

# SLAVERY REFORM IN VIRGINIA, 1816-1865

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A dissertation submitted to the faculty of the University of North Carolina at Chapel Hill  
in partial fulfillment of the requirements for the degree of Doctor of Philosophy in  
History in the Department of History.

Chapel Hill  
2008

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## **ABSTRACT**

Gerardo Gurza-Lavalle: Slavery Reform in Virginia, 1816-1865  
(Under the direction of Harry L. Watson)

The attempts at reforming the most brutal features of slavery in the antebellum South have been usually interpreted as part of the effort of the slaveholding elite to legitimate its social order. In Virginia, however, the reformist impulse originated in a strong desire to eradicate slavery gradually by means of voluntary manumission and the colonization of the freedmen in Africa. Such a plan seduced many enthusiasts of economic development, who thought that slavery was responsible for the backwardness of their state, and it also attracted clergymen and reformers who believed that slavery was a stumbling bloc on the road to a more Christian and moral society.

Reformers changed from this initial stance owing to internal resistance to change, abolitionist criticism, and the enormous practical difficulties of colonization. Then, from the late 1830s on, reformers saw more possibilities of achieving the progress they wanted in the adoption of ameliorative measures that would improve slavery itself. This shift reflected an accommodation with the social order; through reform initiatives such as the evangelization of the slaves, the promotion of better treatment, and the appeals against the separation of slave families, reformers helped to bolster the legitimacy of the slave system. But reform never was a mere tool of the slaveholding class. The power of the slaveholders to shape their own society and culture was more fragile and contradictory than has been usually acknowledged. The different reform movements were never

controlled by any class for its own advantage, and they also contained some potential to challenge the social order.

To Paula

## ACKNOWLEDGEMENTS

Throughout the years I spent working on this project, I was very fortunate to receive the help, advice, and support of many people and institutions, both in Mexico and in the United States. I will begin with Mexico. First of all, I want to thank Ana Rosa Suárez Argüello, who guided me in my early forays into American history and encouraged me to pursue a doctorate in the United States. For the last fifteen years, Ana Rosa has been a mentor and a consistent friend, and has helped me in more ways than I can possibly enumerate. I know that she is as thrilled with the conclusion of this work as I am.

Colleagues and friends at the Instituto Mora in Mexico City have also been tremendously helpful. Santiago Portilla, Mónica Toussaint, Luis Jáuregui, Regina Hernández, and Francisco Porras, successive directors of the Instituto, allowed me a flexible schedule and time to keep writing and complete the work. María Eugenia Chaoul, María José Garrido, and Jorge Castañeda, read parts of chapters I and II and gave me useful criticism. The Instituto Mora also funded several research trips to Richmond and Chapel Hill during 2005-2007. Likewise, I owe a big debt of gratitude to the Consejo Nacional de Ciencia y Tecnología of the Mexican federal government (CONACYT), which provided me with financial support for tuition and living expenses during my years in Chapel Hill.

In the United States, I benefitted enormously from a summer research grant of the Center for the Study of the American South of the University of North Carolina, and also from a Mellon fellowship awarded by the Virginia Historical Society. In Chapel Hill,

Harry L. Watson was always an encouraging, supportive and helpful advisor. At different times, Andrew Torget, Donald G. Mathews, Calvin Schermerhorn, Mathew Butler, and Jeffrey Robert Young read different parts of the manuscript and offered useful suggestions. Thanks to all of them. Andrew Witmer kindly lent his research notes to a complete stranger. I still have not had the pleasure of meeting him, but I hope that some day I will have the opportunity to thank him personally. Speaking of generosity I want to give special thanks to my friend Andrew Torget, who helped me to locate and transcribe some indispensable sources at a critical stage of the writing process. I can truly say that I could not have finished without his valuable help. My deep appreciation goes also to Barbara Smith, who kindly offered me her friendship and allowed me to stay in her house in Richmond, even though she barely knew me. I also wish to thank my friends Tania Conaughton-Espino and Chris Bross for their generous hospitality in a couple of research trips to Chapel Hill.

Lastly, I want to thank Paula for all the love and support she has unsparingly given me through all these years. She has been a constant source of encouragement, and she always gave me the invaluable certainty that this effort was worth while. Whatever good is in this work is lovingly dedicated to her.

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## LIST OF ABBREVIATIONS

DU	Rare Book, Manuscript, and Special Collections Library, Duke University, Durham, North Carolina.
FredCOB	Fredericksburg Hustings Court Order Book, Library of Virginia, Richmond, Virginia.
GPLV	Governors Papers, Library of Virginia, Richmond, Virginia.
JCS	Journals of the Council of State, Library of Virginia, Richmond, Virginia.
LV	Library of Virginia, Richmond, Virginia.
OR	<i>The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies</i> , 128 vols. Washington, D. C.: Government Printing Office, 1880-1901.
PSL	<i>Race, Slavery, and Free Blacks: Petitions to Southern Legislatures, 1777-1867</i> . Edited by Loren Schweninger. Bethesda, MD: University Publications of America, 1998 (microfilm).
RACS	Records of the American Colonization Society, Library of Congress, Washington D. C. (microfilm).
SHC	Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill, North Carolina.
UTS	William Smith Morton Library, Union Theological Seminary, Richmond, Virginia.
VBHS	Virginia Baptist Historical Society, Richmond, Virginia.
VHS	Virginia Historical Society, Richmond, Virginia.



## INTRODUCTION

The first decades of the nineteenth century brought deep social and economic changes to the United States, especially after 1815, when the war with Britain ended and Americans turned their attention to developing their resources and settling the vast domain they had gained in the West. The series of complementary developments known as the Market Revolution turned the young American republic into an impressively mobile and unstable society. The population grew rapidly and concentrated more heavily in urban areas, where there were opportunities for the upward-looking and employment for the poor in fledgling industries. Thousands others crossed the Appalachian Mountains to try a new beginning in the Mississippi Valley. Communications and means of transportation registered an impressive development, allowing an unprecedented mobility of people and goods and provoking a rise in productive and commercial activities. As more and more people brought their produce, their crafts, or their labor force to sell in the open market, they had to adapt to a new set of rules and change their behavior. Change, growth, mobility, and expansion became a constant of life, dissolving hierarchies and the remnants of traditional forms of authority.<sup>1</sup>

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<sup>1</sup> On the Market Revolution see Harry L. Watson, *Liberty and Power: The Politics of Jacksonian America* (New York: Hill and Wang, 1990); Charles Sellers, *The Market Revolution: Jacksonian America, 1815-1846* (New York: Oxford University Press, 1991) Melvyn Stokes and Stephen Conway, eds., *The Market Revolution in America: Social, Political, and Religious Expressions, 1800-1880* (Charlottesville: University Press of Virginia, 1996).

The transformations were deep and fast-paced in every realm of life. Beginning with a series of revivals in the first years of the century, religious feeling spread and intensified to a degree never experienced before. The Second Great Awakening gradually spread through the land, bringing evangelical Protestantism and its moral and social concerns into the mainstream of American culture. Perhaps as a way to cope with so much social dislocation and change, thousands of people converted and went through an excruciating emotional ordeal to embrace Christ. As re-born Christians joined congregations in increasing numbers and submitted voluntarily to the stern discipline of the churches, evangelical preoccupation with individual moral responsibility and self-control prepared the ground for the appearance of many initiatives of social reform.

The reform movement was partly a response to the fears that the United States was becoming an anarchic, violent, and ungodly place. A host of new voluntary organizations tried to fill the void of authority and guidance in a society lacking strong institutions, and they invested their efforts in many different “benevolent” projects, such as providing every family in the country with a Bible, founding Sunday schools to catechize children, fighting strong drink, and other initiatives of similar intent. But reform was far more than a conservative attempt at social control, for the movement was inspired by a tremendously optimistic view of man’s potential for improvement and the possibility of solving social problems.<sup>2</sup>

The Second Great Awakening energized a mixture of secular and religious ideas: the theological notion of the millennium as a stage of perfect order, peace and prosperity

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<sup>2</sup> Steven Mintz, *Moralists and Modernizers: America’s Pre-Civil War Reformers* (Baltimore: Johns Hopkins University Press, 1995), xvi-xvii, 3-15; Donald G. Mathews, “The Second Great Awakening as an Organizing Process, 1780-1830: An hypothesis,” *American Quarterly*, 21 (1969): 23-43; Daniel Walker Howe, “The Evangelical Movement and Political Culture in the North during the Second party System,” *Journal of American History*, 77 (1991): 1216-1239.

in the world that would precede the second coming of Christ—also known as postmillennialism—became closely entwined with visions of social and economic progress. The result of this ideological process was an outlook in which increased production for the market, technological change, economic prosperity, and the myriad of transformations we usually summarize in the term “modernization” were perceived as contributive elements to the improvement of man and the world, and as secular aspects of a single process leading toward a more Christian, moral, and ordered society.<sup>3</sup>

Progress became the desirable result of the interaction of the spread of Christian ways, the adoption of an ethic of self-restraint and delayed gratification, and economic development. In sum, moral, economic, and social progress became interdependent components of a providential force pushing society in a constant ascent toward ever better stages of human accomplishment. These beliefs sparked an impressive zeal for improvement, an utterly optimistic notion that Christian behavior could change the world and remedy its evils. The new benevolent impulse left behind a traditional emphasis on palliation and shifted to a more transformative approach; reform would not only temper

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<sup>3</sup> On the combination of secular and religious elements in American views of progress see Robert Nisbet, *History of the Idea of Progress* (New York: Basic Books, 1980); and Nathan Rotenstreich, “The Idea of Historical Progress,” *History and Theory*, 10 (1971): 197-221. For postmillennialism see Ira V. Brown, “Watchers of the Second Coming: The Millenarian Tradition in America,” *Mississippi Valley Historical Review*, 39 (1952): 447-452; Paul E. Johnson, *A Shopkeeper’s Millennium: Society and Revivals in Rochester, New York, 1815-1837* (New York: Hill and Wang, 1978); Ernest Lee Tuveson, *Redeemer Nation: The Idea of America’s Millennial Role* (Chicago: University of Chicago Press, 1980). For works that have stressed the modernizing content of religion in the United States see Mintz, *Moralists and Modernizers*; Howe, “The Evangelical Movement;” Nathan O. Hatch, *The Democratization of American Christianity* (New Haven: Yale University Press, 1989); and, in the southern context, John Patrick Daly, *When Slavery Was Called Freedom: Evangelicalism, Proslavery, and the Causes of the Civil War* (Lexington: University Press of Kentucky, 2002); Beth Barton Schweiger, *The Gospel Working Up: Progress and the Pulpit in Nineteenth-Century Virginia* (New York: Oxford University Press, 2000); E. Brooks Holifield, *The Gentleman Theologians: American Theology in Southern Culture* (Durham, NC: Duke University Press, 1978).

social evils, it would aim at rebuilding individual character so that the problems could be eradicated.<sup>4</sup>

These ideas and attitudes interacted with other social changes to give a decisive impulse to benevolent activities. In the Northern states, accelerated market development and incipient industrialization increased the economic role of free, wage labor, which previously had been perceived as a state of abject dependency. The labor power of an individual thus became just another article of merchandise to be sold and bought in the market. This required limits on the penetration of the forces of the market into the household and the family itself. The construct of male and female “separate spheres” was in part an answer to this need. As the household gradually ceased to be a place of economic production, the separation between home and workplace gave a new meaning to the family and the home, and provoked significant changes in the social role of middle class women. The family was increasingly idealized as an intimate circle of love, nurture, and affection, while the home became a refuge from the outside world, which turned into an exclusively male purview characterized by competition and swayed by the cash nexus. The market thus segregated the sexes and demanded the existence of a refuge. The “cult of domesticity,” an essential part of this developing ideology, portrayed women as more virtuous, spiritual, and moral than men, and it assigned them the role of homemakers and caregivers with the special responsibility of keeping a strict morality in the family circle and rearing up children to discipline, self-improvement, and Christian behavior. Women were thus confined to the domestic sphere, but were given a considerable degree of moral authority as the “rulers” of home and family. To some extent, reform initiatives

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<sup>4</sup> Christine Stansell, *City of Women: Sex and Class in New York 1789-1860* (Urbana: University of Illinois Press, 1987), 30-35; Mintz, *Moralists and Modernizers*, 55-56.

represented an effort to bring the morality and good order that supposedly reigned in the domestic circle of respectable families to society at large. Middle class women thus used their moral authority to claim—and play—a very active role in every major reform project of the time.<sup>5</sup>

The foregoing glimpse at the rise of middle-class ideology and the reform movement in the United States depicts developments that supposedly took place mainly in the northern states, where the expansion of the market brought about a reordering of social relations and wide-ranging ideological changes. In this study, however, I argue that Virginia was touched and affected by the same processes, even though the state relied heavily on slave labor and did not experience many of the structural transformations which fed the rise of middle-class ideology above the Mason-Dixon line.

As we will see in the first chapters of this work, throughout the first decades of the nineteenth century many Virginians shared with other Americans a strong enthusiasm for social and economic progress, and regarded with envious admiration the course of impressive development followed by some states in the North. Groups of elite and middle class background embraced the Protestant, bourgeois values of thrift, hard work, self-improvement, and delayed gratification, and they aspired to create in Virginia a more orderly, prosperous, and moral society. To those sharing this outlook, moreover, slavery seemed to be the greatest hurdle on the road to progress.

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<sup>5</sup> Amy Drew Stanley, "Home Life and the Morality of the Market," in Stokes and Conway, eds., *The Market Revolution in America*, 74-96; Mary P. Ryan, *Cradle of the Middle Class: The Family in Oneida County, New York, 1790-1865* (New York, Cambridge University Press, 1981); Johnson, *A Shopkeeper's Millennium*; Barbara Welter, "The Cult of True Womanhood: 1820-1860," *American Quarterly*, 18 (1966): 151-174; John Ashworth, *Slavery, Capitalism, and Politics in the Antebellum Republic*. Volume I: *Commerce and Compromise, 1820-1850* (New York: Cambridge University Press, 1995).

The new faith in the economic man, promoted by several authors since the second half of the eighteenth century, found receptive ears in the Old Dominion. According to the dicta of these pioneers of liberal political economy, if all men were left in freedom to pursue their self interest, then the sum of these individual pursuits, no matter how selfish, would result into general prosperity for society at large. Consequently, slave labor was not only expensive and wasteful but also an obstruction to the virtuous effects of selfish acquisitiveness. Adam Smith, the most famous of these enlightened thinkers, explained why slavery was counterproductive in an often quoted passage: “A person who can acquire no property, can have no other interest but to eat as much, and to labour as little as possible. Whatever work he does beyond what is sufficient to purchase his own maintenance can be squeezed out of him by violence only, and not by any interest of his own.”<sup>6</sup> These ideas reflected a long and complex transition from an age in which hierarchical notions of duty and obedience, even if elicited by physical compulsion, were believed to be indispensable for an ordered society, to an age in which self-discipline and self-interest would be viewed as the main springs of human behavior, and in which freedom and prosperity would be perceived as interdependent. These new ideas reconciled the pursuit of individual interest with the common good, and interpreted the acquisitive drive supposedly ingrained in every human being as a providential device for general prosperity and happiness.<sup>7</sup>

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<sup>6</sup> Adam Smith, *The Wealth of Nations*, 2 vols. Everyman’s Library (London: J. M. Dent & Sons, 1937) 1: 345.

<sup>7</sup> As a Marylander explained in the journal of the American Colonization Society: “And how grateful ought man to be, at finding human nature so constituted, that in order to command human labour, and to use it either for public or private purposes, there is no necessity of subjecting our fellow-creatures to involuntary bondage. What wisdom and benevolence is manifested by the deity in so making the world, that everything in it, withers beneath the influence of slavery.” James Raymond “A Prize Essay on the Comparative economy of Free and Slave Labour in Agriculture.” *African Repository and Colonial Journal*,

Therefore, I find myself in disagreement with those historians who view the South as a place where a bourgeois mentality could not flourish. Given that Dixie was a slave society, and lagged far behind its northern counterpart in urbanization and economic development, historians such as Elizabeth Fox-Genovese have argued forcefully that the preconditions for the spread of reformist attitudes below the Potomac were lacking. In their view, the South could not have generated, or adopted, the bourgeois cultural elements that sustained the reformist movement, simply because it was overwhelmingly rural and its social and economic structure was based on slavery. Most men did not leave their homes for work, and there was no mass of free working class people threatening disorder and requiring indirect oversight from their betters. The slaves were subjected directly to the discipline of the master, and it came mostly in the shape of physical punishment, rendering unnecessary any persuasion campaign to achieve self-control. These authors point out, moreover, that the paternalist links of reciprocity that characterized the master-slave relationship permeated the whole conglomerate of social relations, giving shape to a hierarchical system largely incompatible with a market ethos based on equal opportunity, profit maximizing, and the cash nexus. In short, the values propelling reform were the outcome of an urban, free-labor environment under the stress of capitalist development, a scene completely alien to the South.<sup>8</sup>

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III (1827): 103. For the influence of Smithian political economy in the South, see Laurence Shore, *Southern Capitalists: The Ideological Leadership of an Elite, 1832-1885* (Chapel Hill: University of North Carolina Press, 1986), 5-9.

<sup>8</sup> The most cogent argument suggesting the absence of propitious conditions for reform in the South is Elizabeth Fox-Genovese, *Within the Plantation Household: Black and White Women of the Old South* (Chapel Hill: University of North Carolina Press, 1988). For similar arguments see Stephanie McCurry, *Masters of Small Worlds: Yeoman Households, Gender Relations, and the Political Culture of the Antebellum South Carolina Low Country* (New York: Oxford University Press, 1995); Jean Friedman, *The Enclosed Garden: Women and Community in the Evangelical South, 1830-1900* (Chapel Hill: University of North Carolina Press, 1985); Ian R. Tyrrel, "Drink and Temperance in the Antebellum South: An

There is a grain of truth in this interpretation. Undoubtedly, slavery inhibited urbanization and market development, and it therefore stood as an obstacle to the economic modernization of the South along the same road followed by the North. A rural society based on slave labor also hindered the separation of home and work, thereby limiting female autonomy in the domestic sphere and strengthening patriarchal authority. Similarly, the absence of a massive white working class might have diminished the appeal of some reform initiatives.

Nevertheless, the real and significant differences between the North and the South should not be taken too far. To begin with, bourgeois ideas of progress circulated freely in the English speaking regions of the North Atlantic, and they exerted a strong appeal in Virginia, and likely in other southern states, regardless of the fact that they did not fit perfectly fit with the economic and social structure of a slave society. Virginians did not have to be shop owners in burgeoning commercial or manufacturing towns to feel the attraction of these ideas, including the notion that slavery was a barrier to economic and social progress. Although the state derived most of its wealth from slave labor, reformers disregarded this fact and aimed their gaze at the powerful example of progress that was unfolding in England and the North. In this manner, a strong ideological connection between slavery and backwardness was established. To be sure, Virginia did not look like New York, but that did not prevent many Virginians from wishing to become more like their northern counterparts. In looking at the North, these Virginians felt the sting of

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Overview and Interpretation,” *Journal of Southern History*, 48 (1982): 485-510; Ashworth, *Slavery, Capitalism, and Politics*. On paternalism see Eugene D. Genovese, *Roll, Jordan, Roll, The World the Slaves Made* (New York: Vintage Books, 1976); and *The World the Slaveholders Made: Two Essays in Interpretation* (Middletown, Conn.: Wesleyan University Press, 1988). For a fascinating debate over the influence of capitalism in the development of humanitarian reform in England and the United States see Thomas Bender, ed., *The Antislavery Debate: Capitalism and Abolitionism as a Problem in Historical Interpretation* (Berkeley and Los Angeles: University of California Press, 1992).



a sense of inferiority, of being a “backward” state and of having lost the prominence they once had held in the new nation. Therefore, the desire to catch up in the race of progress made the bourgeois ethic very attractive.<sup>9</sup>

Secondly, an interpretation that overemphasizes southern distinctiveness produces an idealized picture not only of the South, but of the North too. In both regions the relation of the household to the market, and the concomitant degree of separation between home and work, were far more complicated than the idea of a neat separation of gender spheres would suggest. It is important not to take the prescriptive literature of the time as an accurate depiction of reality. North and South, women and men, both in rural and urban areas, continued producing a wide variety of goods in their households, for domestic consumption but also to sell in the market. The vision of the Southern household as an exclusive patriarchal domain with no female sphere of autonomy bears the same degree of authenticity that the notion that in all northern households the wife was a homemaker while the husband left home everyday to compete in the scramble for economic gain.<sup>10</sup>

The presence and intensity of female benevolent activities is a revealing indication of the influence of middle class ideology in Virginia. Suzanne Lebsock and Elizabeth R. Varon have shown that by the 1820s many elite and middle class women in the Old Dominion had embraced the “banner of moral reform,” lending their support to the

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<sup>9</sup> Jonathan Daniel Wells, *The Origins of the Southern Middle Class 1800-1861* (Chapel Hill: University of North Carolina Press, 2004), 5-16; Peter S. Carmichael, *The Last Generation: Young Virginians in Peace, War, and Reunion* (Chapel Hill: University of North Carolina Press, 2005), 19-34; see also Howard Temperley, “Capitalism, Slavery and Ideology,” *Past and Present*, 75 (1977): 94-118; David Brion Davis, *Slavery and Human Progress* (New York: Oxford University Press, 1984).

<sup>10</sup> Stanley, “Home Life and the Morality of the Market,” in Stokes and Conway, eds., *The Market Revolution in America*, 79-82; Christopher Clark, “Consequences of the Market Revolution in the American North,” in *Ibid.*, 33.

efforts of the big national benevolent societies, such as the American Bible Society and the American Sunday School Union, and helping to found many auxiliaries of these organizations plus many other local evangelical societies in the Old Dominion. These women espoused the ideals of domesticity and female moral agency, and wished for an orderly society in which every family could aspire to middle class respectability through education, hard work, Christian morality, and self-control.<sup>11</sup>

Furthermore, Virginia was an upper South state, with particular features of its own, and was therefore not entirely representative of the region as a whole—if South Carolina or Mississippi are taken as the “typical” southern states. Since the last years of the eighteenth century Virginia had begun a process of agricultural diversification, producing increasing amounts of grains and garden vegetables, and it would develop a substantial manufacturing base in the last decades of the antebellum period. By the same token, the state made considerable progress toward urbanization, at least relative to other states in the South; Richmond became a significant city, counting 38,000 souls by 1860, and there were a good number of lesser urban centers and market towns, such as Norfolk, Petersburg, Lynchburg, Wheeling, and Fredericksburg, to name just the biggest ones.<sup>12</sup>

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<sup>11</sup> Elizabeth R Varon, *We Mean to be Counted: White Women and Politics in Antebellum Virginia* (Chapel Hill: University of North Carolina Press, 1998), 10-70, quotation on 23; Suzanne Lebsack, *Free Women of Petersburg: Status and Culture in a Southern Town, 1784-1860* (New York: Norton, 1984), 143-144, 194-236; for a good demonstration that the reform movement could sink roots in slave territory, even in the deep South, see John W. Quist, “Slaveholding Operatives of the Benevolent Empire: Bible, Tract, and Sunday School Societies in Antebellum Tuscaloosa County, Alabama,” *Journal of Southern History*, 62 (1996): 481-526.

<sup>12</sup> In a recent overview of the Virginia antebellum economy, William G. Shade presents convincing evidence of a highly diversified and productive economy, thus rejecting the traditional view of a state in constant economic decline. See his *Democratizing the Old Dominion. Virginia and the Second Party System 1824-1865* (Charlottesville: University Press of Virginia, 1996). See also William A. Link, *Roots of Secession: Slavery and Politics in Antebellum Virginia* (Chapel Hill: University of North Carolina Press, 2003), 29-38. For the development of a prosperous wheat economy in the Shenandoah Valley, see Kenneth E. Koons and Warren R. Hofstra, eds., *After the Back Country: Rural life in the Great Valley of Virginia 1800-1900* (Knoxville: University of Tennessee Press, 2000), chapter 1. For the process of urbanization see

For all these reasons, a substantial and vocal minority of Virginians, for a brief period but to a degree impossible in deep-South states such as Georgia or South Carolina, could dream that it was possible to rid their state of slavery. As colonizationist Jesse Burton Harrison stated in 1828, “If it be indeed true, that the richest cotton lands of Carolina can never be cultivated except by slave labour, we sincerely pity our brethren for their embarrassing condition; ... Virginia, at least, has no physical obstacle which will decree her never to become a flourishing commonwealth of homogeneous freemen.”<sup>13</sup> The movement to colonize emancipated slaves in Africa found ample support in Virginia, and it was probably the clearest reflection of how influential had become the notion that Virginians would not achieve the social and economic progress they desired as long as there were slaves in the state, and that Virginia had the necessary conditions to gradually substitute free labor for slavery.

Nevertheless, Virginia reformers of the 1820s and 30s were not abolitionists. Most of them saw progress as a continuous and orderly process of incremental change—much as the very word “reform” suggested. They were appalled at the prospect of a sudden emancipation of thousands of slaves without provisions for their settlement outside of the United States. In fact, the increasing combativeness of abolitionist societies in the North, and the appearance of a strident immediatist movement as of 1831, provoked a complex reaction of fear, anger and frustration that pushed Virginia reformers back into more conservative positions. The mixture of spite and fear elicited by abolitionist rhetoric

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David R. Goldfield, *Urban Growth in the Age of Sectionalism: Virginia, 1847-1861* (Baton Rouge: Louisiana State University Press, 1977).

<sup>13</sup> “Report of the Board of Managers of the Lynchburg Aux. Col. Society,” *African Repository and Colonial Journal*, IV (1828): 177; and Jesse Burton Harrison, “The Slavery Question in Virginia,” in *Aris Sonis Focisque: Being a Memoir of an American Family: The Harrisons of Skimino* (n. p., Fairfax Harrison, 1910), 337-399.

reached a critical point in 1835, when the American Antislavery Society, as part of a campaign of moral persuasion, decided to mail tens of thousands of its pamphlets to the South. The campaign persuaded few if any southerners, and instead caused a frantic reaction. The so-called antiabolitionist panic gripped the whole South through the second half of 1835 and became a veritable turning point for Virginians of emancipationist leanings.<sup>14</sup>

The mild antislavery stance of the colonization movement, with its formerly open admission of living in flawed society, became anathema as the space and tolerance for expressions of dissent shrunk considerably. When the colonization venture foundered owing to the enormous practical difficulties on its way, and due also to the hardening of attitudes toward dissent, it became clear to reformers that slavery was not going away, at least in the foreseeable future. For a people obsessed with ideas of improvement, slavery had to be made compatible with progress. Reformers thus directed their efforts at rendering slavery more rational, morally acceptable, and compatible with the “modernity” they wanted their state to reach. Reform became the only way in which bondage could be rendered safer and less objectionable from the moral point of view. In this conjuncture, the reformist impulse left colonization/emancipation behind and shifted to slave evangelization and other ameliorating initiatives.

This shift of reform toward more conservative ends after the mid 1830s is a familiar subject in studies of southern slavery. In what remains one of the most cogent analyses of slavery reform, Eugene Genovese saw a clear connection between amelioration and the desire to perpetuate bondage: “Once the devil of emancipation had been exorcised, the

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<sup>14</sup> Susan Wily-Jones, “The Antiabolitionist Panic: Slavery, Abolition, and Politics in the U. S. South, 1835-1844,” Ph. D. Dissertation, Harvard University, 2000.

South could reform itself.” In other words, the impulse to improve the system became stronger as the projects of the gradual emancipationists became more and more utopian.<sup>15</sup> Following Genovese’s seminal *Roll, Jordan, Roll*, many historians have portrayed reform as a crucial component of the project of the slaveholding class to build its social and political hegemony; that is, an attempt at preserving the basic features of the status quo through the adoption of sound humanitarian and rational changes that would “modernize” slavery, rendering it softer and safer while also boosting the legitimacy of their social system.<sup>16</sup>

This frame of analysis, based on the concept of hegemony, is not lacking insight.<sup>17</sup> Many slaveholders adopted a better treatment of slaves and more enlightened practices of

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<sup>15</sup> Genovese, *Roll, Jordan Roll*, 50-52.

<sup>16</sup> The following works, most of them more implicitly than explicitly, show the influence of the hegemonic approach: Willie Lee Rose, “The Domestication of Domestic Slavery,” in William W. Freehling, ed., *Slavery and Freedom* (New York: Oxford University Press, 1982); Edward L. Ayers, *Vengeance and Justice: Crime and Punishment in the 19<sup>th</sup>-Century American South* (New York: Oxford University Press, 1984), 134-135; Jeffrey Robert Young, *Domesticating Slavery: The Master Class in Georgia and South Carolina, 1670-1837* (Chapel Hill: University of North Carolina Press, 1999); Peter Kolchin, *American Slavery 1619-1877* (New York: Hill and Wang, 2003); Bertram Wyatt-Brown, “Modernizing Southern Slavery: The Proslavery Argument Reinterpreted,” in J. Morgan Kousser and James M. McPherson, eds., *Region, Race, and Reconstruction: Essays in Honor of C. Vann Woodward* (New York: Oxford University Press, 1982), 27-49; Joyce E. Chaplin, “Slavery and the Principle of Humanity: A Modern Idea in the Early Lower South,” *Journal of Social History*, 24 (1990): 299-315; Thomas D. Morris, *Southern Slavery and the Law, 1619-1860* (Chapel Hill: University of North Carolina Press, 1996); Daniel J. Flanagan, “Criminal Procedure in Slave Trials in the Antebellum South,” *Journal of Southern History*, 40 (1974): 537-564; David Brion Davis, *The Problem of Slavery in the Age of Revolution 1770-1823* (Ithaca: Cornell University Press, 1975) 210-212.

<sup>17</sup> The concept of cultural hegemony was originally conceived by the Italian communist Antonio Gramsci to explain the absence of serious attempts at revolution in the capitalist countries of Europe as of the first decades of the twentieth century. Gramsci posited that the ruling classes had been able to preserve social and political stability through their adhesion to, and promotion of, ideas, principles and beliefs that other classes could find as conducive to the general good—and not just to the benefit of the elite. In the liberal countries of Europe the mechanisms of class subordination were subtle, and the propertied classes held sway not by force and repression, but by a consent attained through cultural hegemony, which was embodied in a perception of the social order as “natural” and basically fair. In the last decades, historians have greatly amplified the original use of the concept of hegemony to elucidate practically every society in which the elites do not rule through naked and continued coercion, and to include all kinds of negotiations between the elites and the subordinate classes. See Walter L. Adamson, *Hegemony and Revolution: A study of Antonio Gramsci’s Political and Cultural Theory* (Berkeley: University of California Press, 1980); T. J. Jackson Lears, “The Concept of Cultural Hegemony: Problems and Possibilities,” *American Historical*

plantation management as self-interested concessions. Many of them were also conscious of the legitimacy their social system would derive from the campaign to evangelize the slaves. Similarly, a good number of owners of slaves and public officials understood that the intervention of state authority to limit the power of the individual owner was a necessary sacrifice to keep abusers, madmen, and fools from destabilizing the system. In short, it is possible to argue that there was a noticeable hegemonic element in almost every initiative of slavery reform.

For all the persuasiveness of this view, however, we should avoid a construction of reform as a ready instrument in the hands of the ruling class, whose farsighted members supposedly knew the necessary concessions and improvements they had to make in order to preserve their position of privilege and keep the system working and reproducing itself. Such an approach is excessively functionalist, and is often based on a circular logic: it tends to regard every reform initiative as inevitably proslavery, inasmuch as every action that made the system more humane, without challenging it directly, only rendered it stronger and more resistant to significant change. Within this frame of analysis, only an outright and self-conscious revolutionary attempt to overthrow the social order can escape being portrayed in a functional role, as another prop for the established order. And since we all know that there were no such attempts—on the part of whites—in the antebellum South, every form of dissent and every challenge can be squared into a functional role.

It is likely, too, that the facile assumption that reforms inevitably grew out of self-interest owes much of its appeal to its ability to join slavery and humanitarianism in a

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*Review*, 90 (1985): 567-593; Simon Gunn, "From Hegemony to Governmentality: Changing Conceptions of Power in Social History," *Journal of Social History*, 39 (2006): 705-720.

way that is more acceptable to present-day sensibility. Slaveholders are so contemptible to contemporary eyes that any hint of kindness or concern for the welfare of their slaves seems more credible if it is portrayed as a hegemonic instrument.

This kind of interpretation, in my opinion, has limited and distorted our understanding of slavery reform. A simple identification of reform with the hegemonic pursuit of the slaveholding class forces an artificial uniformity upon the intentions of reformers; it grants to a group of historical actors more foresight and predictive ability than is humanly possible; it flattens the enormous complexity of reform ideologies; and it also prevents us from testing empirically the actual effects of a given reform initiative—which not necessarily worked in their supposedly intended way, as we will see.<sup>18</sup>

Reformers were a diverse lot with very different motives: a few were consciously seeking to improve the slave system so that it could last longer, but most never articulated their ultimate goals and have only left the evidence of their desire to ameliorate the lot of the slaves; others, especially during the heyday of the colonization cause, took a clear—if moderate—antislavery stance. Reform thus had different meanings for different people at different times, and even those working side by side for, say, slave evangelization, could have had different understandings of the work they were doing, some maybe thinking that they were preparing the slaves for an eventual emancipation, and others believing that nothing would contribute more effectively to upholding the slave regime than the religious indoctrination of the slaves. As late as the

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<sup>18</sup> Of course, I am not the first to find flaw in the hegemonic interpretation. My own approach has been influenced by the insightful objections of Laura F. Edwards, “Law, Domestic Violence, and the Limits of Patriarchal Authority in the Antebellum South,” *Journal of Southern History*, 65 (1999): 733-770, especially 741n; Thomas L. Haskell, “Capitalism and the Origins of Humanitarian Sensibility,” parts 1 and 2, and his other contributions to Bender, ed., *The Antislavery Debate*, passim; Ariela Gross, “Beyond Black and White: Cultural Approaches to Race and Slavery,” *Columbia Law Review*, 101 (2001): 640-689; Walter Johnson, “Inconsistency, Contradiction, and Complete Confusion: the Everyday Life of the Law of Slavery,” *Law and Social Enquiry*, 22 (1997): 405-433.

1850s, when ideological orthodoxy was at its strongest, and proslavery pronouncements were at the loudest, there was no easy agreement as to what exactly would benefit slavery the most. Even from an exclusively proslavery perspective, the best way to shore up the system was always subject to contradictory interpretations, and not even the “advanced fraction” of the slaveholding class, if it ever existed, had enough certainty to lead the way, nor enough power to impose its own views on the rest of society.<sup>19</sup>

Community members petitioning to pardon a slave guilty of killing a supposedly vicious overseer could argue that leniency was the best way to keep good order and decency; those petitioning the governor to hang the same slave could claim with equal vehemence that their suggested solution was the right one to achieve the same ends. In like manner, reformers proposing changes in the law to forbid the separation of slave marriages through sale could sustain that the preservation of the system demanded such a measure, whereas the man insisting that masters could not relinquish the right of selling a troublemaker could say the same. Reform was thus plagued with contradictions and ambivalences, and each and every one of its initiatives contained proslavery and antislavery attitudes in a crazy mixture. The cause of slavery reform in antebellum Virginia never became a coherent, homogenous movement.

The main thesis of this work is that reform had a dual nature: it was hegemonic and subversive at the same time. Most initiatives to improve slavery arose from an implicit or explicit acknowledgement of its evils, the features of the system that many southerners never ceased to deprecate. Even though reformers made strong efforts to paint their

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<sup>19</sup> This is the way in which Genovese refers to “those who most clearly perceived the interests and the needs of the class as a whole [and] steadily worked to make the class more conscious of its nature, spirit, and destiny.” *Roll, Jordan, Roll*, 27. This has been an influential view. See Young, *Domesticating Slavery*, 124-144; and Bruce Levine, *Confederate Emancipation: Southern Plans to Free and Arm Slaves during the Civil War* (New York: Oxford University Press, 2006), *passim*.



initiatives in the most conservative color—and often with a sincere conviction that such was their intent, the very belief that slavery could be improved to meet the expectations of a Christian and enlightened society carried somewhat subversive implications. Even when Virginians recanted from their emancipationist stance, they kept many of the same assumptions: that violence was an unfortunate feature of their society, and that both masters and slaves would be better off when the system relied on self-discipline and not compulsion. They also had difficulties to face the issue of family separations, which took place constantly owing to the existence of an intense and prosperous domestic slave trade. Similarly, the idea that all the evils of slavery were incidental, as some proslavery writers suggested, and not an inherent part of the system, amounted to a statement that slavery could take even the most ambitious reforms without serious risk. As a noted Presbyterian reformer asserted in the middle of the Civil War: “It is a great fallacy to suppose that any one of the true interests of slavery requires a violation of the laws of God.” Such statements, resting on the basis that slavery was an institution sanctioned by the Bible, disarmed opponents of amelioration by using their own concerns for legitimacy. But the implicit message was that southerners could, and must, do whatever was necessary to render slavery a truly Christian institution, no matter the destabilizing effects. Reformers thus proved to be quite adept at using the legitimacy concerns of proslavery men to forward their own goals.<sup>20</sup>

Looking at the subject of reform in this way allows a perspective in which the reform movements were not controlled by a small group of exceedingly wise and farsighted members of the elite, or by any class on its own and for its exclusive benefit. It

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<sup>20</sup> James A. Lyon, “Slavery and the Duties Growing Out of the Relation,” *Southern Presbyterian Review*, 16 (1863): 16.

also shows that slavery was challenged to some extent by people who stood and labored within the proslavery consensus.

To put it in a few phrases: this study argues that reform in Virginia had a similar social and ideological basis as the reform movement in the Northern states. Reform started as a moderate antislavery initiative which aimed at a gradual emancipation and colonization of the slaves, with the ultimate goal of attaining the social and economic progress that Virginians observed in the North. Reformers changed from this initial stance owing to internal resistance to change, abolitionist criticism, and the enormous practical difficulties of colonization. Then, from the late 1830s on, reformers saw more possibilities of attaining the progress they wanted in the adoption of ameliorative measures that would improve slavery itself. Although this shift reflected an accommodation with the social order, reform never became a mere tool of the slaveholding class, and until the day of emancipation it embodied a bewildering mixture of hegemonic and subversive elements.

It is important to point out here that an analysis of the implications of slavery reform goes beyond the actual purposes of the individual reformers. I take due note of personal intentions when they appear in the record, of course, but this happened only in a few cases. Beyond a few prominent figures, individual motivation will remain hidden forever, and it is better to focus our attention on the potential social effects of reform initiatives and their wider meaning for the established order. Therefore, the reader will not find here any detailed treatment of the life, or thought of individual reformers. Moreover, since this study also focuses on reformist attitudes loosely considered, some people do appear in it who, were they alive, would be surprised to know that they figure

here as “reformers.” People who signed a petition to get a reprieve for, say, an arsonist slave awaiting capital punishment, displayed a concern that can arguably be taken as reformist, even if they themselves did not perceive it in this way. In short, this study focuses on the overarching trends of reform, and its potential and actual effects on society. Reform is understood throughout the study as the sum of all the different initiatives of amelioration and rationalization of slavery, regardless of the fact that they were not incorporated into a single movement, or a single strand of reformist thought.

An additional point is in order: this study is primarily concerned with the ideology and behavior of the Virginia white community. This choice inevitably leaves out part of the picture, for most reformers aimed explicitly at ameliorating the living conditions of enslaved African-Americans, and their ultimate goal was to change society as a whole, white and black. Nevertheless, I believe that, in large measure, the reformist impulse fed on a preoccupation with the legitimacy of the slave system, or the lack of it, in the eyes of white beholders, at home and abroad. By the same token, the analysis of white attitudes and ideas opens insights into the moral quandaries and moderate forms of dissent reflected in the reform initiatives. This is not to say that white Virginians did not care about what their slaves thought; it means that they were more concerned with the legitimacy of their social system and that most of them did not expect the slaves to provide them with the moral reassurance they sought so eagerly.

This work is divided into five chapters, which are thematic in the main, but are also ordered in a rough progression from the beginnings of reform ideologies and initiatives in the late 1810s, to the end of slavery in 1865. The first chapter presents an analysis of the colonization movement. The cause of colonization in Africa embodied clearly many

of the reformers' attitudes and views during the 1820s and early 1830s. Colonizationists saw slavery as a deadweight slowing down Virginia in the race for progress, and they also thought of it as a hurdle on the way toward a more virtuous, educated, and orderly society. The main force behind the colonization movement thus sought to pave the way for gradual emancipation.

After the antiabolitionist panic of 1835, however, due to a complex combination of factors, it became clear that colonization would not work as expected and that slavery was not going to be eradicated, at least in the foreseeable future. Therefore, reformers had to look for other ways to effect the changes they desired in their society. Chapter II portrays this transition: the shift of reform from gradual emancipation to ameliorative measures. The main characters in this transition were clergymen who had participated in the colonization movement, and shared the same dislike of slavery and the same visions of social progress. The chapter shows how they adapted to the rise of proslavery opinion, and how the reformist impulse passed from colonization to evangelization after 1835. Crucial in this process, I suggest, was the clergymen's focus on slave "elevation." The attempt at uplifting the slaves through religion had been compatible with colonization, but given that its chief goal was "improving" the character of the slave, it became the handiest way to improve slavery itself. As colonization lost adherents and prospects of feasibility, advocates of evangelization proposed a way to change Virginia society *with* the slaves, to attain the moral, social and economic progress desired by many Virginians without emancipation.

Chapter III portrays the problems and limitations clergymen-reformers had to face after they joined the proslavery consensus and adopted the role of shapers of the

slaveholding ethic. Such limitations are apparent in the failure of the churches to protect the slaves from family separations and excessive punishment; and also in their compliance with the laws that banned the teaching of literacy skills to the slaves. Nevertheless, this chapter also attempts an assessment of the ideological leverage obtained by clergymen in exchange for their conformity. In other words, through their compliance, reformers accomplished the incorporation of the reform agenda and reformist assumptions into the mainstream of the proslavery consensus.

Another manifestation of the reformist impulse is found in the evolution of the penal policy toward the slaves, where humanitarian and legitimacy concerns determined a gradual softening of the punishments. This evolution is analyzed in chapter IV. Even without an organized movement against the death penalty, local officials and communities in Virginia pursued consistently the policy of reserving it only for the gravest offenses. In this effort, they generally counted with the aid of the governor, who granted commutations to lighter sentences quite liberally. Legal reforms aiming at a fairer procedural treatment of slaves in court, and at more humane ways to deal with convicted slaves, have provided one of the main buttresses of the hegemonic interpretation. This chapter takes evidence from trials and sentences to ask whether penal reforms did actually benefit the social order.

The last chapter follows reform efforts into the Confederacy. This chapter examines how the context of the Civil War strengthened the arguments and the position of reformers, and it also attempts an informed speculation about the effects of reform, had they been implemented, and the future of slavery. Although speculation is never based on

hard facts, such an exercise allows insight into the volatile character of reform, and its potential for both subversion and social continuity.

## CHAPTER I

### REFORMING VIRGINIA OUT OF SLAVERY: THE COLONIZATION MOVEMENT

Throughout the last quarter of the eighteenth century, opinions about slavery in Virginia, and the actual working of the institution itself, were in a state of flux. The ideology and rhetoric of the Revolution, with its constant invocation of natural, inalienable rights, had combined with the disruptions of the war and lower slave prices to render uncertain the future prospects of bondage. Slavery had become a “problem,” something that educated and articulate Virginians no longer took for granted as a normal feature of life; rather, slavery would be increasingly subjected to a constant scrutiny in all its moral, religious, social, and economic implications.<sup>1</sup>

A significant manifestation of this uncertainty was a surge of private manumissions. For the last 50 years of the colonial period, Virginia law had forbidden masters to free their slaves. In 1782, however, the state legislature lifted the ban and slaveholders were given unrestricted freedom to dispose of their human property. From that moment to the first years of the nineteenth century, hundreds of masters emancipated their bondservants, causing a dramatic rise in the number of free blacks: from a mere 1,800 in 1782, they climbed to 30,570 by 1810, a full 7.2 percent of the whole black population of

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<sup>1</sup> David Brion Davis, *The Problem of Slavery in Western Culture* (Ithaca: Cornell University Press, 1966), 291-445; Davis, *The Problem of Slavery in the Age of Revolution 1770-1823* (Ithaca: Cornell University Press, 1975), *passim*; Davis, *Inhuman Bondage: the Rise and Fall of Slavery in the New World* (New York: Oxford University Press, 2006), 141-156.

Virginia.<sup>2</sup> The motives behind this wave of emancipations are difficult to ascertain, and the notion that it was the outcome of an antislavery impulse nurtured by a mixture of enlightened thought, revolutionary enthusiasm, and Christian fervor, has been increasingly put into question. Some historians have argued that the testamentary emancipation of a few “favorites” accounted for a large proportion of the total number of manumissions; that among those slaves emancipated by deed, many gained their freedom through self-purchase or as a reward for faithful services—with no recognition whatever from the emancipator that holding slaves was wrong; that despite a depressed tobacco economy slaves remained a quite profitable possession throughout the period; and, in short, that most Virginians in the early republic never really envisioned a future without slavery.<sup>3</sup>

These views have helped to demolish a glorifying and rosy view of the Revolution and the role of the Founding Fathers, and have contributed to our understanding of the revolutionary process as a complicated phenomenon, with important regional variations, and with both liberating and conservative effects. Nonetheless, it would be wrong to deny that the Revolution and its complex consequences provoked a change in the

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<sup>2</sup> Ira Berlin, *Slaves without Masters. The Free Negro in the Antebellum South* (New York: Oxford University Press, 1974), 26-31, figures in 46-47.

<sup>3</sup> Perhaps the most conspicuous exponent of this position is Robert McColley, *Slavery and Jeffersonian Virginia* (Urbana: University of Illinois Press, 1964). See also Fredrika Teute Schmidt and Barbara Ripel Wilhelm, “Early Proslavery Petitions in Virginia,” *William and Mary Quarterly*, 3<sup>rd</sup> Ser., 30 (1973): 133-146; Richard S. Dunn, “Black Society in the Chesapeake, 1776-1810,” in Ira Berlin and Ronald Hoffman, eds., *Slavery and Freedom in the Age of the American Revolution* (Charlottesville: University Press of Virginia, 1983); Thomas D. Morris, *Southern Slavery and the Law, 1619-1860* (Chapel Hill: University of North Carolina Press, 1996), 392-399; Eva Shepard, “The Question of Emancipation in Virginia from the Revolution to the Slavery Debate of 1832” (Ph. D. dissertation, Harvard University, 2000), 139-165. For a useful assessment of recent literature on these issues see, Douglas R. Egerton, “Black Independent Struggles and the Tale of Two Revolutions: A Review Essay,” *Journal of Southern History*, 64 (1998): 95-116.



perceptions of slavery, and that many Virginians had begun to doubt its being right—or at least to realize that it was not as easy to justify it as it once had been.<sup>4</sup>

The rise in private manumissions was of course an effect of that change in perception, but it was not the only manifestation of discomfort with the ideological inconsistency of white freedom in the midst of black slavery. Antislavery ideas were expressed more or less openly by many prominent and influential Virginians. Before the Revolution, Virginia had been the biggest, most populated, and most powerful of the British colonies in North America, and its elite included a cadre of enlightened planters who could listen receptively to the new currents of European thought. These men found persuasive the critique of slavery as a hurdle in the way of human progress, and thus developed a dislike of bondage, or at least an ambivalent attitude toward it. Being among the main actors in the revolutionary process and in the creation of the new national government, men like Washington, Jefferson and Madison believed they were standing at the dawn of a new era of human accomplishment, in which such a backward and barbaric institution as slavery should have no place. Similarly, enlightened Virginians, such as St. George Tucker, Ferdinando Fairfax, and Jefferson himself, devoted considerable effort to devise a feasible scheme of gradual emancipation that could win the approval of their

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<sup>4</sup> Davis, *Problem of Slavery in the Age of Revolution*; Davis, *Inhuman Bondage*, 141-156; Berlin, *Slaves without Masters*, 26-31. Douglas R. Egerton, *Gabriel's Rebellion. The Virginia Slave Conspiracies of 1800 and 1802* (Chapel Hill: University of North Carolina Press, 1993); Ira Berlin, *Many Thousands Gone: The First Two Centuries of Slavery in North America* (Cambridge: Belknap Press of Harvard University Press, 1998), 256-289; Winthrop Jordan, *White over Black: American Attitudes toward the Negro, 1550-1812* (Chapel Hill: University of North Carolina Press/ Institute for Early American History and Culture, 1968), 365-372.

slaveholding peers—all of them with particular emphasis on the colonization of the freedmen in a distant land.<sup>5</sup>

On the other hand, as Edmund Morgan compellingly argued many years ago, slavery might have actually fostered the adoption of republican principles and institutions in eighteenth-century Virginia. Republicanism had found fertile ground in a society in which human bondage cushioned class conflict between the free groups of the population, and the elites had found it feasible to advocate white egalitarianism and the extension of political rights to small white landholders because almost all the desperately poor were enslaved and of a different race.<sup>6</sup> But even if this was so, after the Revolution most white Virginians were either unwilling to acknowledge, or more likely unaware, that their liberties rested on the brutal oppression of blacks. Most of those who rose to defend slavery in the 1780s and 1790s preferred to take a stand for abstract property rights, which figured prominently among the freedoms that the Revolution should guarantee, and which happened to include the property in human beings.<sup>7</sup>

In any case, the closing years of the eighteenth century brought about the ebb of revolutionary enthusiasm. The growth of the free-black caste after twenty years of unchecked private manumissions provoked very negative responses from conservative slaveholders, who feared the “dangerous” influence of the freedmen over their slaves and

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<sup>5</sup> St. George Tucker, *A Dissertation on Slavery: with a Proposal for the Gradual Abolition of it, in the State of Virginia* (Philadelphia: printed for Mathew Carey, 1796); Thomas Jefferson, *Notes on the State of Virginia* (Chapel Hill: University of North Carolina Press, 1954), 137-138; Henry N. Sherwood, “Early Negro Deportation Projects,” *Mississippi Valley Historical Review*, 2 (1916): 490-491.

