Be sold Like Beast of Burthen & Like them Condemnd to Slavery for Life—Among A People Profesing the mild Religion of Jesus A people Not Insensible of the Secrets of Rational Being Nor without spirit to Resent the unjust endeavours of others to Reduce them to a state of Bondage and Subjection your honouer Need not be informed that A Life of Slavery Like that of your Petioners Deprived of Every social privilege of Every thing Requisite to Render Life Tolable is far worse than Nonexistence.

Collections, Massachusetts Historical Society, 5th Series, III (Boston, 1877), pp. 436–437.

on Christmas Day 1776. Tack Sisson, by crashing a door open with his head, facilitated the capture of the British general Richard Prescott, at Newport, Rhode Island, July 9, 1777. In the same year, Lemuel Haynes, who was later to become a distinguished minister in white churches, joined in the expedition to Ticonderoga to stop the inroads of Burgoyne's northern army. The victory of Anthony Wayne at Stony Point in 1779 was made possible by the spying of a black soldier by the name of Pompey. At the siege of Savannah in 1779, more than 700 Haitian free blacks were with the French forces that helped save the day. Among the wounded soldiers was Christophe, who was later to play an important role in the liberation of Haiti.

There are many instances of blacks serving in the navy during the War for Independence. Having piloted vessels in coastal waters before the war, their services were finally accepted during the dark days of the war. They were able and ordinary seamen, pilots, boatswain's mates, and gunner's mates. They were among the crews of the coastal galleys that defended Georgia, North Carolina, South Carolina, and Virginia. Luther P. Jackson has called attention to the service of Virginia blacks in the navy of the Revolution. He points out that black sailors fought on the *Patriot*, *Liberty*, *Tempest*, *Dragon*, *Diligence*, and many other vessels and indicates that some were enlisted for

as many as ten or eleven years. In Connecticut and Massachusetts, blacks served in the navy, such as the three black seamen who were on Capt. David Porter's *Aurora* and the four who were on the crew of the privateer *General Putnam*. When he was but fourteen years old, James Forten was a powder boy on Stephen Decatur's *Royal Louis* and participated in the victory over several English vessels. Later, when he was captured and offered a home in England, he refused on the grounds that he felt that he should suffer the prisoner's lot in the cause of independence and to do less would be to betray his country.

Black patriots saw clearly the implications for their own future in their fight against England. They wanted human freedom as well as political independence. Even before Abigail Adams pointed to the inconsistency of fighting for independence while adhering to slavery, blacks spoke out. As early as 1766 they were seeking their freedom in the courts and legislatures. In January 1773 a group of "many slaves" asked the general court of Massachusetts to liberate them "from a State of Slavery." In 1774 a group of blacks expressed their astonishment that the colonists could seek independence from Britain yet give no consideration to the slaves' pleas for freedom. Blacks made literally scores of such representations and, in so doing, contributed significantly to broadening the ideology of the struggle to include at least some human freedom as well as political independence. The fact remained, as Edmund Morgan has observed, that to a large degree "Americans bought their independence with slave labor." It was yet to be seen if human freedom in general was as dear to them as political independence.

■ The Movement to Manumit Slaves

By the end of the War for Independence the ideology of the struggle that had been so clearly defined and so loudly proclaimed at the outset had been dimmed and muffled by the grim and practical realities of the war. Only the perspective of a brief period was needed to realize that the aims of the leaders were more political than social. And yet, some forces had been set in motion that operated to effect a change in the status of blacks. It is no mere coincidence that when the Battle of Lexington was fought the first antislavery society was just beginning to formulate its plans for action. This and similar organizations reflect the social implications of the Revolutionary philosophy. So powerfully did the philosophy act upon the minds of the people that almost every state enlisting slaves to serve in the army either freed them at the outset or promised manumission at the end of service. The records of several states in the 1780s abound in deeds of manumission of black soldiers and their families. While the number is undeterminable, it is not difficult to conclude that hundreds, if not thousands, of slaves secured their freedom at the end of the war.