<sup>6</sup> Edmund S. Morgan, *American Slavery, American Freedom: The Ordeal of Colonial Virginia* (New York: Norton, 1975).

<sup>7</sup> Schmidt and Wilhelm, “Early Proslavery Petitions,” 138-139. The petitions reproduced in this article also adduced that there was an explicit sanction of slavery in the Bible. Such arguments sought to respond to other petitions in favor of general emancipation addressed to the House of Delegates by the Methodists in 1785. 134-136.

their potential to do mischief and create disorder. In addition, the slave rebellion in Saint Domingue and its development into a full scale revolution elicited an intense fear of subversion. The possibility of a similar occurrence in Virginia chilled the blood of whites, and the subsequent arrival of French refugees with their slaves from the war-torn island only worsened their apprehensions; nobody could be sure that the francophone blacks were not “infected” with dangerous doctrines and willing to spread them among local slaves. Moreover, the presence of a multitude of recently freed and unsupervised blacks, who would be supposedly ready to join their enslaved brethren in any attempt at revolt, further increased the perception of imminent danger in the eyes of whites. The Gabriel plot of 1800 gave a decisive impulse to this change in attitudes. Organized by a quasi-free slave in Richmond, and allegedly involving hundreds of bondmen spread over several tidewater towns, this frustrated rebellion made Virginians believe that they had indulged too freely in leniency and liberal rhetoric, and that they needed more stringent controls over slaves and free blacks. Given that a couple of free blacks had collaborated in the plot, the view of that group as a constant threat to white security took firm hold.<sup>8</sup>

In the aftermath of the thwarted revolt, white citizens addressed the General Assembly urging the legislators to do something to stop the growth of this “anomalous” class. In one petition, after making explicit reference to the “scenes of destruction” in Saint Domingue, the subscribers said: “...we can calculate nothing on their [the free blacks] friendship; on the contrary we may reasonably presume that they will perpetually progress in the rational spirit of liberty, & eventually claim priviledges[sic] which they enjoy not, and which our laws we hope will forever prohibit them the exercise of.

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<sup>8</sup> Egerton, *Gabriel's Rebellion*; Jordan, *White over Black*, 375-402; Ira Berlin uses the word “infected,” *Slaves without Masters*, 40.

Already we hear of discontent among them... With such a population we are forever on the watch.” The signers concluded with a strong suggestion to have the law allowing emancipations repealed.<sup>9</sup>

The fact that even St. George Tucker would dread the presence of a numerous free black population as a dangerous banditti shows the inability of the most enlightened Virginians to find a satisfactory solution to the problem of what to do with the slaves once they were freed. In this frame of mind, the combined effect of the Gabriel conspiracy and the successful revolution in Saint Domingue only served to confirm whites in their suspicion that any attempt at sudden emancipation was bound to result in violence, social turmoil, and economic ruin; without the heavy yoke of slavery, blacks would be unable to restrain themselves, becoming indolent and yielding to their supposed criminal proclivities.<sup>10</sup>

The fears of subversion also inspired the first serious probing of the colonization alternative. In the legislative session following Gabriel’s conspiracy, the General Assembly instructed Governor James Monroe to correspond with the president and request his help in finding a suitable territory “whither persons obnoxious to the laws or dangerous to the peace of society may be removed.” The resolution ostensibly sought the establishment of a penal colony for disaffected slaves, but its language was quite ambiguous. In sending it to the federal executive, however, Monroe annexed a letter in which he insinuated that the actual goal of the legislators was to find a territory to settle

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<sup>9</sup> Petition from Petersburg, December, 1805; see also Petition from King and Queen County, December, 1800, #11680003, both in *Race, Slavery, and Free Blacks: Petitions to Southern Legislatures, 1777-1867*, edited by Loren Schweninger, (Bethesda, MD: University Publications of America, 1998 [microfilm]), #11680507, #11680003; hereinafter cited as PSL, and the accession number.

<sup>10</sup> St. George Tucker, *A Dissertation on Slavery*, 76-82.

not just slave rebels but also free blacks. Jefferson, who had just moved into the White House, liked the proposal and promised his support, although he expressed weighty objections to the idea of looking for such a territory within the United States, and also asked for a clearer statement of objectives on the part of Virginia legislators. One year later, the General Assembly issued another resolution, this time stating more clearly what they had in mind. A second slave conspiracy had been nipped in the bud right before the legislators met in Richmond, and this might have prodded them to use more decisive language: the “place of asylum” would be located preferably in Africa, and it would not receive common criminals, but slaves guilty of “conspiracy, insurgency, treason, and rebellion,” and also “free negroes or mulattoes, and such negroes or mulattoes as may be emancipated.”<sup>11</sup> Jefferson suggested Sierra Leone as the most suitable place for such purposes. After all, many loyalist slaves from the Old Dominion had been taken there by the English after the Revolution. After making enquiries through the American minister in London, however, it turned out that the colony was in a state of bankruptcy and disorder, and in no condition to receive more migrants. This setback and an increasingly conflictive international scene soon interrupted the search for an alternative destination. The renewal of hostilities between England and France soon engrossed Jefferson’s attention, and started the train of events that would eventually drag the United States into another war with Britain.<sup>12</sup>

In the meantime, the net result of the growing white animosity toward free blacks at the turn of the nineteenth century was the enactment of an indirect restriction to the

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<sup>11</sup> The quoted resolutions, and the correspondence between Jefferson and Monroe are reproduced in Philip Slaughter, *The Virginian History of African Colonization* (1855; Freeport, NY: Books for Libraries Press, 1970), 1-5.

<sup>12</sup> Egerton, *Gabriel’s Rebellion*, 160-161.

slaveowners' power of manumission. In the session of 1805, the General Assembly passed a law prohibiting slaves freed after May, 1806, to remain in the state for more than twelve months after their manumission. The punishment for freedmen and -women emancipated after that date who failed to leave was sale back into slavery in public auction for the benefit of the literary fund. Although deploring the presence of free blacks, most legislators were unwilling to revoke completely the prerogative of masters to emancipate their slaves—as a group of proslavery delegates had proposed. Instead, they opted for an indirect way to curtail that freedom, a middle measure for which enough votes could be attained.<sup>13</sup> The law discouraged many potential emancipators, who now could have reasons to doubt that their slaves would actually benefit from receiving their freedom, but it did not stop manumissions, and the number of illegal free black residents would increase year after year in Virginia.

In the end, slavery was stronger in 1805 than it had been throughout the preceding twenty years. The obstacles to its eradication in the states south of Pennsylvania looked far more daunting than they had seemed in the 1780s, and slavery had also begun a process of expansion as a result of big territorial acquisitions in the Old Southwest. A growing interstate slave trade offered troubled masters a very profitable—and therefore tempting—alternative to manumission. Nevertheless, antislavery rhetoric and activity in the Early Republic, even if tepid and ultimately ineffectual, left to antebellum Virginians of a reformist bent the notion that if the problem of free blacks could be solved, then troubled masters would be finally able act on their emancipationist wishes.

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<sup>13</sup> The law can be found in Samuel Shepherd, *The Statutes at Large of Virginia*, 3 vols. (Richmond: Samuel Shepherd, 1835), 3: 252 ; a lucid analysis of the context and import of this restriction to private manumission in Alison Goodyear Freehling, *Drift toward Dissolution: The Virginia Slavery Debate of 1831-1832* (Baton Rouge: Louisiana State University Press, 1982), 114-117; see also John H. Russell, *The Free Negro in Virginia 1619-1865* (1913; New York: Dover Publications, 1969), 65-71.

## II

The end of the war with England in 1815 brought renewed interest in colonization. In 1816, Charles Fenton Mercer, a young Virginia politician of Federalist background, learned with surprise of the correspondence exchanged between Jefferson and Monroe relative to the creation of a haven for Virginia free blacks in Africa. Mercer thought the idea had a promising potential and introduced an initiative to revive the plan in the Virginia House of Delegates. He also traveled around the middle states to gather support for the project, enlisting a group of influential lawyers, clergymen, and politicians. Months later, in December of 1816, “a hodgepodge of southern modernizers, Jeffersonian vacillators, northern evangelicals, and even a few proslavery planters” to use Eric Burin’s felicitous phrase, assembled in Washington, D. C. and founded the American Society for Colonizing the Free People of Color of the United States, which would later take its better known name: American Colonization Society (ACS). The first meeting of the society was a big event in the official circles of the federal capital. The founders wanted to enroll well known political figures, whose names and prestige would undoubtedly benefit the newborn project. In this they were successful: Henry Clay and Andrew Jackson, among other prominent men, became vice-presidents of the new society, while the presidency went to Bushrod Washington, a U. S. Supreme Court Justice and nephew of George Washington.<sup>14</sup>

In the act of foundation the creators of the ACS stated solemnly that they would refrain from tampering with the rights of masters who wanted to keep their slaves. From

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<sup>14</sup> Douglas R. Egerton, “‘It’s Origin is not a Little Curious:’ A New Look at the American Colonization Society,” *Journal of the Early Republic*, 5 (1985): 463-480; P. J. Staudenraus, *The African Colonization Movement 1816-1865* (1961; New York: Octagon Books, 1980), 27-31; Eric Burin, *Slavery and the Peculiar Solution: A History of the American Colonization Society* (Gainesville: University Press of Florida, 2005), 13-14, 18 (quotation).

that moment on, the Society tried to strike a middle ground for moderate reformers, denouncing the extremes of both irresponsible abolitionists who wanted a deliverance from the evil regardless of the consequences, and of social retrogrades who were content with things as they were and wanted to do nothing to eradicate slavery. Virginia colonizationists were moderate indeed, but the ACS gravitated toward an antislavery position from the beginning, a cast clearly reflected in its rhetoric, its operations, and its ultimate goals. Colonizationists averred constantly that they would not interfere directly in the master slave relationship, and that they would rid the state of a dangerous class; they even joined the most recalcitrant slaveholders in denouncing the supposedly noxious presence of the free black caste in the most acerbic terms; but they never stopped calling slavery an evil, or expressing their hopes that it would disappear one day. Nor did they ever deny the purpose of exerting a moral influence on slaveholders, and of providing all those who wanted to emancipate with a safe and convenient way to do it.<sup>15</sup>

In part, this stance found its roots in residual antislavery attitudes and ideas dating from the Revolution and the first decades of the republic, but the antislavery mentality of the colonizationists owed most of its vigor to the religious ferment of the Second Great Awakening and to the surge of reformist zeal that took over the United States in the first decades of the nineteenth century. The spread and intensification of evangelical religion and the compatibility of the values it promoted with the needs of a society going through momentous economic and social transformations, brought about a swell of activity for the improvement of man and the world. As the growth of markets and production was

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<sup>15</sup> Slaughter, *Virginian History*, 11-13; Staudenraus, *The African Colonization Movement*, 106-110, 112-113; Burin, *Slavery and the Peculiar Solution*, 34-36; William W. Freehling, *The Reintegration of American History: Slavery and the Civil War* (New York Oxford University Press, 1994), 138-157. *Controversy between Caius Gracchus and Opimius, in Reference to the American Society for Colonizing the Free People of Colour of the United States* (Georgetown, D. C.: James Dunn, 1827) 46-49.



revolutionizing social relations, values such as sobriety, thrift, hard work, self-control, and moral responsibility, became the pillars of a moral vision that aimed at remaking society according to the principles of the rising middle class.

Virginia was permeated by these trends, and it proved to be fertile ground for the development of intense benevolent activities: many men and women in the state lent enthusiastic support to the causes of education and shelter for orphans, relief for the poor, and temperance. Likewise, the big national benevolent organizations, such as the American Bible Society, the American Tract Society, and the American Education Society, counted with considerable support in the form of numerous local affiliates. The appeals of the colonization movement also found very receptive ears: throughout the 1820s auxiliaries of the ACS were organized in most cities and big towns of the state, and in many rural counties as well.<sup>16</sup>

Viewing the colonization project as an integral part of the same general reform movement brings into relief the fact that colonization in Virginia, to a considerable extent, was inspired by the same cultural and social assumptions that sustained other reformist ventures, and it also attracted the same kind of people. A detailed analysis of the social profile of colonization advocates goes beyond the scope of this study, but the available information suggests that a good proportion of its leadership and constituency was composed of elite and middle class individuals who wished to introduce more order and morality in society; who thought that engaging in benevolent activities would certainly further that end; who saw the development of a market economy and its

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<sup>16</sup> Elizabeth R. Varon, *We Mean to be Counted: White Women and Politics in Antebellum Virginia* (Chapel Hill: University of North Carolina Press, 1998), 10-40; Suzanne Lebsock, *The Free Women of Petersburg: Status and Culture in a Southern Town, 1784-1860* (New York: Norton, 1984); for temperance see C. C. Pearson and J. Edwin Hendricks, *Liquor and Antiliquor in Virginia 1619-1919* (Durham: Duke University Press, 1967). For a list of the auxiliaries of the ACS in Virginia see Slaughter, *Virginian History*, 11-13.

concomitant reordering of social relations as a sign of progress; and who tended to regret the presence of blacks—free and slave—in American soil, generally looking at slavery as a necessary evil which could be gradually eradicated, or at least be tempered in its worst features.<sup>17</sup>

In sum, the colonization cause in Virginia drew considerable strength from groups that extolled a social vision based on order, morality, and improvement, and who looked to the North as the model to follow. As colonizationist George W. P. Custis put it, in the North the “labour and economy of a virtuous and hardy population” had brought about the miraculous improvement of a land that naturally was not as bountiful as the South’s. The land had been “fertilized by the sweat that falls from a freeman’s brow,” and the “benefits of education” and “the beauty of moral habits” were noticeable everywhere. Virginia, on the other hand, although in a “region more blessed by haven,” was “falling from her once high degree.” In the Old Dominion, and in all the slave states, “improvement, prosperity, and happiness,” seemed to “drag ... like a wounded snake.”<sup>18</sup> Thus, a strong desire to modernize the state along capitalist lines figured prominently in the Virginia colonization movement. For many of its supporters, colonization seemed a good way to push the Old Dominion onto the track to economic development. Some among these modernizers were willing to experiment with gradual abolition—always

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<sup>17</sup> Marie Tyler McGraw, “The American Colonization Society in Virginia 1816-1832: A Case Study in Southern Liberalism” (Ph. D. dissertation, George Washington University, 1980), 99-133; Varon, *We Mean to Be Counted*, 41-70; Douglas R. Egerton, *Rebels, Reformers, & Revolutionaries: Collected Essays and Second Thoughts* (New York: Routledge, 2002), 148-159; George M. Fredrickson, *The Black Image in the White Mind; the Debate on Afro-American Character and Destiny, 1817-1914* (New York: Harper and Row, 1971), chapter 1. For the desire to eliminate blacks from American society, see Lacy K. Ford, Jr., “Making the ‘White Man’s Country’ White: Race, Slavery and State-Building in the Jacksonian South,” *Journal of the Early Republic*, 19 (1999): 712-737; and William W. Freehling, *The Road to Disunion. Volume I: Secessionists at Bay, 1776-1854* (New York: Oxford University Press, 1990), *passim*.

<sup>18</sup> George W. P. Custis, “Cayenne,” *African Repository and Colonial Journal*, I (1825): 38-39. These ideas are further documented in the following pages.

conditional on the colonization of the freedmen—if that could contribute to close the growing gap that separated their state with the North.

Charles Fenton Mercer, one of the founders of the ACS, once confided to a friend his belief that “the greatest of all internal improvements, would be to rid our otherwise lovely and favored country of the black race, both bond and free.” Mercer’s opinion was revealing of the perspective from which many Virginians saw colonization. He spoke for those who thought that blacks were a hindrance for the development of the state’s economy and that the magnitude of the task of removing them required government aid, as it was the case with other internal improvements. Since the moment of its founding, the ACS was closely linked to people who envisioned the future of the United States as a highly diversified and buoyant commercial and manufacturing economy, and who understood the role of the government as a promoter of general prosperity.<sup>19</sup> As it is well known, Henry Clay, the proponent of the American System, was a vice-president of the ACS and always spoke favorably of its goals. Many National Republicans, who would eventually join the Whig party, advocated colonization on a strange mixture of economic, racist and humanitarian grounds. They did not sympathize at all with radical abolitionism, but throughout the 1820s and 1830s many of them suggested that, if successful with free blacks, the colonization experiment should be extended to slaves.

In Virginia, colonization received the support of those who wanted to diversify the economy of the state through the introduction of new agricultural practices and

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<sup>19</sup> Charles Fenton Mercer to William M. Blackford, December 18, 1828. Blackford Family Papers, box 1, Southern Historical Collection, University of North Carolina at Chapel Hill, hereinafter cited as SHC; Douglas R. Egerton, “‘It’s Origin is not a Little Curious’: A New Look at the American Colonization Society,” *Journal of the Early Republic*, 5(1985): 463-480; Egerton, *Rebels, Reformers, & Revolutionaries*, 147-159; Daniel Walker Howe, *The Political Culture of the American Whigs* (Chicago: University of Chicago Press, 1979), *passim*.

manufacturing establishments, and especially through the construction of works of infrastructure, such as railroads and canals. A close analysis of the Loudoun County auxiliary society in 1821, for instance, reveals that the membership was dominated by a coalition of federalist planters, business and professional men, and Quakers, all of them interested in trade, banks, and projects of internal improvements.<sup>20</sup> In Fredericksburg, William M. Blackford was a prominent advocate of colonization and also the editor of the National Republican newspaper of the town. Blackford used the columns of the *Political Arena* to give favorable publicity to colonization, and to argue for internal improvements and the development of manufactures in the state.<sup>21</sup> The same can be said of Robert Toler of Lynchburg, who was the secretary of the local auxiliary of the ACS and later editor of one of the most important Whig papers of the state, the *Lynchburg Virginian*.<sup>22</sup> These examples are suggestive of the outlook of many colonizationists. Just as these groups wanted to have a good network of communications, bigger markets for more goods and more prosperity, they wanted to do something about the black “problem” in Virginia.

Why did they perceive free blacks and slaves as such a big problem for the state’s economic prospects? As noted in the introduction, a salient feature of the reformist mentality in the 1820s and 1830s was an unshakeable belief in the power of ambition to imbue habits of hard work and discipline in the individual, who in following his drive for

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<sup>20</sup> Marie Tyler McGraw, “The American Colonization Society in Virginia,” 99-133.

<sup>21</sup> See R. R. Gurley to William M. Blackford, March 22, 1829, Blackford Family Papers, SHC; Blackford, “Address before the Auxiliary Colonization Society of Fredericksburg, Virginia,” *African Repository and Colonial Journal*, IV (1828): 73-76. See also the editorials in the *Political Arena*, September 12, 1828; October 10, 1828; January 9, 1829; August 5, 1831.

<sup>22</sup> Slaughter, *Virginian History*, 13; Robert H. Toler to Ralph R. Gurley, Lynchburg, August 22, 1833, Records of the American Colonization Society, Washington, Library of Congress (microfilm).

material gain, and in combination with his many competitors, generated a chain effect, creating wealth and general prosperity. “*Self* is the great spring of human action—the great lever that operates on man,” asserted a member of the House of Delegates in a speech against slavery, and this “all powerful motive of action,” was completely absent in the slave, for his self-interest was in direct conflict with that of his master.

Bondservants worked only under compulsion and lacked any incentive for exertion, so they performed slowly and poorly. In addition, they degraded manual labor and discouraged white workers to engage in useful trades. Slavery also directed most of the available capital to agriculture, preventing the development of manufactures and urban growth; it afforded masters excessive leisure, exposing them to the temptation of a licentious and indolent life; and it kept the majority of the population trapped in rural backwardness, without ready access to market—and therefore no incentive to more exertion than that required for a basic self-subsistence—and few educational opportunities. Once the most powerful and densely populated state in the Union, by 1830 the Old Dominion had been already surpassed by New York and Pennsylvania, and Ohio was getting close. Slavery seemed to be the primary cause of this decline.<sup>23</sup>

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<sup>23</sup> *The Speeches of Philip A. Bolling (of Buckingham,) in the House of Delegates of Virginia, on the Policy of the State in Relation to her Colored Population, 1832.* (Richmond: Thomas W. White, 1832), 11-12; James Raymond, “A Prize Essay on the Comparative Economy of Free and Slave Labor in Agriculture,” *African Repository and Colonial Journal*, III (1827): 97-110; “Some of the Evils of Slave Labor, and the Decline of Lands in many of the Early Settled Parts of Virginia,” *Richmond Enquirer*, November 4, 1831; Mathew Cary, *Letters on the Colonization Society: with a View to its Probable Results addressed to C. F. Mercer* (Philadelphia: Young, 1832); *Controversy between Caius Gracchus and Opimius*, 54-56. Of course, many of these ideas derived from Adam Smith’s political economy. See Laurence Shore, *Southern Capitalists: the Ideological Leadership of an Elite, 1832-1885* (Chapel Hill: University of North Carolina Press, 1986), chapter 1. Jonathan Daniel Wells argues that by the 1850s most southerners interested in progress had renounced their former beliefs in the incompatibility of slavery and modernization, and had come to see slave labor as advantageous for industrialization and urbanization. See *The Origins of the Southern Middle Class 1800-1861* (Chapel Hill: University of North Carolina Press, 2004), 179-183. I deal with this subject in the following chapter.

On the other hand, the economic grounds to oppose the presence of free blacks in the state seldom went beyond the ambiguous and oft-repeated claim that they were a parasitic and indolent class that contributed nothing to the wealth of the community. Occasionally, the legislature received a memorial complaining over the competition of free blacks in the skilled trades, which white craftsmen wanted to keep for them in some places. In Norfolk, particularly, a depressed economy pitted white immigrant workers against free black tradesmen. But such manifestations were infrequent, and by the 1850s many whites recognized openly that the labor of free blacks had become indispensable to the state economy.<sup>24</sup>

Therefore, the interest of the reformers in free blacks derived in greater measure from the realization that they represented the decisive trial of the colonization project: if Virginia was to catch up in the race of progress and diminish its dependence on slave labor, then it was necessary to prove that freed slaves could be sent to Africa. This ideological strain thus viewed colonization as the beginning of a process of overall reform, which would culminate, albeit slowly and with the least disruption possible, in the emancipation of most of the slaves.<sup>25</sup>

The ideas of the colonizationists received perhaps their most articulate expression during the famous debate over the future of slavery in the Virginia legislature. The revolt headed by the slave Nat Turner in Southampton County in August of 1831 sent a shockwave of fear through eastern Virginia. The slave rebels took the lives of nearly

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<sup>24</sup> See, for instance, Petition from Culpeper County, December, 1831, PSL, #11683115; Tommy L. Bogger, *Free Blacks in Norfolk, Virginia, 1790-1860: the Darker Side of Freedom* (Charlottesville: University Press of Virginia, 1997); Luther P. Jackson, *Free Negro Labor and Property Holding in Virginia, 1830-1860* (New York: D. Appleton-Century, 1942), 62-66; John H. Russell, *The Free Negro in Virginia 1619-1865* (1913; New York: Dover Publications, 1969), 152-155.

<sup>25</sup> Mason L. Weems to William H. Brodnax, enclosed to petition from Prince William County, December, 1831, PSL, # 11683110. *The African Repository and Colonial Journal*, I (1825): 38-39.

sixty whites, many of them women and children. In retaliation, whites killed an unknown number of blacks, bond and free, besides the more than thirty slaves executed after trial for their involvement in the revolt.<sup>26</sup>

The revolt brought to public attention the issue of the place of blacks in the Old Dominion, both slave and free, and also of the kind of future Virginians wanted for their state. Even before the delegates met in Richmond that December for the beginning of the legislative session, groups of citizens throughout the state had composed and signed a number of petitions asking their representatives to do something. Some of them suggested that measures should be taken immediately to start a program of gradual emancipation tied to colonization; others—the majority—urged the legislature to lend its support to colonization as a way to get rid of free blacks. Nevertheless, the openness with which people in all parts of the state and the main newspapers talked about emancipation and other ways to weaken the institution, or at least lessen the number of slaves, seemed to indicate that the moment was ripe to argue for decisive measures.<sup>27</sup>

The better part of the debate turned around the question of whether the legislature should take immediate steps against slavery, such as the enactment of some kind of

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<sup>26</sup> The best analysis of the debate is still Freehling, *Drift toward Dissolution*. For the Nat Turner revolt see Stephen Oates, *The Fires of Jubilee: Nat Turner's Fierce Rebellion* (New York: Harper & Row, 1990), and Henry Irving Tragle, *The Southampton Slave Revolt of 1831: a Compilation of Source Material* (New York: Vintage Books, 1973).

<sup>27</sup> Petitions requesting the legislature to take steps in the direction of gradual abolition: Petition from Augusta County, 1831, #11683125; Petition from Prince William County, December, 1831, #11683110; Petition from Buckingham County, December 1831, #11683111; Petition from Charles City County, November, 1831, #11683112; Petition from Hanover County, December, 1831, #11683117; all in PSL. Petitions in favor of state support to the colonization of free blacks: Petition from Northampton County, December, 1831, #11683101; Petition from Nansemond County, December, 1831, #11683102; Petition from James City County, December, 1831, #11683105; Petition from Richmond City, December, 1831, #11683107; Petition from Goochland County, December 1831, #11683113; petition from Westmoreland County, December 1831, #11683117; Petition from Isle of Wight County, December, 1831, #11683121; Petition from Surry County, January, 1832, #11683201; Petition from Northumberland County, January, 1832, #11683207; Petition from Fauquier County, February, 1832, #11683211; all in PSL.

scheme of gradual emancipation, or wait for a more propitious moment and do nothing for the time being. Those who favored some kind of legislative action took pains to portray in bright colors the deleterious effects of slavery on the state's economy. Thomas Marshall, son of Chief Justice John Marshall, explained forcefully why slavery was a wrongheaded system:

[Slavery] is ruinous to the whites—retards improvements—roots out an industrious population—banishes the yeomanry of the country—deprives the spinner, the weaver, the smith, the shoemaker, the carpenter, of employment and support ... There is no diversity of occupations, no incentive to enterprise. Labor of every species is disreputable because performed mostly by slaves. Our towns are stationary, our villages almost everywhere declining, and the general aspect of the country marks the curse of a wasteful, idle, reckless population ... Public improvements are neglected, and the entire continent does not present a region for which nature has done so much and art so little.<sup>28</sup>

Blaming slavery for the declining fortunes of Virginia in very similar terms became a common argument for the advocates of reform during the debates. The indictment was often accompanied by a comparison of the South with the North, bringing into relief the stark differences in economic performance, population increase, immigration, rates of literacy, urban growth, and education, all of it pointing to the conclusion that the South was stagnant and constantly losing ground to its northern counterpart. The case of Kentucky and Ohio provided perhaps the most appropriate illustration: both states had been settled roughly at the same time and had similar natural advantages, yet Ohio had become an economic powerhouse and a magnet for immigration, while Kentucky had fallen far behind both in population and wealth. What, if not slavery, could account for the contrast? Slavery was at odds with material and social progress. As delegate Henry

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<sup>28</sup> *The Speech of Thomas Marshall, (of Fauquier) in the House of Delegates of Virginia, on the Policy of the State in Relation to her Colored Population: Delivered Saturday, January 13, 1832* (Richmond: Thomas W. White, 1832), 6.



Berry put it in a rather succinct way, whereas the slaves had no “stimulus ... to work, other than the lash,” in a free society “every individual in the community is stimulated by a desire to become wealthy, distinguished, independent, and powerful.” By the same token, Philip Bolling, a delegate from Buckingham County, concluded that “no labor, induced alone by fear, could be ... calculated to advance the happiness and prosperity of any society.” In this manner, Virginians could rival with any northerner in the pungency of their economic critiques of slavery, at least in the early 1830s.<sup>29</sup>

Besides political economy, the reformers also devoted a good deal of attention to the issue of how to keep the white population safe from future slave insurrections. From the start, orators of the reformist camp painted a very gloomy picture of Virginia’s future. Owing to the superiority of whites in numbers and resources, they granted that every attempt at rebellion would be crushed sooner or later. But even if only a few white lives were lost—and how many were “few” was a difficult question—a couple of rebellions could suffice to shatter completely the sense of security and peace of the whole white community, and swell the wave of white migration out of the state. Moreover, the demographic makeup of the state was constantly changing, and the day could be near when Virginia whites would find themselves in the minority. The census of 1830 showed a steep increase of the black population and a very low rate of growth for whites. If this

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<sup>29</sup> Speech of Summers, *Richmond Enquirer*, February 16, 1832; Speech of Brodnax, *Ibid.*, January 24, 1832; *The Speech of Charles Jas. Faulkner, (of Berkeley) in the House of Delegates of Virginia, on the Policy of the State with Respect to her Slave Population. Delivered January 20, 1832* (Richmond: Thomas W. White, 1832), 17, 20; *Speech of James M’Dowell, Jr. (of Rockbridge,) in the House of Delegates of Virginia, on the Slave Question: Delivered Saturday, January 21, 1832* (Richmond: Thomas W. White, 1832), 8-9; *The Speech of Henry Berry of Jefferson in the House of Delegates of Virginia, on the Abolition of Slavery* [n. p., January 1832], 8; *Speeches of Philip A. Bolling*, 12. See also “Slavery,” *Richmond Whig* in the *Virginia Free Press*, February 16, 1832. It is revealing to note that there was no difference between these Virginians’ critique of slavery and that of northern antislavery writers. For a striking similarity of arguments, see Frederick Law Olmsted, *A Journey in the Back Country. In the Winter of 1853-54*, 2 vols. (1860; New York: Knickerbocker Press, 1907), 2: 22-26, 53-61, 64-67; see also Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party before the Civil War* (New York: Oxford University Press, 1970); Freehling, *Road to Disunion*, 1: 187.

trend continued unabated, reformers pointed out alarmingly, blacks would easily count more than one million by 1860 and probably outgrow the white population. Indeed, they already outnumbered whites in the whole section east of the Blue Ridge. Depending on the observer, the consequences of this demographic nightmare would be a certain repetition, sooner or later, of the events of Saint Domingue, or simply a massive migration of whites out of the state, for they would not want to live anymore in a place so “inundated by [a] black wave.”<sup>30</sup>

The legislative debate itself had been provoked by a slave insurrection, so it was logical that concerns about safety should play an important role in the discussions. Nevertheless, the reformers were certainly exaggerating the issue to make a stronger case for the need to act fast. Convincing white Virginians that the continuance of slavery posed a serious threat to their security could make radical measures appear as the result of public necessity.<sup>31</sup> Not coincidentally, the opponents of reform directed a good part of their rhetoric to minimizing the possibility of future revolts, and to making ridicule of the overblown fears of impending doom manifested by the reformers.<sup>32</sup> Probably, most reformers were less afraid of a future racial war than desirous to act against slavery and change the state in conformity with their conceptions of economic and social progress.

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<sup>30</sup> Speech of Randolph, *Richmond Enquirer*, January 19, 1832; Speech of Brodnax, *ibid.*, January 24, 1832; Speech of Moore, *ibid.*, January 19, 1832; Speech of Preston, *ibid.*, February 9, 1832; Speech of Robert D. Powell, *ibid.*, January 31, 1832; *Speech of Henry Berry*, 3; Quotation in *Speech of Thomas Marshall*, 6.

<sup>31</sup> Of course, this is not to say that the issue was bogus. A true concern with the demographic trends of the black population was manifested in the press. See the letters of several contributors to the *Richmond Enquirer*, November 18, 1831, and January 5, 1832. Also in the *Richmond Enquirer*, see the editorial of January 7, 1832, and the insertions from the *Norfolk Herald* and the *Charlottesville Advocate* in the issue of January 19, 1832. The same preoccupation appeared in some legislative petitions. See, for instance, Petition from Hanover County, December, 1831, #11683116, PSL.

<sup>32</sup> “Old Virginia” to the *Richmond Enquirer*, November 25, 1831; *The Speech of John Thompson Brown, in the House of Delegates of Virginia, on the abolition of Slavery* (Richmond: Thomas W. White, 1832), 30-31; Speech of Gholson, *Richmond Enquirer*, January 21, 1832.

Political motivations were of decisive importance too. The events of the constitutional convention of 1830 were still very fresh in the public memory: the western part of the state had been denied its fair share of representation in the legislature because eastern delegates would not bear western non-slaveholders having the power to lay heavy taxes on slaves, or affect in any way slaveholding interests. Therefore, the revolt and the ensuing debate, less than two years after the framing of the new constitution, afforded disgruntled westerners an opportunity to exact revenge and to make an attempt at dismantling the institution that kept them on an unequal political footing. No wonder, then, that the most radical reformers hailed from the West.<sup>33</sup> Capturing appropriately the plight of western reformers and the mixture of class, sectional, and ideological considerations that moved them, Charles J. Faulkner of Berkeley County complained: “Must the country languish, droop, die, that the slaveholder may flourish? Shall all interests be subservient to one? all rights subordinate to that of the slaveholder? Has not the mechanic—have not the middle classes their rights? rights incompatible with the existence of slavery?”<sup>34</sup>

Although the reformers used very similar arguments against slavery, they did not agree on a possible solution. The radical ones, such as Faulkner, Summers, and Henry Berry, supported the plan of gradual emancipation of Thomas J. Randolph. At the beginning of the debates, Randolph had proposed a scheme similar to the one conceived by Thomas Jefferson, his grandfather, many years before: all slaves born after the 4<sup>th</sup> of July of 1840 would receive their freedom after reaching 21 years of age, in the case of

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<sup>33</sup> *Proceedings and Debates of the Virginia State Convention of 1829-1830* (Richmond, 1830), esp. 83-89, 151-174; Freehling, *Drift towards Dissolution*, 44-69; Freehling, *Road to Disunion*, 1: 178, 187.

<sup>34</sup> *Speech of Charles Jas. Faulkner*, 17.

men, and 18 years in the case of women. After being emancipated, the freed people would be bound to work in order to earn the necessary means for their transportation and settlement in Africa.<sup>35</sup> Other reformers thought such a plan was almost “revolutionary” in its provisions, for it rested on the assumption that masters had no property rights over slaves yet unborn, and offered them no compensation whatsoever. Randolph’s proposal, its critics argued, would also breed a murderous discontent among the slaves born before the fixed date, who would face the prospect of a life in bondage while watching many others go free just because they were a little younger. William Henry Brodnax, the harshest detractor of Randolph’s plan among the reformers, asserted that any first step toward the removal of blacks from Virginia must aim at those already free. The colonization of free blacks alone would take at least ten years and a considerable amount of resources. Only after accomplishing that goal could the state start a second phase, purchasing from owners—at a fair price—a given quantity of slaves every year to be transported to Africa. This proposal was the most conservative within the reformist camp; in placing free blacks as the exclusive object of legislative action, at least for the foreseeable future, Brodnax hoped to gain the support of many slaveholding delegates who were interested in sending free blacks away but who did not share at all the enthusiasm for a future without slavery.<sup>36</sup>

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<sup>35</sup> *Ibid.*, 14; Speech of Summers, *Richmond Enquirer*, February 16, 1832; *Speech of Henry Berry*, 4-7; *The Speech of Thomas J. Randolph, (of Albemarle,) in the House of Delegates of Virginia, on the Abolition of Slavery: Delivered Saturday, Jan. 21, 1832* (Richmond: Thomas W. White, 1832), 5.

<sup>36</sup> Speech of Brodnax, *Richmond Enquirer*, January 24, 1832. Thomas Marshall was also against Randolph’s plan, but he considered it unwise to focus the first effort of removal entirely on free blacks. He proposed that the state start purchasing slaves from owners willing to sell “at reduced rates” and transport every newly freed slave to Africa. Free blacks could go on their own volition. *Speech of Thomas Marshall*, 9-10. The editors of the *Richmond Enquirer*, after an initial burst of enthusiasm in favor of abolition, recanted and adopted the conservative position of Brodnax as the “true ground”. Compare the editorials of January 7, and January 24, 1832. Although less contrasting, there was a similar change of tone in the

Many slaveholders throughout the state thought that colonization should be aimed at shoring up the slave regime, not undermining it. As a “very small slaveholder” said in a letter to the *Richmond Enquirer*, “nine tenths of the people of Nansemond [County] are anxious that some law may be passed compelling the free negroes to go away. But as to sending away the slaves with the free negroes we never dreamed of such a thing.”<sup>37</sup> Several delegates expressed similar opinions in the debates. James Gholson of Brunswick County, for instance, after making a long and thoughtful rebuke of any attempt to tamper with the “sacred” property rights of the masters, pointed out the desirability of transporting the “vicious and depraved” free blacks out of the state. Likewise, a number of petitions reaching the legislature right after the Nat Turner insurrection had requested state support for colonization, but restricted to free blacks.<sup>38</sup>

The conclusion of the debates proved Brodnax’s strategy right. The House closed the protracted discussions with the adoption of the so-called Bryce preamble, which confined the intervention of the state government to the colonization of free blacks only. As a balm for the disappointed reformers, the preamble stated that the transportation of free blacks would be an “entering wedge,” a first step in the direction of a gradual abolition of slavery. As to when the second step would be taken, that is, the use of state funds to purchase slaves and transport them, that crucial matter would have to wait for a

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*Lynchburg Virginian*, see “The Negro Question,” January 12, 1832, and “The Slave Question,” January 19, 1832. See also the editorial of the *Virginia Free Press*, February 16, 1832, commenting on the shift of position of the *Richmond Enquirer*.

<sup>37</sup> *Richmond Enquirer*, January 21, 1832. For very similar statements see the letter signed by “A Planter” in *ibid.*, January 31, 1832; and “To the People of Eastern Virginia,” in *ibid.*, February 9, 1832.

<sup>38</sup> Speech of Gholson, *Richmond Enquirer*, January 21 and 24, 1832. For the petitions, see note 15 above.

“more definite development of public opinion.”<sup>39</sup> The Bryce preamble passed because it provided a middle ground where conservatives and reformers of a moderate hue could meet. The controversy throughout the debates had shown that many delegates who disagreed on everything else were equally desirous of seeing free blacks leave the state. After all, the reformers had always seen the colonization of free blacks as a necessary beginning for the gradual eradication of slavery, and they at least had attained the promise of state aid in the enterprise.

To translate the statements of the preamble to action, however, the House still had to devise a law appropriating the money and establishing a clear procedure for its employment. The legislators manifested important differences of opinion as to the best course of action. Brodnax, who was also one of the vice-presidents of the Virginia Colonization Society, headed an effort to make the removal compulsory. In his view, coercion was the only way to make the colonization effort effective and thus stimulate voluntary emancipation. Therefore he supported the first version of the bill, which prescribed that all free blacks would be deported, even those who resided legally in the state. Such an exercise of state power over the lives of more than 47,000 people, however, was unpalatable to most legislators. Different newspapers in the state also expressed their rejection in strong terms; according to one of them, the measure was “oppressive, tyrannical, and unjust,” and another stated that a law of such harshness would place Virginia on a worse level of despotism than the Ottoman Empire. Additional opposition came from delegates who did not want newly emancipated slaves to be included into the provisions of the bill. Conservatives, such as James Gholson and John Thompson Brown, who had been on the proslavery side throughout the debates, wanted

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<sup>39</sup> Freehling, *Road to Disunion*, 1: 188-189; Freehling, *Drift toward Dissolution*, 164-166.

to prevent the law from becoming an incentive to manumission. If masters wished to free their slaves, they held, the former should provide the means for the emigration of the latter and not leave that burden to the state.<sup>40</sup>

After several days of debate, the House passed a bill in which the element of compulsion had been somewhat tempered. The bill classified the free black population into three different categories: those who had been emancipated before 1806, and therefore were legal residents of the state; those who had become free thereafter, and were staying illegally in Virginia; and those blacks who might be emancipated in the future with the express purpose of colonization, but whose owners could or would not provide the means necessary for that end. The annual appropriation of state money would be “exclusively applied” to the free blacks belonging to the first class and who would “voluntarily consent to remove.” Only after all the migrants of this group were taken care of, would the members of the next class be collected for transportation, compulsory in this case; and only after these ones were exhausted too, would the funds be used to pay for the colonization of newly emancipated blacks. The bill stipulated the creation of a “central board of commissioners” to superintend the enforcement, and appropriated a total of \$125,000—a considerable sum—for 1832 and 1833.<sup>41</sup>

In the end, the wrangling and compromising of the delegates did not bear fruit: the bill had to go through the Senate, where it faced objections on many accounts and was rejected. The advocates of colonization in the legislature had to wait one year to try

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<sup>40</sup> *Richmond Enquirer*, February 14, 1832; *Lynchburg Virginian*, February 2, 1832; *Richmond Constitutional Whig*, cited by Freehling, *Road to Disunion*, 1: 190; *The Virginia Free Press*, on the other hand, manifested an opinion favorable to compulsion in its editorial of October 27, 1831; Freehling, *Drift Towards Dissolution*, 177- 186.

<sup>41</sup> A summary of the proceedings of the House of Delegates pertaining this bill are conveniently reproduced in Slaughter, *Virginian History*, 44-45, 48-52.

again, and they found that the enthusiasm for change and reform had waned considerably. Compared to its failed predecessor, the “Act making appropriations for the removal of free people of color,” passed in March of 1833, was very modest and limited in its reach; it made emigration completely voluntary and, through a stipulation that all prospective migrants had to be already free at the moment of the passage of the law, it rendered impossible the transportation of newly emancipated slaves; it also reduced the amount of public funds to 18,000 per annum for five years. The law created a board of commissioners, but it gave little responsibility to it, aside from spending the funds. In effect, the law was conceived merely as a means to furnish economic support to the ACS. The Society could expect to receive 30 dollars for every adult free black it landed in Africa, provided that it selected the migrants from the different counties of the state—keeping a proportion with the amount of taxes paid by each county to the treasury, that the migrants had been emancipated before March 4, 1833, and that it gave the board “satisfactory proof” that the migrants had been, or would be shortly, transported.<sup>42</sup>

The law included no compulsory provision of any kind, and many a free black might have sighed with relief, but it was also deprived of any potential to stimulate private manumissions. In a sample of the moral ironies which characterized the reformist effort, the men who blocked an initiative which threatened free blacks with forcible deportation were the same who wanted to preserve slavery more determinedly. The law had been stripped of any significant power, and this outcome was in many ways a triumph for those who feared that the law of colonization could actually turn out to be the entering wedge of abolition. The legislators who had seen with horror the possibility of

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<sup>42</sup> Slaughter, *Virginian History*, 52-67; Freehling, *Drift towards Dissolution*, 190-192; *Acts Passed at a General Assembly of the Commonwealth of Virginia, 1832-1833* (Richmond: T. Ritchie, 1833), 14-15.



the debates of 1832 resulting in an attempt to tamper with the peculiar institution, were also the most consistent opponents of making a big appropriation for removing free blacks, and of allowing the state to fund the deportation of recently emancipated slaves. Of course, they were joined by the reformers who wanted no part in the adoption of a law that provided for the forcible removal of blacks.

### III

It is convenient to ask at this point to what extent the speeches in the legislative debates might have represented the ideas of the colonizationists and gradual emancipationists. First of all, it is necessary to take into consideration that the circumstances surrounding the debates and the setting in which they took place determined the kind of opinions that could be expressed. Those trying to move the legislature to take some kind of initiative against slavery surely bore in mind the fact that they had to persuade a good number of slaveholders first. Probably acknowledging this, most reformist delegates decided to attack the peculiar institution by targeting its negative effects on white society, without any mention of its actual black victims. Only a couple of delegates chose to condemn slavery for its violation of the natural rights of blacks as human beings.<sup>43</sup> What is more, some reformers even stated explicitly that slaves had a reasonably comfortable life, and that the one carrying the heaviest burden of the institution was the white community.<sup>44</sup>

The almost complete indifference towards the slaves—or blacks in general—could be easily misinterpreted as an indication that Virginia reformers were interested only in

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<sup>43</sup> Speech of Preston, *Richmond Enquirer*, February 9, 1832, and Speech of Moore, *ibid.*, January 19 1832.

<sup>44</sup> *Speech of Thomas Marshall*, 5-6; Speech of Summers, *Richmond Enquirer*, February 16, 1832; *Speech of James McDowell*, 14-15, 19-20.

deporting black people without any regard for their fate, their primary concern being to whiten the state and make it look more like the North.<sup>45</sup> But professed indifference to blacks was, at least in considerable measure, a result of the particular circumstances of the debates. To be sure, not all the colonizationists cared in equal measure for the lot of blacks; some clearly did not, and those who did inevitably fell far short of present expectations of humanitarian behavior. Indeed, many of those expressing more concern were slaveholders themselves. But the point here is that, as in other reformist ventures, enthusiasm for progress carried concomitantly a more acute sensibility towards human suffering, a perception in which the trials of black people, either as slaves or as members of a pariah class, could become an object of legitimate concern for white southerners. It was this concern what gave the ACS and its affiliates their strongest claim as humanitarian agencies, and won them the support of the main religious denominations.<sup>46</sup>

William Branch Giles, a prominent state politician and a staunch critic of the colonization society, was at least partially right when he blamed the new wave of

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<sup>45</sup> Charles I. Foster, "The Colonization of Free Negroes in Liberia, 1816-1835," *Journal of Negro History*, 38 (1953): 41-66, and Gordon E. Finnie, "The Antislavery Movement in the Upper South before 1840," *Journal of Southern History*, 35 (1969): 319-342. These two authors portray the colonization project as a deportationist endeavor motivated by extreme racism. A recent statement of a similar thesis is found in Ellen Eslinger, "The Brief Career of Rufus W. Bailey, American Colonization Society Agent in Virginia," *Journal of Southern History*, 71 (2005): 39-74. See also Ford, "Making the 'White Man's Country' White."