The freedom that some black soldiers won for themselves did not go uncontested at the end of the war. Some masters sought to repossess slaves who had fought for freedom from Britain, and General Washington found it necessary to authorize several courts of inquiry to establish the validity of such claims. Finally, some states resorted to the enactment of laws such as the one that Virginia passed in 1783 granting freedom to all slaves "who served in the late war." A clear distinction was made, however, between those slaves who served in the army of the American states and those who merely ran away or who escaped to the British lines. Even General Washington expressed alarm at the news that blacks were embarking with the British fleet at various American ports, and he asked a friend in New York to help him retrieve some of his own runaways whom he suspected of being in that vicinity.

Other evidences, besides the manumission of soldier-slaves, that the Revolutionary philosophy was taking effect are seen in the activities of individuals immediately after the war. While no one as prominent as Thomas Jefferson took up the cudgel against slavery, numerous individuals of considerable stature spoke out against the institution. Samuel Hopkins of Rhode Island, Ezra Stiles of Connecticut, and Jeremy Belknap of Massachusetts were outstanding in the group of theologians who expressed antislavery views. In Virginia, St. George Tucker's *Dissertation on Slavery* was studied by the author's students at William and Mary and by Virginia slave owners as well. Other antislavery educators were Jedidiah Morse, the father of American geography, and William Rogers of the College of Philadelphia. Benjamin Franklin and Benjamin Rush continued to speak out against slavery, while the legal profession had outstanding spokesmen in Zephaniah Swift, Noah Webster, and Theodore Dwight.

Manumission and antislavery societies became more widespread after the war. The Quakers, who had organized the first society in 1775, were now joined by many other groups in this and other organizations. In 1785 the New York Society for Promoting the Manumission of Slaves was organized with John Jay as president. In Delaware a similar society was set up in 1788, and by 1792 there were antislavery societies in every state from Massachusetts to Virginia. Some sought to prevent the slave trade, while others were concerned with the deportation of blacks from the state. Most of them envisioned a scheme, however remote, of complete abolition of slavery. Local societies collected information on slavery and published reports on the progress of emancipation. Others published orations and addresses designed to arouse public sentiment against slavery.

The legislation against the slave trade, which began as a measure to combat England's commercial domination before the war, continued after hostilities were over. In 1783 Maryland prohibited the traffic in blacks. In 1786 North Carolina increased substantially the duty on every black imported. A duty of £15, for example, was levied on a black between twelve and thirty years of age imported directly from Africa. This law was repealed in 1790. In 1787 South Carolina prohibited the importation of slaves for

several years, an act which was renewed from time to time until 1803, when it was repealed on the grounds that it was unenforceable.

Even before the surrender at Yorktown, the state of Pennsylvania in 1780 had made provisions for the gradual abolition of slavery. The law provided that no black or "Negro" born after that date should be held in bondage after he or she became twenty-eight year old and up to that time was to be treated as an indentured servant or an apprentice. In recalling the struggle against England, Pennsylvanians said that they felt they were called upon to manifest the sincerity of their professions of freedom, and to give substantial proof of gratitude, by extending a portion of their freedom to others, "who, though of a different color, are the work of the same Almighty hand." By 1783 the courts of Massachusetts had abolished slavery by asserting that the constitution of 1780 discountenanced the institution by saying that "all men are born free and equal." In 1784 Connecticut and Rhode Island passed acts that abolished slavery gradually. Manumission acts were passed in New York in 1785 and in New Jersey in 1786, though effective legislation was not achieved in those states until 1799 and 1804, respectively. While the Northern states were thus eradicating the institution, some of the Southern states, such as Virginia and North Carolina, were enacting legislation that facilitated the efforts of slave owners to manumit their human chattel. Perhaps the high-water mark of the postwar anti-slavery movement was reached in 1787 when the Congress added to the Northwest Ordinance the provision that neither slavery nor involuntary servitude should exist in the territory covered by it.

■ The Conservative Reaction

Despite the efforts of antislavery leaders to deal a death blow to slavery after the War for Independence, they were unable to do so. Resistance to abolitionist schemes hardened in the Southern states, where so much capital was invested in slaves and where a new economic importance was already being attached to the institution. In the 1780s, moreover, there was the sobering fear that the social program that grew out of the struggle against Britain would get out of hand and uproot the very foundations of social and economic life in America. As the plain people began to demand liberal and democratic land laws, moratoriums on their debts, and greater guarantees of human rights, they challenged the authority by which the select few ruled the American state. To this "horrid vision of disorder" which the leaders conjured up must be added the loud insistence of antislavery leaders for the destruction of property in human beings and the extension of liberty to all. Where would all this lead? The rebellion of Daniel Shays in Massachusetts suggested the answer: real revolution, pure and simple. The country's leaders had already planned their counterattack in the calling of a convention to meet in Philadelphia in 1787 to stabilize and strengthen the government and to stem the tide of social revolution.