<sup>46</sup> Karen Halttunen, "Humanitarianism and the Pornography of Pain in Anglo-American Culture," *American Historical Review*, 100 (1995): 303; Thomas L. Haskell, "Capitalism and the Origins of the Humanitarian Sensibility," parts I and II, in Thomas Bender, ed., *The Antislavery Debate. Capitalism and Abolitionism in Historical Interpretation* (Berkeley: University of California Press, 1992). Of course, what Haskell and the other contributors to Bender's volume argue is intended to illuminate the primary causes of abolitionism in England and the northern United States. As I have been arguing, however, slavery did not immunize Virginia against the bourgeois sensibility. Those Virginians more interested in capitalist development were also the more interested in reformist and ameliorative projects of various kinds, not only colonization. A seminal statement of the effects of the humanitarian sensibility in the South can be found in Willie Lee Rose, "The Domestication of Domestic Slavery," in William Freehling, ed., *Slavery and Freedom* (New York: Oxford University Press, 1982), esp. 22-27; see also Jeffrey Robert Young, *Domesticating Slavery: The Master Class in Georgia and South Carolina, 1670-1837* (Chapel Hill: University of North Carolina Press, 1999). For the support of the religious denominations to colonization, see chapter II below.

concern for blacks on the “contagion of human sentiment.” In his view, the multiple “sentimental societies” advocating abolition in England, and the eradication of black bondage in most of the recently independent Latin American republics, had exerted a nefarious influence over the United States, feeding the advance of a “fanatic rage” against slavery. He decried the folly of all benevolent enterprises, and mocked their intention to change a world that was flawed by divine decree. Writing in 1827, before the rise of William Lloyd Garrison to public notoriety, Giles saw practically no difference between abolitionism and the colonization movement, for the latter had a clear tendency to foster emancipation. He thought colonization an absurd and unfeasible plan, but one which boded ill for the property of slaveholders. Notwithstanding his harsh criticism, Giles granted that the colonizationists were moved by a sincere intent of amelioration, sentimental, naïve, and bordering on madness, but authentic nonetheless.<sup>47</sup>

One can find several examples of Virginia colonizationists who showed symptoms of the “contagion” Giles talked about. William Meade, who would later become the state’s Episcopal bishop and a champion of the religious instruction of the slaves, worked zealously for the Colonization society in its first years. In 1819, he traveled to Georgia in a mission to gather donations and buy from the state government a group of African slaves who had been seized from smugglers. The goal was to prevent the state from selling the forfeited Africans into slavery, as Georgia law allowed, and to send them back to their homeland. Meade improved his travel by founding and organizing many auxiliaries of the ACS in Georgia and North Carolina. Writing from Charleston on his

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<sup>47</sup> William Branch Giles, “Political Disquisitions. No. III. General Reflections upon the Contagion of Human Sentiment,” quotation on p. 18. For his comments on the character of the colonizationists, see “Political Disquisitions. No. II. American Colonization Society,” both in Giles, *Political Miscellanies* (n. p., William Branch Giles, n. d.).

way back, he urged a fellow colonizationist to regard the slaves as “immortal beings—brethren and sisters—dependent upon us for the means of improvement and for whom we are in great measure responsible before God.” Throughout his career, Meade used his pastoral office to enjoin slaveholders to adopt such a conception of their responsibilities as masters.<sup>48</sup>

These attitudes, of course, were not confined to abstract pronouncements. Thomas King of Portsmouth decided to emancipate all his slaves for colonization after becoming “fully convinced that it is impossible to love and be kind to the individual & not to the species, and how can we love the species and hold slaves, be unjust to some and at the same time ... loving and friendly to others?”<sup>49</sup> By the same token, Ann Rice, widow of the eminent Presbyterian minister, John Holt Rice, was well known for her humane treatment of her slaves, and for her efforts to manumit and send them to Africa. Her care for the wellbeing of her bondmen continued after they had moved to Liberia. In a letter to the treasurer of the ACS, Rice enquired with insistence about the health of Anderson, a former slave, and enclosed fifteen dollars for the purchase of some articles she wanted to have sent to him. Rice explained her conduct in the following way:

If you knew all the circumstances you would not wonder at my great solicitude about [Anderson]. The first month of his life, his mother was very ill, and daily with my own hands he was washed and dressed and often nursed in my own lap. This has ever been my habit with them all, when they needed. He proved a remarkably faithful and useful servant...And now that when he is sick and afflicted...I feel it a duty to do

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<sup>48</sup> William Meade to Strother Jones, May 26, 1819, Charles Wesley Andrews papers, box 1, Rare Book, Manuscript, and Special Collections Library, Duke University, hereinafter cited as DU. See also “An Address by the Reverend William Meade of Virginia,” *African Repository and Colonial Journal*, I (1825): 146-150, and John Johns, *A Memoir of the Life of the Right Rev. William Meade, D. D., Bishop of the Protestant Episcopal Church in the Diocese of Virginia* (Baltimore, Innes & Co., 1867), 122-123.

<sup>49</sup> Thomas S. King to R. R. Gurley, Portsmouth, February 23, 1836, RACS, reel 25.

what I can for him, even if I have in doing it, to deny myself some comforts.<sup>50</sup>

Other Virginia ladies involved in the colonization movement demonstrated an equally sincere concern for blacks, bond and free. Mary B. Blackford kept a journal in which she registered all the sad occurrences that came to her notice from the surrounding area, and for which slavery was to blame, such as family separations, beatings, and the like. She had organized a female auxiliary of the ACS in Fredericksburg, and she prevailed upon her husband, William M. Blackford, to liberate one of their slaves and send him to Liberia. After the Nat Turner revolt, Blackford also drafted a petition to the legislature asking for the abolition of slavery, although she did not submit it because her “heart failed [her] in carrying it through[.]”<sup>51</sup> Ann Randolph Page provides another case in point. A widow, she had inherited a number of slaves which she later emancipated and sent to Liberia, always expressing a great concern for their fate. Page was the sister of William Meade, and, like him, she was profoundly interested in the religious instruction of the slaves.<sup>52</sup>

But beyond the samples of exceptionally pious behavior, which must remain few, the speeches, reports, petitions, and other documents issued by participants in the colonization movement show clearly that many of them were at least partially exempt

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<sup>50</sup> Ann Rice to William McLane, September 11, 1849, RACS, reel 60. See also William Henry Foote, *Sketches of Virginia, Historical and Biographical* (Philadelphia: J. B. Lippincot, 1855), 447.

<sup>51</sup> Varon, *We Mean to be Counted*, 45-47, 53-56; R. R. Gurley to Mary B. Blackford, May 18, 1830; Mary B. Blackford to the legislature (typescript copy), [1831], both in Blackford Family Papers, box 1, SHC; L. Minor Blackford, *Mine Eyes Have Seen the Glory; the Story of a Virginia Lady, Mary Berkeley Minor Blackford, 1802-1896, who Taught her Sons to Hate Slavery and to Love the Union* (Cambridge: Harvard University Press, 1954), 59-61.

<sup>52</sup> Ann R. Page to R. R. Gurley, August 24, 1831; Ann R. Page to R. R. Gurley, December 27, 1831, RACS, reel 13. Ann R. Page to Mary Lee Custis, in David Meade to Mary Lee Custis, February 11, 1832, in Charles Wesley Andrews papers, box 1, DU. Varon, *We Mean to Be Counted*, 45.

from the virulent racism so prevalent in America at that period. In general, they were willing to grant that free blacks, under propitious circumstances, were capable of the same development as whites, and that it was their exclusion from educational opportunities and every other avenue of improvement that kept them in poverty and ignorance. They thus saw blacks as victims of racism and marginalization, and not as inherently inferior. In a favorable environment—in a place where their color would not be taken as a “badge of degradation,” blacks would surely prosper and prove they were accountable and hardworking.<sup>53</sup> Indeed, the whole colonization project rested on the belief that blacks were capable of self-government and that they could be trusted to civilize their “benighted” brethren back in Africa. Colonization had a strong missionary vein: Christianized blacks would be sent to Africa to spread the true faith, and to stop the international slave trade right in its source. This “plan,” a colonizationist asserted, “is, I verily believe, from Heaven—and Heaven’s blessing will attend it in every stage of its progress. A glorious era is yet in store for Africa, when we shall render unto her the things which are hers[.]” In this manner, the evil of slavery in the United States could be construed as part of a providential design to bring all barbarous and heathen peoples into the fold of Christianity. As it often happened with the inscrutable ways of God, a great evil would beget a much greater good.<sup>54</sup>

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<sup>53</sup> Petition from Westmoreland County, 1831, # 11683117; James Clarke and John B. Tinsley to the General Assembly of Virginia, December, 1827, # 11682703; J. D. Burr to *ibid.*, 1833, # 11683303; R. W. Bailey to *ibid.*, 1850, #11685013, all in PSL; “An Address by the Reverend William Meade of Virginia,” 147; “An Address in behalf of the Colonization Society, by Peachy Grattan, Esq.” *African Repository and Colonial Journal*, I (1825):176. Edmund Ruffin criticized incisively this unwillingness to recognize the “natural inferiority of the negro intellect.” See his *African Colonization Unveiled* (Washington: Lemuel Towers, [1858]), 3, 23.

<sup>54</sup> William M. Blackford, “Address before the Colonization Society of Fredericksburg,” 76; see also *Controversy between Caius Gracchus and Opimius, in Reference to the American Society for Colonizing the Free people of Color of the United States* (Georgetown, D. C.: James Dunn, 1827), 44; “Character and

The charge that colonization was little more than a deportationist endeavor aimed exclusively at free blacks is further disproved by the fact that encouraging private manumissions remained a fixed policy of the ACS. The *African Repository*, the official journal of the Society, often carried laudatory notices of slaveholders who had relinquished their property and provided funds for the emigration of their slaves to Liberia. These examples were held before the reader as truly benevolent acts, and therefore worthy of imitation—a fact that suspicious defenders of slavery like Edmund Ruffin did not overlook. Moreover, at the end of the antebellum period, the ACS in Virginia had sent 2, 214 emancipated slaves to Africa, against 1, 230 free blacks. That is, by far the majority of Virginia migrants to Liberia had been manumitted.<sup>55</sup>

Recently, it has also been argued that colonizationists took advantage of the law of 1806 to coerce free blacks into leaving Virginia. It is important to examine into this contention, because it brings into relief a very significant, but often overlooked point: it would have been easy, at least from the legal point of view, to expel many free blacks by a rigid enforcement of the law of 1806. The authorities needed only to point their finger to the statute book to justify a consistent policy of re-enslavement, which in all likelihood would have provoked a massive migration of free blacks out of the state—many of them probably bound to Liberia.<sup>56</sup>

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Influence of the Colonization Society,” *African Repository and Colonial Journal*, VII (1831): 198-201; Petition from Fredericksburg, 1837, PSL, #11683702; James Clarke and John B. Tinsley to the General Assembly of Virginia, December, 1827, PSL, #11682703.

<sup>55</sup> For a sample of such notices see *African Repository and Colonial Journal*, I (1825): 191, 213; II (1826): 29, 163, 220; III (1827): 27, 288; IV (1828): 251, 380. Ruffin, *African Colonization Unveiled*, 4-5. The figures of migrants are taken from Burin, *Slavery and the Peculiar Solution*, 171-172.

<sup>56</sup> Eslinger, “The Brief Career of Rufus W. Bailey,” 41, 58, 61-62, 72-74.

A full picture of the actual enforcement of the law of 1806 during the antebellum period would require very detailed research in the court records of every county in Virginia, but we can get suggestive evidence from a close scrutiny of one locality. The records of the town of Fredericksburg and its rural environs in Spotsylvania County reveal that the enforcement of the law against free black residence was difficult and never undertaken with energy. In Fredericksburg the prosecutions against free blacks were usually dropped or prolonged to such an extent that they were completely ineffective. In March of 1829, the grand jury of the town made presentments against eight free blacks for remaining illegally in the state. Nevertheless, in the course of two years the prosecutions of all eight cases had been dropped. The court order book gives no explanation of such an outcome, noting only the dismissal or stating laconically that the attorney for the commonwealth had ceased the prosecution.<sup>57</sup> Two of the cases—against Edward Jackson and Clemn—were renewed in 1831, and again in 1834, but were finally dismissed in 1836. Besides this show of ineffectiveness prosecuting initiated cases, it should be noted that there were no presentments for this violation between 1831 and 1839, a striking absence in a town with a free black population of over 400 in 1840.<sup>58</sup> Free blacks seemed to have benefited from an even laxer enforcement in neighboring Spotsylvania County, where a revision of the record for most of the 1830s reveals only one prosecution, which was also dropped after a few months.<sup>59</sup>

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<sup>57</sup> The free blacks accused of remaining were: James Wilkins, Maria Evans, Clemn, Carter, Stephen Young, Edward Jackson, Adam Goodloe, Robert Reed. See Fredericksburg Hustings Court Order Book, 1827-1834, p. 106 (presentments), and 129, 154, 229 (dismissals), Library of Virginia (microfilm). Hereinafter cited as FredCOB, the years encompassed by the book, and page numbers.

<sup>58</sup> FredCOB, 1827-1834, p. 271, 411; *ibid.*, 1834-1840, p. 76.

<sup>59</sup> A presentment against Walker was made in June, 1838. The prosecution was nullified in November of the same year. See Spotsylvania County Court Order Book, 1838-1843, p. 38, 91. Library of Virginia



The prosecutions against illegal residents did not show any significant increase in effectiveness from 1837 to 1850 (when a new round of presentments was made in court). In Fredericksburg the grand jury presented 17 free blacks for illegal residence. Out of these prosecutions, 10 were dismissed or nullified soon after their initiation, two more were ceased because the free blacks at issue received permission to remain in the town by the hustings court, and four had an unknown outcome.<sup>60</sup> In only one case was the prosecution carried out to its last consequences: in November of 1845 James Chapman was found guilty of this offense and sentenced to be sold as a slave. Chapman probably went into hiding, for he failed to appear in court to hear judgment, and he reportedly died almost two years later, still in freedom.<sup>61</sup> The case of Chapman can be taken as an incipient sign of the gradual hardening of all restrictive measures aimed at free blacks, a trend that would become fully ostensible in the last decade before the Civil War. But throughout the 1830s and 1840s there remained a good deal of ambivalence as to the best way to deal with the free black “problem,” and the attempts to make behavior conform to the tenets of a growing proslavery orthodoxy were still very hesitant.

A similar situation seems to have obtained in other parts of the state. In Loudoun County, the attorney for the commonwealth wrote to the legislature in 1836 pointing out the futility of trying to enforce the law against free black residence. He explained that the great mobility of the free black population, who “to elude the officers of justice” fled

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(microfilm). I was unable to find another presentment in a thorough revision of the order books for the years 1830-1834, and 1838-1840.

<sup>60</sup> For the presentments and the nullifications of the prosecutions see: FredCOB, 1834-1840, p. 282, 331, 362; *ibid.*, 1841-1845, p. 60, 87, 117, 141, 251; *ibid.*, 1845-1850, p. 26, 119, 175, 176. Aaron Tascoe and Armistead Miller were under prosecution when they obtained permission to remain in Fredericksburg, see *ibid.*, 1834-1840, p. 282, 339, 350; *ibid.*, 1841-1845, p. 60, 70, 89.

<sup>61</sup> FredCOB, 1845-1850, p. 24, 175.

“from neighborhood to neighborhood,” was the main reason for this ineffectiveness, but he might have added the lack of energy on the part of the authorities was surely to blame too. At that moment, there were pending prosecutions against 36 free blacks in Loudoun, and many of them had been renewed more than ten times.<sup>62</sup>

Moreover, at least a few people raised their voices to condemn what they considered a completely unfair and inhumane regulation. In 1828, 219 citizens of Frederick and Berkeley Counties submitted a petition to the legislature requesting the derogation of the law of 1806, which, they pointed out, posed a hindrance to slaveholders wishing to emancipate their bondmen, caused great distress in all free blacks who had to leave their loved ones, and was against the liberal spirit that should characterize the laws of Virginia. A stronger stricture came from Loudoun County: “We hold it to be a self evident truth that, every man, not convicted of crime, has a natural right to reside in the community where he was born, & that no law can expel him without violating the principles of justice & humanity.” The 38 citizens who signed this memorial asked for the abrogation of the law, and raised the tone of the admonition by adding that a government operating on the denial of these basic rights could never “preserve the affection of the people or the respect of the world.”<sup>63</sup>

It must be noted that the authors of the latter entreaty were Quakers, and therefore their opinion is not representative of the feelings of a community based, precisely, on the denial of rights to people of a different color. The white community of Accomack, for

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<sup>62</sup> Petition from Loudoun County, November, 1836, PSL, #11683625.

<sup>63</sup> Petition from Frederick and Berkeley Counties, January, 1828, PSL, #11682801; Petition from Loudoun County, January, 1843, PSL, #11684307. For an interesting analysis of this petition see Brenda E. Stevenson, *Life in Black and White. Family and Community in the Slave South* (New York: Oxford University Press, 1996), 273-275.

instance, was not so reluctant to enforce the law, at least in one occasion. In 1826 the overseers of the poor posted in public places an announcement granting illegal residents four months to leave the state or else prepare to be sold back into slavery. The deadline expired and the warning was unheeded by most violators, so the overseers of the poor selected a group of eight blacks and sold them in public auction. These officials avowedly acted “under the hope that after [an] example was made [they] would not be subjected to the painful necessity of taking further measures,” but they sold free men and women back into slavery nonetheless.<sup>64</sup>

Were sales like this one a common occurrence? Again, it is impossible to know with the available information. The fact remains, however, that there are very few such instances recorded in the most thorough studies of the free black population of Virginia, which, along with the evidence from Fredericksburg, suggests that the law of 1806 was rarely enforced to the letter.<sup>65</sup> Even if most Virginians could agree, in principle, on the restrictions to free black residence, and even join in the repetitive tirades against their supposedly nefarious presence, in fact many of them shrunk from helping to enforce the law. They especially balked at the punishment. In short, at least before 1850, re-

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<sup>64</sup> Petition from Accomack County, December, 1834, PSL, #11683413. Accomack County contained the greatest number of free blacks in the whole state, which might explain why its white population was comparatively more willing to take measures against them. Several petitions sent by its inhabitants to the legislature in the early 1850s complaining about the free black presence, however, implicitly show that no decisive measures were ever taken to expel them. See PSL, #11685201, #11685202, #11685203, #11685301.

<sup>65</sup> The studies of Russell (*Free Negro in Virginia*), Jackson (*Free Negro Labor*), and Bogger (*Free Blacks in Norfolk*), made no attempt at assessing systematically the enforcement of the law of 1806. Jackson did mention the case of Accomack County referred to above (*Free Negro Labor*, 24), but in another study he stated that the law was a “dead letter.” See “Manumission in Certain Virginia Cities,” *Journal of Negro History*, 15 (1930): 298. Thomas Morris mentions two cases of sale in 1834 in Charles City County. *Southern Slavery and the Law*, 372. The excruciatingly detailed research of Melvin Patrick Ely also points to the conclusion sustained here. *Israel on the Appomattox: A Southern Experiment in Black Freedom from the 1790s through the Civil War* (New York: Alfred A. Knopf, 2004), 218-219, 371-373, 379-380. See also Marianne Buroff Sheldon, “Black-White Relations in Richmond, Virginia, 1782-1820,” *Journal of Southern History*, 45 (1979): 41-44.

enslaving men and women who were already free was against what Virginians wanted to think about themselves, their government, and their society.

What John H. Russell said many years ago still sounds plausible: of the free blacks living in the Old Dominion in 1860, perhaps “from one fourth to one third” were in violation of the law, that is, from 15, 000 to 20,000. In fact, it is ironic that one of the reasons preventing the colonization project from being at least slightly more successful in achieving its goals was the unwillingness, not only of local officials, but also of the communities they represented to expel blacks who had lived in their midst for many years. There is significant evidence that Virginia communities often looked the other way, and not infrequently even helped free blacks to dodge the law.<sup>66</sup>

Throughout the antebellum period, dozens of free blacks petitioned the state legislature for exceptions to the law. In these memorials, free blacks tried to present a convincing case that they deserved to remain in Virginia, assuring that they had sustained a good character through all their lives, and that they were hardworking and useful to their communities. One of the most remarkable features of these memorials was that free blacks almost never failed to include the signatures of as many white neighbors as possible, as a show of their support to the petition. Henry Lewis, for instance, a free black mechanic who considered himself “one of the most orderly, correct, and industrious colored persons” in Stafford County, was able to enlist 47 white neighbors to sign an enclosed affidavit. This is just one example of a very frequent occurrence.<sup>67</sup>

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<sup>66</sup> Russell, *Free Negro in Virginia*, 156.

<sup>67</sup> Petition from Stafford County, December 1833, PSL, #11683309; for similar examples see Petition from Charles City County, December, 1827, #11682710; Petition from Greenbrier County, December 1827, #11682713; Petition from Pittsylvania County, December 1827, #11682714; Petition from Hampshire County, December 1828, #11682808; petition from Stafford County, December, 1829, #11682902; Petition from Bedford County, December, 1830, #11683010; Petition from Stafford County, December 1832,

Sometimes the affidavit could be almost a petition in itself, stating forcefully the regard in which the petitioner was held by local whites. In Lynchburg, over a hundred white citizens expressed their support for the request of Henry and Lucy Sydnor to remain in Virginia, saying that they considered them “two of the most praiseworthy and excellent persons (of *their class*) ever known to the undersigned. They are sober, careful, industrious, honest and peaceful and modest in their deportment.”<sup>68</sup>

Frequently, whites themselves would take the trouble of writing a petition to plead the case of a free black they wished to help. Thus 93 citizens of Loudoun County, including seven justices of the peace and the postmaster, addressed the legislature on behalf of Asher W. Gray, adducing that she was a “religious, honest, and valuable member of society,” and that the community needed her services as a washerwoman. A similar case is provided by the 112 citizens of Fauquier County, who requested that Daniel Warner be exempted from the law on account of his valuable work as barber and hairdresser.<sup>69</sup>

Why would white neighbors give this kind of support to free blacks? The reasons are complex. Paternalist attitudes did not necessarily end with slavery. After becoming

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#11683214; Petition from Richmond, November, 1833, #11683307; Petition from Buckingham County, January, 1848, #11684805; Petition from Chesterfield County, February, 1848, #11684810; Petition from Frederick County, December, 1849, #11684904, all in PSL.

<sup>68</sup> Petitions from Lynchburg City, February, 1842, PSL, #11684206, and #11684207; Petition from Richmond City, December 1848, PSL, #11684813; Petition from Hampshire County, December, 1849, #11684908.

<sup>69</sup> Petition from Loudoun County, January 1850, PSL, #11685009; Petition from Fauquier County, December 1836, PSL, #11683620. See also Petitions from Accomack County, January 1838, #11683823, and #11683824; Petition from Berkeley County, December, 1829, #11682905; Petition from Scott County, December 1832, #11683212; Petition from Pendleton County, December 1833, #11683308; Petition from Amherst County, December 1833, #11683313, Petition from Lunenburg County, January, 1834, #11683402; Petition from Rockbridge County, December, 1834, #11683408; Petition from Nicholas County, December, 1836, #11683622; petition from Loudoun County, February, 1848, #11684801, all in PSL.

free, many blacks stayed in the same neighborhoods where they had lived as slaves, keeping a somewhat close link with their former master's family.<sup>70</sup> Several petitions requesting permission to remain in the state show a pattern of progression from a well behaved slave to a "worthy" free black: a slave who had been loyal and obedient, and had received his/her freedom as a reward, could still obtain employment and/or other favors from the master or his descendants. Depending on the master's standing in the community—and on his/her own reputation in the neighborhood, such a free black would surely get white signatures on a petition.<sup>71</sup>

Most petitions for permission to remain in the state failed to receive the approval of the House of Delegates. Unfortunately, there is no record left of the proceedings undertaken to examine the petitions, nor any clear hint of the criteria by which legislators decided on their merit or lack thereof.<sup>72</sup> In any case, a legislative denial did not mean much if at the local level whites failed to prosecute free blacks who stayed without permission. The most zealous colonizationists understood the effects of this reluctance:

ACS agents like Rufus K. Bailey and David I. Burr, who argued openly that some degree

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<sup>70</sup> Berlin, *Slaves without Masters*, 222. In a very similar way, many black colonists kept in touch with their former masters after moving to Africa, writing to exchange news, enquire about old friends and relatives, and ask favors. Good examples of these relationships are found in Randall M. Miller, *Dear Master: Letters of a Slave Family* (Athens: University of Georgia Press, 1990). Robert M. Page to C. W. Andrews, Liberia, May 6, 1839, in Charles Wesley Andrews Papers, box 1, DU; Anne Rice to William McLain, Rice Hill, September 11, 1849, RACS, reel 60; L. Minor Blackford, *Mine Eyes Have Seen the Glory*, 59-63.

<sup>71</sup> Petition from Chesterfield County, February 1848, #11684809; Petition from Richmond City, December 1848, #11684813; Petition from Loudoun County, February 1831, #11683118; Petition from Lynchburg City, February 1842, #11684206; Petition from Rockbridge County, December, 1834, #11683408, all in PSL.

<sup>72</sup> The *Journal of the House of Delegates* contains only an excessively summarized record of the proceedings of that legislative body, and is completely silent on the consideration of these petitions. Many petitions bear a small note stating if they were rejected or found "reasonable" and "referred to committee," or if a bill was "drawn," presumably to grant the request. Nevertheless, reliable proof that a given petitioner was allowed to remain in the state can only be attained by finding the corresponding private law in the published *Acts Passed at a General Assembly of the Commonwealth of Virginia*, which appeared at the end of every session. On the other hand, it seems safe to assume that every petition marked as rejected was actually so dealt with.

of compulsion should be used to increase the enrollment of migrants, had good reason to dislike the inclination of whites to shield their free black neighbors from the effects of the law.<sup>73</sup>

The point to be stressed here is that even if colonizationists had wanted to use the law of expulsion to forward their project, they would have faced considerable opposition at the local level. At the very least, they would not have counted with the ready collaboration of whites, as the usual high pitch of anti-free black rhetoric might suggest. But the deportation of free blacks was clearly not the main goal of most Virginia colonizationists. To be sure, they were troubled by the presence of a growing population of “unrestrained” and “disorderly” blacks; they also were deeply concerned, as we will see in the next chapter, about the need to “elevate” and prepare blacks before their emancipation, fearing that they would behave irresponsibly when freed. Nevertheless, during the 1820s and 1830s the colonization project was swayed by people who saw the settlement of free blacks in Africa as a first and necessary step to clear the way for a gradual emancipation of slavery. Such was their chief purpose, and was motivated on their ideals of economic and social progress, ideals which, no doubt, carried a good dose of racism, but also of humanitarian feeling.

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<sup>73</sup> Eslinger, “The Brief Career of Rufus W. Bailey,” 63-64; David I. Burr to R. R. Gurley, Richmond, March 3, 1832, RACS, reel 13. It should be noted that Burr was more reserved and indirect than Bailey in his allusions to coercive methods. For interesting parallels in other states to this readiness to shield free blacks from expulsion laws, to the chagrin of extreme colonizationists, see William W. Freehling, *The Road to Disunion*. Volume II. *Secessionists Triumphant 1854-1861* (New York: Oxford University Press, 2007), 187-194.

#### IV

The recognition of an important humanitarian strain in the ideology of colonization has to be tempered by acknowledging the fact that its concern for blacks, even if genuine, was overly paternalistic—in the sense that it reflected a certainty of knowing far better than free blacks themselves what was in their benefit. This stubborn self-assuredness was perhaps based on good intentions, but in reality it could sometimes border on a tacit complicity with coercion and violence. This was exactly the case with the Nat Turner revolt in 1831. The fear and anger provoked by the rebellion placed free blacks in Southampton County and the surrounding area in a hazardous position; even though they had had no involvement in the insurrection, for months thereafter they became the target of systematic harassment, abuse, and violence at the hands of whites. So much so that, to shield themselves from further aggression, many free blacks in Southampton had to leave their houses and seek asylum with sympathetic white families.<sup>74</sup> The violence moved many free blacks to seek a passage to Liberia as soon as possible. As a correspondent of the ACS from a neighboring county in North Carolina put it, “they are so severely punished they had rather go anywhere than to stay where they are persecuted for innocence.” In December of 1831, the “James Perkins” set sail from Norfolk carrying 339 blacks, by far the highest number of migrants thus far transported, most of them from Southampton and the adjoining counties.<sup>75</sup>

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<sup>74</sup> John McPhail to Ralph R. Gurley, Norfolk, September 23, 1831; John L. Eringhouse to Gurley, Elizabeth City, September 29, 1831, both in RACS, reel 12.

<sup>75</sup> Caleb White to Ralph R. Gurley, Woodville, Perquimans County, September 7, 1831 (quotation); John McPhail to Gurley, Norfolk, December 7, 1831, both in RACS, reel 12; “Emigrants to Africa,” *African Repository and Colonial Journal*, X (1834): 292.



Colonization advocates did not celebrate the violence against free blacks, of course, but they surely recognized that it had a beneficent impact on their cause, and they decided to keep the ends in sight and not complain about the means. William Mayo Atkinson, a Petersburg attorney and ACS agent, reflected well the attitude of colonizationists in this regard:

I am confirmed in the opinion, that if we are not imprudent, the recent massacre in Southampton will benefit our cause, it will certainly increase the disposition of the free people of color to leave the state. ... I believe our laws concerning the free people of color, which have been heretofore ... almost disregarded, will be now enforced, and I think our next legislature will pass other laws, materially curtailing the privileges they now enjoy. This will be a strong inducement to the legislature to provide facilities for their removal, and will tend to make them still more desirous to go.<sup>76</sup>

Atkinson was not alone in having such thoughts. Other advocates of colonization stated very similar views. William Meade expressed his satisfaction with the newly bright prospects for the colonization project, adding: “the Southampton tragedy will do us great good.” Another clergyman, William Henry Foote, thought that the “disturbances among the negroes” would surely help the cause, and saw the recent developments as “instruments raised up by providence” so the ACS could accomplish its ends. In like manner, John McPhail, the ACS agent in Norfolk, saw the violence against blacks as a “loud call of providence on the Am. Colo. Society to exert all their power to afford them an opportunity of escaping to the land of their fathers.” The *Lynchburg Virginian*, edited by colonizationist Robert Toler, made perhaps the most revealing statement in this regard: “the free negroes in Southampton have been aroused, ... by the restrictions and

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<sup>76</sup> William M. Atkinson to Ralph R. Gurley, Petersburg, September 10, 1831, see also Atkinson to Gurley, Petersburg, August 29, 1831, both in RACS, reel 12.

grievances that have been imposed upon them, ... to a sense of their true interests. Those interests require that they remove from among us.”<sup>77</sup>

Another sad manifestation of this paternalist attitude was the insistence in sending new settlers to Liberia even in the face of very high mortality rates—due to the terrible fevers that awaited almost every new settler.<sup>78</sup> Such a course of action could only be justified by interpreting those deaths as a sacrifice for the ultimate benefit of future generations of blacks. But, needless to say, the ones deciding that the cause was worth the loss of many (black) lives were its white advocates. ACS officials were aware of the damaging potential that the reports of an appalling mortality could have on the prospects of their project. Therefore, the *African Repository* often published pieces in which the mortality was either downplayed or put into the “appropriate” perspective. As one such piece explained: “it should not be forgotten, and it will not by reflecting men, that the *evil* of occasional disease and death among emigrants to Liberia, affects but the individuals of a single generation, while the *good* attained by the establishment of Christian colonies in Africa, is permanent and to bless a thousand generations.”<sup>79</sup>

This is not to say that colonizationists did not care about the health of the migrants. William Meade, for instance, faced a difficult dilemma while acting as executor of his sister’s will, which provided the emancipation and colonization of her slaves in Africa. Meade had been unable to convince the slaves to go to Liberia, and, after much

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<sup>77</sup> William Meade to Ralph R. Gurley, Millwood, December 6, 1831; William Henry Foote to Gurley, Romney, September 24, 1831; John McPhail to Gurley, Norfolk, September 23, 1831 (first quotation); McPhail to Gurley, Norfolk, September 22, 1831 (second quotation). See also John Hartwell Cocke to Gurley, October 17, 1831, all in RACS, reel 12; *Lynchburg Virginian*, October 13, 1831.

<sup>78</sup> According to Eric Burin, 29 percent of all the emigrants from 1820 to 1830 died on account of “malaria and other diseases.” *Slavery and the Peculiar Solution*, 17.

<sup>79</sup> *African Repository and Colonial Journal*, VII (1831): 158; for similar justifications in the same journal, see vol. V (1829): 270-271, 279; VIII (1832): 44.

insistence on their part, he finally allowed them to march to Pennsylvania. Meade admitted that in taking this decision he had been “not a little influenced” by the awful mortality in Liberia. Many other emancipators took precautions to send their freed people at the least dangerous time of the year, and the ACS agents showed a genuine concern for their health. Nevertheless, colonizationists seemed to have taken for granted that many blacks would perish, and accepted it as a calculated cost. In February of 1836, Mary B. Blackford received information on the state of health of two girls she had helped send to Liberia as a member of the Female Colonization Society of Fredericksburg. The news was not good: one girl had already died and the other was very sick—although showing some signs of recovery. The writer comforted Blackford by saying that “the ladies of Fredericksburg did their duty toward these two helpless females; and therefore they ought not to despair at the issues of their undertaking, however disastrous they may ultimately be.” We cannot know how Blackford reacted to this news, but she kept collaborating with the colonization project, and years later she sent a slave she had emancipated herself.<sup>80</sup>

In like manner, the environmentalist approach to the inability of blacks to get ahead in the United States could not overcome the racism that permeated the whole project. Humanitarian colonizationists saw blacks as the victims of a vicious circle: they were ignorant and poor due to racism and exclusion, and at the same time unable to earn the recognition that could belie racism and open opportunities for them because of their poverty and ignorance. Yet, instead of looking for a way to break the circle, colonizationists devoted all their efforts to the removal of blacks. Admitting that racism

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<sup>80</sup> William Meade to R. R. Gurley, Millwood, December 6, 1831, RACS, reel 12; Courtland Van Rensselaer to Mary B. Blackford, Providence, Halifax Co., February 3, 1835, Blackford Family Papers, box 1, SHC; Mary B. Blackford to R. R. Gurley, Fredericksburg, January 12, 1836, RACS, reel 25.

was based on prejudice, they nonetheless concluded that sending blacks away was easier than changing the perceptions of the white community. In thus assuming that racism was unchangeable, colonization advocates ended up as accomplices in its perpetuation.<sup>81</sup> Similarly, even those who readily admitted that the final goal of colonization was the complete abolition of slavery were convinced that emancipation without removal was “out of the question.”<sup>82</sup>

The most lamentable contradiction of the ideology and practice of colonizationists, however, was that most of them had no reservation in picturing free blacks as a veritable plague in order to forward their project. Notwithstanding their enlightened views of black capabilities, colonizationists repeated incessantly, and propagated in exaggerated form, a long list of character flaws and noxious proclivities which supposedly rendered free blacks such an undesirable element of society. The tirade could satisfy even the most extreme proslavery zealots: free blacks were idle, prone to drunkenness and crime; they seemed to fill the jails and poor houses of Virginia; they were degenerate and licentious; they frequently helped slaves to steal from their masters, and consorted with the “worthless” elements of white society in all sorts of illicit behavior. In short, they were a parasitic class, a nuisance to the public order, and a threat to the peace of society. Humanitarians did not hesitate to appeal to the fears and prejudices of the slaveholders in an attempt to win their support. They underlined the dangerous influence of free blacks upon the slaves, the envy and discontent they undoubtedly inspired in them because of their “nominal” freedom, and their natural disposition for dangerous complicities.

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<sup>81</sup> Fredrickson, *Black Image in the White Mind*, chapter 1; Burin, *Slavery and the Peculiar Solution*, 21-22.

<sup>82</sup> Joshua Peterkin to Mary B. Blackford, Alexandria, July 20, 1836, Blackford Family Papers, box 1, SHC.

Although they certainly had tactical reasons for courting conservative slaveholders, humanitarians did their share to exacerbate anti-black feeling and undoubtedly contributed to making free blacks the handiest scapegoats every time there was a rebellion scare. On the other hand, it is fair to acknowledge that if they accomplished so little even after trying hard to accommodate the interests and apprehensions of proslavery men, had they come out more openly they would probably have been reduced to utter ineffectiveness far sooner. For all their blunders and moral compromising, Virginia colonizationists had to maneuver in a state where many people were still very committed to the preservation of the peculiar institution. Moreover, the middle ground they had tried so determinedly to occupy shrunk constantly as the national debate over slavery increased in intensity.

## **CHAPTER II**

### **FROM COLONIZATION TO EVANGELIZATION: THE SHIFT TO AMELIORATION**

The colonization movement had become involved with party and sectional politics since the 1820s, owing mainly to the insistence of the ACS in requesting Congress for federal support. From the moment of its creation, the ACS had expected to receive financial assistance from the national government—in fact, that was the reason for choosing Washington D.C., an otherwise unpromising place for philanthropic endeavors, as the seat of the society’s headquarters. The magnitude of the project’s goals rendered inadequate the reliance on private contributions alone. In addition, as already pointed out, most colonizationists shared a conception of the government as an agent of social and economic improvement, within whose purview any measures aiming at the solution of the “black problem” certainly lay. Indeed, colonization advocates in Congress, such as Henry Clay and Charles Fenton Mercer, promoted several times legislation to underwrite the transportation of free blacks with federal monies. The colonization project thus became clearly identified with the ideology and policy positions of the National Republicans; consequently, it also became the target of the many politicians who deprecated any increase in the powers of the federal government, and, in the South, of those who saw in a strict construction of the Constitution the best guarantee that the federal government would never interfere with slavery.<sup>1</sup>

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<sup>1</sup> P. J. Staudenraus, *The African Colonization Movement 1816-1865* (1961; New York: Octagon Books, 1980), 169-175; Eric Burin, *The Peculiar Solution: A History of the American Colonization Society*

The presidential election of 1828 dragged colonization deeper into the political fray; many supporters of Andrew Jackson opposed federal spending on internal improvements, and sought to restrain federal power to its constitutional limits. The threatening image of a federal authority supposedly bent on arrogating itself more and more powers, and maybe willing to lend its resources to a colonization scheme not clearly confined to free blacks, increased the frequency and the acerbic tone of the accusations that the project was an abolitionist plot. In most southern states tariffs on foreign manufactures were considered discriminatory against the region's economic interests and seen as the clearest example of an illegitimate and excessive use of federal power. In South Carolina, particularly, the tariff provoked a good deal of discontent and moved the state political leadership to the well known attempt at nullification of the federal law. State politicians and publicists also raised the alarming cry that colonization and federal encroachment were in combination to set slavery on a course of extinction.<sup>2</sup>

The building pressure moved Virginia colonizationists to declare their independence from the ACS and found the Colonization Society of Virginia in December of 1828. By establishing their distance from the national society—and its northern branches—they hoped to allay fears that colonization had subversive goals. As many of its advocates liked to say, colonization had been the idea of the great statesmen of Virginia, who had

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(Gainesville: University Press of Florida, 2005), 17-18; *Controversy between Caius Gracchus and Opimius, in Reference to the American Society for Colonizing the Free People of Color of the United States* (Georgetown, D. C.: James Dunn, 1827), 6-14; William Branch Giles, "Political Disquisitions. No. II. American Colonization Society," in Giles, *Political Miscellanies* (n. p., William Branch Giles, n. d.).

<sup>2</sup> Staudenraus, *African Colonization*, 175-178; "Report of the Board of Managers of the Lynchburg Aux. Col. Society," *African Repository and Colonial Journal*, IV (1828): 172-177. On party ideology and the election of 1828 see Harry L. Watson, *Liberty and Power. The Politics of Jacksonian America* (New York: Hill and Wang, 1990), 83-95; Charles Sellers, *The Market Revolution. Jacksonian America, 1815-1846* (New York: Oxford University Press, 1991), 269-300. On nullification and reactions to the proposed federal support to colonization in South Carolina, see William W. Freehling, *Prelude to Civil War. The Nullification Controversy in South Carolina 1816-1836* (New York: Harper & Row, 1966).

been slaveholders all; in making it again a state concern, they tried to render it safe and uncontroversial. With this move, Virginia colonizationists also gave strict constructionists implicit assurances that they would never go beyond the state legislature in their quest for funds. Colonization would thus become less of a partisan project too.<sup>3</sup>

Colonization advocates in the Old Dominion, however, were unable to free themselves from the influence of national politics and the sectional debate over slavery. This became patently clear in the fateful summer of 1835, when a barrage of abolitionist propaganda reached the South through the mails, provoking a region-wide panic of unprecedented intensity. As the central piece in a strategy to increase its audience and call attention to its cause, the New York-based American Antislavery Society launched a campaign of persuasion to southern whites: taking thousands of names from city directories and the subscription lists of journals and other benevolent societies, the AAS sent an enormous batch of its different publications to clerics, planters, merchants, newspaper editors, and other men with prominent positions in their communities throughout the South. The reaction was fierce and immediate: in Charleston, South Carolina, a group of men broke into the post office and seized a bag of mail containing the recently-arrived load of abolitionist tracts. The next evening, a big crowd gathered in the grounds of the city's military academy to watch the pamphlets burn in a bonfire.<sup>4</sup> In Virginia, a Norfolk newspaper reported that the "incendiary" sheets reaching that port were addressed to free blacks, which supposedly betrayed the abolitionists' intention to

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<sup>3</sup> Minutes of the Virginia Branch of the American Colonization Society, 48-55, Virginia Historical Society, hereinafter cited as VHS; Philip Slaughter, *The Virginian History of African Colonization* (1856; Freeport, NY: Books for Libraries Press, 1970), 14-19.

<sup>4</sup> Bertram Wyatt-Brown, "The Abolitionist Postal Campaign of 1835," *Journal of Negro History*, 50 (1965): 227-238; Susan Wyly-Jones, "The Antiabolitionist Panic: Slavery, Abolition, and Politics in the U. S. South, 1835-1844" (Ph. D. dissertation, Harvard University, 2000), 51-52, 61-68.



use them as a conduit to spread their subversive doctrines among the slaves. A few days later the paper rectified and informed its readers that in reality all the abolitionist publications bore the addresses of white citizens, explaining that the previous report had been the result of an honest mistake. The damage was done, however, and the charge that the abolitionists wanted to start a racial war in the South stuck with great tenacity. Meanwhile, postmasters all over the South opted for not completing the delivery of the dangerous mail, and kept it secured in their offices instead. This discretionary measure was later sanctioned by Amos Kendall, the postmaster general.<sup>5</sup>

Shortly after the first reactions to the abolitionists' postal campaign, news of an insurrection conspiracy in Mississippi reached the seaboard states. A wave of hysteria and mob violence had swept the counties of Warren, Madison, and Hinds, initiating with the lynching of a clique of professional gamblers, who had refused to leave the area after being warned, and then progressing to the "detection" of a plot in which slaves were supposedly in combination with a band of white criminals to start a rebellion. The outcome was the extralegal execution of at least twelve slaves and six whites. In fact, these occurrences took place well before the abolitionist literature reached southern post offices. Unfortunately, the first news of the alleged conspiracy and its brutal repression reached the seaboard just a few days after the reception of the pamphlets. In most of the South the connection between both developments was taken for granted: the plot was a

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<sup>5</sup> The *Norfolk Herald* in the *Richmond Enquirer*, July 31, 1835, and August 4, 1835; Wyly-Jones, "The Antiabolitionist Panic," 53, 80-81; *Virginia Free Press*, August 20, 1835; *Richmond Enquirer*, August 18, 1835.

direct outcome of abolitionist instigation, and the clearest proof that abolitionists wanted slaves to claim their liberty regardless of the consequences.<sup>6</sup>

Newspapers in Virginia at first denounced the brutality and lawlessness with which the Vicksburg gamblers had been punished, but they changed their opinion when the victims became revolt instigators. The *Lynchburg Virginian* clearly exemplified the shift: although “every one must condemn in the most unequivocal and indignant terms” the mob executions of the gamblers, “there are very few ... who will not approve of the manner in which white miscreants, who ... would have filled a wide extent of country with all the horrors of an insurrectionary movement, have been dealt with.” Similarly, the editors of the *Richmond Enquirer* had initially manifested a deep concern for the complete disregard of the rule of law in Mississippi, but as the fears of abolitionist “emissaries” attempting to do mischief in the southern country intensified, they wound up supporting mob violence. In referring to an alleged abolitionist who had been allowed to go free after tampering with slaves in the surrounding area of Danville, the editors asked: “Why was he not Lynched?”<sup>7</sup> Judging from the information published in the papers, Virginians came to believe truly that there was a “swarm of fanatical agents” prowling allover the South, trying to “disseminat[e] their poisonous doctrines” among the slaves and incite them to rebel. Northerners who happened to be in Virginia at the

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<sup>6</sup> Laurence Shore, “Making Mississippi Safe for Slavery: the Insurrectionary Panic of 1835,” in Orville Vernon Burton and Robert C. McMath, Jr., *Class, Conflict, and Consensus: Antebellum Southern Community Studies* (Westport, Conn.: Greenwood Press, 1982), 96-127; David Grimsted, *American Mobbing, 1828-1861. Toward Civil War* (New York: Oxford University Press, 1998), 4, 17; Wyly-Jones, “The Antiabolitionist Panic,” 74-76.

<sup>7</sup> *Lynchburg Virginian*, July 30, 1835. The editors provided a more careful explanation of the only instances in which mob violence was warranted in the issue of August 17, 1835. *Richmond Enquirer*, July 28, 1835, and July 31, 1835 (condemning extralegal violence); August 21, 1835 (in favor of lynching abolitionists). The *Virginia Free Press*, on the other hand, maintained a more critical stance toward extralegal punishments, even if they were directed against abolitionists; see the editorial in the issue of August 6, 1835.

time were automatically suspected of having sinister designs, and some of them suffered the consequences. In Kanawha County, two Ohioans received 30 lashes each after a kangaroo court found them guilty of advising slaves to run away; a northern dentist had to leave Pittsylvania County or else face Judge Lynch under accusations of slave tampering; similarly, a newspaper editor from Maine, while sightseeing in Rockbridge County, had a brush with an angry mob after expressing too freely his dislike of slavery. He was able to go unharmed, but only after avowing that his stay in Virginia had showed him the true character of southern institutions and that the slaves enjoyed better living conditions than the northern working classes.<sup>8</sup>

Of course, Virginia's record of extralegal violence paled before that of Mississippi, but the fact remains that in a state where a considerable degree of criticism against slavery had been common—and usually tolerated, the abolitionist campaign elicited a repressive response. What is more, the state press was united in clamoring for the suppression of the freedom of speech in the North. Southerners had been appeased somewhat by the attitude of the northern majority toward the abolitionists; they had been hissed down and denied a hearing in some places, or harassed and even mobbed in others. It seemed clear that most northerners considered them as troublemakers who were putting the Union at risk. Yet Virginians would not settle for that; they demanded that the abolitionists be silenced through the use of public authority. In their view, abolitionists were mad revolutionaries bent upon overturning the social and political order of the South, and whose activities far exceeded what freedom of speech guaranteed. Much to

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<sup>8</sup> *Virginia Free Press*, August 6, 1835 (first quotation); "The Fanatics," in the *Lynchburg Virginian*, August 10, 1835 (second quotation); *Kanawha Banner* in the *Richmond Enquirer*, September 18, 1835; *Danville Observer* in *ibid.*, August 21, 1835; *Lynchburg Virginian* in *ibid.*, September 8, 1835. A wealth of detail on the incidents of extralegal violence against abolitionists in every state of the Union is found in Grimsted, *Mobbing America*, esp. chapters 1 and 2.

Virginians' chagrin, however, not even the most sympathetic northerners were willing to support repression of the "fanatics" by legal means.<sup>9</sup>

Assurances from the abolitionists themselves that they in no way sought to instigate insurrections or ignite a racial war failed to placate southern hostility. At the beginning of September, the AAS published a manifesto to clarify its purposes and disclaim any intention to do ill. The leaders of the society stated that they had "uniformly deprecated all forcible attempts on the part of slaves to recover their liberty," adding that the accusations of their sending agents to the South and their trying to use free blacks to distribute their literature among the slaves were completely false. They claimed, moreover, that even if the slaves had a chance of reading any of the papers sent through the mails—which was unlikely—they would find no encouragement whatever to use violence. Each and every one of these contentions was true: the AAS had no paid agents in the South, its publications had all been addressed to white citizens, and although they contained a clear condemnation of human bondage, no countenance of violence or rebelliousness could be found in them. Again, such arguments were ineffective, and they were denounced by the state press as a "compound of hypocrisy, falsehood and imprudence."<sup>10</sup>

The seemingly excessive reaction to the abolitionist postal campaign was caused by a complex combination of factors. First, many Virginians genuinely believed that there

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<sup>9</sup> *Richmond Whig and Public Advertiser*, August 4, 1835; *Lynchburg Virginian*, August 31, December 17, 1835; *Richmond Enquirer*, August 14, September 8, 1835; *Virginia Free Press*, September 3, 1835. William Freehling mistakenly asserts that only South Carolina demanded the repression of the abolitionists by state authority. *The Road to Disunion. Volume 1. Secessionists at Bay, 1776-1854* (New York: Oxford, 1990), 294-295.

<sup>10</sup> The manifesto, and the quoted response to it, in the *Lynchburg Virginian*, September 14, 1835; a similar response in the *Richmond Enquirer*, September 8, 1835; Wylie-Jones, "The Antiabolitionist Panic," 71-73, 78, 80.

was a real potential for subversion in the activities of the abolitionists. Some slaveholders feared that an open and repetitive condemnation of slavery was enough to cause restiveness among the slaves, let alone the believed presence of “incendiaries” prodding them to try something. The Nat Turner insurrection had made a deep imprint in the memory of the white community, and the notion that slave rebelliousness was usually instigated by outsiders was too convenient, and therefore widespread. Furthermore, the abolitionists were at that time also supporting a petition campaign to Congress for the suppression of slavery in Washington D. C., right on the northern border of Virginia, and reports of an impressive growth in the ranks of the AAS and of the supposedly huge economic resources at its command completed a picture that was distressing to many slaveholders.<sup>11</sup>

Fear and distress thus were important elements in the “panic,” but they are insufficient to account for the shift in attitudes and discourse that took place in the Old Dominion after 1835. Virginians also thought that their social system was being grossly misrepresented by the abolitionists, especially because of the graphic illustrations of slavery featured in the abolitionist literature. The *Anti-slavery Record*, for instance, displayed engravings in which masters appeared mercilessly whipping their helpless, terrified-looking slaves.<sup>12</sup> Virginians took deep umbrage at such “scandalous caricatures,” and considered themselves victims of libel and defamation. While

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<sup>11</sup> Proceedings of a public meeting in Amherst County, *Lynchburg Virginian*, August 24, 1835; Speech of John Tyler in a public meeting in Gloucester County, *Richmond Enquirer*, September 4, 1835; “The Northern Fanatics,” *Richmond Whig and Public Advertiser*, July 24, 1835. “The Fanatics,” *Lynchburg Virginian*, August 10, 1835; Wyly-Jones, “The Antiabolitionist Panic,” 73-74.

<sup>12</sup> Some of the engravings published in the *Anti-slavery Record*, and the *Anti-slavery Almanac* are reproduced in Philip Lapansky, “Graphic Discord. Abolitionist and Antiabolitionist Images,” in Jean Fagan Yellin and John C. Van Horne, eds., *The Abolitionist Sisterhood. Women’s Political Culture in Antebellum America* (Ithaca: Cornell University Press, 1994), 210-213.

exhibiting one such pamphlet before a public meeting in Gloucester County, future president John Tyler stated: “here ... is a picture ... designed to represent each of you, gentlemen. A scourge is in your hand, and three victims bound and kneeling at your feet. You are represented as demons in the shape of men[.]” Tyler continued informing his audience that, in addition to the engravings, the pamphlets contained “forged” anecdotes—supposedly witnessed by northern travelers—of white southerners behaving with extreme cruelty and callousness toward slaves and blacks in general. To make matters worse, these publications were sold at incredibly cheap rates, which made them easily available to a huge public in the North—including children. Printing technology thus allowed powerful images to circulate widely, and southerners could not bear being portrayed before the northern public as whip-cracking tyrants.<sup>13</sup>

To southerners, the most disturbing thing about the images was the simplification they made possible; their presentation as the essence of a society captured in one glimpse. Few people in the South could have failed to recognize that, in order to work, slavery depended on discipline, and that this made necessary the use of physical punishment. What they resented above all was a characterization of their whole social system based on what they saw as the moments of harshness—supposedly few and infrequent in most cases—that were necessary to keep order and harmony. In their view, the abolitionists were utterly ignorant of the links of affection, care, and protection that were common in the relation between masters and slaves, additional aspects of the

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<sup>13</sup> *Lynchburg Virginian*, August 17, 1835 (“scandalous caricatures”); Speech of John Tyler, *Richmond Enquirer*, September 4, 1835; more comments on the illustrations and on their “libelous” character in the *Lynchburg Virginian*, August 10 and August 31; *Richmond Enquirer*, September 8, 1835.

peculiar institution which overweighed the hard features and had to be included in a fair judgment of it.<sup>14</sup>

But Virginians—and southerners in general—felt most offended by the way in which the abolitionist campaign encroached upon their autonomy, threatening their freedom to handle their domestic concerns and their property in any way they saw fit. In large measure, this response derived from the regional culture of honor and the ideology of republicanism, which in combined fashion had created a vision of the ideal political community as one composed of free and independent males who ruled themselves. From this standpoint the abolitionist campaign was an invasion on several fronts; it interfered with individual property and household governance, and it was a breach of state autonomy too, for the federal constitution clearly established that slavery was an internal concern of each state. Whether slavery was an evil or a blessing was beside the point, for northerners simply had no say in the matter.<sup>15</sup> These convictions were echoed one time after another in a series of public meetings organized throughout the state to condemn the abolitionist onslaught. “We regard [slavery],” read the preamble of a meeting in Augusta County, “and everything that appertains to it, as domestic in its character, and we claim

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<sup>14</sup> I have borrowed this insight from James L. Huston, “The Experiential Basis of the Northern Antislavery Impulse,” *Journal of Southern History*, 56 (1990): 609-640; David Grimsted on the other hand, suggests that the southern reaction was part of a self-imposed blindness toward the harsh realities of slavery; a manifestation of southerners’ incapacity to face squarely that the paternalistic institution they wanted to believe in had no correspondence in real life. Although there is a grain of truth in this argument, I think Grimsted takes it too far. See *Mobbing America*, 123-124, 164, 170.

<sup>15</sup> The classic study of the role of honor in southern culture is Bertram Wyatt-Brown, *Southern Honor: Ethics and Behavior in the Old South* (New York: Oxford University Press, 1982). For cogent explanations of how honor, republican ideology, and racism shaped the political culture of the antebellum South see William J. Cooper, *Liberty and Slavery: Southern Politics to 1860* (New York: Knopf, 1983); and J. Mills Thornton, *Politics and Power in a Slave Society: Alabama, 1800-1860* (Baton Rouge: Louisiana State University Press, 1978). The significance of the individual household in the political culture is insightfully explored by Stephanie McCurry, *Masters of Small Worlds: Yeoman Households, Gender Relations and the Political Culture of the Antebellum South Carolina Low Country* (New York: Oxford University Press, 1995). See also *Lynchburg Virginian*, June 22, 1835; *Richmond Enquirer*, August 14, 1835; *Richmond Whig and Public Advertiser*, October 6, 1835.

... entire and exclusive control over it.”<sup>16</sup> Making a revealing comparison, the *Richmond Enquirer*, referred to the abolitionist intrusion as “worse than coming into my own house, under the pretense of regulating my household.” In a more comprehensive statement, the *Lynchburg Virginian* asserted that “If emancipation is ever to be achieved, it must be done exclusively by ourselves. We know—and we *only* know—when and under what circumstances, and in what mode it may be accomplished ... and we will allow of no partnership in its eradication.”<sup>17</sup>

This supposed northern intrusion had an enormous effect on the future of the colonization project in Virginia, especially in its gradual-abolitionist strain. Unwelcome foreign interference provided a favorable conjuncture for the creation of a powerful myth: Virginians had seriously wished for the emancipation of the slaves, and they probably would have acted on that wish but for the initiatives of meddlesome northerners. The legislative debates of 1832 were portrayed as an important first step in paving the way toward abolition, a proof that many people, through their representatives, had had that end in sight only a couple of years back. Unfortunately, the abolitionist offensive had ruined such promising prospects. As the editor of the *Richmond Whig* eloquently put it:

We belonged to [the emancipationist party in 1832], and were proud to belong to it. ... A protracted and violent contest was anticipated, but eventual success was fully hoped, for the friends of prospective emancipation had the weight of numbers [and] the youth of the country ...

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<sup>16</sup> Proceedings of public meeting in Augusta County, *Richmond Enquirer*, September 11, 1835; see also the proceedings of meetings in Amherst and James City Counties, *Lynchburg Virginian*, August 24, 1835, and in Petersburg, *Richmond Enquirer*, August 18, 1835. Wyly-Jones provides the only detailed analysis available of the public meetings in the South. It is noteworthy that Virginia was the state where the highest number of such meetings took place: 40. Most of them were held in the heavily enslaved piedmont and tidewater, but, as the quoted meeting in Augusta exemplifies, they were not restricted to those areas. “The Antiabolitionist Panic,” 89-128.

<sup>17</sup> *Richmond Enquirer*, August 18, 1835; *Lynchburg Virginian*, August 10, 1835.



Where is that gallant party now? ... Disbanded, annihilated, by the wise and benevolent interference of Garrison & Co. ... The fools of philanthropists took up the subject, and that moment, we in Virginia who were embarked in the struggle, were compelled to disarm. ... No southern man will consent to be thought or called the ally of Garrison and his incendiaries, and no southern man will now move a finger in the cause. If it ever was practicable, abolition is impracticable now... Let the slaves go to Garrison & Co., and return them thanks, for not merely adding a new weight to bondage, but rendering it indissoluble.<sup>18</sup>

The abolitionist onslaught thus gave many Virginians a chance to deflect responsibility for doing nothing about an institution they disliked. Since the early years of the republic a vocal minority of Virginians had been saying that slavery was an evil, lamenting its countless negative effects, and thinking of ways in which it could be extirpated as painlessly as possible. Eventually, they realized that in a state where more than a third of the total population was enslaved, emancipation, no matter how gradual, would never be easy, or painless. The debates of 1832—although now interpreted as a close brush with abolition—had demonstrated that even those who condemned slavery and looked forward to a future without it were not ready to affect the interests of thousands of slaveholders and support uncompensated post-nati emancipation. By the mid 1830s the inconsistency of publicly deprecating slavery and doing nothing about it was becoming increasingly difficult to bear, especially when outsiders could take the initiative and hold ambivalent slaveholders to their words. The abolitionist campaign thus afforded many troubled slaveholders a way too sooth themselves for keeping their human property, and it gave tepid reformers a formidable excuse for inaction and social conformity. After the summer of 1835, Virginians still referred to slavery as an evil, but a definitive certainty that there was no way to eradicate it began to permeate their rhetoric.

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<sup>18</sup> *Richmond Whig and Public Advertiser*, July 24, 1835; for similar arguments see the issue of October 6, 1835, and also the *Lynchburg Virginian*, July 20, 1835.

Talk of gradual abolition and hard criticism against slavery, even by state natives, became highly suspect. A mob in Louisa County burned copies of John Hersey's *Appeal to Christians on the Subject of Slavery*, a work that merely repeated many of the antislavery arguments pronounced in the debates of 1832 and supported colonization as the means to gradual abolition. Commenting on the incident, the *Lynchburg Virginian* admonished that "Mr. Hersey might very properly, two or three years ago, have circulated his book, he should now refrain from so doing. The people of Virginia ... were in favor of prospective abolition some years ago, *now* we are against its *consideration*, under any circumstances."<sup>19</sup> Other Virginia clergymen known for disliking slavery and favoring colonization became the target of accusations in their communities, and had to come out publicly to disclaim any association with the abolitionists.<sup>20</sup> In addition, reflecting the climate of public opinion, the General Assembly passed at its next session an act forbidding the open advocacy of abolition and the publication or circulation of literature denying the legal right of masters to their slaves, or inciting the latter to rebellion. This law, called by historian Clement Eaton the "most intolerant law that was ever placed on [Virginia's] statute books," turned out to be of little consequence. Authorities showed no zeal to enforce it and the few known cases of prosecution under its provisions received lenient rulings by the state General Court. In sum, Virginia did not turn into a closed society after 1835, nor did its public men begin to mouth the

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<sup>19</sup> *Lynchburg Virginian*, September 15, 1835, emphasis in the original; Grimsted, *Mobbing America*, 125. For John Hersey's antislavery ideas and activities see Patricia P. Hickin, "Antislavery in Virginia 1831-1861," (Ph. D. dissertation, University of Virginia, 1968), 374-381.

<sup>20</sup> See disclaimers in the *Richmond Whig and Public Advertiser*, July 31, 1835, and October 6, 1835; also in the *Richmond Enquirer*, September 11, 1835, and September 15, 1835.

positive good theories immediately thereafter. But it would be wrong to deny that attitudes against emancipation and colonization hardened considerably.<sup>21</sup>

The antiabolitionist panic also had wide political repercussions, which further eroded the base of support for colonization in Virginia. The panic coincided with a national movement of different political forces to build a coalition against Andrew Jackson's appointed successor, Martin Van Buren. The main groups behind the opposition were the National Republicans, followers of Henry Clay and his economic policies, and an agglomeration of former Jacksonians who had grown disaffected by the supposed apostasy of the president from strict constitutionalism and state rights principles. Jackson's affirmation of federal authority during the nullification crisis and his transferring the federal funds from the Bank of the United States to a number of personally chosen local banks had alienated many of his former adherents. These two groups, which united would soon take the name of Whigs, made strange bedfellows indeed, for there was little common ground between the advocates of a government actively engaged in the promotion of economic growth on a national level—through works of infrastructure, tariffs, and the facilitation of the mechanisms for a growth-oriented system of credit and currency, and the proponents of a hands-off federal authority, which would confine its functions to the strict letter of the Constitution and leave the rest to the state governments. The fractions decided not to dwell on such

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<sup>21</sup> Clement Eaton, *The Freedom of Thought Struggle in the Old South* (New York: Harper & Row, 1964), 127, 131. The cases referred to are: *the Commonwealth v. Barrett*, Leigh IX, 665-666 (1840), and *Bacon v. the Commonwealth*, Grattan VII, 602-612 (1850). William Freehling (*Road to Disunion*, 190-196), and Alison G. Freehling (*Drift toward Dissolution*, 248-263) have argued persuasively that antislavery feeling in Virginia survived fundamentally unchanged for most of the antebellum period. Patricia Hickin made a similar case in "Antislavery in Virginia," v-vii, 1-5, 15-17. I fully agree that Virginians in general remained ambivalent about slavery, but I believe that these authors have exaggerated the degree of continuity. The stance of educated Virginians toward slavery was surely not the same in the 1850s than in the 1830s. See Peter S. Carmichael, *The Last Generation: Young Virginians in Peace, War, and Reunion* (Chapel Hill: University of North Carolina Press, 2005), 19-39.

disagreements at that moment and strived to build a united front against Van Buren for the coming election of 1836.<sup>22</sup>

Trying to attain a majority, the opposition in the South seized the abolitionist campaign as an issue with promising potential to attract voters. Van Buren was a New Yorker, and his adversaries surmised rightly that he would not countenance southern demands to put down the abolitionists in the North (that is, to use legislation and public authority to shut them up), nor give an unequivocal statement that Congress had no right to abolish slavery in the District of Columbia. Van Buren could thus be portrayed as a Yankee who had no inclination whatever to defend slavery from northern aggression, and whose inaction in this regard betrayed antislavery convictions and even complicity. Could the South trust her most vital interest to such a man? These campaign tactics were in agreement with the ideas of the most extreme state rights men in the opposition, who were also the most radical defenders of slavery. They were hardly compatible, however, with the outlook of the National Republicans, who were generally moderate on slavery-related matters and who counted a good number of colonizationists and gradual emancipationists in their ranks. Nonetheless, they joined without reservations in a rhetorical war that put them in the role of zealous defenders of slavery.<sup>23</sup>

In Virginia, from the start of the abolitionist postal campaign, National Republican papers were the most strident in demanding the repression of abolitionist activities by the northern state governments, taking every chance to taunt the pro-Van Buren *Richmond*

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<sup>22</sup> On the election of 1836 see William G. Shade, "'The Most Delicate and Exciting Topics': Martin Van Buren, Slavery, and the Election of 1836," *Journal of the Early Republic*, 18 (1998): 459-484; Freehling, *Road to Disunion*, 1: 295-307; Watson, *Liberty and Power*; Daniel W. Crofts, *Old Southampton. Politics and Society in a Virginia County, 1834-1869* (Charlottesville: University Press of Virginia, 1992), 117-136.

<sup>23</sup> Freehling, *Road to Disunion*, 1: 295-307; *Lynchburg Virginian*, September 21, 1835, October 13, November 3, 1836.

*Enquirer*—which actually made the same demand but in a more tempered fashion—for slavishly serving the “heir apparent” and neglecting southern security and interests.<sup>24</sup> As the months passed by and election day approached, the Whig papers went reiteratively over a list of facts that rendered Van Buren completely undeserving of southern trust. Digging in the past career of the “little magician,” they uncovered that in 1820 he had voted in the legislature of New York to instruct state Senators not to admit Missouri into the Union unless it gave up slavery. They also publicized that he had supported the striking out of the word “white” in the section regulating the elective franchise of the New York constitution, thereby allowing propertied free blacks to vote. They underlined repeatedly Van Buren’s ambiguous stance on the subject of congressional power over abolition in Washington D. C.; and they had a field day with the private life of Richard Johnson, his running mate, who had lived for many years with a mulatto woman and raised an interracial family.<sup>25</sup>

The newborn Whig Party in Virginia, with a constituency that included reformers of all kinds, townspeople interested in northern-like economic development, colonizationists, and proponents of gradual emancipation, started its career adopting the role of a proslavery champion. This ideological incongruity had negative effects on the colonization project. The investment of the Whigs in a campaign to unveil the democrats as unsound on slavery rendered open support to colonization inconvenient, even after the election was over.

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<sup>24</sup> *Richmond Whig and Public Advertiser*, August 4, 1835; *Lynchburg Virginian*, August 6, August 31, 1835; *Richmond Enquirer*, July 21, August 14, September 8, 1835.

<sup>25</sup> *Virginia Free Press*, October 1, October 29, 1835; *Lynchburg Virginian*, October 13, October 17, October 27, November 3, November 7, 1836. For criticism against Richard Johnson: *Richmond Whig and Public Advertiser*, July 31, 1835; *Virginia Free Press*, June 11, 1835; *Lynchburg Virginian*, June 25, June 29, July 16, 1835.

The case of William M. Blackford is quite illustrative in this regard. As noted in the previous chapter, Blackford had been the editor of the National Republican paper in Fredericksburg, and was an enthusiastic advocate of colonization, other reform initiatives, and the development of manufactures in Virginia. Moreover, he was married to Mary B. Minor Blackford, arguably the foremost female colonizationist in the state, and one of the best representatives of the ideal of female benevolence in Virginia. During the legislative debates of 1832, Blackford had expressed freely his dislike of slavery and his emancipationist views in a letter to his wife, and also publicly, albeit in a more cautious way, in an editorial in the *Political Arena*. After 1836, however, there are indications that Blackford stopped supporting the colonization project; and, by 1843, it is evident that he had recanted of most of his former views on slavery. In a letter to his wife regarding Abraham, one of the family slaves whom Mary wanted to manumit and send to Liberia, Blackford stated: “I do this [consent to Abraham’s manumission], I beg you to understand, from deference to your feelings and in fulfillment of the promise I made, and at the same time from a conviction that I am making no pecuniary sacrifice, but ... I believe that I am doing the worst thing for him I could do & that ... he would be far better and happier as our slave than as a free man.”<sup>26</sup>

In like manner, the *Lynchburg Virginian*, which had been a consistent supporter of colonization and had taken the side of reform during the debates in the legislature, reflected how Virginians began to look farther south to attain moral reassurance, and also

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<sup>26</sup> William M. Blackford to Mary B. Blackford, Cincinnati, January 25, 1832, Blackford Family Papers, box 1, Southern Historical Collection, University of North Carolina at Chapel Hill, hereinafter cited as SHC; *Political Arena*, January 3, 1832. For indications that Blackford ceased countenancing colonization see R. R. Gurley to Mary B. Blackford, Richmond, March 18, 1837, Blackford Family Papers, box 1, SHC; quotation in L. Minor Blackford, *Mine Eyes Have Seen the Glory: the Story of a Virginia Lady, Mary Berkeley Minor Blackford, 1802-1896, Who Taught her Sons to Hate Slavery and to Love the Union* (Cambridge: Harvard University Press, 1954), 60.

the growing acceptance of the fact that slavery was staying for good in the Old

Dominion:

When last year, Gov. McDuffie [of South Carolina] uttered the seemingly contradictory axiom, that slavery is an element of social and political strength in a Republican system of government, our mind was much more disposed to revolt at the apparent paradox than it is at present. Subsequent occurrences have compelled us to look at the subject of slavery ... more scrutinizingly; and we have been induced, too, to compare it with the state of *servitude* in other countries and in our own non-slaveholding states; and if these investigations have not led us to regard ... slavery, as it exists among us, as the best from of the social and political system, it has at least satisfied us that it is not the worst, in any aspect in which it may be considered. Good or bad, however, we shall defend it, until the judgment of the southern people determines that it shall be abolished...<sup>27</sup>

The consequences of this ideological shift were considerably intensified by the myriad of practical difficulties that the colonization endeavor had faced throughout the early 1830s. The law of 1833 was an utter failure. As already pointed out, the law had offered partial funding only to those blacks already free at the moment of its enactment. It soon became clear, however, that few free blacks were ready to take advantage of the law and leave voluntarily. Most blacks willing to emigrate were slaves who had been given, or promised, their freedom on the condition of going to Liberia, and the ACS had to rely on its own resources to underwrite this kind of migrants.<sup>28</sup> Disappointed colonizationists complained over the free blacks' reluctance to remove and the resulting inability of the ACS to benefit from the state funds. In trying to explain the reasons of that reluctance, Robert Toler of Lynchburg showed considerable insight into the free black's perspective: "In this place, the free negroes generally seem to have an unconquerable prejudice against the whole scheme, regarding it as a plot of the whites ...

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<sup>27</sup> *Lynchburg Virginian*, December 7, 1835.

<sup>28</sup> See above, p. 44-45.

to seduce them to a barren soil and sickly climate, anxious only for their departure from among them, and indifferent whether they afterwards prosper, or fall a victim to their credulity.”<sup>29</sup> Indeed, most free blacks remained very skeptical as to the prospects of starting over successfully in Africa, and they were further discouraged by frequent news of food scarcity, armed clashes with the natives, and a frightful mortality in Liberia. Although the ACS had been publishing its own, far more optimistic reports of the prevailing conditions in the settlements, they had proven unable to persuade many free blacks to emigrate.<sup>30</sup>

Colonizationists thus had to concentrate their efforts on the only ones who had no choice but going: slaves emancipated on that condition. Recently manumitted slaves became the most frequent “applicants” for a passage to Liberia. In 1833, the year in which the law of colonization became effective, the agent in Norfolk remitted to the headquarters of the ACS a list of migrants who remained at the “receptacle” after the departure of the “Jupiter.” out of twenty one names in the list, there was only one free black—that is, freed before March 4, 1833; the rest were all slaves freed shortly before.<sup>31</sup> The unwillingness of free blacks, and the resulting inability of the ACS to dip into the state funds, remained unchanged through the 5 years of the duration of the law. Meanwhile, pro-colonization sentiment in Virginia waned considerably, the collection of

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<sup>29</sup> Robert H. Toler to Ralph R. Gurley, Lynchburg, August 22, 1833, Records of the American Colonization Society, Library of Congress (microfilm), reel 18, hereinafter cited as RACS and reel number; see also Collin H. Minges to R. R. Gurley, Charles City, October 12, 1831, RACS, reel 12.

<sup>30</sup> A vivid illustration of the trials awaiting new settlers in Liberia in the early 1830s is found in the letters of Peyton Skipwith to his former master, John Hartwell Cocke. See especially the letters of February 10, 1834, and March 6, 1835, in Randall M. Miller, *Dear Master: Letters of a Slave Family* (Athens: University of Georgia Press, 1990), 58-61.

<sup>31</sup> John McPhail to R. R. Gurley, Norfolk, November 22, 1833, RACS, reel 19.



private donations suffered accordingly, and the ACS became plagued with problems of disorganization in its operations.<sup>32</sup>

When the law of colonization was about to expire, Colonizationists launched a petition campaign to the General Assembly and lobbied for a renewal of the appropriation for another five years, but this time giving full liberty to the ACS in the spending of the funds, which meant, of course, that emancipated slaves could be underwritten too. This initiative failed completely: the legislature showed no intention to pass a law tailored to the needs of the ACS; what is more, the delegates were not interested in renewing the appropriation either. In 1838 the law expired and the ACS stopped receiving state support for the colonization of free blacks. After these setbacks, the colonization project kept losing advocates and resources, and in Virginia, for all practical purposes, it laid dormant until the late 1840s.<sup>33</sup>

In this manner, the abolitionist offensive, the development of the second party system, and the contradictions and practical problems of colonization, linked in a circle of causality, terminated years of a comfortable inconsistency and pushed Virginians to make a choice; many of them chose slavery. Since 1832, in his famous review of the debates in the state legislature, Thomas Roderick Dew had made a strong case against colonization, declaring the task of transporting to Africa the whole slave population of Virginia, or even its annual increase, a “stupendous piece of folly.” Dew took pains to

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<sup>32</sup> D. I. Burr to R. R. Gurley, Richmond, March 15, 1836, RACS, reel 25; R. R. Gurley to Joseph Gales, Richmond, January 16, 1837 and Charles Wesley Andrews to Gurley, Richmond, January 23, 1837, RACS, reel 27; see also R. H. Toler, to Gurley, Lynchburg, September 21, 1833, RACS, reel 19, and John McPhail to Gurley, Norfolk, October 15, 1833, RACS, reel 18.

<sup>33</sup> Petition from Nelson County, January 8, 1838, in PSL, #11683803; see identical petitions submitted from Norfolk, Prince George, Dinwiddie, Morgan, Jefferson, Lancaster, Fairfax and several more counties, all dated in January 1838, in *ibid.* See also John McPhail to R. R. Gurley, Norfolk, January 8, 1836, RACS, reel 25; Charles Wesley Andrews to P. R. Fendall, Richmond, February 1, 1837; Andrews to Gurley, Richmond, March 11, 1837; Gurley to Joseph Gales, Richmond, March 16, 1837, all in RACS, reel 27.

demonstrate that the intervention of the state as a purchaser in the slave market would only inflate prices and thus encourage masters to give incentives to their female slaves to bear more children, thereby defeating the aims of the colonizationists. He concluded that any attempt at compensated emancipation with deportation would be impossible as long as there was any demand for slaves in the Southern States. Moreover, Dew argued persuasively that the wealth of Virginia depended on slavery, that it was “interwoven” with every productive branch of its economy, and that its destruction would turn the state into a “desert.” Dew did not like slavery as much as it might seem at first glance. In fact, he wishfully predicted that slavery in Virginia would gradually recede before the combined effects of improved communications, urban development, and economic diversification, as he thought it was happening in Maryland at the time. Without moral qualms, he counted on the interstate slave trade to perform this valuable function by keeping the “salutary efflux” of slaves from Virginia to the Deep South, without any cost to the state treasury or to the individual slaveholders. But despite some antislavery hints, Dew’s essay was in large measure an appeal to all Virginia slaveholders to close ranks and reject firmly a scheme that threatened to overturn the social and economic order of the state. Given that colonization was “*utterly impracticable*,” he concluded, “the real and the decisive line of conduct is either *abolition without removal*, or a *steady perseverance* in the system now established...” Needless to say, Dew thought the first alternative suicidal and considered the second one as the only real choice.<sup>34</sup>

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<sup>34</sup> Thomas Roderick Dew, “Abolition of Negro Slavery,” in Drew Gilpin Faust, ed., *The Ideology of Slavery: Proslavery Thought in the Antebellum South, 1830-1860* (Baton Rouge: Louisiana State University Press, 1981), 46 (first quotation), 30-34, 41 (“interwoven”), 39 (“desert”), 72-73, 51 (last quotation). On Dew see also Laurence Shore, *Southern Capitalists: The Ideological Leadership of an Elite, 1832-1885* (Chapel Hill: University of North Carolina Press, 1986), 24-29; Freehling, *Road to Disunion*, 1: 190-193.

Dew's work signaled a transition to a more realistic stance toward the economic consequences of slavery. Although this outlook stopped short of dismissing outright the contention that Virginia might have been a richer and more progressive land without slavery—Dew himself admitted to be, “in the main,” a convert to Adam Smith's dictum that free labor was more productive—it did appreciate more accurately the vital role of slave labor for the state economy. Concluding that colonization was impossible, and rejecting firmly any prospect of emancipation without black removal, this mentality prescribed acceptance and adaptation. As a Delegate from Petersburg had stated during the legislative debates, “Of what avail is it to demonstrate that slavery is an evil, unless it can be shown that it is possible to get rid of it?”<sup>35</sup>

This process of adaptation led to the formation of what Craig Simpson calls the “Virginia consensus,” a tacit bargain in which those wishing to modernize the state finally accepted that they would have to do it with slavery, while those whose foremost concern was to preserve slavery, would consent to state funding for internal improvements and other initiatives to boost the state economy—and also to reconcile disgruntled westerners. As a result, the perceived contradiction between slavery and modernity would gradually lose ground to the more optimistic notion that they could be ultimately compatible. This crucial shift in belief would take many years, and was probably never completed. But there is compelling evidence showing that by the mid 1850s many Virginians had accepted that progress could be pursued, and perhaps

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<sup>35</sup> Dew, “Abolition of Negro Slavery,” 73; *The Speech of John Thompson Brown, in the House of Delegates of Virginia, on the Abolition of Slavery. Delivered Wednesday January 18, 1832* (Richmond: Thomas W. White, 1832), 20. For a similar conclusion see the “Appomattox Letter,” attributed to Benjamin Watkins Leigh, published in the *Richmond Enquirer*, February 4, 1832: “I am convinced that no plan for the abolition of slavery, and the deportation of the slaves is possible. [Therefore] we lie under an invincible necessity to keep them here, and to hold them in subjection.”

attained, with slavery. As Willoughby Newton stated to a meeting of the Virginia Agricultural Society in 1852, if Virginians wanted to improve their lands and their farming techniques, they had to leave behind former notions that slavery was a wasteful and inefficient system of cultivation. “Let us be content with our condition. We have a class of laborers, tractable, efficient and profitable. Without them, Virginia would be a wilderness; with them we may defy the competition of the world.”<sup>36</sup>

Back in the 1830s, however, colonizationists and other reformers who had envisioned progress not only in an economic dimension, but also in a moral and social one, looked for other ways to make slavery more acceptable and legitimate. Some with regret, others with resignation, and some with relief, after 1835 Virginians came to realize that slavery was staying for good, and they attempted to make it compatible with a Christian and progressive community.

## II

The reaction to the abolitionist mail campaign marked the outset of a declining stage for the colonization project in Virginia, but it simultaneously created conditions that gave a strong impulse to the cause of slave evangelization. The mission to the slaves, as the campaign to catechize the slaves is often called, proposed what seemed a feasible way to

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<sup>36</sup> Craig M. Simpson, *A Good Southerner: The Life of Henry A. Wise of Virginia* (Chapel Hill: University of North Carolina Press, 1985); Carmichael, *The Last Generation*; Jonathan Daniel Wells, *The Origins of the Southern Middle Class 1800-1861* (Chapel Hill: University of North Carolina Press, 2004); Kenneth W. Noe, *Southwest Virginia's Railroad: Modernization and the Sectional Crisis* (Urbana: University of Illinois Press, 1994); Michael O'Brien, *Rethinking the South: Essays in Intellectual History* (Baltimore: Johns Hopkins University Press, 1988), 37; *Address of Hon. Willoughby Newton, before the Virginia State Agricultural Society* (Richmond: Office of the Southern Planter, 1852), 11-12. For an interesting study of the search of southern intellectuals for a modernity that could rest on the basis of slavery see Eugene D. Genovese, *The Slaveholder's Dilemma: Freedom and Progress in Southern Conservative Thought, 1820-1860* (Columbia: University of South Carolina Press, 1992).

improve the living conditions of the slaves, persuade masters to perform their duties toward them, and in the event turn slavery into a safer and more humane institution. The colonization cause, on the other hand, had been sustained by mild anti-slavery stance, and did not contemplate the amelioration of the slaves who would remain in Virginia (by far the majority, it began to be apparent). Simply put, colonizationists had offered to rid the state of slavery, while evangelists set about to reform slavery itself.

The clergy became the main force behind a reformist impulse that would gradually shed its emancipationist goals and push more decisively for ameliorative measures, accommodating in the process to the surge of a more intolerant proslavery orthodoxy. This transition, however, was anything but simple; it did not take place in a couple of years, and it was not a straight-forward result of the anti-abolitionist panic—as important as the panic was to accelerate ideological changes. Rather, it was facilitated by developments that had been unfolding for a long time.

The slaves had been joining Protestant churches and forming biracial congregations long before the 1830s. And white ministers, such as Presbyterian Samuel Davies, had been interested in bringing the gospel to Virginia slaves since the middle of the eighteenth century. Nevertheless, the Second Great Awakening and its egalitarian message of salvation for every individual willing to convert and lead an upright life increased enormously the attraction of Christianity to the slaves. The 1810s and 1820s witnessed an impressive swelling of the black membership of Baptist and Methodist churches throughout the South. During these years, many biracial churches in Virginia attained black majorities, and in some cases the black part of the congregations seceded

and formed semi-independent churches, especially within the Baptist denomination.<sup>37</sup>

On the other hand, these transformations also fed the urge of many religious whites to incorporate the slaves, and blacks in general, to the evangelical movement. White evangelicals became more willing to accept blacks in Christian fellowship, treating them with a degree of equality that, albeit never complete, was unparalleled outside the meeting houses.<sup>38</sup>

In addition, as the reformist enthusiasm set in all over the United States, the clergy was in the frontline of benevolent activities from the beginning, joining efforts to spread the Gospel, found Sunday schools, and bring a Bible to every home in the land. Virginia ministers were full participants in the movement of benevolent reform, and shared an ideology that propounded the spread of the gospel as an effective means of social improvement. Being in favor of taking the Bible to every family, and of bringing all children under the catechizing influence of a Sunday school, they would find a field of fruitful exertion at home in the campaign to give religious instruction to the slaves.<sup>39</sup>

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<sup>37</sup> George William Pilcher, "Samuel Davies and the Instruction of Negroes in Virginia," *Virginia Magazine of History and Biography*, 74 (1966): 293-300; Sylvia R. Frey and Betty Wood, *Come Shouting to Zion: African American Protestantism in the American South and British Caribbean to 1830* (Chapel Hill: University of North Carolina Press, 1998), 150-181; Luther P. Jackson, "Religious Development of the Negro in Virginia from 1760 to 1860," *Journal of Negro History*, 16 (1931): 187-196; Christine Heyrman, *Southern Cross: The Beginnings of the Bible Belt* (Chapel Hill: University of North Carolina Press, 1997), 46-52.

<sup>38</sup> John B. Boles, "Introduction," in Boles, ed., *Masters and Slaves in the House of the Lord: Race and Religion in the American South 1740-1870* (Lexington: University Press of Kentucky, 1988), 9-11; Randolph Ferguson Scully, "A Gospel Fellowship: Evangelicalism, Republicanism, and Southern Culture in Southeastern Virginia, 1750-1840," Ph. D. dissertation, University of Pennsylvania, 2002; Kenneth K. Bailey, "Protestantism and Afro-Americans in the Old South," *Journal of Southern History*, 41 (1975): 451-472.

<sup>39</sup> Elizabeth R. Varon, *We Mean to Be Counted. White Women and Politics in Antebellum Virginia* (Chapel Hill: University of North Carolina Press, 1998), 23; John Kuykendall, *Southern Enterprise: The Work of the National Evangelical Societies in the Antebellum South* (Westport, Conn.: Greenwood Press, 1982), 4-5, 13-18; William Henry Foote to R. R. Gurley, Romney, September 24, 1831, RACS, reel 12; "Instruction of Colored Members," *Religious Herald*, February 13, 1835; Arthur Dicken Thomas, Jr., "The Second Great

The campaign of slave evangelization dovetailed nicely with the colonizationist goal of settling Christian freedmen in Africa, so that they could bring the light of the gospel to their “heathen” brethren. This is the reason why many clergymen interested in slave evangelization were also among the chief supporters of colonization. In the view of many reformers, both endeavors were supposed to complement each other. Through the 1820s and early 1830s, the supporters of both initiatives considered religious instruction as an indispensable preparation for the eventual emancipation of the slaves.

Ralph R. Gurley, manager of the American Colonization Society, and also a Presbyterian licentiate, made clear the interdependence of evangelization and colonization in a letter to a Virginia friend: “Could [not] Virginia men be induced to begin a process of melioration toward the poor slaves, to do away all her laws which shut out the light of God’s truth from their minds, & prepare them for freedom [?] [Then] the Union might be eternal, and Africa and her wretched children have the blessings of civilization and the gospel.”<sup>40</sup> Religion would imbue the slaves with the restraints of a moral conscience, so that they could exercise their freedom judiciously once they settled in Africa. With the benefit of a solid Christian formation, former bondmen and -women would not only manage to live independently and happily in Liberia, but would also

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Awakening in Virginia and Slavery Reform, 1785-1837,” (Th. D. dissertation, Union Theological Seminary in Virginia, 1981).

<sup>40</sup> Ralph R. Gurley to Mary B. Blackford, May 20, 1835, Blackford Family Papers, box 1, SHC. Similarly, Charles Colcock Jones, arguably the most conspicuous proponent of slave evangelization in the whole South, in his youth had regarded colonization as the safest solution to the problem of slavery. Although he later chose to devote his entire attention to the cause of evangelization, he remained a sympathizer of the colonization project. In an 1832 letter to Gurley, Jones excused himself for not supporting openly colonization in Georgia, explaining that as a “measure of policy” he had to keep the evangelization endeavor clear of the controversy surrounding colonization. Jones to Gurley, Savannah, February 9, 1832, RACS, reel 13. On Jones’ career as a reformer see Donald G. Mathews, “Charles Colcock Jones and the Southern Evangelical Crusade to Form a Biracial Community,” *Journal of Southern History*, 41 (1975): 299-320; Janet Duitsman Cornelius, *Slave Missions and the Black Church in the Antebellum South* (Columbia: University of South Carolina Press, 1999), 77-85, 170.

bring the word of God to the “heathen,” thus carrying out God’s plan to bring civilization to Africa.<sup>41</sup>

In the words of Conrad Speece, Presbyterian minister and colonization activist in Augusta County, slavery should be allowed to continue only as long as it took to prepare blacks for freedom. “As a community, we should be culpable of holding a class of people in slavery, who were capable of making a good use of liberty; and we might be criminal also, if their incapacity for liberty should arise from our neglect.”<sup>42</sup> This was a particularly bold enunciation of this outlook, but the essential point was shared by many reformers, lay and religious.

John Hartwell Cocke, a wealthy planter, philanthropist, and also the president of the ACS auxiliary in Fluvanna County, took religion as a fundamental component of the “training regime” he devised for the slaves he planned to emancipate and send to Liberia—who had to show proofs of accountability and moral improvement before being chosen for the “experiment.”<sup>43</sup> John Early, a future Methodist bishop, had started his

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<sup>41</sup> “Character and influence of the Colonization Society,” *African Repository and Colonial Journal*, VII (1831): 198-201; *Controversy between Caius Gracchus and Opimius*; “Notices of the Proceedings of the General Assembly of the Presbyterian Church, holden at Philadelphia, May, 1818,” *Virginia Evangelical and Literary Magazine*, I (1818): 377-380. For similar views in another upper South state, see *An Address to the Presbyterians of Kentucky, proposing a Plan for the Instruction and Emancipation of their Slaves* (Newburyport: Charles Whipple, 1836). Whitmarsh Seabrook, a South Carolina planter, believed that the ultimate end of the advocates of evangelization was to prepare the slaves for eventual emancipation. Seabrook, *An Essay on the Management of Slaves, and Especially, on their Religious Instruction* (Charleston: A. E. Miller, 1834), 20-21.

<sup>42</sup> “Thoughts on Slavery,” *Virginia Evangelical and Literary Magazine*, II (1819): 295-301, quotation on 298. Louis Weeks III attributes this essay, signed by “C,” to Conrad Speece, a Presbyterian minister from Augusta County, who was also president of the auxiliary of the ACS in that county. Weeks, “John Holt Rice and the American Colonization Society,” *Journal of Presbyterian History*, 46 (1968): 33-34. For similar views on the preparatory character of religious instruction see George A. Baxter, *An Essay on the Abolition of Slavery* (Richmond: T. W. White, 1836); Charles Andrews Farley, *Slavery; a Discourse Delivered in the Unitarian Church, Richmond, Va.* (Richmond: James C. Walker, 1835).

<sup>43</sup> Martin Boyd Coyner, Jr., “John Hartwell Cocke of Bremono: Agriculture and Slavery in the Antebellum South,” Ph. D. dissertation, University of Virginia, 1961, 310-316, 324-328; Cornelius, *Slave Missions and the Black Church*, 69-72, 169; Staudenraus, *The African Colonization Movement*, 107.



career as an energetic circuit rider in the Virginia south side during the first years of the century. As an itinerant minister he often preached to slave audiences, a labor which, by his own account, he performed with great devotion. Some years later, Early served as the president of the Lynchburg auxiliary of the ACS.<sup>44</sup> Similarly, William S. Plumer, a Presbyterian minister, emancipated and sent to Liberia at least two slaves of his property in 1833, one of them a woman he had avowedly purchased only to “save [her] from the hands of a Negro-trader.” Years later Plumer lent his support to the establishment of the African Baptist Church of Richmond—the first all-black church in the city, and became a vocal promoter of religious instruction for the slaves.<sup>45</sup> William Mayo Atkinson, an attorney who would later leave the legal career for that of a minister, was a very valuable agent to the ACS in Petersburg. After the Nat Turner rebellion, he expressed to the general manager of the society his belief that colonization would pave the way for gradual emancipation. Atkinson also thought that the panic aroused by the rebellion presented a very good opportunity to start “an enlarged plan” of slave evangelization.<sup>46</sup>

John H. Rice provides another case in point. Presbyterian minister and activist in several benevolent initiatives, Rice was also a colonizationist and one of the leading voices in the cause of slave evangelization in Virginia. During the early years of the century, his pastoral labors in the Cub Creek Church, in Charlotte County, had included

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<sup>44</sup> John Early Diary, 1807-1814, SHC; Richard H. Toler to R. R. Gurley, Lynchburg, September 30, 1833, RACS, reel 19; Slaughter, *Virginian History*, 13.

<sup>45</sup> William S. Plumer to Ralph R. Gurley, Petersburg, October 3, 1833, RACS, reel 18; Jeremiah Bell Jeter, *Recollections of a Long Life* (Richmond: The Religious Herald Co., 1891), 213; William S. Plumer, *Thoughts on the Religious Instruction of the Negroes in this Country* (Savannah, Edward J. Purse, 1848).

<sup>46</sup> William M. Atkinson to R. R. Gurley, Petersburg, September 27, 1831, and September 10, 1831, RACS, reel 12; Atkinson to Gurley, December 17, 1831, RACS, reel 13; William Henry Foote, *Sketches of Virginia, Historical and Biographical. Second Series* (Philadelphia: J. B. Lippincott, 1855), 555; Staudenraus, *African Colonization*, 109.

ministering to a numerous black membership, a task which he performed with great dedication. He later moved to Richmond and became the editor of the *Virginia Evangelical and Literary Magazine*, a good example of the many religious periodicals that began to flood the United States in the 1820s. The *Magazine* gave favorable publicity to all kinds of benevolent enterprises, including, of course, colonization and slave evangelization.<sup>47</sup>

But perhaps the most illustrative example of the close relation between colonization and the mission to the slaves is found in William Meade, an Episcopal minister from Frederick County who rose to become the bishop of Virginia. As noted in the previous chapter, Meade had worked as an agent of the ACS in its beginnings. He emancipated some of his slaves with the purpose of sending them to Liberia, but he was unable to persuade them to go, and apparently they moved to a free state instead. In addition to these labors, he devoted great attention to the religious instruction of the slaves since the first years of his career, promoting it from the pulpit and publishing several important works on the subject, from his own pen and from other authors too. Meade eventually stopped giving active support to the colonization project, but, throughout his long career, he continued to believe that providence's ultimate design in allowing slavery in America

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<sup>47</sup> William Maxwell, *A Memoir of the Rev. John H. Rice, D. D.* (Richmond: R. I. Smith, 1835), 33-37; Foote, *Sketches of Virginia*, 301-303; Weeks, "John Holt Rice," 26-41; Ernest Trice Thompson, *Presbyterians in the South*, 2 vols. (Richmond: John Knox Press, 1963), 1: 330-340; Varon, *We Mean to Be Counted*, 25. For pro-colonization opinions in the *Virginia Evangelical and Literary Magazine*, see vol. I (1818): 377-380; II (1819): 295-301, 581; VI (1823): 545. For pieces in favor of the religious instruction of the slaves, see vol. II (1819), 202-203, 295-301; IV (1821): 309-314, 392; V (1822): 67-70, 643; VIII (1825): 603-604.

was to turn blacks into Christians, and have them return to Africa one day to spread the gospel.<sup>48</sup>

The fact that a good number of clergymen served as agents of the ACS in the many local auxiliaries that appeared throughout Virginia in the early 1820s is an additional sign of the close relation between colonization and the movement for religious instruction. Clergymen were ideally suited to perform as agents: they had the training and the opportunity to speak in public often, so they could proselytize and plea for donations from the pulpits. Moreover, the churches of the main denominations throughout the state contributed to colonization. It was usual for ministers to summon their congregations for a yearly meeting in favor of colonization on the 4<sup>th</sup> of July, where they would recommend the project and collect donations.<sup>49</sup>

Women colonizationists also showed considerable interest in religious instruction. Ann R. Page, the pious sister of William Meade, considered it a “sin of awful magnitude” to neglect the evangelization of slaves. Determined to fulfill her Christian duty, she personally catechized her slaves, encouraging them to convert and taking a deep and continuous interest in their spiritual life. This education was also intended as a

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<sup>48</sup> William Meade to Strother Jones, Charleston, May 26, 1819, Charles Wesley Andrews Papers, box 1, DU; William Meade to Mary Lee Custis, Millwood, April 11, 1823, and May 30, 1825, William Meade Letters, VHS; Ann R. Page to R. R. Gurley, Millwood, August 24, 1831, RACS, reel 12; John Jones, *A Memoir of the Life of the Right Rev. William Meade, D. D., Bishop of the Protestant Episcopal Church in the Diocese of Virginia* (Baltimore: Innes & Co., 1867), 122-123, 473-477; Stiles Bailey Lines, “Slaves and Churchmen: the Work of the Episcopal Church among Southern Negroes, 1830-1860,” Ph. D. dissertation, Columbia University, 1960, 243-246. For Meade’s works and publications see references below.

<sup>49</sup> An examination of the list of local auxiliary societies and its officers published by Philip Slaughter shows that, in the 1820s, 17 auxiliary societies out of 29 had clergymen among their officers and managers (his list comprises 32 societies, but for three of them he only provides the name of the presidents). Moreover, five auxiliaries were presided by reverends, and in two of them—Augusta and Lynchburg—the president and the two vice-presidents were all ministers. Slaughter’s list was incomplete, as he himself admitted. *Virginian History*, 11-13. For a good example of church collections see the lists of contributions to the ACS of 1825 in the *African Repository and Colonial Journal*, I (1825): 160, 222-223, 288.

preparation for freedom, for her goal was to emancipate her slaves and settle them in Liberia. In planning the future life of her slaves, Page understood her own actions as part of a bigger scheme: “O to see Western Africa seasoned with salt from American Christians! O to send our best servants to help to lay the foundations!” It took her time and a bit of anguish too, but she ultimately succeeded in her purpose.<sup>50</sup> Mary B. Minor Blackford, an Episcopalian like Page, and founder of the Fredericksburg female auxiliary of the ACS, gathered her slaves on Sundays to teach them to read the Bible. She worked for colonization believing that it would open the road to gradual emancipation, and that the prospective emigrants to Liberia should receive adequate preparation. Unlike Page, who was a widow, Blackford could manumit only with the consent of her husband, which she was able to obtain for just one slave.<sup>51</sup>

Gender conventions contributed to some extent to women’s involvement in slave religious instruction. The emerging ideology of female domesticity prescribed for women a crucial role as educators and builders of the moral character of their children. In the southern context, such a role was expanded to include the teaching of the rudiments of religion to the slaves of the household. The different denominations issued constant appeals to the mistresses and their young daughters to perform this role. Louisa Maxwell, John Hartwell Cocke’s second wife, ran a school for slave children in “Bremo,” the family plantation. Maxwell labored diligently to teach her slave pupils the basic principles of Christianity and—before the neighbors’ reproof forbade it—to read and

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<sup>50</sup> Ann R. Page to R. R. Gurley, Millwood, August 24, 1831, RACS, reel 12 (first quotation); Ann R. M. Page to Mary Lee Custis, n. d., Mary Lee Custis Papers, VHS (second quotation); Page to Gurley, Annfield, December 27, 1831, RACS, reel 13; “The Diary of Rev. Frederick D. Goodwin,” *Proceedings of the Clarke County Historical Association*, IV (1944): 38.

<sup>51</sup> Varon, *We Mean to be Counted*, 29, 45-47, 53-56; Blackford, *Mine Eyes Have Seen the Glory*, 59-61.

write. This work matched well with her husband's project of forming good prospects for future settlement in Liberia.<sup>52</sup>

In sum, these reformers shared the view that slavery was supposed to last only as long as it was "necessary", and that it was in the hands of white Virginians to ensure that the slaves received the means to proceed gradually to the next stage in their development: freedom in Africa as civilized Christians and propagators of the gospel. In good colonizationist fashion, this conception included the prospect of a better and brighter future without slavery—and without blacks, in which Virginia would be more pious, moral, prosperous, and homogenous.

This leads us to a crucial question: if many clergymen involved in the mission to the slaves understood their efforts as a preparation for an eventual emancipation, how can we explain their later conformity and quiescence to the permanence of slavery? The shift of the reformist impulse toward amelioration and a more conservative stance was considerably facilitated by some deeply ingrained fears and beliefs in the ideology of these clergymen. Despite their sincere dislike for bondage, the advocates of evangelization could not break away from a voluntary and extremely gradualist approach, hoping to eradicate slavery without causing too much inconvenience to anyone—white, that is. And that is surely one of the chief reasons they were so attracted to the colonization movement from the beginning. The main denominations had already made a choice early in the century not to oppose slavery openly. Instead of alienating the thousands of slaveholders in their potential constituency, Methodists, Baptists, and

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<sup>52</sup> Louis B. Gimelli, "Louisa Maxwell Cocke: An Evangelical Plantation Mistress in the Antebellum South," *Journal of the Early Republic*, 9 (1989): 53-71; Coyner, "John Hartwell Cocke," 313-314, 345-352. See also, Cynthia A. Kierner, "Woman's Piety within Patriarchy. The Religious Life of Martha Hancock Wheat of Bedford County," *Virginia Magazine of History and Biography*, 100 (1992): 85; Donald G. Mathews, *Religion in the Old South* (Chicago: University of Chicago Press, 1977), 115-119.