It was only natural that slavery became an important consideration in

the Constitutional Convention. In the heated debates over representation in the Congress, the question arose as to how slaves should be counted. Most of the Northern delegates could regard slaves in no light except as property and thus not deserving any representation. Georgia and South Carolina delegates were loud in their demands that blacks be counted equally with whites. Gouverneur Morris declared that the people of Pennsylvania would revolt on being placed on an equal footing with slaves, while Rufus King of Massachusetts flayed slavery in a fiery speech and condemned any proposal that would recognize it in the Constitution. The three-fifths compromise finally written into the Constitution was perhaps satisfactory to no one, but it demonstrates clearly the strength of the proslavery interests at the convention. It was inserted in Article I, Section 2, and reads as follows:

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other persons.

It has been seen that several states had already acted to prohibit the slave trade. In 1787 the opponents of the traffic in human beings fervently hoped that the Constitutional Convention would act to stop this evil. To this end the Pennsylvania Abolition Society drafted a memorial imploring the convention to make the slave trade part of its deliberations and gave it to Benjamin Franklin to present. When it became obvious that the convention would consider the problem in any case, he decided not to present the memorial lest the suspicions of Southern members be aroused, thereby doing more harm than good. When the matter came before the convention, an argument ensued that was as fiery as any witnessed by the delegates. Young Charles Pinckney said that South Carolina could never accept a constitution that would prohibit the slave trade. Significantly, he added, "If the States be all left at liberty on this subject, South Carolina may perhaps by degrees do of herself what is wished, as Virginia and Maryland have already done." His cousin, Gen. C. C. Pinckney, was more severe on Virginia and Maryland. He asserted that these states would gain by stopping importations. Virginia's slaves would rise in value, and it would be "unequal to require South Carolina and Georgia to Confederate on such unequal terms." The fear of rupture at this critical moment led the states of the North and Upper South to compromise with the states of the lower South and to extend the slave trade for twenty years. The provision finally adopted in Article I, Section 9, reads:

The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

It is significant that there was almost no opposition to the proposal that states give up fugitive slaves to their owners. The public obligation to return fugitive slaves, which had already been provided for in several Indian treaties between 1781 and 1786, was established in the Northwest Territory in 1787 in connection with the prohibition of slavery in that region. When the provision came before the convention for consideration, it was late, August 28, and the delegates were already impatient to return to their homes. Too, the slave owners had already won such sweeping constitutional recognition of slavery that the question of fugitive slaves was an anticlimax to the great debates. When Roger Sherman of Connecticut asserted that he saw "no more propriety in the public seizing and surrendering a slave or servant, than a horse," he found no support even among his New England colleagues. Without serious challenge, therefore, the provision was inserted in Article IV, Section 2:

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

When the delegates to the Constitutional Convention returned to their homes in September 1787, they could look back on three months of political and economic wire pulling that was to check effectively the trend toward social upheaval. Perhaps in no area had there been greater success than in the matter of checking the antislavery movement. Quakers and other groups could view the new document as devoid of guarantees of human liberties, and zealous reformers could regard the Constitution as a victory for reaction; but their objections were silenced by the effective organization for ratification that was in operation even before the convention had adjourned. The fathers of the Constitution were dedicated to the proposition that "government should rest upon the dominion of property." For Southerners this meant slaves, just as surely as it meant commerce and industry for Northerners. In the protection of this property the Constitution had given recognition to the institution of human slavery, and it was to take seventy-five years to undo that which was accomplished in Philadelphia in 1787.

The adoption of the federal Constitution marks the end of an era not only in the political history of the United States but in the history of African Americans as well. With British domination at an end and stable government established, Americans could no longer lay the onus for slavery at the door of the parent country. They proudly accepted the challenge and responsibility of their new political freedom by establishing the machinery and safeguards that ensured the continued enslavement of blacks. Ironically enough, America's freedom was the means of giving slavery itself a longer life than it was to have in the British Empire. New factors on the horizon were about to usher in a new day for slavery as the old day passed away.