Presbyterians had opted for gaining influence over them, and thus keep the access to the slaves open. Henceforth, even those clergymen who left written record of a clear hatred of the peculiar institution refrained from using their moral authority to act directly against it.<sup>53</sup> John H. Rice, for instance, in 1827 expressed to a fellow Presbyterian his conviction that “slavery is the greatest evil in our country.” Right after this statement, however, Rice explained why he did not act upon such a conviction: “...the reason why I am so strenuously opposed to any movement [against slavery] by the church is simply this. I am convinced that any thing we can do will injure religion and retard the march of public feeling ... [A]s slavery exists among us, the only possible chance of deliverance is by making the people willing to get rid of it.”<sup>54</sup> The mission to the slaves thus had an important antislavery ingredient, but its potential to do something against the continuance of bondage was just as limited as that of colonization. Many advocates of both initiatives saw slavery as antithetical to progress, but they hoped that the change they wished for would come gradually and in small increments; the kind of process that would slowly drive slaveholders to recognize that it was in their own long-term interests to let the slaves go. As it turned out, slavery was accommodated in a view of progress as

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<sup>53</sup> The exceptions to this statement are found in those few clergymen who were willing to pay the price for taking a bold public stance against slavery on moral and religious grounds. George Bourne and John D. Paxton, the two of them Presbyterian ministers, had to leave Virginia after having caused controversy on account of their antislavery opinions. Bourne was expelled from the Church after sustaining that slavery was incompatible with Christianity. He moved to the North and later became an outspoken abolitionist. Paxton, on the other hand, faced the reproof of his congregation after he emancipated a family of slaves he had received through inheritance. In explaining his conduct, he expressed openly his belief that slavery ran counter to religious principles. On Bourne see Howard McKnight Wilson, *The Lexington Presbytery Heritage. The Presbytery of Lexington and its Churches in the Synod of Virginia* (Verona, Va.: McClure Press, 1971), 90-93; on Paxton see his *Letters on Slavery; Addressed to the Cumberland Congregation, Virginia* (Lexington, Kentucky: Abraham T. Skillman, 1833). Paxton sent his emancipated slaves to Liberia, see *African Repository and Colonial Journal*, I (1825): 318.

<sup>54</sup> Quoted by Thompson, *Presbyterians in the South*, 1: 339.

an automatic and effortless march, something that would take care of itself for the most part, requiring help only in small measures.<sup>55</sup>

This conception of a slow and orderly process of change was also clearly manifest in the concern for the fitness of blacks for freedom. The evangelization project rested on the assumption that slaves untouched by Christianity were ignorant, lazy, and depraved, and it was at least partially motivated by the anxiety of seeing them walk free one day without adequate “preparation.” Such an anxiety grew out of fears of social chaos, and perhaps also of a concern that premature emancipation would only prove defenders of bondage right. In the words of a Presbyterian, “[the] slave character must be elevated by civilization and Christianity, before emancipation can be effected consistent with general happiness.” In line with their colonizationist ideology, evangelists were aghast at the prospect of emancipation without deportation, which, in their view, would only produce a state of things far worse than slavery. “There is not a shadow of doubt in my mind,” John Hartwell Cocke said to a friend, “that if the Negro race of Va. in their present unprepared state were forthwith universally emancipated, that an amount of human suffering & mortality tenfold as great would take [place] as is now the consequence of slavery.”<sup>56</sup>

What is more, this preoccupation with the need of some training for freedom included also the freedmen who would migrate to Liberia. Many Christian emancipators felt a deep sense of responsibility for the future lives of their slaves, and they would not

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<sup>55</sup> David Brion Davis, *Slavery and Human Progress* (New York: Oxford, 1984), 154-162; Rush Welter, “The Idea of Progress in America: An Essay in Ideas and Method,” *Journal of the History of Ideas*, 16 (1955): 401-415.

<sup>56</sup> Baxter, *An Essay on the Abolition of Slavery*, 7; Cocke to E. C. Delavan, July 24, 1837, quoted by Coyner, “John Hartwell Cocke,” 315-316.

manumit them until they considered them “ready.” Cocke himself, as previously noted, expected his slaves to prove the attainment of “good” morals and habits of self-discipline before choosing them for emancipation. Indeed, he bought a plantation in Alabama to use as a sort of school for freedom, where he sent the slaves he believed could become good colonists. Cocke’s expectations were so exacting and unrealistic—in that he wanted to turn his slaves into finished exemplars of Victorian morality—that most of the slaves he had intended to free in the end remained in bondage. Ann Page also thought that slaves had to show improvement in the “moral department” before being sent to Liberia, and she invested a good deal of effort in producing such a result in her own bondservants. Nevertheless, she once expressed to her cousin the opinion that “good colonists to found the Republic [Liberia], are more wanting than even pecuniary aid[,]” thus casting doubts on the prospects of success for the whole project on account of the poor preparation of the emigrants.<sup>57</sup>

Another important symbol of the concern for the fitness of the emigrants was the founding of a society for the education of prospective colonists. In December of 1829, the most important personalities of the colonization movement gathered in Washington to inaugurate the African Education Society with the expressed purpose of “preparing the ... emigrants, by a suitable training, for prosperity and usefulness in Africa.” The opening address justified this initiative asserting that the slaves were “wholly unfit” for freedom in the United States, and therefore they could not be expected to become the “enlightened citizens” of a new republic without education. The ACS sponsored the plan, and prominent Virginia reformers, such as William Meade and John Holt Rice, figured at

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<sup>57</sup> *Ibid.*, 434, 440-447; Cornelius, *Slave Missions and the Black Church*, 69-72, 169; Ann R. Page to Mary Lee Custis, n. d., Mary Lee Custis Papers, VHS.



the top of the list of officers. Masters wishing to emancipate their slaves would place them under the care of the society, which would give them education “in letters, agriculture, and the mechanic arts.” After receiving this instruction, the slaves would be manumitted and sent to Liberia.<sup>58</sup>

In like manner, future state governor James McDowell, who was also a colonizationist and a devout Presbyterian, signed a written agreement for self-purchase with his slave Lewis. The latter would be allowed to work independently in order to pay his owner a total of \$500 divided in three yearly installments. In a solemn tone, McDowell wrote in the “contract”: “If [Lewis] is fit to be free, he will soon become so by his own industry and will gradually acquire, during his probationary effort, the management, the habits of order and self reliance and the sense of character which will qualify him to profit by his new condition; but if he is not to be free, his incapacity to be so will soon be exposed and he will then be consigned to the state in which he now is & from which emancipation will only be an injury.” It is worth pointing out that an additional condition in this agreement was that Lewis had to sign up with the nearest agent of the ACS as soon as he made the final payment. That is, McDowell was concerned with Lewis’ fitness for freedom in Liberia.<sup>59</sup> As the last examples show, the

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<sup>58</sup> *Report of the Proceedings at the Formation of the African Education Society: Instituted in Washington, December 28, 1829* (Washington: Rothwell & Ustick, 1830), 6, 3, 15-16. For reasons that remain unclear, however, this initiative never prospered, and the society had a very brief existence. Cornelius, *Slave Missions and the Black Church*, 167.

<sup>59</sup> James McDowell Papers, folder 65, SHC. It should be noted that this kind of agreements between masters and slaves, no matter how formal, had no legal value. For McDowell’s involvement in colonization see “Notes on Colonization,” in *ibid.*, folder 73; McDowell to Ralph R. Gurley, Lexington, October 25, 1831, RACS, reel 12. The ACS official journal occasionally featured contributions suggesting the trial of different schemes of self-purchase. Such plans usually emphasized that when slaves purchased their freedom with their own effort they acquired habits of “forethought and economy,” which gave them a good preparation for freedom. See the following in the *African Repository and Colonial Journal*, “Interesting Extract,” I, (1825): 150-152; “Thoughts on Slavery,” II, (1826): 186-188; “Abolition of Slavery in Mexico,” VIII, (1832): 21-24 (quotation on page 23).

attainment of sound habits and a good character was not always rendered explicitly dependent on religion. But advocates of evangelization assumed with all certainty that religious instruction was the best way to cause the necessary improvement in the character of the slaves.

There was another key ideological element that helps to explain why clergymen led the shift of reform toward amelioration, and were able to adjust without much trouble to the rise of a more orthodox proslavery opinion after 1835. Even in the 1820s, when they were engaged in colonization and pursuing emancipationist goals, advocates of evangelization were also working hard to persuade masters that religious instruction would give them a more pliant labor force, and more faithful and well-behaved servants. John H. Rice was emblematic of how an intense dislike of slavery and hopes for future emancipation could cohabit with the unabashed conviction that religion was a formidable instrument of control over the slaves. For all his deprecation of the “evil,” Rice remained a slaveholder till his death, and he was an eloquent proponent of religious instruction as the most effective antidote against any form of dangerous “fanaticism,” that is, the sort of religious beliefs that could inspire slaves to rebel and commit murder. Ensuring that the slaves received the right kind of indoctrination was a matter of public safety to him. Rice also argued persuasively that the slaveholders would be the first ones to derive great benefits from an improvement in the habits and moral constitution of their slaves.<sup>60</sup>

William Meade too, along with his active labors in the cause of colonization, and notwithstanding his open avowal that slavery was “one of the most tremendous evils that ever overhung a guilty nation upon earth,” tried to convince masters that a good religious

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<sup>60</sup> “The Injury done to Religion by Ignorant Preachers,” *Virginia Evangelical and Literary Magazine*, VIII (1825): 603-604; “On the Improvement of the People,” *ibid.*, V (1822): 643; “On the Moral Condition of Slaves,” *ibid.*, IV (1821): 309-314. On Rice as a slaveholder see Foote, *Sketches of Virginia*, 302, 447.

instruction was the best and surest way to make their slaves love them and, concomitantly, behave and work well on their own accord. Similarly, he enjoined the slaves to be honest and diligent by reminding them that the eyes of God were always upon them. More than mere rhetoric aimed at selling the project to masters and opening the access to the slaves, these admonitions were consistent with clergymen's expectations of the effects of religion on the converted individual, and bore the tone of sincere conviction.<sup>61</sup>

The mission to the slaves in Virginia thus incorporated a complex mixture of contradictory elements; a sincere dislike of slavery tempered by fears of black freedom and doubts of black fitness to live free; a strong concern for the souls of the slaves joined to a firm conviction that religion would render them tame and reconcile them to their lot; an optimistic view of the slaves' capacity to acquire self-restraint and moral responsibility counteracted by an inveterate proneness to infantilize them.

Such contradictions would keep haunting the reformist endeavor until the end of slavery. In their day-to-day labors, however, the advocates of evangelization were able to conciliate these elements to a considerable degree under one general goal: the "elevation" of the slave. This goal was big and vague enough to give room for the different and seemingly contradictory motivations, which became intertwined and could be shared without overt conflict by the same person. When ministers and other advocates of the mission promised masters that religion would make their slaves better servants, they

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<sup>61</sup> "An Address by the Reverend William Meade of Virginia," *African Repository and Colonial Journal*, I (1825): 146-150, quotation on 148; *Pastoral letter of the Right Rev. William Meade, Assistant Bishop of Virginia, to the Ministers, Members, and Friends of the Protestant Episcopal Church in the Diocese of Virginia, on the Duty of Affording Religious Instruction to those in Bondage. Delivered in 1834* (Richmond: H. K. Ellyson, 1853), 20-21; William Meade, *Sermons, Dialogues and Narratives for Servants, to be read to them in Families; Abridged, Altered, and Adapted to their Condition* (Richmond: James C. Walker, 1836), 6-9.

were certainly promoting the adoption of more refined and effective methods of social control, but they were also pursuing the far more encompassing goal of transforming the character of the slaves, of making them attain moral responsibility and self-control.<sup>62</sup> This was a result they wished for with all sincerity, for it was what they expected from every professing evangelical, not only from the converted slave. In addition to the promise of salvation in the next life, and the offer of comfort for the unending misfortunes of the present one, the religious instruction directed at black audiences also placed a good deal of emphasis in the need to lead a Christian life, which could not be done except by improving daily habits and conduct. An upright life was necessary to ensure salvation, and in that respect there was no difference between black and white.<sup>63</sup>

The effort to elevate the slave was compatible with the plans of gradual emancipation, but it could be easily harnessed to a different and independent goal: to change the slaves and slavery. Even if the slaves were never emancipated, their improved character could not fail to change the face of society—and the envisioned transformations were completely in tune with an ambitious program of slavery reform. The improvement would render the yoke of bondage much lighter, for the need of punishment or violent compulsion would be eliminated. As William Meade asked rhetorically, “Shall we not thus, in some good degree, substitute religious principle for

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<sup>62</sup> There is a rough consensus among historians that the campaign of evangelization was motivated by a complex dialectic of control and amelioration. Religious instruction surely played for social stability and benefited the masters, but it also carried a true concern for the slaves’ spiritual life. Mathews, *Religion in the Old South*, 142-146; Anne C. Loveland, *Southern Evangelicals and the Social Order 1800-1860* (Baton Rouge: Louisiana State University Press, 1980), 254-256; Erskine Clarke, *Wrestlin’ Jacob: a Portrait of Religion in the Old South* (Atlanta: John Knox Press, 1979), 57-58; Mitchel Snay, *Gospel of Disunion: Religion and Separatism in the Antebellum South* (New York: Cambridge University Press, 1993), 93-94.

<sup>63</sup> Drew Gilpin Faust, “Evangelicalism and the Meaning of the Proslavery Argument: The Reverend Thornton Stringfellow of Virginia,” *Virginia Magazine of History and Biography*, 85 (1977): 3-17.

that slavish fear which now is the chief motive of their conduct?”<sup>64</sup> If evangelists succeeded in turning slaves into morally responsible agents, they would require only a slight and kind oversight from the master, thereby allowing slavery to become a truly paternalistic and harmonious social system. This moral progress would also have material consequences, for if the slaves became autonomously diligent and industrious, there was no reason why they could not be as productive as freemen.<sup>65</sup>

This emphasis on moral improvement allowed evangelists to keep a very flexible position toward the problem of slavery. Missionaries could support colonization, even dream about emancipation, and still focus on an objective that was independent of success in either of those initiatives. In the reformers point of view, slave elevation would not fail to bear fruit, in freedom or in bondage. Evangelization could perhaps pave the way for an orderly transition from slavery to freedom one day, but in the meantime it would surely improve slavery, effecting the changes that would make the institution safer and softer.

The focus on changing the slave character explains why evangelists in general had little trouble adjusting to the rise of a more militant proslavery opinion in their white constituency. The panic unleashed by the abolitionist mail campaign in 1835 raised a cloud of suspicion over the clergy, but after the dust settled the crisis had actually prepared the terrain for the religious bodies to adopt the role of defenders of the status

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<sup>64</sup> Meade, *Pastoral Letter*, 20.

<sup>65</sup> Bertram Wyatt-Brown, “Modernizing Southern Slavery: The proslavery Argument Reinterpreted,” in J. Morgan Kousser and James M. McPherson, eds., *Region, Race, and Reconstruction: Essays in Honor of C. Vann Woodward* (New York: Oxford University Press, 1982), 27-49; Faust, “Evangelicalism and the Meaning of the Proslavery Argument,” 11-12; Donald G. Mathews, *Religion in the Old South*, 139; William W. Freehling, “James Henley Thornwell’s Mysterious Antislavery Moment,” *Journal of Southern History*, 57 (1991): 383-406. Although I disagree with their conclusions, see also Jack P. Maddex, “Proslavery Millennialism: Social Eschatology in Antebellum Southern Calvinism,” *American Quarterly*, 31 (1979): 46-62; and Mitchel Snay, *Gospel of Disunion*, 95-99.

quo. Advocates of evangelization did not surrender conscience and change their position when white anger and hysteria rendered open discussion of emancipationist schemes inappropriate. Rather, the very complexity of their ideology allowed them to adapt and to pick up the themes within their rhetoric which best suited the new circumstances; so, in large measure, they merely shifted emphasis. This is not to say that things did not change, or that there was not more pressure for conformity as the decade of the 1830s wore on. Indeed, the antiabolitionist panic of 1835 was just as decisive a turning point for evangelization as it was for colonization. An atmosphere of fear and suspicion gave room to accusations of subversive inclinations against members of the clergy known for their labors among the slaves. Individually and in corporate fashion, the clergy had to disclaim any association with the abolitionists and their goals.<sup>66</sup> But these pledges of adhesion to the status quo marked no clear surrender of former purposes, nor a drastic change in the discourse of the evangelization project.

The Virginia clergy did not turn to a perpetualist stance after 1835, nor did it start proclaiming loudly the unmingled blessings of slavery for both blacks and whites. In fact, the belief that the slaves would one day be ready for freedom never became heretical in Virginia—although the day of emancipation was left in the haze of a far distant future. Presbyterian George A. Baxter provides a good example. In an essay he wrote in 1836 especially to condemn the offensive of northern abolitionists, he expressed a firm conviction that slavery would not be perpetual. Baxter asserted that with the help of religion the slaves would gradually attain a more elevated character and finally be ready for freedom one day. The masters themselves would notice when the slaves were

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<sup>66</sup> For a sample of collective and individual disclaimers see *Richmond Enquirer*, September 4, September 8, September 11, and September 15, 1835; *Richmond Whig and Public Advertiser*, July 31, October 2, and October 6, 1835; *Virginia Free Press*, September 3, and November 5, 1835.

prepared to become free laborers, and, pursuing their own material benefit—for it was evident that free labor was superior to slave labor, would emancipate their property.<sup>67</sup> The conception of religious instruction as a preparation for freedom was manifested quite freely as late as the 1850s, and even those clergymen who in time took a more decided proslavery stance, such as William A. Smith, still entertained the opinion that slavery was a transitory state, from which slaves would emerge one day as good Christians and responsible individuals. The view of slavery as a civilizing mission thus remained in full force, even if now there was an ominous silence on the time and signs of black readiness for freedom. Such an omission rendered this view inoffensive to those who hoped that blacks would never “graduate.”<sup>68</sup>

Therefore, the most significant change after the crisis of 1835 was that the South as a whole felt the need to legitimate its social system with unprecedented urgency. Such a need created an especially important role for the religious bodies, who would take on the task of redeeming slavery in the eyes of the world and, not less importantly, in those of southerners themselves. The aftermath of the antiabolitionist panic presented clergymen of all denominations with an opportunity of exerting a good deal of influence over society. In a sort of tacit “agreement,” clergymen strengthened their commitment to the established order in exchange for a recognized authority in the definition of the appropriate roles for masters and slaves, and a leading voice also in the definition of what

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<sup>67</sup> Baxter, *An Essay on the Abolition of Slavery*.

<sup>68</sup> *Minutes of the Sixty-First Anniversary of the Albemarle Baptist Association, 1852* (Charlottesville: James Alexander, 1852), 23; *Minutes of Three Sessions of the Strawberry Baptist Association, 1849-1850* (Richmond: H. K. Ellyson, 1850), 8; William A. Smith, *Lectures on the Philosophy and Practice of Slavery: as Exhibited in the Institution of Domestic Slavery in the United States: with the Duties of Masters to Slaves* (Nashville: Stevenson and Evans, 1856), 242-248; William J. Sasnett, *Progress: Considered with Particular Reference to the Methodist Episcopal Church South* (Nashville: E. Stevenson & F. A. Owen, 1855), 212; See also Mathews, *Religion in the Old South*, 173-174.

slavery should be like in a Christian community. “Evangelicals,” Donald Mathews has pointed out, “seemed to assume that their having abjured the attack upon slavery in order to convert slaves gave them a special claim upon the conscience of the South.” This chance to play an expanded and influential public role in the creation of cultural and ethical standards for the whole of society was difficult to resist, and the mainstream of the clergy improved it quite willingly.<sup>69</sup>

The search for legitimacy also generated the conditions for a growing faith in the power of religion to elevate the slaves and produce positive social change. The white reaction to the abolitionist campaign had shattered the prospects of gradual emancipation in the foreseeable future, and the colonization project had stalled. Henceforth, achieving a consensus for any emancipationist initiative seemed almost impossible. The reformers themselves, moreover, were not immune to the anger and spite that the abolitionist flaming finger, with its presumption of moral superiority, had caused in so many white Virginians. Angry and frustrated, reformers drew some comfort from the delusive notion that they could have accomplished something but for the intervention of reckless outsiders, and they started looking at slavery from a somewhat different perspective.<sup>70</sup> William Meade, for instance, kept thinking that slavery had many concomitant evils, but by the 1850s he had also come to believe that “some of the finest traits in the character of man are to be found in active exercise in connection with it.” He also persevered in the belief that divine providence intended to bring civilization to Africa through emancipated

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<sup>69</sup> Mathews, *Religion in the Old South*, 136; see also Beth Barton Schweiger, *The Gospel Working Up. Progress and the Pulpit in Nineteenth-Century Virginia* (New York: Oxford University Press, 2000), 78; John Patrick Daly, *When Slavery Was Called Freedom: Evangelicalism, Proslavery, and the Causes of the Civil War* (University Press of Kentucky, 2002), 77-78; Snay, *Gospel of Disunion*, chapter 2; Cornelius, *Slave Missions*, 96-102.

<sup>70</sup> See chapter I above.



American slaves. In view of the failure of the attempts to carry out that design up to that moment, however, he thought the best course was to leave the matter into the hands of providence. In the meantime, “we should legislate for [the slaves’] good, as people in bondage and who may long continue so.”<sup>71</sup>

Meade represents only a notorious example of many individuals who either stopped supporting colonization, or at least reconsidered their opinions on slavery. The case of William Blackford and of other reformers who participated in politics has already been mentioned.<sup>72</sup> Jeremiah B. Jeter, a Baptist minister in charge of a biracial congregation in Richmond, affords another revealing testimony. Jeter had grown up “with a determination never to own a slave,” but he unwillingly became the owner of some bondservants through marriage. Faced with the question of what to do with them, he first considered colonization, but the slaves did not want to go. He could not free them in Virginia either, because some of the slaves were unable to support themselves. Finally, after careful meditation, Jeter “came to the undoubting conclusion that it was not only allowable for me, but my solemn obligation, to hold and rule them, for their interest and for my own, as best I could.” Jeter had reached this decision reluctantly, and he could justify it only on the particular circumstances of the case. After the rise of radical abolitionism, however, and the consequent appearance in print of elaborate defenses of slavery, Jeter noticed a general shift in the climate of opinion in Virginia, a shift that reflected his own change of mind. After reading the persuasive scriptural defense of Thornton Stringfellow, he started looking at “the subject in a new light:” if slavery was

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<sup>71</sup> Meade, *Old Churches, Ministers and Families of Virginia*. 2 vols. (1857; Philadelphia: J. B. Lippincott Company, 1889), 1: 90-91 (quotations on 91).

<sup>72</sup> See above, p. 81-82.

not wrong in the view of Christ himself and the apostles, why should it be wrong for Virginians in the nineteenth century?<sup>73</sup>

Moreover, by the late 1840's the experience of the British West Indies seemed to afford solid evidence that emancipation had been a failure, and to support the contention that the fate of the southern states would be similar if the slaves were set free in their yet unprepared state. When the formerly prosperous plantation economies of some islands started showing a sharp decline in their production of staple crops—which in reality was the outcome of the proliferation of subsistence farming among the freedmen—many southern observers were ready to point their finger at the folly of the British abolitionists and their overestimation of the black character. In the view of proslavery writers, Southerners must know that freedmen would flee the plantations and stop working as soon as they were released, so that the formerly cultivated fields would regress into a wilderness. In a keen rendering of this argument, John Campbell of Alabama wrote: “In the southern states, there are vast quantities of uncultivated lands ... which would afford a supply to a negro's wants by the most careless cultivation. The inevitable consequence of any act of immediate emancipation would be ... the cessation of field labor ... and the systematic multiplication of millions of Robinsons Crusoes, without improvement, social ties, public obligations, or private morality.” To Virginians who had seen the prospects of colonization sink into insignificance, and who already held the conviction that the

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<sup>73</sup> Jeter, *Recollections of a Long Life*, 67 (first quotation), 69 (second quotation), 70 (third quotation). Jeter had read Thornton Stringfellow's *A Brief Examination of Scripture Testimony on the Institution of Slavery*, which gained celebrity for his marshalling of biblical evidence to prove that neither the patriarchs of the Old Testament, nor Christ or his apostles, had condemned slavery in any way. On the contrary, they sanctioned the ownership of bondservants, provided the duties and responsibilities arising from that relationship were fulfilled. Stringfellow's pamphlet is republished in Drew Gilpin Faust, ed., *The Ideology of Slavery. Proslavery Thought in the Antebellum South, 1830-1860* (Baton Rouge: Louisiana State University Press, 1981), 138-167.

slaves were not ready for freedom, this was a weighty argument, for it appeared to be based on the results of an actual “experiment” of emancipation.<sup>74</sup>

In short, as part of the same process of adaptation that had made the work of Thomas R. Dew so important, after 1835 there were more receptive ears to the opinion that slavery was not an impassable barrier to social progress, and that it could be improved and rendered compatible with the enlightened expectations of a dynamic and “modern” nineteenth-century society. Evangelizers thus turned with increasing vigor and reiteration to arguments they had used before but which now would have much more social resonance: the power of the gospel to change the character of the slave and thereby improve the central mechanism of Virginia society.<sup>75</sup>

“Those [slaves] who have enjoyed the benefits of sound religious instruction,” an Episcopal minister asserted authoritatively, “are generally more useful and faithful,—better men—better servants, and better Christians, than those not thus instructed.” By the same token, the Albemarle Baptist Association was informed in its meeting of 1852 that religion had performed veritable wonders in Georgia: perfect peace and order reigned in a vast plantation district where only a few whites resided and without the help of any patrols. This impressive outcome had been possible because “the arm of force has been rendered unnecessary by the peaceful influence of the Gospel. The planters testify that

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<sup>74</sup> [John Campbell], “Slavery in the United States,” *The Southern Quarterly Review*, 12 (July, 1847), 91-134, 130 (quotation); Albert Taylor Bledsoe, *An Essay on Liberty and Slavery* (Philadelphia: J. B. Lippincott & Co., 1856), 228-264; James Henry Hammond, “Letter to an English Abolitionist,” in Faust, ed., *The Ideology of Slavery*, 199-200; “Effects of Emancipation,” *De Bow’s Review*, 19 (1855): 226-227.

<sup>75</sup> That there was nothing completely new in these arguments can be verified by reading the sermons of Thomas Bacon. Since the late eighteenth century, Bacon had told masters that the best way to improve their slaves’ behavior was to teach them religion and induce them to develop a religious conscience. The fact that William Meade republished Bacon’s sermons suggests that he thought they were still valuable. Indeed, Meade’s work—especially his *Pastoral Address*—was heavily influenced by Bacon. *Sermons Addressed to Masters and Servants, and Published in the Year 1743 by the Rev. Thomas Bacon, Minister of the Protestant Episcopal Church in Maryland ... Now Republished by the Rev. William Meade* (Winchester, Va.: John Heiskell, n. d.).

this religious reformation has increased the value of their property to 10 or 12 percent. Drunkenness, robberies and disorders are rare.”<sup>76</sup>

Assertions of this nature became more vehement—and perhaps more persuasive too—as the sectional dispute grew in intensity and the religious defense of slavery became more articulate. “The religious slave”—averred an anonymous writer—feels his accountability to his Creator, the untaught irreligious slave feels only his accountability to his master, as enforced by his lash.”<sup>77</sup> Similarly, a Methodist minister warned masters that “a slave to whose sense of what is right and proper to be done nothing can be trusted, and from whom nothing can be gotten but that which is extorted of his fears, is of no value...”<sup>78</sup> Obedience was now more confidently expected to be the effect of genuine conviction, of the slaves’ adoption of a sense of responsibility; the slaves would work not because of the constant threat, or use, of violence, but as the result of their having internalized the belief that it was a duty they owed to themselves, their master, and God. Of course, only religion was capable of producing such an impressive transformation. A Virginia Baptist rendered the following appraisal of the role of religion in uplifting the slaves:

On comparing the indolent and naked savage that left his torrid home 150 years ago with his descendant in this country who cheerfully labors to furnish the material which clothes himself and half of the world, we are struck by the most wonderful intellectual and religious improvement which any race has undergone since the dawn of history. The fair-haired Saxon, though permitted to draw upon the rich treasures of Greece and Rome, scarcely labored out in a thousand years so much civilization as the negro has almost passively received in less than two hundred. ... Never

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<sup>76</sup> *Journal of the Convention of the Protestant Episcopal Church in the Diocese of Virginia, 1845*, 35; *Minutes of the Sixty-First Anniversary of the Albemarle Baptist Association, 1852*, 22.

<sup>77</sup> “Master and Slave,” *Norfolk Argus*, in the *Daily Richmond Enquirer*, January 19, 1857.

<sup>78</sup> Smith, *Lectures on the Philosophy and Practice of Slavery*, 306.

has a people been trained into so high a civilization by so mild a discipline as that to which the N[orth] American son of Ham has been subjected. To reduce the savage to obedience cost at first considerable severity. But within the last 30 years, the discipline of the Virginia slave has been less rigid than was that of the apprentice, the pupil, or even the son in the most enlightened nation two centuries ago. On most large farms, it is now very rare to inflict personal chastisement upon the adult slave. This is due, in part, to the softening effect of an advancing Christianity upon the master in restraining him from severity except when it is necessary and righteous; but still more to the elevating influences of Christian civilization upon the slave in bringing him under the control of moral and religious motives.<sup>79</sup>

The gospel was thus the most effective agent of civilization and progress. Its influence was uplifting blacks at the same time that it enjoined masters to comply with their duties. In thus improving the master-slave relation, religion cleared the road for moral and material advance. Influential ministers such as Methodist William Smith and Presbyterian George D. Armstrong shared deeply this belief that slavery was the ultimate school of civilization for southern blacks. The latter thought that slavery was a punishment God had meted out to Africans after generations and generations of sin and depravity. Slavery, however, was not only punitive, but also “remedial,” for in subjecting blacks to the tutelage of a more “virtuous” race, God had intended their gradual uplifting. This design had worked wonderfully: “under the operation of American slavery,” blacks had made impressive advances in the march toward becoming a fully civilized people.<sup>80</sup>

There was a subtle but very significant difference between statements of this nature and earlier colonizationist notions of the need of uplifting slaves prior to their emancipation. Whereas before such views constituted an apology for not liberating

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<sup>79</sup> *Minutes of the Sixty-ninth Anniversary of the Albemarle Baptist Association, 1860* (Charlottesville: James Alexander, 1860), 21.

<sup>80</sup> George D. Armstrong, *The Christian Doctrine of Slavery* (New York: Charles Scribner, 1857), 110-114. See also “The Scriptural Argument for Slavery,” *Quarterly Review of the Methodist Episcopal Church, South*, XI (1857): 43-44.

unprepared slaves, now the fit between black training for civilization and progress for the whole of society was assumed to be complete. As Smith put it in his acute, logical style, in bringing blacks to America, providence had placed them in the right position so that they would not hinder civilization's march, but contribute to it and learn in the process.<sup>81</sup>

Charles Colcock Jones had similar views on the potential of religion for civilization and improvement. Member of a wealthy slaveholding family of the Georgia low country, Jones was a Presbyterian minister and arguably the most prominent advocate of slave evangelization in the South. His work in the famous Liberty County Association for the Religious Instruction of Negroes was well known to evangelists all over the South, and he traveled to Virginia at least once to publicize the results of his work and promote the cause of religious instruction. In a book published in 1842, which was widely read by reformers at the time and remains a basic source on the subject to this day, he gave an appraisal of the effects of the gospel on the slaves:

Has ... not [the Gospel] in all ages been viewed as the greatest civilizer of the human race? The most powerful of all causes in allaying the wild and stormy and rebellious tempers of the mind, and reducing men to habits of cheerful industry, domestic virtue, submission to authority and law, and peaceful intercourse in society? ...

And who can tell the pleasurable feelings of a humane and Christian master, in view of a moral reformation of his servants? He will thank God that he is, if not wholly, yet measurably relieved from perpetual watching, from fault-finding and threatening and heart-sickening severity; and that he can *begin* at least to govern somewhat by the law of love.<sup>82</sup>

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<sup>81</sup> Smith, *Lectures on the Philosophy and Practice of Slavery*, 203, 208-209, 215-216.

<sup>82</sup> Charles Colcock Jones, *The Religious Instruction of the Negroes. In the United States* (Savannah: Thomas Purse, 1842), 197, 210 (second paragraph). *Documenting the American South*, 1999, University Library, The University of North Carolina at Chapel Hill, October, 2005, <<http://docsouth.unc.edu/church/jones/jones.html>>. On Jones' travel to Virginia see *Thirteenth Annual Report of the Association for the Religious Instruction of the Negroes, in Liberty County, Georgia* (Savannah: Edward J. Purse, 1848), 12-13.

If the elevation of the slave was fundamental for social and Christian progress, the masters' adequate performance of certain duties was equally crucial. First and foremost, the masters were directly responsible before God for the religious instruction of their bond-people. Clergymen of every denomination repeated one time after another that the masters had to see to it that their slaves received every chance to hear the gospel and become good Christians. Moreover, ministers did not shrink from reminding masters that the evangelization of the slaves was the only Christian justification of bondage, and that remissness in this regard would have awful consequences: "is it right"—asked a Baptist rhetorically—"that they should toil for us year after year, deprived of the knowledge of reading, and we almost entirely indifferent to their future happiness? How many masters at the day of judgement will be found guilty of having neglected the religious culture of their slaves?"<sup>83</sup> Such an injunction was not confined to allowing slaves to join a church, attend meeting on the Sabbath, or listen to a preacher whenever possible; it included a much more active role as the conveners and leaders of family worship, for which the "domestics" should be gathered too. In an address to his congregation, a Presbyterian minister said: "We enjoin on all heads of families ... the duty of assembling their families statedly for instruction in the scriptures and worship of God. ... Let no apology suffice to your consciences, you owe it to those to whom God in providence has placed under your care, in a state often approaching the ignorance of heathenism." Advocates of

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<sup>83</sup> Quotation in *Minutes of the Sixtieth Anniversary of the Albemarle Baptist Association, 1851* (Charlottesville: James Alexander, 1851), 15. Similar appeals to perform this duty appear in numerous sources, see Robert Ryland, *Scripture Catechism for the Coloured People* (Richmond: Harrold and Murray, 1848), 139-140; *Journals of the General Conference of the Methodist Episcopal Church, South, Held 1846 and 1850* (Richmond: John Early, 1851), 117; *Journal of the Convention of the Protestant Episcopal Church South, 1840*, 15; *ibid.*, 1845, 35; Thomas Taylor Castleman, *Plain Sermons for Servants, by the Rev. ... Rector of Trinity Church, Staunton, Va.* (New York: Stanford and Swords, 1852); William Huntington Diary, entries of January 3, and February 8, 1839, VHS. See also the minutes of the following Baptist Associations: Albemarle, 1852, 1856, 1858; Portsmouth, 1819, 1850, 1858; Goshen, 1855; Strawberry, 1818, 1849-1850.

evangelization also suggested as a practical alternative that the mistress or her young daughters read the Bible to the slaves and give them basic instruction.<sup>84</sup>

The mention of this primary and essential duty was often accompanied by further recommendations of Christian treatment. Exhortations of this nature were often vague and general, only reminding masters of their obligation to provide adequate food and shelter, and to “render unto [their] servants that which is just and equal.” William Meade, for instance, assumed that a Christian master, who took responsibility for the spiritual welfare of his slaves, could not be other than kind, for “none could thus affectionately seek the salvation of their souls, and at the same time be unjust, cruel, or severe in other respects.”<sup>85</sup> The prescriptions of right behavior for masters, however, grew in detail and thoughtfulness as the religious defense of slavery became more articulate—and as the legitimacy of bondage came to rest more firmly on religion. William A. Smith devoted a whole section of his *Lectures on the Philosophy and Practice of Slavery* to the masters’ specific obligations in the management of their bond-people. The master was supposed to provide nutritious food in sufficient quantities—a common cook for the whole slave force was suggested over the usual allotment of weekly rations, and allow the slaves “reasonable time for rest,” which should not only include nights and the Sabbath, but also time for leisure in the early evenings of weekdays. Adequate slave lodgings were of equal importance, for even considerations of mere economic interest should impress masters with the need of clean and well ventilated cabins, built on healthy, high ground.

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<sup>84</sup> Tinkling Spring Presbyterian Church (Augusta County), Session Minutes, June 24, 1841, p. 14, Library of Virginia (hereinafter cited as LV). Most sources listed in note 81 above also recommended the active involvement of the wife and daughters of the master in slave catechization.

<sup>85</sup> Meade, *Pastoral Letter*, 20. See also Ryland, *Scripture Catechism for the Coloured People*, 139-140; *Journals of the General Conference of the Methodist Episcopal Church, South, Held 1846 and 1850*, 117.



As to the enforcement of discipline, Smith asserted that disobedience had to be punished, even severely in grave cases, but he added that violence should be used to correct and deter, not to “gratify passion.” The lash would produce salutary effects only when the slave had enough sense of self-respect to feel ashamed by punishment. Although Smith pointed out that feelings of self-respect did not come easily to the slaves, he believed that it could be nurtured in them with trust, respectful language, kind treatment, and also by paying attention to the “public opinion” in the slave quarters and the standing of the individual slaves in it.<sup>86</sup>

In these aspects of slave management, Smith, along with many other clergymen involved in the mission to the slaves, relied on the compatibility of Christian duty and material interest, and thus expected that most intelligent masters would be willing to perform their obligations: “Humanity, the claims of religion, and the pecuniary interest of the masters, all unite to enforce the claims of the slave.”<sup>87</sup> The notion of a close correspondence of interest and duty was not entirely the product of wishful thinking. Rather, it was based on an old and commonsensical argument—often called upon to deny the harshness of slavery: the material interest of the master was directly related to the wellbeing of the slaves—his property and means of subsistence; therefore, no sane master would brutalize or neglect his slaves in detriment of his own estate. “[T]he master’s sympathy,” Thornton Stringfellow said, “is inseparably connected with his

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<sup>86</sup> Smith, *Lectures on the Philosophy and Practice of Slavery*, 285-312. For this section of his work, Smith drew heavily from the work of Holland McTyEire, C. F. Sturgis and A. T. Holmes, whose essays had been published in a collection entitled *Duties of Masters to Servants* (Charleston: Southern Baptist Publication Society, 1851). Smith duly acknowledged his debt. In fact, he added little to what these authors had already said about Christian slave management.

<sup>87</sup> Smith, *Lectures on the Philosophy and Practice of Slavery*, 283.

property right in his slave[.]”<sup>88</sup> Indeed, when clergymen dwelled upon the particulars of slave management, their prescriptions of Christian masterhood were almost identical to the practices of “scientific” management promoted in agricultural journals. Lay writers also thought that every slaveholder wishing to run a productive farm had to provide his labor force with sufficient food, clean and healthy habitations, adequate medical care, and enough time to rest. Similarly, they suggested the use of incentives, persuasion, praise, and other “psychological” tactics to keep the slaves working with a minimum of physical compulsion.<sup>89</sup>

The supposed compatibility of duty and interest also drew strength from the belief that a providential wisdom had arranged the world in such a way as to make men fulfill their obligations while they pursued apparently selfish goals. Adam Smith had given this notion its most articulate expression, seeing in this dialectic of selfishness and virtue the basic spring in the working of human society, so it is not surprising that many Virginians

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<sup>88</sup> Stringfellow, “The Bible Argument: or Slavery in the Light of Divine Revelation,” in E. N. Elliot, ed., *Cotton is King, and Pro-Slavery Arguments* (Augusta: Pritchard, Abbott and Loomis, 1860), 520; see also Henry Hughes, “Treatise on Sociology,” in Faust, ed., *The Ideology of Slavery*, 251. The notion that the interests of masters and slaves could overlap, thus providing ground for mutual accommodation in an otherwise very asymmetric relationship, is at the core of Eugene Genovese’s view of the master-slave relationship. Genovese, however, suggested that the recognition of this common ground between master and slave required an ideological and moral component: paternalism. Eugene Genovese, *Roll, Jordan, Roll. The World the Slaves Made* (New York: Vintage, 1976). Christopher Morris, on the other hand, proposes that the “articulation” of interests between master and slave was structurally determined, that is, it was a necessary condition for the slave system to reproduce itself, and thus was quite independent of paternalistic attitudes. “The Articulation of Two Worlds: the Master-Slave Relationship Reconsidered,” *Journal of American History*, 85 (1998): 982-1007. The fact that evangelists were so sure that interest and duty coincided for the master shows that Morris has a point. Nevertheless, clergymen kept insisting on the subject because they hoped that the moral sanction of enlightened practices of management would still result in better treatment. On the other hand, they thought that masters needed moral restraint to avoid abusive treatment, even if it was profitable. The separation of economic interest—or the structural needs of the system—from moral considerations is artificial, for both were inextricably interconnected.

<sup>89</sup> See the following pieces in the *Farmers’ Register*: “On the Management of Negroes,” IV (1836): 574-575; “Management of Slaves,” V (1837): 32; “Remarks on Overseers and the Proper Treatment of Slaves,” V (1837): 301-302; “Rules for Overseers,” VIII (1840): 230-231; “Proper Regard to, and Management of Slaves,” VIII (1840): 426-427; “On the Management of Slaves,” II (1834): 248-249; “On the Necessity of System and Attention in the Farmers’ Business,” II (1834): 579-580; “Hints in Relation to the Dwellings and Clothing of Slaves,” II (1834): 703; “Notions on the Management of Negroes &c.,” IV (1836): 494-495.

would use it to understand the master-slave relationship. Thomas Jefferson was thinking along these lines when he explained why the masters usually took very good care of expecting female slaves: every newborn slave was an increase of the master's property, and thus the latter had a weighty incentive to do right and keep pregnant women from performing straining tasks. The advocates of the mission to the slaves did not expect humanity to prevail over selfish interests. Rather, they thought both could be conciliated for the most part.<sup>90</sup>

In this harmonic fit between duty and interest, the secular and the religious realms, lay the promise—and viability—of a social and moral progress that could be attained with slavery. If treating slaves in a Christian way was not only good in the eyes of God, but also profitable and beneficial for both master and slave, then there was room for the expectation that the most unpleasant features of slavery could be gradually eliminated, that the slaves would become more civilized and content, and that slavery would some day turn into something very different from what Virginians knew it to be. Unfortunately for the reformers, it was not going to be that easy.

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<sup>90</sup> Adam Smith, *The Wealth of Nations*. 2 vols. (Everyman's Library: London: J. M. Dent & Sons, 1937); Daly, *When Slavery Was Called Freedom*, 78-79; Kenneth S. Greenberg, *Masters and Statesmen: The Political Culture of American Slavery* (Baltimore: Johns Hopkins University Press, 1985), 90-97. Many clergymen who opposed the campaign to reopen the international slave trade in the late 1850s were especially afraid of the effects of lower prices on slave treatment. Thus, to them pecuniary interests and kinder management were tightly linked. See Ronald Takaki, *A Pro-Slavery Crusade: The Agitation to Reopen the African Slave Trade* (New York: Free Press, 1971), 123-124, 128-129. Walter Johnson, *Soul by Soul: Life inside the Antebellum Slave Market* (Cambridge: Harvard University Press, 1999), 26-27; Jefferson's explanation, along with similar opinions by other planters, is quoted by C. Vann Woodward, *American Counterpoint: Slavery and Racism in the North-South Dialogue* (New York: Oxford University Press, 1983), 103- 104.

### CHAPTER III

#### THE PRICE OF CONFORMITY: THE VIRGINIA CLERGY AND REFORM

Even though the expectation that the masters themselves would seek the benefits of a more enlightened management of slaves was not entirely misguided, some hard features of slavery could not be eliminated without compromising the master's economic interest or his power over his human property. From the Christian perspective, the most embarrassing of such features was the frequent and forcible separation of slave marriages. William A. Smith himself, after elaborating so confidently about the almost perfect coincidence of duty and interest on which slavery rested, felt it necessary to warn masters in a stern tone that "The custom of separating man and wife is the remnant of a barbarous age: any gentleman should be ashamed of it. The Civilization of the age may not be expected to countenance it." Even George D. Armstrong, one of the staunchest defenders of slavery among Virginia theologians, believed the separation of marriages to be "unscriptural," and a clear "violation of the law of God."<sup>1</sup>

Proslavery clergymen were clearly troubled by the frequent rending of slave families through sale. In fact, their pronouncements in this regard often betrayed a sense of shame, a painful recognition that masters inflicted great suffering to their slaves by separating them from their loved ones, no matter how kindly they might treat them in

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<sup>1</sup> William A. Smith, *Lectures on the Philosophy and Practice of Slavery: as Exhibited in the Institution of Domestic Slavery in the United States, with the Duties of Masters to Slaves* (Nashville: Stevenson and Evans, 1856), 316; George D. Armstrong, *The Christian Doctrine of Slavery* (New York: Charles Scribner, 1857), 119-120.

other respects. In no other instance the proprietary side of slavery came more openly into view than in slave sales, and in no other circumstance were the claims of paternalism so flagrantly belied. Paternalistic principles were not inherently incompatible with ownership rights; on the contrary, as we have seen, ownership bolstered considerably slaveholders' claims of providing proper care and good treatment to their bondservants. But proprietary rights were hard to reconcile with paternalism every time a master exerted them to sell family members apart from each other.<sup>2</sup>

In the years preceding the rise of abolitionism, lay and religious Virginians had vented more candidly their moral reservations regarding this practice. As early as 1802, the Quakers brought to the attention of the state legislature the perverse effects of the growing and “inhuman traffic” in slaves, which had already begun to wreak havoc in the families of Virginia bond people. “Unfeeling men,” the petitioners complained, “sacrifice to avarice the dear and distinguishing prerogatives of our nature. ... The severest punishments of which the mind of man is susceptible are inflicted, without the imputation of a crime; and suffered, without the hope of redress.” Expressions of disgust toward the trade were of course not limited to the Quakers. In 1818 the Hanover Presbytery resolved that “the sale by a professor in our church of a slave, also in the communion of our church and in good standing ... ought immediately to claim the particular attention of the proper church judicatory,” and, unless justified by “peculiar circumstances,” it should be a cause of suspension for the offending member.<sup>3</sup> Similarly,

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<sup>2</sup> Eugene D. Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York: Vintage, 1976), 52-53; James Oakes, *Slavery and Freedom: an Interpretation of the Old South* (New York: Norton, 1989), 144; Walter Johnson, *Soul by Soul: Life Inside the Antebellum Slave Market* (Cambridge: Harvard University Press, 1999), 25-26.

<sup>3</sup> The Society of Friends to the House of Delegates, December, 1802, in *Race, Slavery and Free Blacks: Petitions to Southern Legislatures, 1777-1867*, edited by Loren Schweninger (Bethesda, MD: University

the Richmond First Baptist Church expelled a white member from fellowship in 1823 on account of selling a slave down south and breaking up his family. The church, it should be noted, punished the offender not for the act of selling *per se* but for not giving the slave a chance to look for a local buyer. At any rate, this disciplinary committee acted with an energy that the churches would not display in later years.<sup>4</sup>

Throughout the 1810s and 1820s many slaveowners who wanted to dispose of their property avoided selling to professional traders. Their presumption was that selling directly to buyers in the locality would keep disruptions to the slave family at a minimum, whereas slaves sold to traders would almost surely be taken out of the state. Similarly, a few concerned masters went out of their way to keep families together, even incurring some pecuniary loss—or failing to earn as much as they could have, had they sold individually. Of course, such displays of “benevolence” are hardly impressive when we consider that concerned masters could simply have refrained from bringing their slaves to the market, or even ensure the integrity of their slaves’ families through

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Publications of America, 1998 [microfilm]), #11680207, hereinafter cited as PSL and the accession number. Hanover Presbytery Minutes quoted in Arthur Dicken Thomas, Jr., “The Second Great Awakening in Virginia and Slavery Reform, 1785-1837,” Th. D. dissertation, Union Theological Seminary in Virginia, 1981, 148. In adopting this resolution, the Hanover Presbytery was taking its cue from the Presbyterian General Assembly of 1818. See “Notices of the Proceedings of the General Assembly of the Presbyterian Church,” *Virginia Evangelical and Literary Magazine*, I (1818): 380.

<sup>4</sup> Ira Berlin, *Generations of Captivity: A History of African-American Slaves* (Cambridge: Belknap Press of Harvard University, 2003), 216. Masters sometimes gave their slaves an opportunity to find a local buyer before selling them to a professional trader. See, for instance, the letter of Maria Perkins to her husband Richard (Charlottesville, October 8, 1852), in which she tells her husband of her impending sale and says “they asked me if I had got any person to by me and I told them no [.]” This letter is reproduced in Andrew J. Torget and Edward L. Ayers, eds., *Two Communities in the Civil War. A Norton Casebook in History* (New York: W. W. Norton & Co., 2007), 28.

emancipation. Nonetheless, the fact is that few slaveholders relinquished willingly their right to sell without restriction and the attending economic rewards.<sup>5</sup>

Unfortunately, despite its distasteful nature, the trade benefited many white southerners in many different ways. The prohibition of the international slave trade in 1808 combined with the development of the cotton (and sugar) lands in the Old Southwest after 1815 to increase the traffic substantially and turn it into an indispensable component of the plantation economy—and an immensely profitable enterprise. Whereas planters in the lower South needed a constant stream of new hands to work in their expanding fields, upper South slaveholders were ready and glad to supply the demand. Economic diversification in the upper South could only take place if no-longer-needed slaves found a market, and the trade thus allowed economic flexibility in the upper states and the easy convertibility of capital invested in slaves into cash. The trade ensured in this way a complementary dovetailing of the upper and lower South economies, and it became a source of prosperity to the region as a whole. The rising demand of slaves and the resulting high prices of the bond people augmented the capital of each and every slaveholder in the South. In sum, the trade guaranteed that holding slaves was a sound investment.<sup>6</sup>

Similarly, the soaring prices of slaves became a hard-to-resist temptation even for those Virginia masters who favored colonization and gradual emancipation. There is a kernel of truth in historian Douglas Egerton's claim that the prospects of emancipation in

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<sup>5</sup> Robert H. Gudmestad, *A Troublesome Commerce: The Transformation of the Interstate Slave Trade* (Baton Rouge: Louisiana University Press, 2003), 67-71; Genovese, *Roll, Jordan, Roll*, 453-454.

<sup>6</sup> Gudmestad, *A Troublesome Commerce*, 169-200; Walter Johnson, *Soul by Soul*, 25-27; Adam Rothman, *Slave Country: American Expansion and the Origins of the Deep South* (Cambridge: Harvard University Press, 2005), 46-51.

the upper South were decisively defeated once the cotton kingdom generated a huge demand for slaves. Colonization, even if compensated, could hardly compete with the domestic slave trade. Thomas R. Dew knew this much, and therefore concluded that colonization would never work. He predicted that the trade would keep the slow drain of slavery to the Deep South, paving the way for the modernization of Virginia and benefiting its slaveholders at the same time. Colonizationists, on the other hand, were equally aware that the interstate trade militated against the success of their project, and they tried to shame masters who would take avail of it to get rid of their slaves. In a defense of the colonization project written on behalf of the ACS, Jesse Burton Harrison expressed his belief that most Virginia masters refrained from selling slaves down south except on grounds of dire necessity, but the fact that others were doing it for profit, he said, spoke “volumes” ... “of the degradation to which slavery may reduce its supporters!” The economic rewards of the trade bred social conformity and discouraged colonization. Not for nothing, soon after Texas seceded from Mexico, a Connecticut supporter of the ACS issued the following prayer: “May God save us from the annexation of so vast a market for slaves to one already too wide slave buying territory.”<sup>7</sup>

As the trade became a crucial component of the regional economy, the rebuke of northern abolitionists grew in acerbity and aggressiveness. The constant breakup of slave families presented an easy target, and the abolitionist press improved every chance to

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<sup>7</sup> Douglas R. Egerton, *Gabriel's Rebellion: The Virginia Slave Conspiracies of 1800 and 1802* (Chapel Hill: University of North Carolina Press, 1993), 161; Gudmestad, *A Troublesome Commerce*, 172-178; Thomas Roderick Dew, “Abolition of Negro Slavery,” in Drew Gilpin Faust, ed., *The Ideology of Slavery: Proslavery Thought in the Antebellum South, 1830-1860* (Baton Rouge: Louisiana State University Press, 1981); Jesse Burton Harrison, “The Slavery Question in Virginia,” in *Aris Sonis Focisque: Being a Memoir of an American Family: The Harrisons of Skimino* (n. p., Fairfax Harrison, 1910), 353; Leonard Bacon to Ralph R. Gurley, New Haven, April 26, 1837, Records of the American Colonization Society, Washington, Library of Congress, reel 27 (microfilm).



expose the slave regime for its brutality and sinfulness in this regard.<sup>8</sup> The angry reactions against the abolitionist offensive described in the previous chapter also worked ominously to change attitudes toward the slave trade. As Virginians adopted an increasingly defensive stance on every slavery-related issue, they became reluctant to keep pointing a finger of condemnation to the trade, and many wound up accepting it as an unfortunate but inevitable feature of their society.<sup>9</sup>

Nonetheless, the issue kept rubbing a raw nerve in many consciences. In 1833, Mary B. Minor Blackford chafed at the use of a house right in the middle of Fredericksburg as a trader's slave pen. The infamous building happened to stand across the street from the Presbyterian Church, and Blackford considered it offensive to the sensibility of all Christians. Therefore, she collaborated with other concerned Fredericksburg dwellers to have the slave pen closed, which they accomplished when a wealthy northerner agreed to buy the building at a considerable overrate. Thomas J. Randolph, the proponent of a plan of gradual emancipation during the legislative debates of 1832, in referring to the fact that Virginia had become one of the main suppliers of the interstate trade, asked to his fellow delegates: "How can a honorable mind, a patriot, and a lover of his country, bear to see this ancient dominion ... converted into one grand menagerie where men are to be reared for market like oxen for the shambles?" In like manner, Philip A. Bolling, also acting as a delegate in the 1832 debates, stated his conviction that "High-minded men ought to disdain to hold their fellow creatures as

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<sup>8</sup> Ronald G. Walters, *The Antislavery Appeal: American Abolitionism After 1830* (New York: W. W. Norton, 1978), 95-96.

<sup>9</sup> Gudmestad, *A Troublesome Commerce*, 169-173, 179-180, 188-190; Phillip Davis Troutman, "Slave Trade and Sentiment in Antebellum Virginia," (Ph. D. dissertation, University of Virginia, 2000), 154 and ff.

articles of traffic ... dividing husbands and wives, parents and children, as they would cut asunder a piece of cotton cloth... This, sir, is a Christian community.”<sup>10</sup>

Such feelings of repulsion were shared by many who were otherwise quite willing to defend slavery. In an address to the Virginia Agricultural Society, James P. Holcombe stated that the “disruption of family ties” was “the most serious obstacle to the improvement of the slave, and the severest hardship of his lot.” Similarly, Joseph E. Waddell, a newspaper editor from Staunton, after rejecting an offer to sell one of his slaves, confided to his diary: “This thing of speculating on human flesh is utterly horrible to me—the money would eat into my flesh like hot iron.” The young Robert Lewis Dabney was equally repelled by the domestic slave trade. In a letter to a friend, he suggested that a system that allowed such abuses as the separation of slave families could not “exist in the millennium,” and was therefore in bad need of reformation.<sup>11</sup>

The search for a way to prevent the separation of slave marriages remained an important subject in the agenda of slavery reform until emancipation. In memorials submitted to the General Assembly in 1856, citizens of Hancock and Marshall Counties asked for a modification of the state law so as to protect slave unions and keep slave children and their parents together. The legality of such separations, they averred, “produce scenes that the Christian heart must characterize as cruel and impious, and

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<sup>10</sup> Thomas, “The Second Great Awakening in Virginia,” viii; *The Speech of Thomas J. Randolph, (of Albemarle,) in the House of Delegates of Virginia, on the Abolition of Slavery: Delivered Saturday, January 21, 1832* (Richmond: Thomas W. White, 1832), 15-16; *The Speeches of Philip A. Bolling, (of Buckingham,) in the House of Delegates of Virginia, on the Policy of the State in Relation to her Colored Population: Delivered on the 11<sup>th</sup> and 25<sup>th</sup> of January, 1832* (Richmond: Thomas W. White, 1832), 14.

<sup>11</sup> James P. Holcombe, “Is Slavery Consistent with Natural Law? Annual Address of the Virginia Agricultural Society,” *Southern Literary Messenger*, 27 (1858): 418; Diary of Joseph E. Waddell, October 15, 1856, excerpt reproduced in Torget and Ayers, eds., *Two Communities in the Civil War*, 30; Thomas Cary Johnson, *The Life and Letters of Robert Lewis Dabney* (Richmond: Presbyterian Committee of Publication, 1903), 68.

worthier of the slave-coast in a past generation than of Virginia in this day.” The laws were in this manner “unchristian, in permitting those to be put asunder whom God has joined together under most solemn circumstances; thus encouraging transient and impure connections between the sexes, and blunting the holiest feelings of the human being.”<sup>12</sup>

In short, the slave trade and its effects on the slave family was a source of deep misgivings to most Christian Virginians. Furthermore, the awareness that dissolving slave unions was questionable from the religious standpoint grew side by side with the regional need of an unassailable legitimacy for slavery and the construction of a self-image of impeccable morality. Physical punishment, if not excessive, was still entirely compatible with Christian slaveholding; the master exerted a rightful paternal authority over his slaves, who given their supposedly childlike character required “correction” from time to time. But the sale of dependents for money, dependents for whom the master allegedly felt some degree of affection, and especially when it resulted in the separation of husbands and wives, or of small children from their parents, placed defenders of slavery in a very awkward position. In fact, most of them had to deny that such separations happened to any significant extent. George D. Armstrong, for instance, attested that “in a ministry of 20 years” in Norfolk “he ha[d] never known a Christian master to violate God’s law of marriage in the case of his slaves.” Edward A. Pollard pointed out with similar confidence that the separation of families “has come to be of very infrequent occurrence,” a judgment James P. Holcombe confirmed by saying that

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<sup>12</sup> “Memorial of the Citizens of Virginia to the General Assembly, Asking for Certain Reforms in the Laws Concerning Slaves and Free Persons of Color, Marshall County,” 1856, Legislative Petitions, Library of Virginia; see the identical petition from Hancock County, 1856, in PSL, #11685603. These petitions were almost surely connected to a similar campaign in North Carolina, where there had been some agitation on the subject the previous year. See “Memorial of the Citizens of North Carolina to the General Assembly ...,” [1855], North Carolina Collection, University of North Carolina at Chapel Hill. See also, “Slave Marriages,” *De Bow’s Review*, 19 (1855): 130.

“the evil has been diminishing with every succeeding day.” George Fitzhugh likewise averred that the “improper severing of family ties” through sale was “rare.”<sup>13</sup>

Nevertheless, given that Virginia was one of the largest suppliers to the domestic slave trade, the moral certainty afforded by such denials must have been quite frail. In the most forceful rebuttal to the contention that masters tried to keep families together when they sold slaves, Michael Tadman shows that many slave men and women of marriageable age—including women with children—handled by professional traders were sold without spouses (they represent a 45% of his sample). He therefore concludes that many of them must have been separated from marriage partners, and he suggests that such separations were not the work of the traders, but of the masters themselves at the time of sale. Tadman further estimates that Virginia might have exported as many as 366,122 slaves from 1820 to 1859, and that in 1820 a slave child growing in the upper South had roughly a 30% chance of being sold away at some point in his life. By the same token, a study of the black population in a district of Dinwiddie County, based on an extensive collection of interviews gathered by a young sociologist in the 1870s, reveals that one third of the slave marriage separations were caused by “slaveholders’ decision,” (either through sale, hire, or moving away), and almost 60% of those separations involved not only spouses but children too.<sup>14</sup> Yet proslavery clergymen resented deeply the abolitionist accusation that slaves were treated as mere chattel in the

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<sup>13</sup> Armstrong, *Christian Doctrine of Slavery*, 120n; Edward A. Pollard, *Black Diamonds Gathered in the Darkey Homes of the South* (New York: Putney and Russell, 1859), 26; Holcombe, “Is Slavery Consistent with Natural Law?,” 418. George Fitzhugh, *Cannibals All! Or Slaves without Masters* (1856; Cambridge: Belknap Press of Harvard University Press, 1973), 158-159.

<sup>14</sup> Michael Tadman, *Speculators and Slaves. Masters, Traders, and Slaves in the Old South* (Madison: University of Wisconsin Press, 1989), 146-154, 12, 44-45; Jo Ann Manfra and Robert R. Dykstra, “Serial Marriage and the Origins of the Black Stepfamily: The Rowanty Evidence,” *Journal of American History*, 72 (1985): 33-36. See also Brenda E. Stevenson, *Life in Black and White. Family and Community in the Slave South* (New York: Oxford University Press, 1996), 223-225.

South—a charge that every family rending seemed to confirm as the truth. They rejoined by defining slavery as the possession of a right to service for life, not the ownership of the person itself. Such right to service, they argued, as any other kind of property, was legitimately transferable by sale, rent, will, or otherwise. As a writer in the *Southern Presbyterian Review* put it, “when we buy and sell them [slaves], it is not human flesh and blood we buy and sell, but we buy or sell a right, established by providence, and sanctioned by scripture, to their labor and service for life.” Albert Taylor Bledsoe concurred, stating that “‘The traffic in human souls’ which figures so largely in the speeches of the [northern] divines and demagogues, and which so fiercely stirs up ... the passions of their hearers, *is merely the transfer of a right to labor.*” Such an academic distinction had practically no effect in reality, however, and it did not serve too well to deny the reality of property in human beings and their treatment as such.<sup>15</sup>

This is likely the reason why Virginians and southerners in general needed to deny the harsh reality of the trade, and felt compelled to evade the responsibility for its damaging effects on the slave family—to the minimal extent to which they were willing to recognize them. One of the ways they chose to do so was putting the blame for the family separations that took place on the “negro trader,” who was portrayed as a greedy and unprincipled man ready to take advantage of masters in financial need. Amateur sociologist Daniel R. Hundley painted one of the most overblown portraits of this

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<sup>15</sup> Armstrong, *Christian Doctrine of Slavery*, 87; [John Adger] “Human Rights and Slavery,” *Southern Presbyterian Review*, II (1849): 581; “Dr. Smith’s Philosophy and Practice of Slavery,” *Quarterly Review of the Methodist Episcopal Church, South*, XI (1857): 244-247; Albert Taylor Bledsoe, *An Essay on Liberty and Slavery* (Philadelphia: J. B. Lippincot & Co., 1856), 89-94, quotation on 91 (emphasis in the original).

stereotypical character, who was a man devoid of honor and decency, and who would not let any moral compunction stop him in his pursuit of profit.<sup>16</sup>

But, again, despite all attempts to deny or minimize the effects of the trade, southerners were unable to overcome the contradiction between the proslavery argument, with its claims that bondage was ultimately beneficent to the slave, and the treatment of slaves as merchandise to be bought and sold without regard to their familial links. A hint of anguish is therefore perceptible in the writings of some reformers, especially those who were clergymen too. Neither the portrayal of the trader as the only guilty agent in family separations, nor the viewing of sales as mere transfers of rights to labor and service were able to hide from reformers the enormity of the trade.<sup>17</sup>

Indeed, some ministers kept insisting that this abuse of the master-slave relationship had to be corrected. Although most clergymen refrained from recommending specific legal measures to that effect, some believed that the remedy of such abuses was clearly within the purview of ecclesiastical authority. Armstrong, for instance, suggested that the churches should use their power to punish masters who participated in the trade and separated families, without regard to the fact that the practice had full legal sanction.<sup>18</sup>

Church authorities, however, distinguished themselves by their unwillingness to take effective steps to curb these abuses. Instances of masters facing a church court for

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<sup>16</sup> Daniel R. Hundley, *Social Relations in our Southern States*. Edited by William J. Cooper (Baton Rouge: Louisiana State University Press, 1979), 139-144. See also Kenneth M. Stampp, *The Peculiar Institution: Slavery in the Antebellum South* (New York: Vintage Books, 1956), 256-259, 266-267. Gudmestad provides a very insightful analysis of how the stereotype of the trader was developed as a mechanism of denial. See his *A Troublesome Commerce*, 172, 190, 200-201.

<sup>17</sup> Smith, *Lectures on the Philosophy and Practice of Slavery*, 316; Johnson, *Life and Letters of Dabney*, 68; Holland N. McTyeire, "Master and Servant," in *Duties of Masters to Servants* (Charleston: Southern Baptist Publication Society, 1851), 29-33; C. F. Sturgis, "Melville Letters," in *ibid.*, 106; Henry Hughes, "Treatise on Sociology," in Faust, ed., *The Ideology of Slavery*, 248, 268.

<sup>18</sup> Armstrong, *Christian Doctrine of Slavery*, 120. Of course, there were some proposals to change the laws in order to protect slave marriages. These proposals are the subject of chapter V below.

separating slave families in the late antebellum period are very hard to find. A revision of the disciplinary procedures of nine Virginia churches during the late antebellum period reveals that the only occasion in which a church committee started an investigation the target was a professional trader, and not an occasional seller. The leaders of Antioch Baptist Church, albeit stating in all solemnity that they regarded slavery a civil institution outside the jurisdiction of the church, said that they “view[ed] the practice of trading in slaves for the sole purpose of gain as contrary to the spirit of the Gospel and pre[ju]dicial to its intrest [sic]. Therefore we will not hereafter connive at it in our members.” The entry closed stating that the church would “overlook the circumstances of the case,” but the minute book gives no information about the outcome of this investigation.<sup>19</sup>

In another illustrative case, found in a different source, the leaders of a church in Fluvanna County brought an unstated number of its members—but more than one—under investigation on account of their conspicuous participation in the slave trade. A committee was subsequently formed to answer the query: “Does this Church sanction in her members the principle of trafficking in slaves for gain? In other words, following it as calling, either regularly or occasionally, for speculation and profit?” The committee answered the query in the negative, affording a careful explanation of why trading in slaves, even if not specifically forbidden in the Bible, should not receive the sanction of the church. The trade was against the golden rule, and even though traders who wanted to remain in good standing as Christians often adduced that they took special care not to

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<sup>19</sup> Antioch Baptist Church Minute Book (Charlotte County), entry of May 1837, Library of Virginia, hereinafter cited as LV. Besides Antioch, the other churches in my sample are: Mount Vernon Baptist Church (Halifax County), LV; White Oak Primitive Baptist Church, 1789-1880 (Stafford County), LV; Piney Branch Church, 1813-1851 (Spotsylvania County), LV; Liberty Baptist Church (Appomattox County), LV; Tinkling Spring Presbyterian Church (Augusta County); South Quay Baptist Church (Nansemond County), LV; Fredericksburg Baptist Church, Virginia Baptist Historical Society, hereinafter cited as VBHS; Zoar Baptist Church Minutes (Spotsylvania County), VBHS.

separate families, it was well known that the “invariable tendency of the traffick is to produce a total severance” of the slaves’ relations; further, it was impossible to draw a clear line between good and bad practices in the trade so as to exonerate some traders and blame others. As in the case of intoxicating drink, total abstinence was the Christian choice. In short, the trade was a “calling of imminent hazard to the Christian,” and the committee asked the church members that had elicited the investigation to terminate their involvement in it. “Should we as a church, under solemn responsibility & upon mature deliberation, declare in the face of the Church at large, & of the world around us, that we sanction the practice in what light can ever the world regard us? ... how will the Saviour regard us?” The report of the committee, however, made sure that its reproof of the trade was addressed to those taking it as a “calling” for profit, and not to those who sold and bought occasionally.<sup>20</sup>

As these cases show, churches found it hard enough to condemn speculation, “trading in slaves for the sole purpose of gain.” And by targeting speculation only as an unchristian practice, the churches implicitly signified that there were other, supposedly valid, motives for selling slaves. The unpleasant reality was that most slaveholders sold and bought slaves on occasion during their lives, and there were many eventualities in which most southerners, no matter how pious or sentimental, thought the sale of slaves were justified. Even benevolent masters were not ready to relinquish the right of sale to get rid of a troublemaker or recalcitrant slave, regardless of his/her family ties. Holland N. McTyeire, Methodist minister and author of a prize-winning essay on the reciprocal

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<sup>20</sup> “Arguments and Documents against Traffick in Slaves by Professing Christians,” Martin Baskett Shepherd Papers, box 3, Albert Small Special Collections Library, University of Virginia; James Fife to Martin Baskett Shepherd, Charlottesville, March 2, 1848, box 3, in *ibid.* I wish to thank Andrew Witmer for kindly lending me his research notes, where I first learned of this interesting case.



duties of masters and slaves, warned that breaking families apart was “inexcusable,” unless it came as a “punishment for great and incorrigible offenders.” Such a justification in a prescriptive tract otherwise pervaded by enlightened ideas about Christian slave management is a significant indication of the general opinion in this regard. Indeed, such a devout Christian and reform-minded master as John Hartwell Cocke had little moral reservations in selling away female slaves on account of “loose morals” or adultery, a punishment he meted out in several occasions.<sup>21</sup> Similarly, many masters used the threat of sale to exact docility and obedience, and apparently with very good results. The threat of sale away from family and friends was effective because most slaves had seen it happen to others.<sup>22</sup>

Another important category of justified sales were those which could be considered “inevitable.” Insolvent masters who had their slaves seized by the sheriff to satisfy debts appeared as unwilling sellers in the eyes of the community, no matter that they often had specifically pledged their slaves as collateral to the loans. Slaves sold away owing to the division of estates were also perceived as victims of the circumstances and not of an unprincipled master—even though the owners could have prevented the separation of families in their wills. What is more, masters who willfully sold slaves in order to overcome financial emergencies were often excused with a shrug of the shoulders, a sort of “it can happen to any one” attitude. In the words of a student of the slave trade:

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<sup>21</sup> Gudmestad, *A Troublesome Commerce*, 134-138; McTyeire, “Master and Servant,” 33; Martin Boyd Coyner, Jr., “John Harwell Cocke of Bremo. Agriculture and Slavery in the Antebellum South,” (Ph. D. dissertation, University of Virginia), 1961, 432, 440-441, 456-457.

<sup>22</sup> Stevenson, *Life in Black and White*, 179-180; Berlin, *Generations of Captivity*, 217; Charles L. Perdue, Jr., et al., eds., *Weevils in the Wheat. Interviews with Virginia Ex-Slaves* (Charlottesville: University of Virginia Press, 1976), 68, 85, 104, 128, 149, 211; Genovese, *Roll, Jordan, Roll*, 452-453.

“Slaveholders always had some reason for selling a slave—an estate to divide, a debt to pay, a transgression to punish, a threat to abate.”<sup>23</sup>

The denominations and the ministers were unwilling to risk alienating their constituency by a stricter stance toward these breaches of Christian deportment. By the same token, disciplinary committees were usually composed of prominent and upstanding members of the churches, who often were slaveholders themselves and had a natural reluctance to condemn practices to which they themselves might be guilty on occasion.

The religious bodies and the churches therefore had to act in an indirect way to persuade masters not to separate slave families. Clergymen understood well that the prevailing view of slaves as polygamous and licentious surely contributed to lighten the moral burden of masters for breaking slave couples. When Jefferson stated that “love seems with them [blacks] to be more an eager desire, than a tender delicate mixture of sentiment and sensation,” he was voicing a perception common in the white community. Likewise, though in blunter terms, Thomas Cooper asserted that black couples were joined together by “very slight bonds of concubinage,” and that their capacity for conjugal affection had been “greatly overrated ... as if they were all well educated sentimental whites.” Another South Carolinian, William Harper, said that the “want of domestic affections, and insensibility to the ties of kindred” was an inherent trait of the black race. Beyond the obvious racial prejudice, these perceptions of black sexuality also had a clear self-serving side: if only whites were capable of genuine conjugal love, while the slaves merely copulated, then the ties joining black males and females together were

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<sup>23</sup> Thomas D. Russell, “Articles Sell Best Singly: The Disruption of Slave families at Court Sales,” *Utah Law Review*, 1996 (1996): 1161-1209; Johnson, *Soul by Soul*, 28.

of a lesser quality and weaker. This accounted for their supposed inability to remain with one partner through life, and if blacks themselves would shift partners often without white intervention, then what was the actual harm done by imposed separations?<sup>24</sup>

Therefore, reformist clergymen insisted that slave marriages should be solemnized, that is, that they should be duly performed by a minister and sanctioned by the master, who would also have the duty to see to it that his slaves formed durable unions and stable families. The master, explained William A. Smith in his *Philosophy and Practice of Slavery*, “should not only positively forbid the herding together in indiscriminate intercourse [of his slaves], but he should promote marriage by all suitable arrangements and influences, ... he should not allow any to marry without understanding the obligations of the relation, and he should enforce, as far as his discipline can reach the case, the obligations of the marriage-bed.” From the reformers perspective, the slaves’ adoption of white standards of behavior in their marital relations would not fail to instill more reverence for slave unions in the masters. Conversely, reformers also believed that blacks would not take their marriages seriously enough unless the masters demonstrated willingness to acknowledge and respect them. As Charles Colcock Jones stated confidently, “the formal solemnization of [the slaves’] marriages” would “throw around the marriage state peculiar sacredness ... Polygamy and licentiousness are rebuked and overthrown. Masters protect families more, and make greater efforts to preserve them from separation.” Many clergymen who wrote on this subject established a clear relation

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<sup>24</sup> Thomas Jefferson, *Notes on the State of Virginia*, 139; [Thomas Cooper], “Slavery,” *Southern Literary Journal and Magazine of Arts*, I (1835): 190. William Harper, “Memoir on Slavery,” reprinted in Faust, ed., *The Ideology of Slavery*, 110-114. See also Stephenson, *Life in Black and White*, 141.

between slave morality, a dutiful observance of the marriage bond, and the stability of the slave family, which ultimately depended on the will of the master.<sup>25</sup>

Clergymen repeated one time after another that it was the duty of the masters to encourage their slaves to form lasting unions, and to enforce the attending obligations. Consequently, they expressed great concern about the indifference of many slaveowners in this regard. Upholding conjugal duties did not seem indispensable for running smoothly a plantation, and many masters turned a blind eye to breaches of Christian morality. Proponents of “enlightened” slave management, however, some clergymen prominently among them, suggested that enforcing the marital link among the slaves—in its both senses of keeping proper morality in the quarters and not separating marriages—was not only the moral thing to do but also a crucial element of sound management. When a slave was surrounded by “family associations,” he was certainly “happier and safer; put beyond the discontent or the temptations to rebellion and abduction ... His comforts cannot be removed with him and he will stay with them. But break him loose and keep him isolated from such attachments, and what is there to detain him in service?”<sup>26</sup>

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<sup>25</sup> Smith, *Lectures on the Philosophy and Practice of Slavery*, 315-316; Charles Colcock Jones, *The Religious Instruction of the Negroes. In the United States* (Savannah, Thomas Purse, 1842), 232-233. *Documenting the American South*, 1999, University Library, The University of North Carolina at Chapel Hill. December, 2007, <http://docsouth.unc.edu/church/jones/jones.html>. See also Virginia Cary, *Letters on Female Character Addressed to a Young Lady on the Death of her Mother* (Richmond: Ariel Works, 1830), 205; C. F. Sturgis, “Melville Letters,” 106-109; McTyeire, “Master and Servant,” 28-31; *Thirteenth Annual Report of the Association for the Religious Instruction of the Negroes, in Liberty County, Georgia* (Savannah: Edmund J. Purse, 1848), 16-20; *An Address to the Presbyterians of Kentucky, Proposing a Plan for the Instruction and Emancipation of their Slaves. By a Committee of the Synod of Kentucky* (Newburyport: Charles Whipple, 1836), 15-16; Anne C. Loveland, *Southern Evangelicals and the Social Order 1800-1860* (Baton Rouge: Louisiana State University Press, 1980), 210-211.

<sup>26</sup> Thomas S. Clay, *Detail of a Plan for the Moral Improvement of Negroes in Plantations. Read before the Georgia Presbytery* (n. p., 1833) 14-15; “On the Management of Negroes,” *Farmers’ Register*, IV (1836-37): 574-575; McTyeire, “Master and Servant,” 31; *Thirteenth Annual Report of the Association for the Religious Instruction of Negroes*. Other proponents of modern management practices, however, thought the

Some masters followed the prescription to solemnize slave marriages. Cocke, as already noted, was always ready to punish adultery and promiscuity with sale. In 1848, during one visit to his Alabama estate, which he had conceived as a school for freedom in Liberia, he was appalled to find many slaves engaged in inappropriate relationships. In his view, his plantation had become a “brothel.” Cocke therefore decided to give all single adults one week to choose a spouse and marry, or else be sold away. Some days later, a Baptist minister gave its blessing to nine unions, and the newlyweds received furniture and other gifts as a reward. Richard Eppes, owner of three plantations in the Virginia tidewater, also proscribed adultery in a detailed code of laws he wrote for the government of his slaves, and he meted out punishment to transgressors of this “law” accordingly. Robert Lewis Dabney, too, after the Civil War admitted to having used the whip to punish adultery among his slaves.<sup>27</sup>

The enforcement of the marital relations of the slaves was also promoted in considerable measure by the churches. The sexual behavior of blacks was a usual matter of concern for church authorities. Disciplinary committees, especially those belonging to the Baptists, often investigated allegations of adultery or bigamy among the black membership. An examination of the minute books of a handful of Virginia churches is revealing: Mount Vernon Church tried at least nine cases of alleged sexual misconduct of black members from 1837 to 1861; White Oak Church tried eight cases between 1820 and 1860; Piney Branch tried seven from 1827 to 1851; their Fredericksburg counterpart

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effort was useless. See “Management of Negroes upon Southern States,” and “Management of Negroes,” in Paul F. Paskoff and Daniel J. Wilson, eds., *The Cause of the South. Selections from De Bow’s Review 1846-1867* (Baton Rouge: Louisiana State University Press, 1982), 21-25, 44-47.

<sup>27</sup> Coyner, “John Hartwell Cocke,” 440-441; Michael L. Nicholls, “‘In the Light of Human Beings’ Richard Eppes and his Island Plantation Code of Laws,” *Virginia Magazine of History and Biography*, 89 (1981): 67-78; Robert Lewis Dabney, *A Defense of Virginia, (and through her of the South)*, in *Recent and Pending Contests against the Sectional Party* (New York: E. J. Hale & Son, 1867), 221-222.

had five such cases from 1835 to 1852, and Zoar Church tried four black members for this kind of offense from 1820 to 1852. South Quay tried two cases from 1827 to 1838, and Liberty Church just one from 1834 to 1865. This estimate is surely below the actual number of incidences, for the minute books of some churches present gaps of several years in their notations. To the same effect, many accusations were recorded vaguely as “being in disorder” or “living disorderly,” and some entries simply recorded the excommunication of members without further explanations. All such instances are not included in the above count, even though some of them might have been related to sexual offenses.<sup>28</sup>

Most of the explicit charges brought before the church courts consisted of adultery, bigamy, or fornication. In 1837, “brother” Daniel Higdon accused a fellow slave and member of White Oak Church of committing adultery with his wife. The culprit confessed his offense and was excommunicated. In 1824, the slave Robert was excluded from Zoar Church for the “sin of bigamy.” In Piney Branch Church, an unnamed female slave was excluded in 1841 for “unlawfully taking a husband while her first husband is still living in the neighborhood and she refusing to give him up.” In April of 1814, the slave spouses Abraham and Nancy were excluded from the same congregation after the committee found out that both “had the vanereal [sic].” Unable to determine who had been the “transgressor,” the church decided to expel both. Again in Piney Branch, the slave Henry was expelled from the same church “for committing fornication” in 1844. In

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<sup>28</sup> Mount Vernon Baptist Church Minutes (Halifax County), LV; White Oak Primitive Baptist Church Minute Book, 1789-1880 (Stafford County), LV; Piney Branch Church Minute Book, 1813-1851 (Spotsylvania County), LV; Fredericksburg Baptist Church Minutes, VBHS; Zoar Baptist Church Minutes (Spotsylvania County), VBHS; South Quay Baptist Church Minutes (Nansemond County), LV; Liberty Baptist Church Minutes (Appomattox County), LV.

Halifax County, the slave Julia was excluded from membership in Mount Vernon church for “leaving her husband and other immoral conduct” in 1843.<sup>29</sup>

Of course, this vigilance resulted from a firm conviction that sexual behavior had to be regulated by Christian morality and restraint. In fact, this kind of control was not confined to black members. Whites were also brought under the scrutiny of disciplinary committees for sexual transgressions and punished when found guilty.<sup>30</sup> Moreover, in some churches, blacks had a considerable degree of autonomy in handling the discipline of their fellows. The black membership of Fredericksburg Baptist Church enjoyed this prerogative, and they seem to have employed the same energy in regulating sexual behavior. By the same token, the free black leadership of Gillfield Church in Petersburg kept an extremely vigilant eye over its all-black membership: a revision of the disciplinary procedures for a period of just two years (1819-1821) yielded the impressive figure of 21 members expelled for adultery and other sexual misconduct.<sup>31</sup> In sum, evangelicals considered the restraint of sexual licentiousness, white or black, as an essential function of religion. Nevertheless, it is probable that white prejudices about black sexuality resulted in a stricter supervision of the black membership in biracial congregations. From the white perspective, religion was the chief agent of civilization

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<sup>29</sup> White Oak Primitive Baptist Church Minute Book, April 13, 1837, LV; Zoar Baptist Church Minutes, May, 1824, VBHS; Piney Branch Church Minute Book, April 23, 1814, April 1841, and October, 1844, LV; Mount Vernon Baptist Church Minutes, entries of September 16 and October 14, 1843, LV.

<sup>30</sup> For examples see Zoar Baptist Church Minutes, entries of July, 1841, and March, 1842, VBHS; Fredericksburg Baptist Church Minutes, entries of September 26, 1836, and January 1, 1851, VBHS; White Oak Primitive Baptist Church Minute Book, entry of July, 1824, LV; Piney Branch Church Minute Book, entry of March 23, 1816, LV; Tinkling Spring Presbyterian Church Session Minutes, entries of April 11, 1852, and June 12, 1852, LV.

<sup>31</sup> Gillfield Baptist Church Minutes (Petersburg), LV, the 21 cases referred to above were found in the entries beginning in March 13, 1819, and ending in June 30 of 1821.

and uplift, and it would not fail to instill sexual restraint in the slaves and teach them the responsibilities and obligations of the conjugal institution.<sup>32</sup>

But the concern with slave morality and slave elevation was entirely compatible with an additional intention. In striving to increase the significance of marriage in the slave quarters, clergymen were also trying to break what they perceived as a vicious circle of black “promiscuity” and white disregard for slave unions. By insisting on the subject clergymen intended to make masters themselves more willing to respect slave marriages. Clergymen understood that white and black attitudes were interdependent; the effects of insisting in the sanctity of marriage could not be isolated to the slave community, they would surely be felt among the whites too. In this particular issue, as in others, reformers hoped that a change in slave behavior—the elevation achieved through religion, would also improve the master-slave relation and slavery itself. “Good slaves make good masters, as well as good masters good slaves,” was the operative principle.<sup>33</sup>

The churches thus hoped that the enforcement of the marital bond among the black membership would contribute to the moral improvement of both masters and slaves. Needless to say, the attempt was completely one-sided. The most the churches ever did for slave couples was to punish adultery and bigamy. As already noted, no Virginia master was called to render accounts before a church court for separating slave families in the late antebellum period. Clergymen recognized the right of sale as completely legitimate, but they expected masters to voluntarily limit themselves in its exercise. Not surprisingly, reality fell far short from this expectation.

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<sup>32</sup> See chapter II above.

<sup>33</sup> “Human Rights and Slavery,” *Southern Presbyterian Review*, II (1849): 580-581.



The religious bodies wound up accommodating to the legality of family separations. Confronted with the conflicts of regulating marital relations in which the parties themselves had not complete control, the churches opted for setting standards of what would be regarded valid grounds for separation and remarriage. In responding to a query as to whether a slave should be allowed to marry again or not after his first wife had been sold and removed, the Accomack Baptist Association clarified the criteria to deal with problems of this nature: “under such a peculiar situation, the wife may be considered as dead to her husband,” and the slave be allowed to take another wife.<sup>34</sup> There is evidence suggesting that church disciplinary committees followed this principle somewhat consistently. In 1841, the Fredericksburg Church gave permission to Sally Thomas to marry again. Thomas’s husband had been “sold and carried south eight years since.” Similarly, although there is no record of a formal request for permission to marry again, the slave Nelly remained a member of good standing in White Oak church after wedding Moses, owing to her having lost her first husband through sale. Moreover, most recorded accusations of bigamy or adultery among black members show that the husband or wife of the accused was still in the community, or living within a reasonable distance.<sup>35</sup> In other words, the churches considered that a slave could not be guilty of adultery unless he/she had a viable choice to remain faithful. This is a clear indication that the new

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<sup>34</sup> *Minutes of the Accomack Baptist Association, 1819*, 2. According to Janet Duitsman Cornelius, Baptist churches in Georgia used the criteria of “removal should be treated like death” regularly in allowing slaves to remarry. *Slave Missions and the Black Church in the Antebellum South* (Columbia: University of South Carolina Press, 1999), 42-43.

<sup>35</sup> Fredericksburg Baptist Church Minutes, entry of February 3, 1841, VBHS; White Oak Primitive Baptist Church Minute Book, entry of May 30, 1841, LV. For cases of adultery see *ibid.*, April 23, 1826, September 18, 1826; Piney Branch Church Minute Book, October 1838, April, 1841, LV; Zoar Baptist Church Minutes, March 15, 1851, VBHS.

relationships the slaves entered into after losing spouses to the domestic slave trade received the church sanction.<sup>36</sup>

Therefore, in sanctioning the effects of the slave trade by granting permission to remarry to those slaves who had been its victims, the churches counteracted to some extent their own efforts at fostering the solemnity of the slave marriage. But unless they were willing to make the slaves pay for the masters' transgressions (by prohibiting them to remarry after losing a spouse to the trade), or unless they adopted a more restrictive policy toward the masters themselves, which they were not ready to do, they had little choice, so keeping a flexible stance was the most practical course.

The actual extent of marriage separations by sale remains uncertain, but one thing is clear: the churches did not act against masters who disobeyed the injunctions to keep families together, and wound up adjusting to the reality of such separations. The churches settled for insisting on the solemnity of marriage, hoping that this would help to persuade masters to comply with Christian duty. Considering the number of Virginia slaves who wound up building the cotton kingdom in the Southwest, however, this strategy does not seem to have been very effective.

The inability, or disinclination, of the churches to oppose with energy practices that, however distasteful, were normal under the law was manifest in other respects. As already pointed out, physical punishment had remained a prerogative of the master in the Christian slaveholding ethic, but cruelty or any kind of excesses were anathema. Yet, evidence that the churches actually protected slaves in this regard is extremely scarce. The same sample of churches referred to above revealed only one instance of a

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<sup>36</sup> The Churches also granted permissions to remarry on grounds of adultery and abandonment. See *Minutes of the Dover Baptist Association, 1819*, 5; *Minutes of the Baptist Association in the District of Goshen, 1819*, 7. Cornelius, *Slave Missions and the Black Church*, 42-45.

disciplinary committee intervening in a case of excessive punishment.<sup>37</sup> In June of 1846, the Fredericksburg Baptist Church appointed a committee to investigate “brother” Wingfield for the “ill treatment of a servant girl.” After looking into the matter, the committee reported that “Wingfield acknowledged he had whipped her [the girl] indiscreetly, that he was very much vexed at the time and that he was sorry for it.” The church accepted this expression of regret and retained the offender in fellowship. The ease with which he was absolved is of course significant, but perhaps more so is the fact that Wingfield himself had brought the matter before the Church, a course he had probably taken not because of his own sense of right, but because “charges” of his abusive treatment that had been “in circulation.”<sup>38</sup>

Wingfield decided—or received advice—that the best way to put the matter to rest and remain in good standing among neighbors and fellow church members was to confess his misdeed and show regret. This last circumstance suggests that, to some extent, community opinion could be a check on cruelty-prone masters. But the case reveals more clearly that the ability and disposition of church and neighbors to restrain abusive masters was extremely limited. Rumors of the excessive whipping had been in circulation, and yet nobody in the church had dared to accuse Wingfield. Why? The only answer available is that, no matter how much they might condemn these excesses in private, neighbors and church members had great reservations to intervene in such business. Most likely, Wingfield had felt obliged to talk only because his brutality had been widely noticed. Had it been otherwise, the case might not have even come to the notice of the church. Taking this into account, along with the fact that this was the only

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<sup>37</sup> See note 19 above for a list of the churches in the sample.

<sup>38</sup> Fredericksburg Baptist Church Minutes, June 3, and July 1, 1846, VBHS.

instance of a master being under investigation for his treatment of his slaves in a survey of nine biracial congregations, it seems safe to conclude that the majority of these cases never came to the churches.<sup>39</sup>

Moreover, whereas the slaves could not look to the churches for redress, there are indications that the masters could count on the disciplinary process to punish slaves for remissness in their “duties.” To be sure, disciplinary committees also devoted a good deal of attention to keep white members on the righteous path, citing them often for drunkenness, violent behavior, inappropriate language and many other transgressions.<sup>40</sup> But black communicants faced the church court for a wider range of offenses, some of them of the kind that only slaves could commit. Slaves were excluded from fellowship for disobedience, running away, or even rebellion.<sup>41</sup> Furthermore, blacks were excommunicated in a higher proportion than white members. Biracial churches were ruled by whites, and even though blacks in some congregations had their own

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<sup>39</sup> In her examination of churches in South Carolina, Stephanie McCurry states that “on rare occasions masters were investigated for cruelty to their slaves,” but she does not provide any examples. See her *Masters of Small Worlds. Yeoman Households, Gender Relations, and the Political Culture of the Antebellum South Carolina Low Country* (New York: Oxford University Press, 1995), 200-201. On the other hand, Randy J. Sparks found two cases of “accidental” killing of slaves. In both cases the churches showed no energy in the investigations, and the cases were dismissed after brief consideration. See “Religion in Amite County, Mississippi, 1800-1861,” in John B. Boles, ed., *Masters and Slaves in the House of the Lord: Race and Religion in the American South 1740-1870* (Lexington: University Press of Kentucky, 1988), 74-75.

<sup>40</sup> Piney Branch Church Minute Book, February, 1843, October, 1844, June 1847, May, 1848, February 1850, LV; Zoar Baptist Church Minutes, November, 1822, September, 1823, October, 1838, November, 1839, May, 1841, August, 1841, March, 1845, December, 1848, June 1851, VBHS; See also Tinkling Spring Presbyterian Church, Session Minutes, June 1844, January and March, 1845, October, 1851, LV.

<sup>41</sup> Piney Branch Minute Book, March, 1816, February, 1830, September 1831, October 1833, LV; Gillfield Baptist Church Minutes, May 13, 1819, LV. See more examples in McCurry, *Masters of Small Worlds*, 197-201; and Sparks, “Religion in Amite County,” 75-76.

committees, and could administer discipline among themselves somewhat independently, whites had the last word as to who deserved to be excluded from fellowship or not.<sup>42</sup>

Notwithstanding a degree of equality unparalleled outside the meeting houses, in the administration of church discipline the balance was clearly tipped to the side of the white membership. The inequalities in the enforcement of discipline reveal that the churches applied more stringent controls to black members and wound up, in the last analysis, as buttresses of the slave regime.<sup>43</sup> But this should not be too surprising. Clergymen had promised all along that Christian slaves would be more easily swayed, and it is not strange that the churches took avail of the disciplinary process to forward that end. Moreover, the resulting disparity was entirely consistent with the reformist goal of slave elevation. Baptist church governments exerted a tighter control over those members they perceived as more prone to disorder and sin, and therefore in need of closer supervision. Plus, church affiliation was voluntary, and so too was submission to its discipline. Therefore, in the view of white church authorities, through their membership blacks were expressing their own desire for moral improvement, and their own willingness to be disciplined to achieve it.

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<sup>42</sup> In a very thorough analysis of Baptist discipline in Georgia, Gregory A. Wills concludes that “Churches disciplined blacks less frequently than whites, but when they cited them they more frequently excommunicated them.” He found a similar relation in a comparison of white men and women, that is, although women faced the church court less often, they were treated with more severity. *Democratic Religion: Freedom, Authority, and Church Discipline in the Baptist South, 1785-1900* (New York: Oxford University Press, 1997), 54-60 (quotation on 60). For similar conclusions see Christine Leigh Heyrman, *Southern Cross. The Beginnings of the Bible Belt* (Chapel Hill: University of North Carolina Press, 1997), 215, 312n; and Jean E. Friedman, *The Enclosed Garden. Women and Community in the Evangelical South, 1830-1900* (Chapel Hill: University of North Carolina Press, 1985), 14-15.

<sup>43</sup> McCurry, *Masters of Small Worlds*, 197-201; Sparks, “Religion in Amite County,” 72-76; Cornelius, *Slave Missions and the Black Church*, 39-40.

## II

The defense of slavery as a school of civilization, in order to be persuasive, depended on keeping the prospect of future emancipation open as the ultimate goal, no matter how gradual or delayed. As already explained, even the most decidedly proslavery clergymen in Virginia stopped short of declaring slavery a perpetual condition. Lay defenders of slavery too, such as Nathaniel Beverly Tucker, were equally convinced that slavery was uplifting the slaves and that one day they would be ready for freedom outside the United States.<sup>44</sup> Although the shift toward amelioration pushed such a day into a very distant future, an effective program of religious instruction remained an indispensable element of that “training” program. The provision of such education to the slaves was the only thing that rendered credible the claim that slavery was accomplishing the slow but sure work of elevating the slave.

The character of that religious instruction, however, and especially the means to attain it, remained a vexing issue in the religious agenda of reform. In a predominantly Protestant culture, the denial of free access to the Bible, even to a pariah class, was no light matter, and many reformers believed that proper religious instruction should include at least the ability to read the Scriptures. Therefore, the laws prohibiting the teaching of reading and writing to the slaves, and the disposition of the clergy to abide by them, rendered the clergymen’s position vulnerable to accusations that slavery in effect blocked

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<sup>44</sup> Eric H. Walther, *The Fire-Eaters* (Baton Rouge: Louisiana State University Press, 1992), 44-47; William W. Freehling, *Road to Disunion*. Volume 1. *Secessionists at Bay, 1776-1854* (New York: Oxford University Press, 1990), 484-485.

every avenue of improvement and education for the slaves.<sup>45</sup> The reformers justification for slavery was based on the belief that the slaves were unprepared for freedom, but such justification became a liability unless they could show that they were doing something to prepare them.

Controversy on this subject had arisen since the state code of 1819 featured the first law against teaching blacks to read and write. John Holt Rice called the law a “most Gothic act” and a step “backwards in our policy toward [the slaves].” Another Presbyterian pointed out that the prohibition of slave education amounted to a “confession of guilt,” an implicit admission that slavery was wrong and criminal and that it could be sustained only by keeping its victims under a dark shroud of ignorance.<sup>46</sup> The text of the law of 1819 aimed chiefly at preventing the somewhat organized, or even semi-institutionalized forms of black education. It declared unlawful “all meetings or assemblages” of both slaves and free blacks “at any school or schools for teaching them reading or writing.”<sup>47</sup> But it left the door open for a more private kind of instruction, with hired tutors or the white members of the family themselves acting as teachers.

Nevertheless, the rise of abolitionism and white perceptions of significant threats to their security produced more stringent legislation. In 1829, authorities in Richmond found several copies of David Walker’s *Appeal to the Colored Citizens of the World*, and apprehended a free black who confessed to having received and distributed 30 copies of said pamphlet. The *Appeal* was an acerbic condemnation of slavery and its many evils

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<sup>45</sup> Janet Duitsman Cornelius, “*When I Can Read My Title Clear: Literacy, Slavery, and Religion in the Antebellum South* (Columbia: University of South Carolina Press, 1991), 11-12, 35-36, and *passim*.

<sup>46</sup> [Rice] “On the Improvement of the People,” *Virginia Evangelical and Literary Magazine*, V (1822): 643; [Conrad Speece], “Thoughts on Slavery,” in *ibid.*, II (1819): 296-297. See also “On the Moral Condition of Slaves,” in *ibid.*, IV (1821): 309-314.

<sup>47</sup> *The Revised Code of the Laws of Virginia*. 2 Vols. (Richmond: Thomas Ritchie, 1819), 1: 424-425.

written by a North Carolina free black who had settled in Boston. Although it was not an open clarion call to rebellion, Walker's pamphlet decried slavery's sinfulness in the strongest terms, and it prophesized that God would not fail to punish slaveholders in this world with the utmost severity, by slave uprisings or by any other means. The *Appeal* caused a good deal of alarm in official circles in Richmond, and in the following session Virginia lawmakers enacted a more comprehensive prohibition.<sup>48</sup> The new law targeted white persons who "assemble[d] with free negroes or mulattoes, at any school-house, church, meeting-house or other place for the purpose of instructing such free negroes or mulattoes to read or write;" and also any white person "who for pay or compensation, shall assemble with any slaves for the purpose of teaching, and shall teach any slave to read or write, ... or any white person or persons contracting with such teacher so to act." The penalties were steep fines and, in the first case, even two months in jail "at the discretion of a jury."<sup>49</sup>

Just a few months thereafter, the Nat Turner revolt shook violently the sense of security of the Virginia white community, and made the recent attempts at evangelizing the slaves an easy target for those trying to pin the blame on somebody or something. Governor John Floyd put part of the responsibility for the revolt on religious and benevolent slaveholders: "our females, and of the most respectable were persuaded that it was piety to teach Negroes to read and write, to the end that they might read the

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<sup>48</sup> Peter Hinks, ed., *David Walker's Appeal to the Colored Citizens of the World* (University Park: Pennsylvania State University Press, 2000). Walker had an equivocal position as to the role of blacks in shucking off their oppressors; at times he seemed to rely on divine intervention, and at times he hinted at a more active engagement of both free blacks and slaves in terminating slavery. See Hinks' "Introduction" to *Walker's Appeal*, xxxiii-xxxiv. For the reaction of the state authorities see William B. Giles to the Speaker of the House of Delegates, January 7, 1830, Governors Papers, box 314, LV.

<sup>49</sup> The text of the law in *Acts Passed at a General Assembly of the Commonwealth of Virginia, 1830-1831* (Richmond: Thomas Ritchie, 1831), 107-108.



Scriptures ... I feel fully justified to myself, in believing the Northern incendiaries, tracts, Sunday Schools, religion and reading and writing have accomplished this end.”<sup>50</sup>

Similarly, albeit with a hint of regret, the *Lynchburg Virginian* stated that “the tree of knowledge should be to the slaves forbidden fruit, for they cannot taste of it, and have their eyes unsealed without having created in their bosoms a longing desire after the sweets of that liberty which they cannot enjoy *here*, in comfort to themselves, or with safety to the whites.” In 1835, the abolitionist mail campaign seemed to render these fears of black literacy the stuff of wisdom, and ensured that the restrictive measures would remain in the statute books.<sup>51</sup>

Nevertheless, the prohibition enacted in 1831 was not as sweeping as it is often believed. The statute banned the use of hired instructors, but remained silent as to any teaching done by the masters themselves or members of their families. As William Meade asserted, “although public schools may have been prohibited, ... no interference has been attempted when the owners have chosen to teach their servants, or permit them to learn in a private way, how to read God’s word.” Indeed, many Virginia slaveholders continued to teach their own slaves. The efforts of John H. and Louisa M. Cocke have already been mentioned. In Stafford County, Moncure Daniel Conway remembered having traded a few reading lessons for a fancy necktie with a family slave when he was

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<sup>50</sup> John Floyd to James Hamilton, Jr., Richmond, November 19, 1831, in Henry Irving Tragle, *The Southampton Slave Revolt of 1831: A Compilation of Source Material* (New York: Vintage Books, 1973), 275-276.

<sup>51</sup> *Lynchburg Virginian*, October 6, 1831.

a young man. Many slaves also left testimony of being taught to read by a member of their owner's family.<sup>52</sup>

Others were more daring and acted in clear defiance of the law: Mary B. M. Blackford of Fredericksburg taught "a few colored children to read their Bibles." Having received repeated warnings from members of the town's grand jury, however, Blackford was conscious that she had to keep her Sunday school small, and she therefore had "to refuse frequent applications" from prospective black pupils. By the same token, an unknown number of Sunday schools for black children remained open in the state, and although they ostensibly gave only oral instruction, it is possible that they might have occasionally indulged in more ambitious forms of education.<sup>53</sup>

Such efforts were not free of risk, however. The law was ambiguous enough to make many people believe that even the most discreet domestic instruction was also banned, and when the County justices found no legal basis to intervene, there were overzealous neighbors who could take matters into their own hands. John Hartwell Cocke had an unpleasant encounter with white vigilantes who disapproved of his educational endeavors—the evidence is unclear, but it seems that he was assaulted and beaten sometime in 1835. Moncure Conway's mother also had to quit the practice of reading from the Bible on Sundays to the young slaves of her household after the visit of

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<sup>52</sup> William Meade, *Sketches of Old Virginia Family Servants* (Philadelphia: Isaac Ashmead, 1847), 5-6; Coyner, "John Hartwell Cocke," 343-347, 459; Moncure Daniel Conway, *Autobiography, Memories and Experiences of ... in two Volumes* (Boston: Houghton, Mifflin and Co., 1904) 1: 21; Perdue, *et al*, *Weevils in the Wheat*, 187; Mary J. Bratton, ed., "Field's Observations: The Slave Narrative of a Nineteenth Century Virginian," *Virginia Magazine of History and Biography*, 88 (1980): 92; Cornelius *When I Can Read My Title Clear*, 33, 105-124.

<sup>53</sup> Blackford quoted by Thomas "The Second Great Awakening in Virginia," 387; *Journal of the Convention of the Protestant Episcopal Church in the Diocese of Virginia, 1841*; Report of the Sunday School of Trinity Church (Staunton), [n. d.], Frederick Deane Goodwin Papers, Virginia Historical Society; Cornelius, *When I Can Read My Title Clear*, 116.

some “officious” neighbors, even though, according to Conway, she was not teaching them to read. As for more public attempts at instruction, the case of Margaret Douglas shows that the law was indeed enforced, at least on occasion. Douglas had moved from South Carolina to Norfolk in 1852, and soon after settling in the port town she decided to set up a school for free black children. When she was arrested on that account she refused to submit tamely and take a slap on the wrist, and instead took a defiant stance, adducing that many Norfolk ladies of the best families were doing the exact same thing without getting into trouble with the authorities. She also refused to accept legal counsel for her trial. The jury found against her, and the judge sentenced her to spend a month in jail.<sup>54</sup>

The clear prohibition of public instruction in reading forced slave evangelists to rely exclusively upon oral means. Many clergymen found this ban a disturbing hurdle in their efforts at uplifting the slaves, and they surely felt the sting of the charges, hurled often at them by the abolitionists, of hypocritically claiming to elevate the slaves while they were actually keeping them in the most abject ignorance. Robert Ryland, pastor of the First African Baptist Church of Richmond, asked angrily “How can we expect them to develop the great principles of the Gospel in a well ordered life while they are dependent on desultory oral instruction for their entire knowledge?” Similarly, the committee for the religious instruction of blacks of the Dover Baptist Association complained in 1850 that the prohibition on literacy rendered very difficult all attempts to provide the slaves with a more systematic catechization. Such difficulties were compounded by the

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<sup>54</sup> Coyner, “John Hartwell Cocke,” 350-352; Conway, *Autobiography*, 1: 21; *Educational Laws of Virginia. The Personal Narrative of Mrs. Margaret Douglass* (Boston: John P. Jewett & Co, 1854); Elizabeth R. Varon, *We Mean to Be Counted: White Women and Politics in Antebellum Virginia* (Chapel Hill: University of North Carolina Press, 1998), 28-30.

additional prohibition of black attendance to religious meetings at night—even with white people present—which had been part of the same post-Nat Turner crackdown. The committee recommended the resort to “all proper means to procure ... a modification of the laws,” and the use of legal advice to find out if there was any way to act more effectively within the standing legislation. In the opinion of the consulted attorney, however, the churches of the Dover Association should confine themselves to oral instruction if they wanted to remain within legal bounds.<sup>55</sup>

The legislature did receive a couple of petitions to change the statutes later in the 1850s. The memorials begged for a change in several laws, including the adoption of protective legislation for slave marriages. On the subject of slave instruction, the subscribers stated that “any law which dwarfs and impedes the growth and development of any part of God’s creation, more especially that which is moral and intelligent, cannot fail to prove a curse, however much our shortsightedness may fancy it a blessing.” But the entreaties were ignored by Virginia lawmakers.<sup>56</sup> In all these efforts, reformers were only taking a step farther the usual arguments in favor of religious instruction: the Christian slave would be a better servant, and there was nothing to fear from a slave who read the Bible. On the contrary, they held, the most dangerous slave was the ignorant slave, or the slave who had adulterated Christian notions.

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<sup>55</sup> Ryland quoted in Thomas, “The Second Great Awakening in Virginia,” 386; *Minutes of the Sixty-Eight Annual Session of the Dover Baptist Association*, 1850 (Richmond: H. K. Ellyson, 1850), 9-10. In 1848, the General Baptist Association of Virginia resolved to petition the legislature to pass more liberal laws pertaining black attendance to religious meetings. *Religious Herald*, June 15, 1848. The Salem Union Baptist Association took a similar resolution. *Ibid.*, September 21, 1848. See also Schweiger, *The Gospel Working Up*, 72-73.

<sup>56</sup> “Memorial of the Citizens of Virginia to the General Assembly, Asking for Certain Reforms in the Laws Concerning Slaves and Free Persons of Color, Marshall County,” 1856, Legislative Petitions, Library of Virginia; see the identical petition from Hancock County, 1856, in PSL, #11685603.

Nevertheless, reformers had to contend with many Virginians, and southerners, who firmly believed that slave literacy would have subversive effects. The usual rebuttal to the plea that literate slaves would make better servants was that educated bondmen and – women would surely not confine their reading to the Bible, but would be attracted to a different and far more dangerous literature. Albert Taylor Bledsoe pointed out the risk that “incendiary publications” would fall into the hands of slaves who could read. Addressing an imaginary abolitionist, he urged him not to expect southerners “to lay the train beneath our feet, that *you* may no longer hold the blazing torch in vain!” Similarly, a contributor to *De Bow’s Review* asked rhetorically “Is there any great moral reason why we should incur the tremendous risk of having our wives and children slaughtered in consequence of our slaves being taught to read...?” Obviously not; besides, “millions of those now in heaven never owned a Bible. To read is a valuable accomplishment, but it doesn’t save the soul.”<sup>57</sup> Judge Richard H. Baker, in sentencing Margaret Douglass to one month in the public jail of Norfolk, expressed a similar opinion: literacy could not be considered a requirement for the acquisition of piety and good morals, simply because a part of the white population of Virginia was as illiterate as the slaves, and it was not any less moral or religious on that account. To think that “universal intellectual culture is necessary to religious instruction ..., and that such culture is suitable to a state of slavery,” he concluded, “I regard as manifestly mischievous.”<sup>58</sup> Former slaves interviewed in the 1930s left testimony of the angry reaction of some masters to any hint that their slaves were reading, or trying to learn to read. “[Y]ou better never let mastah

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<sup>57</sup> Bledsoe, *An Essay on Liberty and Slavery*, 124-125; “Ought Our Slaves Be Taught to Read?,” *De Bow’s Review*, 18 (1855): 52-53.

<sup>58</sup> Commonwealth vs. Margaret Douglass, reproduced in *Personal Narrative of Margaret Douglass*, 45-46.

catch you wif a book or paper,” Albert Jones remembered, “If yer done them things, he sho’ would beat yer.” Masters were likewise afraid that slaves who learned to write would be able to forge passes and make their way to the North.<sup>59</sup>

Reformers’ assurances that literate slaves would be better servants also ran counter to older, enlightened notions of the liberating effects of knowledge. As James McDowell had said in 1832, “as [the slave] better understands his position in the world, he were not a man if it did not the more inflame his discontent.” An Episcopalian minister from Alexandria also believed that “the expansion of mind [would] at once burst asunder the shackles that encumber the body” of the slaves. Standing on the same ground, a group of Kentucky Presbyterians stated with full certainty that it was simply impossible “to prevent enlightened minds from recovering their natural condition of freedom.” In this frame of reasoning, learning would inevitably render the slave unfit for bondage. Such beliefs, more common during the 1820s and 1830s, became somewhat inappropriate later in the antebellum period, a time in which reformers wanted to persuade reluctant owners that education would benefit the established order, while the orthodox proslavery creed wanted southerners to believe that any slave with a modicum of instruction would better appreciate the benefits of its station. But even if unfashionable, these notions very probably still accounted for part of the opposition.<sup>60</sup>

But no matter how it was rationalized, the denial of literacy to the slaves remained a problematic issue. Bible reading was simply too important an element of Protestant

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<sup>59</sup> Perdue, et al, *Weevils in the Wheat*, 178-179, 196, 201, 167.

<sup>60</sup> *Speech of James M’Dowell, Jr. (of Rockbridge,) in the House of Delegates of Virginia, on the Slave Question: Delivered Saturday, January 21, 1832* (Richmond: Thomas W. White, 1832), 19-20; Joshua Peterkin to Mary B. Blackford, Alexandria, July 20, 1836, Blackford Family Papers, box 1, SHC; *Address to the Presbyterians of Kentucky*, 9.

culture, and to put it beyond the reach of slaves was hard to reconcile with Christian behavior. Few expressed this moral quandary with more strength than a writer in *De Bow's Review*: "[T]he government that denies to any class of its population the elements of learning, as a means of knowledge, runs counter to the Gospel precept that enjoins on all men the duty of searching the Scriptures for themselves. If such a law is approved in a Republican and Protestant community, it involves the absurd contradiction of professing a religious and political faith they will not practice, thus giving practical evidence of the truth and necessity of the Roman Catholic doctrine of absolute government in Church and State, that ignorance is the mother of devotion."<sup>61</sup>

In general, many southern clergymen agreed that the results of religious instruction would remain limited without literacy, and that the elevation of the slave to which they were committed, and which provided the main justification for the continuance of bondage, would advance more rapidly with instruction in reading and writing. Therefore, their remissness could be justified only by appealing to extraordinary circumstances, chiefly, the danger of abolitionist literature falling in the hands of the slaves. It was a typical case of shifting the blame to the accusing part: had not abolitionists sent subversive agents and batches of incendiary literature to the South, Sunday schools would have flourished in Dixie, the slaves would be far better educated, and perhaps the slaveholders themselves, appreciating the progress of the slaves in the scale of civilization, might have taken the first steps toward gradual emancipation.<sup>62</sup>

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<sup>61</sup> A Mississippian, "Slavery, the Bible, and the 'Three Thousand Parsons,'" *De Bow's Review*, 26 (1859): 47.

<sup>62</sup> Bledsoe, *An Essay on Liberty and Slavery*, 125-126; Holcombe, "Is Slavery Consistent with Natural Law?" 419; Commonwealth vs. Margaret Douglass, *Personal Narrative of Margaret Douglass*, 47-48. Johnson, *Life and Letters of Robert Lewis Dabney*, 67. See also Hughes, "Treatise on Sociology," 257. The

This balancing act was not without risk, however, for the threat of abolitionist literature would vanish the moment the South severed all ties with the North, and became an independent country. Not surprisingly, it was at that time that the most serious questioning of the ban on slave literacy would take place, as we will see ahead.

### III

The shift of the reformist impulse toward amelioration was a decisive factor in the formation of the proslavery consensus that would predominate in Virginia during the late antebellum period. Such a consensus was crafted in a very complex process of accommodation of different groups. Clergymen-reformers chose to work for change within the structures and social hierarchies of the established order, telling masters about the duties of good and Christian slaveholders. In exchange, slaveholders accepted the charter of reform—as a worthy aspiration at least, and accepted also that they had an important role to play in the mission to elevate the slaves. Except for the most callous racists, even the staunchest defenders of bondage came to accept that the ownership of slaves entailed a responsibility that went far beyond providing them with a bare subsistence.<sup>63</sup>

The consensus rested on the notion that slavery was justifiable within the specific circumstances of the South: slavery was an inheritance from colonial times, and no individual of the living generation had had any responsibility in its creation; the South, as a Christian and enlightened society, living in the most progressive country in the world,

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charge that the abolitionist agitation had only served to rivet the chains of the slaves more tightly appears in almost every defense of slavery.

<sup>63</sup> Donald G. Mathews, *Religion in the Old South* (Chicago: University of Chicago Press, 1977), 172-173.



had been entrusted with the evangelization and civilization of millions of blacks, maybe for a future return to Africa, or for a fate that providence kept yet hidden. The consensus was enormously flexible and it gave room to different interpretations. Very likely, its blurring of significant disagreements was what rendered it so widespread and influential, for the consensus stifled controversy and allowed many people to hold diverse opinions without going beyond the mainstream.

There remained, of course, some important differences of interpretation, such as whether slavery would be perpetual or not, or how much longer it would last. Most Virginia clergymen, as already explained, believed that the purposes of bondage would cease to exist the moment the slaves attained self-control, self-discipline and a sufficient degree of civilization. Of course, by the late antebellum period, clergymen either envisioned this moment in a very distant future, or refrained from saying anything specific as to when it would arrive. In the words of Thornton Stringfellow, “[S]hould the time ever come, when emancipation and its consequences will comport with the moral, social, and political obligations of Christianity, then Christian masters will invest their slaves with freedom, [masters] who without any agency of their own, have been made in this land of liberty, their providential guardians.” In a very similar fashion, William A. Smith stated that “some future period, will present a generation of Africans highly improved above what they are now. Consequently, there will arrive, at some distant day, a period at which these people will have reached that point of moral progress at which they will be capable ... [for] the privileges of civil liberty.”<sup>64</sup> The vagueness that

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<sup>64</sup> Daly, *When Slavery Was Called Freedom*, 108-109; Mathews, *Religion in the Old South*, 174; Eugene D. Genovese, *A Consuming Fire: The Fall of the Confederacy in the Mind of the White Christian South* (Athens: University of Georgia Press, 1998), 75-80. Thornton Stringfellow, “The Bible Argument: or Slavery in the Light of Divine Revelation,” in E. N. Elliot, ed., *Cotton is King, and Pro-Slavery Arguments*

characterizes these statements extended a mantle of agreement over a wide variety of positions, ranging from those who wanted to see the first results of slave elevation before dying, to those who did not expect it to happen before two or three hundred years—or ever.

A few ministers, like George D. Armstrong, were not so sure that slavery was merely a preparatory stage, and ventured to wonder whether perhaps, just perhaps, slavery might be a solution to the woes of modern society, especially the conflict between capital and labor, and might continue, although in a far milder form, even after the millennium.<sup>65</sup> It is revealing of the extent of the consensus that no Virginia clergyman objected publicly to such views. The note of disagreement came from Cortland Van Rensselaer, a New Jersey Old School Presbyterian who as a young man had spent several years in Virginia as a missionary to the slaves. Van Rensselaer was afraid that his coreligionists in the Old Dominion had forgotten that slavery was a means to an end, and had strayed from the course of moderation and gradualism that had supported colonization as the middle ground between abolition and quietism. In a long and detailed review of Armstrong's *Christian Doctrine of Slavery*, he used arguments that had been widely held in evangelical circles in Virginia during the 1830s. In fact, he tried to bolster his rebuttal by pointing out that his position was in essential agreement with that of his elders in the Presbyterian Church of Virginia when he was preaching to the slaves in the big plantations of Halifax County: Slavery was necessary because the

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(Augusta: Pritchard, Abbott & Loomis, 1860), 520-521; Smith, *Philosophy and Practice of Slavery*, 246-247.

<sup>65</sup> Armstrong, *The Christian Doctrine of Slavery*, 132-135. According to Jack P. Maddex, a good number of Southern Presbyterian ministers had come to believe that slavery would evolve into a very mild form of bondage and continue into the millennium. See "Proslavery Millennialism: Social Eschatology in Antebellum Southern Calvinism," *American Quarterly*, 31 (1979): 49-56.

slaves were not ready for freedom, but it should not be perpetual. The white community had the duty of “improving the conditions of the slaves with a view to restoration of their natural rights.” The final goal was colonization in Africa.<sup>66</sup>

Van Rensselaer was a moderate, one of a diminishing number of northern ministers who in the late 1850s were still willing to read proslavery tracts and debate southern clergymen on the same ground. Still, he was a northerner. In the South the basic consensus based on the divinely appointed mission of the South to elevate the slaves papered over such disagreements. After all, Armstrong was not advocating the cause of perpetual slavery, he was just speculating, and as John Adger, a fellow Presbyterian from South Carolina said, speculating about the actual duration of slavery was not a profitable intellectual pursuit, for providence would have the last word.<sup>67</sup> Clergymen and reformers operating within the proslavery consensus therefore preferred to concentrate their efforts on the elevation of the slaves, and they set about to instill them with moral responsibility and self-control, and lead them to a state in which freedom would be a boon, and not a curse, a chance to improve their characters, and not to debase themselves even more, as they would supposedly do if freed prematurely. “The end of our existence,” stated Albert Taylor Bledsoe, “is the improvement of our intellectual and moral powers, the perfecting

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<sup>66</sup> Van Rensselaer’s review and the rejoinders of Armstrong appeared originally in the *Presbyterian Magazine*, but they were collected later in *A Discussion on Slaveholding. Three Letters to a Conservative, By George D. Armstrong, D. D., of Virginia. And Three Conservative Replies, by Courtland Van Rensselaer, D. D., of New Jersey* (Philadelphia: Joseph M. Wilson, 1858), 24, 34-37 (quotation on 35). For Van Rensselaer’s work as a missionary see Van Rensselaer to Mary B. Blackford, Providence, Halifax Co., February 3, 1835, Blackford Family Papers, box 1, SHC; Samuel S. Davis to Van Rensselaer, Camden, S. C., n. d., Courtland Van Rensselaer Letter, SHC; Coyner, “John Harwell Cocke,” 328.

<sup>67</sup> [John Adger], “Human Rights and Slavery,” 584.

of our rational and immortal natures. When freedom subserves this end, it is a good; when it defeats this end, it is an evil.”<sup>68</sup>

The consensus was based in large measure on the slaves’ alleged unfitness for freedom, and it thus gave room to very different views as to how their elevation would be accomplished, and the time and effort needed to that effect; it also sanctioned a quietist faith in the ways and means of providence. This fuzziness rendered the arguments of reformers and proslavery ideologues increasingly similar as the antebellum period drew to a close, almost undistinguishable at times. Indeed, reformers and defenders of slavery were often one and the same person. Those who strove most zealously to establish beyond doubt the righteousness of slavery as it worked in the South, were often also the most insistent in the need for bringing slavery up to the Bible standard. One needs only think of William A. Smith, Robert L. Dabney, and Mississippian James A. Lyon.<sup>69</sup>

The fact that, by the late antebellum period, proslavery advocates and reformers spoke a very similar language explains why posterity has tended to see the latter as the proponents of changes that would shore up the slave regime. In this view, reformers served as the agents of the slaveholding class for the legitimacy of their society and the consolidation of their social and cultural hegemony. It would be wrong to deny that their labors, to some extent, marched in that direction. The assimilation, and sanction, of dissent entailed in the adoption of a Christian slaveholding ethic no doubt contributed to tame discontent, pushing it into safe channels.<sup>70</sup> But this assimilation of dissent was not

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<sup>68</sup> Bledsoe, *Essay on Liberty and Slavery*, 270.

<sup>69</sup> For Smith and Dabney see references above; for Lyon see “Slavery and the Duties Growing out of the Relation, *Southern Presbyterian Review*, 16 (1863): 1-37.

<sup>70</sup> See David Brion Davis, *The Problem of Slavery in the Age of Revolution 1770-1823* (Ithaca: Cornell University Press, 1975), 211-212.

without ambivalence. The resulting consensus allowed clergymen to make constant appeals to the conscience and Christian morality of the white community, and to call attention to the evils that were incompatible with that moral code. Southerners in the late antebellum period found it necessary to believe that slavery was compatible with economic and social progress, with Christian morality, and that it was a paternalist institution that benefited both the masters and the slaves. For this fiction to work—to attain some degree of credibility, southerners had to believe in reform and accept its agenda.

Judged by its actual results before the war, reform seems to have been rather ineffective, and its advocates among the clergy seem to have caved in completely to the proslavery onslaught. We have seen how little they did in their sphere of authority to punish effectively the separation of slave families or excessive physical chastisement, no matter how forcefully they preached and wrote against such abuses. But even though its immediate accomplishments were meager, reformers attained significant concessions in joining the proslavery mainstream. Virginians accepted the idealization of the master-slave relationship because it portrayed them in a favorable light, but in adopting that idealized view of their own society they also needed to believe that the paternalistic pretensions of the regime had at least some basis in reality.

This mentality was underpinned by the belief that the harsh features of slavery were “incidental,” or abuses, and that the system itself could not only function without such features, but that its occurrence was becoming increasingly limited to a fringe minority of miscreants. Armstrong himself, while speculating on the possibility that slavery would be perpetual, and even survive into the millennium, added a crucial qualification: this

everlasting slavery would have to be “divested of its incident evils.” That is, purified from its abuses and turned into a relationship in which “by the law of man and as well as the truth of God,” masters would be compelled to perform their duties toward the slaves.<sup>71</sup>

By joining the proslavery consensus, reformers certainly accommodated, but as Armstrong’s speculation illustrates, they also succeeded in incorporating many of their assumptions in the consensus: that the South would be a better place without the need to compel the slaves violently to work; and even more so if the slaves could be persuaded that it was in their own benefit to work willingly and assiduously for their masters; that the system could accept many reforms, such as protection to the slave family, and the provision of a modicum of instruction to the slaves, without serious risk. In short that slavery could work in a way in which no person in the South had seen it work before: with little use of violence, with more subtle and internalized mechanisms of control, and with considerable limitations to the rights of the owner.

Whether the South could have ever adopted such a system of servitude is something we will never know. I have left a speculative analysis of this crucial issue for the concluding chapter of this study. In the meantime, it is enough to say that the foregoing assumptions carried implications that were not entirely beneficial to the preservation of slavery.

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<sup>71</sup> Armstrong, *The Christian Doctrine of Slavery*, 133-134; Jack P. Maddex, “Proslavery Millennialism: Social Eschatology in Antebellum Southern Calvinism,” *American Quarterly*, 31 (1979):53-54.

## **CHAPTER IV**

### **A SILENT REFORM: THE VIRGINIA PENAL SYSTEM FOR SLAVES**

One fall morning of 1844, William Catlett, an overseer in Caroline County, walked into the corn field of his employers' plantation looking for a missing sheep. In the midst of the cornstalks he noticed recent footprints and other signs of disturbance on the ground, as though somebody had been stealing corn. Walking farther ahead, he suddenly saw a black man lying on the ground next to a barrel. Catlett immediately suspected that the man was a runaway slave. Since the man was very close to the shore of a swamp, Catlett thought it would be difficult to catch him without help. He went quickly where the slaves under his charge were working and tried to enroll two of them for the task. The slaves did not seem eager to help, so Catlett had to tell them that "he would favor them all he could" if they assisted him. The three men then went back to the corn field and approached the sleeping runaway as silently as they could. As they got near, he woke up and two other black men unexpectedly jumped out of the barrel wielding sticks. The runaways were able to fend off their assailants and jumped into a boat they had hidden close by, rowing away as fast as they could. Believing that was the end of it, Catlett continued his search for the sheep. When he was walking through a wooded patch, however, the three runaways suddenly came out at him and started beating him severely with the sticks. Catlett was able to get away, but only after losing his gun and taking a good beating.

William, Bob, and Joe, the three runaway slaves, were caught later in the vicinity of their encounter with Catlett. They were tried for assault with intent to kill, found guilty, and sentenced to die by hanging. Nevertheless, the court also recommended them as fit subjects for “executive mercy.” The executive heeded the suggestion and the convicts were “reprieved for transportation,” that is, sold as slaves to be taken out of the United States.<sup>1</sup>

William, Bob, and Joe were only three out of hundreds of slave convicts reprieved for transportation in Virginia throughout the antebellum period. After 1800, state authorities resorted increasingly to transportation as the most economic, convenient, and humane way to deal with criminal slaves.<sup>2</sup> The trend toward sparing the life of condemned slaves was, in considerable measure, a by-product of the penal reforms that the rising humanitarian sensibility had fostered during the second half of the eighteenth century in the North Atlantic world. Enlightened perceptions and ideas bred an increasing disgust toward the “barbaric” treatment of criminals. As mutilations, brandings and public executions came under harsh criticism on account of their cruel infliction of physical pain, intellectuals and reformers proposed imprisonment as the modern and civilized alternative to deal with criminals. Incarceration seemed more

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<sup>1</sup> The Commonwealth v. William, Bob, and Joe, trial record, Caroline County, November 12, 1844, Governors Papers, box 378, Library of Virginia. Hereinafter cited as GPLV and box number.

<sup>2</sup> Throughout this chapter I use the word “criminal” in full awareness of the fact that criminal behavior is a social construction that reflects, in large measure, the values and moral standards of the groups who hold economic and political power in a given society. In the specific context of the antebellum American South, slaves were very often convicted for engaging in activities that can be interpreted as forms of legitimate resistance, such as stealing, running away, rebelling, or striking back and/or killing an abusive master or overseer. On the other hand, slaves were also convicted for acts of violence against fellow slaves and for other conduct that cannot be easily identified as acts of resistance. That is, as any other human group, slaves could also commit illegitimate—not only illegal—acts. The use of the word “criminal” when referring to slaves thus involves complex issues. Whenever the term appears in the following pages, interchangeably with “transgressor” and “offender,” it refers to the southern white perception of criminal conduct, and not to a universal definition.



humane and its goals went beyond mere retaliation, for it also promised the rehabilitation of the criminal for a useful life in society.<sup>3</sup>

These ideas became very influential in the United States, and their appeal reached Virginia too. In the late 1770s Thomas Jefferson participated with other prominent lawyers in a revision of the laws of the Old Dominion. The purpose was to update the colonial statutes and render them more concordant with a republican polity. As part of the revision, Jefferson drafted a bill to reform the criminal laws of the state, which showed the influence of Cesare Beccaria and other pioneers of enlightened penology. Jefferson proposed a careful gradation of the punishments according to the gravity of the offenses, and limited the use of the death penalty to murder and treason.<sup>4</sup> The Virginia legislature rejected Jefferson's bill, but in 1796 passed an act restricting capital punishment to first degree murder only, and prescribing terms of imprisonment of variable duration for all other crimes. This act also provided for the building of a penitentiary house, which was intended to become the centerpiece of the Virginia penal system for free persons. The state government commissioned the English-born architect

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<sup>3</sup> For diverse treatments of the origins and rise of the humanitarian sensibility in western Europe and the United States see Norman S. Fiering, "Irresistible Compassion: an Aspect of Eighteenth-Century Sympathy and Humanitarianism," *Journal of the History of Ideas*, 37 (1976): 195-218; David Brion Davis, "The Movement to Abolish Capital Punishment in America, 1787-1861," *American Historical Review*, 63 (1957): 23-46; Thomas L. Haskell, "Capitalism and the Origins of the Humanitarian Sensibility," and the other contributions to Thomas Bender, ed., *The Antislavery Debate: Capitalism and Abolitionism as a Problem in Historical Interpretation* (Berkeley: University of California Press, 1992); Karen Halttunen, "Humanitarianism and the Pornography of Pain in Anglo-American Culture," *American Historical Review*, 100 (1995): 303-334; Elizabeth B. Clarke, "'The Sacred Rights of the Weak': Pain, Sympathy, and the Culture of Individual Rights in Antebellum America," *Journal of American History*, 82 (1995): 463-493; Joyce E. Chaplin, "Slavery and the Principle of Humanity: A Modern Idea in the Early Lower South," *Journal of Social History*, 24 (1990): 299-315. For the development of the penitentiary system see Norval Morris and David J. Rothman, eds., *The Oxford History of the Prison: The Practice of Punishment in Western Society* (New York: Oxford University Press, 1995); and, from a very different perspective, Michel Foucault, *Vigilar y Castigar: Nacimiento de la Prisión* (México: Siglo XXI, 1984).

<sup>4</sup> "A Bill for Proportioning Crimes and Punishments in Cases Heretofore Capital," in Julian P. Boyd, ed., *The Papers of Thomas Jefferson*, vol. 2 (Princeton: Princeton University Press, 1950): 492-507, 663; Cesare Beccaria, *De los Delitos y las Penas* (México: Fondo de Cultura Económica, 2000).

Benjamin Henry Latrobe to do the work. Recently arrived from Europe, Latrobe was familiar with the new trends in the building of penitentiary institutions. He also traveled to Philadelphia in order to observe the operation of the Walnut Street Jail, the first one in the United States to use solitary confinement as a supposedly effective means of reformation. Latrobe himself rendered the following inscription for the cornerstone of the penitentiary: “The legislature/ of the Commonwealth of Virginia/ having abolished the ancient sanguinary criminal code/ This first stone of an edifice/ the monument of that wisdom/ which would reform while it punishes the criminal/ was laid on the 7<sup>th</sup> day of August/ in the year 1797[.]”<sup>5</sup>

It was against this backdrop that the state adopted the transportation of slave convicts as a regular policy. The practice became institutionalized in the aftermath of the Gabriel plot of 1800, when the authorities paled before the prospect of meting out the ultimate punishment to every slave supposedly involved in the conspiracy. Because the penitentiary was intended for the correction of free persons—from the white perspective imprisoning a slave was pointless, the authorities sought a middle course between the scaffold and the whippings administered to slaves for minor offenses. Transportation became the chosen alternative. Humanitarian concerns were decisive in this desire to limit the use of the death penalty, but state authorities had also an important economic motive: by law, owners of executed slaves received compensation from the state at full market value. Severity thus was not only distasteful, but also very expensive. After the

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<sup>5</sup> Samuel Shepherd, *The Statutes at Large of Virginia*, 3 vols. (Richmond: Samuel Shepherd, 1835), 2: 5-11; Edward C. Carter II, ed., *The Virginia Journals of Benjamin Henry Latrobe 1795-1798* (New Haven: Yale University Press for the Maryland Historical Society, 1977), 2: 365, 1: 247 (quotation). In the antebellum period the death penalty for whites was expanded and became the prescribed punishment for treason, conspiring with a slave to make insurrection, and aggravated forms of arson. *The Code of Virginia* (Richmond: William F. Ritchie, 1849), 722, 727.

aborted insurrection, a new law gave the executive—composed of the governor and a three-member council—discretionary power to commute death sentences to continued bondage in a foreign land. The law also empowered the executive to sell the convicts, thereby allowing the state treasury to recoup some of the money expended in compensations.<sup>6</sup>

When a slave was convicted for a capital offense and reprieved for “sale and transportation,” the owner was compensated just as if the slave had been executed. The bondsman was taken to the penitentiary in Richmond, where he would be confined until an adequate bid for him was received. Thereafter, the buyer had to enter into bond “in the penalty of one thousand dollars” for every convict he purchased as a guarantee that he would take the slave out of the country. Generally, the state was in no hurry to dispose of the convicts, and it would reject offers that fell short of expectations. Since the buyers were usually professional traders, they would often make their bids for the whole group of reprieved slaves that had gathered in the penitentiary, sometimes as few as four, sometimes more than twenty.<sup>7</sup> Most of the reprieved slaves were sold in the Spanish and British possessions in the Gulf of Mexico and the Caribbean. Later in the antebellum

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<sup>6</sup> About the plot and the circumstances motivating the resort to transportation as a convenient way to deal with slave criminals, see Douglas R. Egerton, *Gabriel's Rebellion. The Virginia Slave Conspiracies of 1800 and 1802* (Chapel Hill: University Press of North Carolina, 1993). The law of transportation in Shepherd, *Statutes at Large*, 2: 278-279. Thomas R. R. Cobb, a Georgia jurist, opined that incarceration to the slave was “no punishment, because he has no liberty of which to be deprived.” *An Inquiry into the Law of Negro Slavery in the United States of America: to which is Prefixed a Historical Sketch of Slavery* (1858; New York: Negro Universities Press, 1968), 263. Before transportation became a fully established practice, the law enjoined the courts to grant the benefit of clergy to all slaves found guilty of the less serious felonies, thereby tempering somewhat the harshness of the slave code. Slaves receiving the benefit of clergy had the death penalty commuted for burning in the hand and stripes. Shepherd, *Statutes at Large*, 1: 127.

<sup>7</sup> *The Revised Code of the Laws of Virginia*. 2 vols. (Richmond: Thomas Ritchie, 1819), 1: 428-431, 430 (quotation); Philip J. Schwarz, *Slave Laws in Virginia* (Athens: University of Georgia Press, 1996), 97-101; Paul W. Keve, *The History of Corrections in Virginia* (Charlottesville: University Press of Virginia), 46-50. For instances of rejected bids, see Elbert Woodward to the Executive Department, [February] 1830, GPLV, box 314; George W. Harris to Littleton P. Tazewell, March 23, 1835, GPLV, box 343.

period, however, after the acquisition of Florida, and as slavery lost ground in the Caribbean as a consequence of the abolition of the trade, and then slavery, in the West Indies, the number of potential buyers outside of the United States shrunk considerably. Therefore, an increasing, but unknown, number of Virginia convicts wound up in the slave markets of the Deep South, in clear violation of the law. These difficulties also lowered the prices that traders were willing to offer for the reprieved slaves, and produced a growing deficit in the state treasury: from 1820 to 1840, the difference between the state's expenditure in compensations and the actual proceeds of the sale of convicts amounted to \$ 126, 197. In fact, as of 1840 the owners of convicted slaves would no longer be compensated at market value. Instead, a new law instructed county justices of the peace to value the slaves at the price "for which he or she would in their opinion sell at public sale under a knowledge of his or her guilt." This change in the legislation diminished somewhat the assessments of the county courts, but it did not make the system self-sustaining, as officials had hoped.<sup>8</sup>

Unlike colonization and evangelization, there was never an organized movement to abolish the death penalty for slaves. In resorting to transportation, however, the state executive and the local authorities initiated what amounted to a reform in the treatment of slave criminals. Of course, said reform was quiet, modest, and it was implemented, so to speak, through the back door. Legislators introduced few substantial changes in the slave code during the nineteenth century, which remained completely draconian, keeping the death penalty for over 60 offenses. What is more, as noted in the previous chapter, the

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<sup>8</sup> Schwarz, *Slave Laws in Virginia*, 110-112; "Annual Report of the Auditor of Public Accounts," in *Journal of the House of Delegates of the Commonwealth of Virginia, 1841*, 14-15; "Statement Shewing the Number and Cost to the Commonwealth of Executed and Transported Slaves, for the Twenty Years which ended the 31<sup>st</sup> of December, 1841," in *ibid.*, 2; *Acts of the General Assembly of Virginia, 1839-1840* (Richmond: Samuel Shepherd, 1840), 51-52.

legislature kept enacting more restrictions through the antebellum period, curtailing the religious freedom of the slaves and their chances of acquiring literacy skills.<sup>9</sup> Moreover, the state also unabashedly kept its unequal procedures for slave offenders, denying them jury trials—slaves were tried by county magistrates—and the right of appeal.<sup>10</sup>

Nonetheless, the authorities adopted with growing consistency the practice of commuting death sentences for transportation, except for the gravest offenses. This made a substantial difference in the number of slaves who did not meet a premature death hanging from the end of a rope. From 1800 to 1865, out of approximately 1,467 slaves condemned to capital punishment, 974 received reprieves, a full 66 percent of the total. The figures are even more revealing when limited to crimes against property, such as arson, burglary, stealing and grand larceny, all of which were punished by hanging according to the letter of the law. Out of 512 slaves convicted for these offenses and sentenced to die during the same period, only 44 actually went to the scaffold, that is, less than 9 percent.<sup>11</sup>

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<sup>9</sup> *Acts Passed at a General Assembly of the Commonwealth of Virginia, 1830-1831* (Richmond: Thomas Ritchie, 1831), 107-108; *Acts passed at a General Assembly of the Commonwealth of Virginia, 1831-1832* (Richmond: Thomas Ritchie, 1832), 20-22. See above, p. 142-147.

<sup>10</sup> A list of all the crimes for which the punishment was death appears in George M. Stroud, *A Sketch of the Laws Relating to Slavery in the several States of the United States of America*. 2<sup>nd</sup> ed. (Philadelphia: H. Longstreth, 1856), 171-174. To my knowledge, no Virginia jurist took the pen to question publicly the inequality with which the state judiciary handled the slaves. St. George Tucker did condemn the distinctions against the slaves in the law, but only as part of a general argument in favor of abolition. *A Dissertation on Slavery: with a Proposal for the Gradual Abolition of it, in the State of Virginia* (Philadelphia: M. Carey, 1796), 57-67. South Carolina, which also had a completely discriminatory process, offers an interesting contrast. There, John Belton O'Neall, the state chief justice, published an incisive critique of the legal process for its systematic denial of justice to slave transgressors. See Michael S. Hindus, "Black Justice under White Law: Criminal Prosecutions of Blacks in Antebellum South Carolina," *Journal of American History*, 63 (1976): 591-594; A. E. Keir Nash, "Negro Rights, Unionism, and Greatness in the South Carolina Court of Appeals: the Extraordinary Chief Justice John Belton O'Neal," *South Carolina Law Review*, 21 (1969): 141-190.

<sup>11</sup> Out of the total of 974 reprieved slaves, 86 had their death sentences commuted to forced labor in the state public works. A law passed in 1858 instituted this alternative punishment. See the excellent tables of

Before turning to a full examination of the meaning of this restrained use of the death penalty within the general frame of slavery reform, it is necessary to clarify the dimensions of leniency in the context of a society based on inequality and racial oppression. To talk of leniency is simply to acknowledge the fact that the lives of many slaves who could have been executed were spared. To be sure, from the perspective of the slave, banishment to a strange place probably did not look merciful at all. And it is conceivable that some slaves might have regarded a definitive separation from family and friends as worse than death itself. But I think it is valid to assume that most slaves, if given the choice, would have taken sale and transportation over a certain death. As Paul Finkelman has pointed out, “‘Sold to Georgia’ probably did not cause as much lasting pain as buried in Virginia.”<sup>12</sup> Similarly, a comparison of conditions during the colonial period, when slaves could be hanged on account of what now seem ridiculously light offenses, such as stealing a silver spoon, with those obtaining in the nineteenth century, when executions for crimes against property were quite exceptional, suggests that there was some amelioration indeed. The same can be said about the gradual disappearance of gruesome methods of execution, such as quartering or beheading and displaying the head of the convict, which had been occasionally employed in colonial times.<sup>13</sup>

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Schwarz in his *Slave Laws in Virginia*, 68, 70, 105. Although I disagree with Schwarz’s interpretation—for reasons that will become clear ahead, my notes will show that I am heavily indebted to his work.

<sup>12</sup> Paul Finkelman, “Prosecutions in Defense of the Cornerstone,” *Reviews in American History*, 17 (1989): 401. For assessments that deny the presence of any ameliorative intent in the reprieves for transportation see A. Leon Higginbotham, Jr. and Anne F. Jacobs, “The ‘Law Only as an Enemy’: The Legitimization of Racial Powerlessness through the Colonial and Antebellum Criminal Laws of Virginia,” *North Carolina Law Review*, 70 (1992): 969-1070, esp. 1005-1008, and Philip J. Schwarz, *Twice Condemned: Slaves and the Criminal Laws of Virginia* (Baton Rouge: Louisiana State University Press, 1988), 11, 29.

<sup>13</sup> The case of the slave executed for stealing a silver spoon is mentioned by U. B. Phillips in “Slave Crime in Virginia,” *American Historical Review*, 20 (1915): 338; on the methods of execution see Schwarz, *Slave Laws in Virginia*, 69. In this regard, the work of Michel Foucault offers a very different perspective. Foucault denies that ameliorative impulses had a significant role in the changing attitudes and practices

As the nineteenth century progressed, authorities all over the South showed an increasing preoccupation with keeping a semblance of fairness in their treatment of criminal slaves. Some states instituted a considerable degree of equality in their judicial procedures, dealing almost in the same way with free and slave criminals, at least as to the formalities of the process. Virginians proved to be more conservative in this regard, and throughout the antebellum period a slave defendant faced a completely different, and less rigorous, process from the one established for his white counterparts. To deal efficiently and promptly with slave transgressors, the law authorized county courts to erect themselves into so-called courts of oyer and terminer. It took the concurrence of five justices of the peace to form such a court, which would summon witnesses, direct the proceedings, ponder the evidence, deliver a verdict and dictate the sentence. In addition, as previously noted, slaves had no right of appeal, so once a bondman received a sentence in a court of oyer and terminer, his only recourse was the interposition of the executive to grant a reprieve or, in far fewer instances, a pardon.<sup>14</sup> Some authors have interpreted these glaring inequalities as an indication that Virginia had one of the most oppressive and unfair judicial systems for slaves. In their view, a slave who happened to break the law in Virginia faced the combination of an appallingly severe code with a trial by county magistrates— who generally did not stand out for their legal acumen, and

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surrounding punishment in western societies; he instead sees those changes as part of an effort to attain a more regular, efficient and effective administration of punishment; a movement, in short, to “punish better.” *Vigilar y Castigar*, 82-86.

<sup>14</sup> *The Revised Code of the Laws of Virginia*, 1: 428-431. A case of 1823 makes eloquently clear that slaves never had the right of appeal. The slave Peter had been sentenced to die for murder by a court of oyer and terminer in Hampshire County, and his counsel applied for a writ of error to the General Court. The justices were startled at the request and denied it without hesitation, stating that “it is believed that this is the first application of the kind which has ever been made.” *Peter, a slave, v. The Commonwealth*, 2 Va. Cas. 330 (1823).

without any chance to appeal their judgment. Such dire prospects seem hard to conciliate with a reformist trend toward leniency, or a concern with fairness.<sup>15</sup>

It is undeniable that conditions in Virginia were not the most propitious for a fair trial, but the assumption that greater procedural equality necessarily meant better chances for “justice” must be taken with a grain of salt.<sup>16</sup> To begin with, the contention that a defendant unvaryingly fared better tried by a jury than by a magistrate is very hard to prove or disprove. The fact that even in the states that granted this benefit to indicted slaves the jury was never composed of the slaves’ peers should not be missed. Moreover, a scrutiny of the records of two localities shows that the acquittal of slaves by courts of oyer and terminer was not a rare occurrence, which suggests that county magistrates could

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<sup>15</sup> Higginbotham and Jacobs, “The ‘Law Only as an Enemy;’” Daniel J. Flanigan, “Criminal Procedure in Slave Trials in the Antebellum South”, *Journal of Southern History*, 40 (1974): 537-564, esp. 544, 553; Andrew Fede, “Legitimized Violent Slave Abuse in the American South, 1619-1865: A Case Study of Law and Social Change in Six Southern States,” *American Journal of Legal History*, 29 (1985): 93-150. Similarly, in a study of the South Carolina judiciary, Michael Hindus concluded that procedural inequality and carelessness often resulted in an unduly severe treatment of slave defendants, especially at the trial level. *Prison and Plantation. Crime, Justice, and Authority in Massachusetts and South Carolina, 1767-1878* (Chapel Hill: University of North Carolina Press, 1980). Hindus was one of the first scholars to do extensive research in trial cases, and he provided a useful corrective to previous work based entirely on the analysis of cases at the appellate level, where the slaves were more likely to have the benefit of a more rigorous process. Exclusive attention to appellate cases has yielded overly positive assessments of the treatment of slaves in southern courts. The clearest example of this is A. E. Keir Nash, “Fairness and Formalism in the Trials of Blacks in the State Supreme Courts of the Old South”, *Virginia Law Review*, 56 (1970), 64-100.

<sup>16</sup> For a thoughtful suggestion of how a slave’s favorable fate in court depended on a complex combination of factors other than procedural equality, see Timothy S. Huebner, “The Roots of Fairness: *State v. Caesar* and Slave Justice in Antebellum North Carolina,” in Christopher Waldrep and Donald G. Nieman, eds., *Local Matters: Race, Crime, and Justice in the Nineteenth-Century South* (Athens: University of Georgia Press, 2001). Thomas D. Morris, on the other hand, has concluded that procedural equality was not as decisive a benefit for the slave defendant as other authors have believed, but that a rigorous application of the “rule of law” certainly limited the discretion of the judges, which in turn increased the slaves’ chances of a fair treatment in court. *Southern Slavery and the Law, 1619-1860* (Chapel Hill: University of North Carolina Press, 1996), 209-228. Of course, many years ago, Kenneth Stampp asserted that, no matter how equal the procedures, slavery itself made the fair trial of a bondman impossible. *The Peculiar Institution. Slavery in the Antebellum South* (New York: Vintage Books, 1956), 226-227. Whether a slave could receive a fair trial or not will always remain a matter of perspective, and of the chosen definition of “fair” or “just.” Here I am not concerned with settling the debate, or establishing the degree of fairness with which slave offenders were prosecuted in Virginia, but with the ways in which whites perceived their judicial system, and the evidence they themselves could find to support the view that the system was basically fair.



act with attention to evidence and with a serious intent to establish guilt. At the very least, such acquittals prove that the trials of slaves were not summary proceedings, or a mere formality.<sup>17</sup>

Secondly, the system in Virginia did afford some non-negligible guarantees to the slave defendant. By law, the owner of the slave had to pay for his counsel, and it was not strange to find competent lawyers performing as attorneys for indicted slaves.<sup>18</sup>

Similarly, although the slaves could not appeal, it should be noted that all justices sitting had to agree unanimously on the conviction, and also that every slave condemned to die had his/her case reviewed by the executive. The law enjoined courts of oyer and terminer to send the trial record to the executive every time they delivered a death sentence. The governor and his council reviewed each case primarily to deliberate upon its merits for a reprieve, but they also examined the quality of the trial. In fact, the executive occasionally ordered the discharge or pardon of the convict on grounds of a faulty procedure.<sup>19</sup> The power of review was significant also in that it could ignore the opinion of the local courts. After delivering a death sentence, county magistrates could

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<sup>17</sup> See, for instance, the following acquittals in Fredericksburg: Tom, grand larceny, July 21, 1828; Emily, receiving stolen property, September 12, 1828; Harry Taliaferro, breaking in and stealing, July 7, 1829; David, breaking in and stealing, July 7, 1829; Washington, stealing, January 23, 1836; William, receiving stolen property, July 26, 1837; Grayson, stealing, June 15, 1838; Tom, burglary, December 26, 1838; Washington, burglary, December 26, 1838; John, larceny, May 18, 1839; all in the Fredericksburg Hustings Court Order Book, Library of Virginia, hereinafter cited as FredCOB. Similar instances in Spotsylvania County: Lewis, stealing, January 11, 1830; Peter, breaking in and stealing, February 7, 1831; Davy, arson, May 9, 1831; Winston, burglary, May 6, 1833; John, assault with intent to kill, March 5, 1839; Tom, arson, August 3, 1840. Spotsylvania County Court Minute Book, Library of Virginia. See also Schwarz, *Slave Laws in Virginia*, 79-80.

<sup>18</sup> John Tyler, for instance, defended a slave in 1819. Schwarz, *Twice Condemned*, 243. Similarly, Moncure Conway referred to John L. Marie, who frequently performed as attorney for indicted slaves in Fredericksburg and Spotsylvania County, as an able, resourceful, and eloquent defender. *Autobiography, Memories and Experiences of Moncure Daniel Conway*. 2 Volumes (Boston: Houghton, Mifflin and Co., 1904), 1: 39.

<sup>19</sup> The Commonwealth v. Carter, trial record, Mathews County, November 1844, GPLV, box 378; The Commonwealth v. Squire, Journal of the Council of State, 1841-1842, p. 83, Library of Virginia, hereinafter cited as JCS. In the former case the slave was discharged, in the latter he was pardoned.

recommend the slave as a fit subject for executive mercy, or deny such a recommendation. The executive generally abided by the the court's opinion, believing that the county justices were better situated to ponder the circumstances of each case and determine the best course of action.<sup>20</sup> Nevertheless, the executive could, and often did, act against the expressed wishes of a local court. In doing so, the governor and his council tried to prevent communities from resorting to the rope too freely during rebellion scares, or when slave restiveness and criminal activity seemed to be "on the rise."

Three cases, which took place in the aftermath of the antiabolitionist panic of 1835, illustrate well how the executive checked the punitive power of local justices. In August, the slave Nancy was found guilty of arson in Bedford County. The court sentenced her to die and made no recommendation of mercy. Four months later, when the fears aroused by the abolitionist propaganda were still quite intense, Adam was convicted in Richmond for breaking in and grand larceny; the court also refused to recommend him for executive clemency. Judging from what appears in the record, both offenses were unexceptional and would have been accompanied by recommendations for reprieves in more peaceful times. That is probably the reason why the executive decided to intervene anyway, and he commuted both sentences to transportation.<sup>21</sup> In another interesting case, in November

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<sup>20</sup> Governor Thomas Gilmer once enunciated this principle very clearly: "The superior opportunities enjoyed by the courts for deciding correctly on the guilt of the accused, or its degrees, will induce this department to be cautious in interfering with sentences which they may pronounce." Gilmer to the Sheriff of Greensville County, May 12, 1840, Executive Letterbooks, 1839-1848, Library of Virginia. A cursory revision of the journal kept by the executive council shows that they followed the recommendation of the local courts more often than not. See JCS.

<sup>21</sup> The Commonwealth v. Nancy, trial record, Bedford County, August 1835, GPLV, box 342; The Commonwealth v. Adam, George Anderson, and Edward, trial record, City of Richmond, December 2, 1835, GPLV, box 343. George Anderson and Edward were tried on the same charges. The former was

of the same year, the slave Jere was tried for murdering a white man. The white man was drunk and for no apparent reason had tried to beat Jere with a stick. Jere was able to wrest the stick from the drunken bully and started beating him back with it, cracking his skull after a few blows. The court condemned Jere to die and expressly refused to recommend a commutation. Nonetheless, the executive granted a reprieve.<sup>22</sup>

To be sure, in relying excessively on the executive for the remedy of procedural mistakes and the tempering of a brutal code, the Virginia penal system remained more discretionary than those of other states, and thus it was very prone to arbitrariness and oversight of significant evidence. In this sense, it was surely less conducive to fairness than a system adhered to strict rules of procedure.<sup>23</sup> But a discretionary system can be completely unfair, in that it operates without a clear, consistent, and uniform criterion, and still be lenient. Leniency became somewhat systematic by the consistency with which the executive reprieved slaves with death sentences, not by an application of the rule of law with bureaucratic rationality and uniformity. Such a consistency, moreover, was not entirely capricious and had some basis in legislation: a law prescribed that all slaves condemned on account of offenses for which a white person would only receive a term of imprisonment could be punished by sale and transportation “at the discretion of the court.” This act thus gave courts of oyer and terminer the power to sentence slaves to transportation directly, without waiting for the executive review; in doing so, it also set

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found guilty of grand larceny only and sentenced to 31 lashes and to be burned in the hand, the latter was discharged.

<sup>22</sup> Commonwealth v. Jere, trial record, Pittsylvania County, November 30, 1835, GPLV, box 343.

<sup>23</sup> Morris, *Southern Slavery and the Law*, 219.

clearly the criterion applied by the executive in the granting of reprieves: slaves should be executed only for the kind of offenses that were capital for whites too.<sup>24</sup>

The point here is that, in spite of its excessive use of discretion and its procedural inequality, the Virginia penal system for slaves reflected reformist preoccupations. Clergymen in general did not express their opinions regarding the manner in which the state dispensed justice—probably owing to their growing caution not to interfere in matters of public authority—but Presbyterian Robert L. Dabney counted the inequality and undue severity of punishment used with the slaves as one of the “abuses” that Virginians had to remove in order to make slavery compatible with the teachings of Christ.<sup>25</sup> Thus, a complex mixture of humanitarian feelings, concerns with legitimacy, and the misgivings of those who thought that the enforcement of a draconian code only compounded the brutality of the regime, moved the authorities, at the state and local level, and many members of the white communities throughout the state to limit the use of the death penalty. Perhaps more significant, the reprieves for transportation became so frequent that those involved in the judiciary, and many other observers, were able to believe that in Virginia the slaves received a decent treatment by the courts; that the authorities were lenient and the institutions fair.

This reformist trend was far more noticeable in the reluctance to execute slaves than in the protection that the law afforded to bondsmen against the violent abuse of masters. In this respect, a landmark piece of legislation had been passed since 1788, whereby the

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<sup>24</sup> *The Code of Virginia*, 753. Apparently, courts of oyer and terminer used the power to sentence slaves directly to sale and transportation infrequently. In Fredericksburg there are only two instances to be found for the whole antebellum period: William, breaking in and stealing, June 12, 1851; Walker, stabbing, cutting and wounding a white person, March 11, 1852. Both in FredCOB.

<sup>25</sup> Thomas Cary Johnson, *The Life and Letters of Robert Lewis Dabney* (Richmond: Presbyterian Committee of Publication, 1903), 68.

willful killing of a slave by his master was declared murder. Previously, a colonial statute had exonerated masters who happened to kill their slaves as a result of “correction.” Said law was based on the premises that a master would never waste away his own property on purpose, and that coercion, even of the most violent kind, was necessary to keep the slaves in proper submission. The penalization of master-on-slave murder as of 1788 was therefore indicative of an increasing regard for the lives of slaves (and of human life in general), and of the growing sentimentalization of the master-slave relationship. The belief that slaves had to be compelled into obedience by the constant use of force had lost ground to the notion that they could be swayed by non-violent means in most occasions.<sup>26</sup> Nevertheless, Virginia judges left few signs of a true disposition to shield the slaves from excessive punishment by their owners. There is one conspicuous instance of such an intervention by the judiciary: in 1850, Simeon Souther was convicted in Hanover County for the murder of Sam, one of his slaves, and sentenced to five years in the penitentiary. Souther had tortured Sam with such a refined and methodical cruelty as to leave no doubt that he had a pathological proclivity to sadism. He had started by whipping Sam with switches, then he “cobbed” him with a shingle; thereafter, Souther repeatedly kicked and stomped on Sam’s face and body, and he used fire to burn him in several parts of his body, including his genitals. This kind of gruesome punishment continued for hours, until Sam finally died. Souther appealed the judgment of the Hanover court adducing absence of intent, which, his counsel contended, was necessary for a murder conviction. Nevertheless, the Virginia General Court sustained the

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<sup>26</sup> Morris, *Southern Slavery and the Law*, 162-164, 170-173; Willie Lee Rose, “The Domestication of Domestic Slavery,” in William W. Freehling, ed., *Slavery and Freedom* (New York: Oxford University Press, 1982), 22-27; Rhys Isaac, *The Transformation of Virginia 1740-1790* (New York: W. W. Norton & Co., 1988), 308-309; Chaplin, “Slavery and the Principle of Humanity.”

conviction and the sentence, arguing that, in resorting to such extreme forms of punishment, “the owner of the slave acts at his peril, and if death ensues in consequence of such punishment, the relation of master and slave affords no ground of excuse or palliation.”<sup>27</sup>

The extreme character of this case renders it unrepresentative, however. More indicative of the reservations to intervene in such instances of abuse was the case of Richard Turner, who was indicted by the superior court of King George County for the cruel and excessive whipping of his slave. Turner objected to the indictment and, given the “difficulty and novelty” of the matter, the case was turned to the General Court. The slave did not die, and since there was no statute law banning the cruel punishment of a slave, the court simply alleged that the common law did not apply to the case and, albeit lamenting the occurrence of so “odious and revolting” an offense, ruled in favor of Turner.<sup>28</sup>

The Virginia General Court could safely take a bold stance against sadists like Souther because such incidents could be easily marginalized as the exceptional misdeeds of madmen. Few whites would object to the punishment of such shameful excesses. In fact, the authorities seem to have seized upon such opportunities to demonstrate that they were willing to act effectively to restrain masters who strayed too far from basic standards of decency.<sup>29</sup> The case of Turner, on the other hand, presented the vexing

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<sup>27</sup> *Souther v. The Commonwealth*, 7 Grattan 673 (1851).

<sup>28</sup> *The Commonwealth v. Richard Turner*, 5 Randolph 678 (1827). Justice William Brockenbrough dissented from this ruling, and expressed his opinion that the common law applied to the slaves as long as it did not contradict statute law, or impede “the enjoyment of the slave as a thing.” According to this interpretation, the law should protect the slaves from excessive punishment.

<sup>29</sup> Morris, *Southern Slavery and the Law*, 177-179; James Oakes, *Slavery and Freedom: an Interpretation of the Old South* (New York: W. W. Norton & Co., 1998), 158.

problem of setting limits to what was a rightful prerogative—using violence to ensure the obedience of a slave, and one which surely many slaveholders abused from time to time. In this instance, the court flinched from defining what was to be considered excessive punishment, lest it set an enforceable standard of moderation. The Virginia Court's ruling was in effect very similar to that issued two years later by its North Carolina counterpart in the famous case *State v. Mann*. In said case, the Supreme Court reversed the conviction of John Mann for assault and battery on a slave. Mann had shot the slave Lydia in the back, wounding her, after she had started running to evade punishment. In stating the opinion of the court, Justice Thomas Ruffin went much farther than his Virginia colleagues in spelling out the deep implications of the judiciary's interference in such cases. Ruffin argued that obedience ultimately rested on "uncontrolled authority over the body" of the slave, and without specific legislation protecting her/him from abuse—beyond the penalization of murder, the extent and harshness of physical compulsion had to be left to the master's discretion. A different course of action would have paved the way for constant judicial intervention in a matter that justices in both states wanted to keep in the private sphere of authority. "The slave, to remain a slave," Ruffin concluded, "must be made sensible that there is no appeal from his master[.] ... The danger would be great, indeed, if the tribunals of justice should be called on to graduate the punishment appropriate to every temper and every dereliction of menial duty."<sup>30</sup> The fear of setting precedents that might tamper with the rights of masters in the way predicted by Ruffin constrained the Virginia General Court, and kept its record in the protection of slaves a poor one.

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<sup>30</sup> *The State v. Mann*, 13 North Carolina Reports (2 Devereaux Law) 263 (1829). See also Morris, *Southern Slavery and the Law*, 189-193; Eugene D. Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York: Vintage Books, 1976), 35-36.

In the penal system for slaves, on the other hand, the state executive could operate in its judicial role on a discretionary and case-by-case basis, and the very arbitrariness of its decisions prevented any demands for consistency from the counsel of slave defendants. In fact, this might have been a powerful motive to keep the system of slave justice on a discretionary logic and never grant slaves the right of appeal. In Virginia, therefore, we must look for the manifestations of reform not in the rulings of the General Court, but rather in the routine intervention of the executive to reprieve slaves, and in the reactions of the local communities to incidents of slave crime.

## II

Having thus clarified the meaning and reach of leniency, it is now necessary to explain why the Virginia authorities, both at the local and state levels, were so willing to spare the lives of condemned slaves. A number of questions in this regard are crucial: was leniency a means to achieve legitimacy, and therefore merely another way to ensure the preservation of slavery? Or did its practice betray misgivings as to the justice and morality of the system? Was the reprieve of slaves who in one way or another defied the social order a challenge to the preservation of slavery?

A consideration of reform in the treatment of slave criminals inevitably has to deal with the question of the “hegemonic function of the law.” In his classic *Roll, Jordan, Roll*, Eugene Genovese analyzed the subtle ways in which masters attained a significant degree of hegemony over their slaves and society as a whole. Given that slaveholders were the group with most political and social power in every southern state, and that judges and legislators were generally slaveholders, the interests of the masters as a class



were written into the law. Therefore, the legal changes resulting in procedural equality for the slaves, less severe punishments, and some protection from white violence were part of the hegemonic project of the master class. More significantly for our concerns here, Genovese also argued that the “humanization of slave life” was part of a process in which “the most advanced fraction” of the slaveholding class tried to establish its ideological hegemony over the class as a whole, setting the standards of “right” behavior and thereby securing legitimacy and moral certainty. Reform was the way in which that fraction strove to make the whole class of slaveholders conscious of itself and of its interests. That awareness entailed a willing sacrifice of individual power and full compliance with the law of the state, which often meant letting public authority intervene in the master-slave relationship.

Genovese did not trivialize the significance of these concessions only because they were part of a hegemonic pursuit, but still he saw them as “necessary” changes, the kind of improvements that a wise and farsighted ruling class knew it had to concede in order to ensure the continuance of its privileges and to shore up its sway over society. The ruling class acted thus in full awareness of the fact that such changes in no way undermined its power. So, to Genovese, the antebellum period in the South was characterized by a process of “wise self-reformation,” in which “step by step, those changes which would strengthen the regime took effect and those which might have opened the floodgates did not. Those who deserve credit for the achievement met the one great challenge they faced: they had to convince a skeptic slaveholding class that the humanization of slave life would strengthen rather than weaken the regime.”<sup>31</sup>

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<sup>31</sup> Genovese, *Roll, Jordan, Roll*, 25-49, quotation on 50. See the introduction for a more extended discussion of this issue.

This view of the “humanization” of slavery as part of a hegemonic project has influenced the work of many historians, and for good reason.<sup>32</sup> There is a lot to be said for this interpretation. In the Old Dominion, authorities could hardly enforce a bloodthirsty code to the letter without irritating the growing sensibility to human suffering of middle class and elite groups in the state, or without seriously tarnishing the image of impeccable morality that the slaveholders were striving to project to the outside world. A callous disregard for human life was no boon to the peculiar institution, while a policy of indulgence would help improve its image abroad and increase its legitimacy at home.

Consider the following case. The slave Creed was tried in Amelia County for breaking into the store of merchant Alfred O. Eggleston and stealing some bank notes and silver coins amounting to more than 200 dollars. After being caught in possession of other incriminating items, Creed readily agreed to tell where he had hidden the money, and the whole amount was recovered. He was found guilty of burglary nonetheless, and sentenced to die. One hundred residents of the county, the burglarized merchant among them, sent a petition to the governor stating that Creed had always showed impeccable behavior, and that “his execution would be most abhorrent to [their] feelings.” They therefore asked that Creed be either pardoned or at least reprieved for transportation. It is worth pointing out that, owing to the nature of the offense and the unanimous

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<sup>32</sup> The following works, some more explicitly than others, show the influence of the hegemonic approach: Rose, “Domestication of Domestic Slavery;” Edward L. Ayers, *Vengeance and Justice: Crime and Punishment in the 19<sup>th</sup>-Century American South* (New York: Oxford University Press, 1984), 134-135; Jeffrey Robert Young, *Domesticating Slavery: The Master Class in Georgia and South Carolina, 1670-1837* (Chapel Hill: University of North Carolina Press, 1999); Peter Kolchin, *American Slavery 1619-1877* (New York: Hill and Wang, 2003); Bertram Wyatt-Brown, “Modernizing Southern Slavery: The Proslavery Argument Reinterpreted,” in J. Morgan Kousser and James M. McPherson, eds., *Region, Race, and Reconstruction: Essays in Honor of C. Vann Woodward* (New York: Oxford University Press, 1982), 27-49; Chaplin, “Slavery and the Principle of Humanity;” Flanigan, “Criminal Procedure in Slave Trials in the Antebellum South;” Morris, *Southern Slavery and the Law*.

recommendation of mercy by the court, the petitioners knew that a reprieve was almost certain, and thus they dared to suggest a full pardon. The governor complied, and Creed was discharged. This case provides as good an example as any other of the legitimating effects of mercy; it shows how the white people in a community—including the victim of the crime—could come to the conviction that peace and order were better served by a show of leniency, and draw some gratification from displaying themselves as “a mercy loving people.”<sup>33</sup>

The feeling of being constantly under the gaze of an antislavery world was probably an important element in this kind of community responses to slave crime, but Virginians also needed this validation of their society for themselves. Fairness and mercy in the treatment of slaves who could otherwise be summarily put to death reassured them of the morality of their social system, standing as a proof of the compatibility of slavery with the standards that defined a Christian and enlightened civilization.

The hegemonic interpretation is thus coherent and insightful. But its very effectiveness to explain the interplay of two apparently contradictory trends—the attempt to perpetuate bondage with a growing insistence on better treatment and amelioration—has also prevented us from appreciating the existence of persistent strands of antislavery thought and attitudes in the reformist movements. It has also concealed the ways in which reformers could use the growing proslavery consensus to push the system into directions that did not necessarily contribute to its preservation. This limitation has been especially marked in the subject of slave crime and the changes in the antebellum

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<sup>33</sup> Commonwealth v. Creed, trial record, Amelia County, December, 1835; Residents of Amelia County to Littleton W. Tazewell (both quotations), [January, 1836], GPLV, box 344.

judiciaries.<sup>34</sup> According to the hegemonic view, in a context of constant challenges to the law on the part of the slaves, the implementation of more indulgent practices had an exclusively conservative intent: every intervention of the authorities to spare the life of a slave was a demonstration of the humanity and morality of the regime, which contributed to a complacent attitude among southerners, blunting the potential for deeper reform. In this frame of reasoning, no matter how dangerous or subversive the crime, the reprieve of a slave was only another buttress to the regime. The hegemonic approach has thus taken an excessively functionalist bent and a circular logic: every act of dissent short of outright revolution only helped to make the established order stronger.

As already pointed out, one of the most significant outcomes of the frequent recourse to transportation was a drastic reduction in the number of slaves executed for crimes against property. As the antebellum period wore on, fewer and fewer slaves went to the scaffold for arson, burglary, and larceny. These crimes had become non-capital for whites since 1796, so it seemed reasonable that slaves should not be executed for them either. Besides, authorities apparently recognized that the potential of larceny and like offenses to disrupt the system was small. Arson, however, implied a far more serious threat to the social order: it could wipe out substantial amounts of property in minutes; it was usually perpetrated at night and it was very hard to prosecute; every white property

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<sup>34</sup> For insightful critiques of the interpretation of the law as part of a hegemonic project see: Laura F. Edwards, "Law, Domestic Violence, and the Limits of Patriarchal Authority in the Antebellum South," *Journal of Southern History*, 65 (1999): 733-770; Ariela Gross, "Pandora's Box: Slave Character on Trial in the Antebellum Deep South," *Yale Journal of Law & the Humanities*, 7 (1995): 267-316; Ariela Gross, "Beyond Black and White: Cultural Approaches to Race and Slavery," *Columbia Law Review*, 101 (2001): 640-689; Walter Johnson, "Inconsistency, Contradiction, and Complete Confusion: the Everyday Life of the Law of Slavery," *Law & Social Inquiry*, 22 (1997): 405-433. These authors have addressed their criticism mostly to the way in which the hegemonic approach has deprived subordinate groups, such as women and slaves, of any agency and ability to resist. They also disagree with its portrayal of the law as a mere instrument of domination. While I agree with these objections, my own dissatisfaction with hegemony is centered on its exaggeration of the power of one class to control the rest of society, and on its functionalist interpretation of moderate forms of dissent as props of the established order.

holder was exposed. In fact, arson became the handiest weapon for slaves wishing to settle a score with any white man, be it a hard master, an abusive patroller, or a neighboring planter who for one reason or another revoked visiting privileges to a spouse.<sup>35</sup> No wonder many whites saw the reprieve of arsonist slaves as a reckless incentive to subversion. But even so, the authorities showed a determination to keep incidences of arson in a category of non-capital offenses, sometimes causing very negative local responses.

In 1830, for instance, the slave Sam was tried in Amelia County for burning the tobacco house of his master, in which a “large quantity” of the weed was stored. The court found Sam guilty and sentenced him to die. Three of the justices sitting at the trial, however, recommended him for executive mercy, which gave him a pretty good chance of being reprieved. Aware of this fact, some citizens of Amelia and neighboring Nottoway County addressed a remonstrance to the governor against sparing Sam’s life. They sourly complained that arsonist slaves had become a very serious threat to the property and security of their counties, and that the felony had become so frequent that an example was needed to deter future offenders. “We are in danger of having our buildings lighted over our own heads and families. We hold our property by a tenure which is completely at their [the slaves’] mercy,” they averred, and closed expressing their conviction that the constant granting of reprieves by the executive had “stripped the

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<sup>35</sup> Schwarz, *Twice Condemned*, 297-299; See the following trial records of arson cases in GPLV: Commonwealth v. Eldrid, March 9, 1830, box 315; Commonwealth v. George, April 5, 1830, box 316; Commonwealth v. Nancy, August 1835, box 342; Commonwealth v. Charlotte, March 1840, box 362; George W. Southall to Littleton Tazewell, October 20, 1835, GPLV, box 342. See also, Commonwealth v. Mary Ann, May 23, 1844, FredCOB, 357-358.

law of all its terrors.” The remonstrance failed to persuade the governor, however, and he commuted Sam’s sentence anyway.<sup>36</sup>

This was just one of dozens of cases in which the executive reprieved slaves convicted for arson.<sup>37</sup> Although the governor and his council were merely adhering to the principle of only executing slaves for offenses that would result in death for whites too, property holders in the community thought they had good reason to reject leniency as a costly and dangerous policy. This case illustrates the fact that local elites disagreed, often and strongly, as to the best way to keep peace, order, and security for both property and life in their society. The hegemonic interpretation has generally underestimated this contentiousness, and, in portraying leniency as just another instrument of domination, it denies that leniency had a small, but not insignificant, potential to challenge the regime.

A controversial case of arson in Powhatan County brings into sharper relief the features we have missed by adhering too closely to the hegemonic approach. In 1844, the slaves Henry and Harry stood accused of burning the barn, stable, and carriage house of William Murray. Harry, who belonged to Murray, was the actual perpetrator, while Henry was charged for advising, counseling and abetting. The evidence was unclear and contradictory; the “confessions” had been obtained by force, and neither the judges, nor the attorneys or the executive, could be certain as to what had really happened. In any case, Henry was a likely suspect because he had a good motive: his wife belonged to Murray, and sometime before the burnings he had an altercation with him. Murray had slapped Henry on the face and run him off his property, forbidding him to visit his wife

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<sup>36</sup> Commonwealth vs. Sam, trial record, Amelia County, April 22, 1830; Residents of Amelia and Nottoway counties to the Governor, [1830], both in GPLV, box 316.

<sup>37</sup> From 1801 to 1864, out of a total 135 convictions for arson, 119 slaves were reprieved and 16 were executed. See Schwarz, *Slave Laws in Virginia*, 68, 70, 105.

ever again. Henry then allegedly offered Harry and another slave of Murray's two dollars each for starting the fires, threatening to kill them if they refused. Another slave testified, moreover, that Henry had told him that he was trying to get something to "fix" Murray—surely referring to a poison—"and that if he could not fix him any other way he would burn him out." Thus Henry appeared as the main instigator. Harry, although directly responsible for the burnings, was only 17 years old, and he was granted a reprieve right after the trial. The fate of Henry, however, was quite uncertain. The court did not recommend clemency, and while his case was under review in the governor's office, two antagonistic groups formed in Powhatan, one advocating mercy and the other rigor.<sup>38</sup>

Given that the testimonies were of doubtful veracity, many white citizens subscribed to petitions for a reprieve. Two lawyers who had attended the trial drafted an entreaty in which they called attention to the irregularities of the process. They underlined the fact that the incriminating testimonies had been obtained through violence and threats, which could not but elicit serious doubts as to their trustworthiness. "[E]xperience has proven," they maintained, "that so little confidence can be placed in the evidence of that class [slaves] as hardly to justify taking away human life: they are generally habituated to lying whenever it may serve their purpose, are under the influence of no sense of honor or care for reputation & may say whatever their interests, their hopes or their fears may dictate."<sup>39</sup> These attorneys were actually turning the inequalities of the process and the bias against black testimony on their heads, to the benefit of the slaves. If blacks were, "as a general rule, mendacious," as a noted southern

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<sup>38</sup> The Commonwealth v. Henry, trial record, Powhatan County, April 2, 1844, GPLV, box 378; JCS, 1844-1845, 15, 18, 22, 39.

<sup>39</sup> Willis J. Dance and William C. Scott to the Governor, June 10, 1844. See also Hilary Harris to James McDowell, June 14, 1844, and "Statement of Facts," all in GPLV, box 378.

jurist once said, and their testimony against whites was therefore inadmissible, then why not dismiss their testimony in prosecutions against blacks too? Unable to reach a decision, the executive granted a respite of one month to allow further evidence and the voice of the community to be heard—a common expedient in controversial cases. In addition, it requested the justices who tried Henry to submit in writing their views on the process.<sup>40</sup>

Justice William Ligon, in complying to the request, confessed that he was dissatisfied with the verdict of the court and that he regretted having assented to a conviction and the death penalty. He explained that frequent incidents of fire in the neighborhood had agitated the public mood and predisposed the court toward severity. “In this case,” he said, “I may have indulged too much in views of policy; if the consequence shall be the forfeiture of the life of one whose guilt I was not fully assured of, it will be to me a source of much distress.”<sup>41</sup>

These exertions to save Henry were matched with similar zeal by those who wanted him to hang. William Murray, the victim of the fires, wrote the governor stating that three of the five justices sitting at the trial had not changed their opinion, so that the guilt of Henry had been duly proven in court. He added that an example was necessary to avoid the repetition of a felony that was becoming too common. Another petitioner felt the same way, and he pointed out that “Of all crimes this is the easiest of execution and the most difficult to prove, hence it is that in this county, Manchester and Richmond, although fires are and have been very frequent ... there has hardly ever been a

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<sup>40</sup> Cobb, *Inquiry into the Law of Negro Slavery*, 233; JCS, 1844-1845, 40, 51.

<sup>41</sup> William Ligon to the Governor, n.d.; see also I. Michaux to the Governor, n. d., and Benjamin C. Mosby et al. to the Governor, n. d., all in GPLV, box 378.



prosecution and never a conviction.” If the authorities wanted to keep the peace and ensure the security of property, Henry had to be executed. The governor and his council saw things differently, and, although with great hesitation, they opted to reprieve Henry.<sup>42</sup>

The practice of reprieving slaves thus gave room to strong disagreements in local communities as to the best way to deal with slave criminals. The local elite was divided; judging from what the petitions themselves tell us about the participants in the controversy, we find members of the elite leading both sides. The advocates of both leniency and severity came from the same upper crust of property holders—including slaveholders, lawyers and justices of the peace. It could not be otherwise: activism required people with the time and skills to draft a persuasive petition and pass it around to friends and neighbors for them to sign.

Why did those neighbors sign the petitions? We will never know the exact reasons behind each individual decision. In this, as in every other case, people could have very diverse reasons for signing. Any community member might have added his name to the list simply out of friendship, politeness, or a sense of obligation to the person passing the petition around; or perhaps even as the easiest way to be left alone. It is valid to assume, however, that at least a number of subscribers actually meant to support whatever the petition said. Therefore, we can surmise that some people in the pro-reprieve party really thought that executing Henry would be unfair.<sup>43</sup> Of course, to say that those who signed

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<sup>42</sup> William Murray to the Governor, May 7, 1844; William Old et al. to the Governor, June 12, 1844 in *ibid.* For the series of decisions taken by the executive council in this case see JCS, 1844-1845, pp. 15, 18, 22, 39, 40, 51, 60.

<sup>43</sup> Interestingly, it is perhaps less surprising to picture the common white people of a community signing a petition to hang a slave than the opposite. This is so mostly owing to the strong influence of studies that portray the common people as the chief representatives of a “community consensus,” a consensus that,

the petitions in favor of mercy did so out of a conscious determination to fight the system would be inaccurate and naïve. But it would be just as wrong to perceive them only as the unwilling subjects of invisible forces working to build the hegemony of the masters and the legitimacy of the system.

In calling attention to the flagrant flaws in the trial, the petitioners on behalf of Henry were in fact defending the “rights” of a slave to a fair process—to be convicted only if the testimony against him was reliable. These arguments seemed harmless because all they did was to take seriously the pretensions of fairness of the system, and in that regard they might have performed a sort of hegemonic function, but this could have unintended subversive effects. In fact, almost every time a group of citizens argued in favor of leniency, antislavery elements came to the surface, even if the rhetoric was entirely respectful of the established order and its ideological orthodoxy. In the foregoing example, the advocates of leniency merely reminded the authorities of the guarantees that even slaves should enjoy in a supposedly fair system. In thus demanding something that the system simply could not deliver to any significant degree, those petitioners were implicitly revealing its flaws, and also their rejection of the discriminatory excesses of the judiciary.<sup>44</sup>

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moreover, has been usually described as an enforcer of the racial hierarchies and a guardian of the proprieties of the southern racial etiquette. Bertram Wyatt-Brown, probably the most influential author to hold this interpretation, assigns a prominent role to the “watchfulness of the lower orders,” thereby meaning that the community consensus was a reflection of their ways and beliefs and not of those of the elite, and also that they were always on the watch for transgressions. See Wyatt-Brown, “Community, Class, and Snopesian Crime: Local Justice in the Old South,” in Orville Vernon Burton and Robert C. McMath, Jr., *Class, Conflict, and Consensus. Antebellum Southern Community Studies* (Westport, Connecticut: Greenwood Press, 1982): 190-195; Wyatt-Brown, *Southern Honor: Ethics and Behavior in the Old South* (New York: Oxford University Press, 1982), *passim*.

<sup>44</sup> James Oakes has also found subversive implications in the granting of “rights” to slaves. Based on the analysis of some important cases at the appellate level, he posits that the southern judiciaries’ recognition of some slave rights reflected the fundamental contradiction of a society trying to conciliate slaveholding with a liberal ideology and system of government. In fact, Oakes believes that the cumulative effects of

The case of a violent attack on a slave patrol in Halifax County affords another example of these attitudes. A group of slaves had assaulted a patrol and beaten its members severely in order to free two fellow bondsmen who had been caught strolling without a pass. At the end of the ensuing trial, two slaves received the death penalty for assault with intent to kill.<sup>45</sup> The court made no recommendation for executive mercy, but a group of local citizens wrote and signed petitions for a reprieve. The subscribers pointed out that all the circumstances of the case suggested that the attack had been inspired by “sudden excitement”, and not “cold deliberation,” which rendered dubious the existence of a true intent to kill. But even conceding that there had been such an intention, the fact was that none of the victims had died. Therefore, the petitioners wondered “how far it may be consistent with the human and benevolent spirit of the laws, and the views of policy, now entertained, to inflict capital punishment for offenses consisting in *intentions* only.”<sup>46</sup> Similarly, after the executive had received counter-petitions demanding that an example be made of the two convicts, another citizen begged for a reprieve and posed the following question: “... is it just to take life which otherwise the law would rescue, for the sake of an impression to be made upon the community[?]”

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this systemic contradiction paved the way for the demise of slavery. *Slavery and Freedom: an Interpretation of the Old South* (New York: W. W. Norton & Co., 1998), 154-166. My claim here is a more modest one: I only wish to show that leniency toward slave criminals and reformist attitudes in general were not completely hegemonic and contained an ingredient of moral misgivings and dissent.

<sup>45</sup> The Commonwealth v. Spencer, Alfred, Taylor, Henry, and Dennis, trial record, Fairfax County, March 1840, GPLV, box 362. I first learned of this incident in Sally Hadden, *Slave Patrols. Law and Violence in Virginia and the Carolinas* (Cambridge: Harvard University Press, 2001), 133-135.

<sup>46</sup> Members of the Court, the Bar, and Citizens of Fairfax County to Thomas W. Gilmer, n. d., GPLV, box 362, emphasis in the original. At least five copies of this petition circulated through Fairfax County, gathering 363 signatures. Showing that in controversies of this kind numbers mattered, somebody in the executive council took the trouble of counting the signatures, and making an addition of all of them on the back of one petition. Of course, the names of the subscribers were also important: the person making the additions also took care to note that 18 justices of the peace had signed the petition. This last fact was later certified by the clerk of the county court, see Spencer M. Ball, Certificate, April 23, 1840, GPLV, box 362.

Again, by taking seriously the claims of fairness of the system, those petitioning for a reprieve were in effect displaying the limits beyond which the slave regime could not be taken only to satisfy the expectations of a Christian and progressive society.<sup>47</sup>

The line between proslavery and antislavery was in reality much thinner than we would think. The hanging of a slave on flimsy evidence, or for a less than serious offense, was something that did not happen in the paternalist and harmonious society of the proslavery dispensation. Those on the side of mercy had merely to proclaim that Virginia's institutions were above such a disregard of justice to trump the arguments of the disciplinarians in most occasions.

The highly contentious character that disagreements of this nature could reach within local communities, and the subtle challenge to the social order from within a supposedly proslavery consensus, can be better appreciated in the kind of crimes which posed the most dangerous threat to white domination: incidents of slave murder or attempted murder upon whites. Given the clearly insubordinate and disruptive nature of these acts, many thought severity not only warranted but necessary. Consequently, the attempts to reprieve slaves guilty of these offenses showed more potential to undermine the system.

In Greensville County, Jim and Arena received the death sentence for "conspiring and plotting to murder." Both slaves had supposedly connived to poison their respective masters with ground glass. Arena had concocted the plan, providing a glass bottle and

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<sup>47</sup> George A. Smith to John M. Patton [member of the executive council], May 12, 1840, GPLV, box 362 (quotation). In this case, however, the pro-severity party campaigned intensively and had a partial success: the executive reprieved one of the convicts and allowed the sentence against the other one to be carried out. Citizens of the County of Fairfax to Thomas W. Gilmer, n. d.; Elisha Hutchinson et al. to Gilmer, n.d., in *ibid.* For the decision of the executive see JCS, 1840, p. 5, 22, 26; and William Richardson to the Sheriff of Fairfax, May 14, 1840, in Executive Letter Books, 1839-1848, p. 84-85, Library of Virginia.

persuading Jim to use the mortar of his owner, a doctor named Orris Browne, to grind it. At the trial Jim alleged that Arena offered him a portion of the glass, and that she told him that she would use her share to poison her master, who “had been driving her pretty hard.” Jim in turn tried to administer the poison to his owner in a glass of water. The trial record does not reveal how the plan was uncovered, but Jim and Arena were found guilty and the court sentenced them to hang with no recommendation for executive mercy. As in most controversial cases, however, the evidence was inconclusive: the prosecution had based its case mostly on the testimony of Ann, a slave who, as many community members later claimed, had been nursing a grudge against Arena for several years. Jim, on the other hand, had tried to reduce his sentence by downplaying his participation and pinning all the responsibility for the conspiracy on Arena.<sup>48</sup>

In the process of reviewing the case, the executive received several petitions to grant a reprieve to both convicts. In one of them, a group of 30 Greenville citizens called the attention of the governor to the dubious nature of the testimonies, and they “respectfully suggest[ed] that a person of another color would not have been condemned on the evidence; and that a negro (although in bondage bodily) ought not to be put to death for smaller crimes. We do not wish to elevate them to the condition of white people, yet we wish to see the rights which the law secures to them protected.” David Brodnax, Arena’s owner and prospective victim, also sent a vehement entreaty for a reprieve, plus an affidavit giving strong assurances of Arena’s general good character. Moreover, he

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<sup>48</sup> The Commonwealth v. Jim, and the Commonwealth v. Arena, trial record, Greenville County, March 2, 1840; Nathaniel Mitchel et al. to Thomas Gilmer, May 8, 1840, GPLV, box 362.

traveled to Richmond on an “errand of mercy” to plead the case of Arena personally before the governor, Thomas W. Gilmer.<sup>49</sup>

Of course, community members on the other side of the issue made corresponding endeavors to have the convicts executed. “Your memorialists have not viewed without regret the exercise of [the pardoning] power as far as this county is concerned ... we ask you seriously ... as the head of the executive of our state to withhold [it in this case] ... we will only state that it is apparent to every person resident here that examples, and those of the most melancholy kind, must be made, had we not better begin in time?” These petitioners pointed out that none of the justices sitting at the trial had recommended mercy, which, they sustained, should be reason enough for the executive to stay out and let the sentence take its course. The intervention of the executive without any regard for the opinion of local magistrates elicited unpleasant questions: “[is] our judiciary ... considered so degraded and incompetent as to the faithful discharge of their duties? And if so, are we not effectually disfranchised?” The issue of local autonomy thus also became prominent.<sup>50</sup>

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<sup>49</sup> Nathaniel Mitchel et al. to Thomas Gilmer, May 8, 1840; A. J. B. Merritt to Gilmer, April 11, 1840; Citizens of Greenville to Gilmer, n. d.; J. C. Bailey et al. to Gilmer, May 1840, all in GPLV, box 362. As the conduct of Brodnax exemplifies in this case, it was common for the owners of convicted slaves to advocate for executive clemency. This renders it necessary to mention that in Virginia there was no economic incentive whatever for the owner of a slave in petitioning for a reprieve. As already pointed out, the owner was compensated anyway: once a slave was convicted and sentenced to die, the master received exactly the same amount of money whether his slave was executed or transported. Ignoring this crucial fact can lead to an easy but misguided association of pro-mercy activism with economic interest. For instance, in an otherwise excellent article, Diane Miller Sommerville uses Virginia cases to claim that in campaigning for mercy the owners of convicted slaves sought to diminish their material loss, which simply cannot be true. See “The Rape Myth in the Old South Reconsidered,” *Journal of Southern History*, 61 (1995): 503-504, 515-516. Of course, Sommerville is not the only scholar to see selfishness at the bottom of every effort on the part of whites to spare the life of a slave. See especially Higginbotham and Jacobs, “The ‘Law Only as an Enemy;’” and Fede, “Legitimized Violent Slave Abuse.”

<sup>50</sup> Memorial to David Campbell, March 7, 1840 (quotations); Jim Thorpe et al. to Thomas Gilmer, April 24, 1840; Colin Crew et al. to Gilmer, April 12, 1840, all in GPLV, box 362.

The executive had a hard time deciding what to do. The governor and his council announced that they would not intervene on two separate occasions, but in the end recanted and issued a reprieve for both convicts.<sup>51</sup> This outcome provoked a negative response in the group of Greenville citizens who wished the sentence to be carried out. A group of concerned community members organized a public meeting, in which a committee was appointed to travel to Richmond and ask the governor about the grounds for his decision. In his reply to this committee Gilmer simply said that he had received a written statement in which one of the judges said that he had been in favor of recommending mercy, but “finding that it would be much against public opinion” he had refrained from doing so. The advocates of severity thought this answer entirely unsatisfactory, and they called a public meeting again to deprecate the interposition of the executive. “We solemnly believe,” read one of the resolutions taken at the meeting, that the frequent commutation of the punishment of slaves ... is fraught with incalculable mischief, both to the white and black population.”<sup>52</sup> Lawrence Heath, one of the justices of the peace, wrote an acerbic letter to Gilmer, rebuking him for his “puerile” equivocation and reminding him that the power to grant commutations was designed “as an act of mercy to the slave and not of oppression to the white population, to be used

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<sup>51</sup> For the equivocal course followed by the executive through this case, see JCS, 1840, pp. 2, 7, 21, 24; and Wm. Richardson, secretary of the Comm. to the Sheriff of Greenville Co., May 2, 1840; Thomas Gilmer to the Sheriff of Greenville Co., May 12, 1840, both in Executive Letter Books, 1839-1848, p. 83, 86, Library of Virginia.

<sup>52</sup> Proceedings of a Public Meeting at Greenville Court House, May 16th, 1844; Certificate of Henry Wyche, inserted in David Brodnax to Gilmer, April 28, 1840 (first quotation); Proceedings of a Public Meeting in Greenville, June 1, 1840 (second quotation), all in GPLV, box 362.

seldom and in extreme cases, and not in every and all cases, thereby bringing the courts into disrespect and content [sic].”<sup>53</sup>

This case shows more clearly than the previous examples that a constellation of factors intervened in the process of granting or withholding a reprieve to a slave. Generally, the immediate circumstances surrounding a particular incident of slave crime had a heavy influence over the outcome. The gravity of the offense was of course determinant, but other elements were also important, such as the victim’s standing in the community, opinions on the character of the slave, the reputation and social position of his/her owner, and also the exertions of an interested party—someone trying to lead community opinion in the direction of mercy or severity. In the case of Arena, the activism of her owner, David Brodnax, seems to have been decisive. Not only was he the intended victim of the crime, but he also was the son of William Brodnax, a well known state politician and militia general who had died only a few years before. That probably gave David entry into official circles in Richmond. As already mentioned, he even traveled to the capital to see the governor and argue his case before him. As for the advocates of severity, their entreaties suggest that their determination to hang Arena and Jim was also influenced by concerns of local autonomy. In the view of some justices of the peace, the governor was encroaching upon their sphere of authority in disregarding entirely their decision to have the slaves executed. In sum, these disagreements were not decided entirely on legal or humanitarian grounds, they could also become contests of political and social power within the different communities. As happened with white

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<sup>53</sup> Lawrence Heath to Gilmer, June 11, 1840, GPLV, box 363.



convicts too, good connections and the right kind of activism counted a lot in securing a reprieve for a slave.<sup>54</sup>

The high number of cases in which slaves convicted for the rape or attempted rape of white women received reprieves further illustrates the importance of the position of the individual in the community, and also of her/his gender, whenever she/he had to face the authorities. The victims of these offenses were generally poor women who lived on the fringes of society, and thus they were easy targets of accusations of having a “questionable” moral character—which basically meant that they reportedly had consensual sex out of wedlock. Therefore, although rape cases had a high conviction rate, condemned slaves and those whites supporting them had very good chances of getting a reprieve whenever the victim had no male relatives or connections who would stand up for her, and especially when petitioners or defense counselors adduced a previous history of sexual impropriety to inspire doubts as to the actual culpability of the convict.<sup>55</sup>

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<sup>54</sup> Huebner, “Roots of Fairness,” 41-44; Joshua D. Rothman, *Notorious in the Neighborhood: Sex and Families across the Color Line in Virginia, 1787-1861* (Chapel Hill: University of North Carolina Press, 2003), 135. The fate of white convicts also depended in large measure on the connections and reputation of both the victim and the perpetrator. On this subject see Scott P. Culclasure, “Edward Isham and Criminal Justice for the Poor White in Antebellum North Carolina,” in Charles C. Bolton and Scott P. Culclasure, eds., *The Confessions of Edward Isham: a Poor White Life of the Old South* (Athens: University of Georgia Press, 1998).

<sup>55</sup> For a case that fits exactly this description see *The Commonwealth v. Patrick*, trial record, Henry County, May 30, 1830, GPLV, box 316. A good selection of similar cases, with extensive quotes from petitions, is found in James Hugo Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860* (Amherst: University of Massachusetts Press, 1970), 257-263. For an illustration, on the other hand, of how the connections of a victim of attempted rape could persuade the executive to deny a reprieve see *The Commonwealth v. Henry*, trial record, Orange County, October 28, 1839, GPLV, box 361. The best analysis of these issues is Sommerville, “The Rape Myth in the Old South.” See also Peter W. Bardaglio, “Rape and the Law in the Old South: ‘Calculated to Incite Indignation in Every Heart,’” *Journal of Southern History*, 60 (1994): 749-772; Karen A. Getman, “Sexual Control in the Slaveholding South: The Implementation and Maintenance of a Racial Caste System,” *Harvard Women’s Law Journal*, 7 (1984): 115-152; Victoria Bynum, *Unruly Women. The Politics of Sexual and Social Control in the Old South* (Chapel Hill: University of North Carolina Press, 1992). The latter studies, however, still cling to the notion that black sexual trespasses (real or imagined) could not fail to elicit an immediate and violent response from the white community. This view has been increasingly challenged. See, especially, Sommerville, “The Rape Myth in the Old South;” Joshua D. Rothman, *Notorious in the Neighborhood*; and

In sum, the class, gender, connections, and reputation of all the parties involved in incidents of slave crime mattered considerably. But in the case of Arena and Jim we see more elements at play. The county elite was divided as to the best course of action, and we see a group of citizens fighting for the rights of slaves to fair treatment—to be condemned only after being proven guilty on credible and solid evidence. It is noteworthy that in this case one petition referred explicitly to “the rights that the law secures to them [the slaves],” thereby reminding the authorities that they had an obligation to shield slaves from the punitive urge of disciplinarians.<sup>56</sup> Once more, we see the way in which the proslavery consensus could be blackmailed through its own pretensions to fairness. The crux of the matter here is whether this blackmailing, successful inasmuch as it contributed to the reprieve of Jim and Arena, performed a hegemonic function or not. In other words, did leniency in this and similar cases result in a clear benefit to the social order?

At the very least there is reason to doubt it. It is difficult to dismiss the subversive potential of slave attempts against the lives of whites—successful or unsuccessful. A slave who tried to slay his/her master, even if it was an entirely individual act, and lacking any “trascendent” political purposes other than the release of anger, or personal vengeance, sent a very threatening message to the white community.<sup>57</sup> From the white

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Martha Elizabeth Hodes, *White Women, Black Men: Illicit Sex in the Nineteenth-Century South* (New Haven: Yale University Press, 1997).

<sup>56</sup> Nathaniel Mitchel et al. to William Gilmer, May 8, 1840, GPLV, box 362.

<sup>57</sup> Eugene Genovese stated that “stark physical resistance [on the part of the slaves] did not represent a sharp break with the process of accommodation except in its most extreme forms—running away to freedom and insurrection.” *Roll, Jordan, Roll*, 598. William A. Link, on the other hand, has recently made a very convincing case that individual acts of resistance posed a serious threat to the stability and peace of mind of white society in Virginia. *Roots of Secession: Slavery and Politics in Antebellum Virginia* (Chapel

perspective, the murder of a master by his slave represented the ultimate act of resistance, and for the victim it made little difference that the “insurrection” was limited to his own household. Furthermore, poisoning was especially frightful; many masters had their meals prepared by slaves, and it was practically impossible to exert a close and constant supervision over them while performing this chore. Poisoning was thus easy and, given the variety of substances and their gradual effects, difficult to detect. John Walker, for instance, a strict Methodist planter from King and Queen County, lived in constant fear of being poisoned after he “corrected” harshly one of his female slaves. Thereafter, whenever he or a member of his family fell ill, he believed it was the work of his disgruntled slave. Walker lived to old age, but for some years that fear never left the back of his mind.<sup>58</sup> Of course, not all slaves convicted of attempted murder by poisoning were as fortunate as Jim and Arena. To take just one instance, the slave Frederick was executed for giving a drink of a corrosive and noxious substance to his master’s father instead of the usual morning dram. The old man survived, but Frederick went to the scaffold anyway. His fate was probably sealed by the testimony of a fellow slave, who reported Frederick saying that “the old son of a bitch ought to have been death” after he failed in his attempt.<sup>59</sup>

So, from the perspective of many whites, if there was one kind of slave crime which called for exemplary punishment, it was murder, or its attempt, against a white person, especially if the victim was the master himself or a member of his family. In the

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Hill: University of North Carolina Press, 2003). For other thoughtful analyses of slave resistance see Kolchin, *American Slavery*, 155-168; and Oakes, *Slavery and Freedom*, 137-194.

<sup>58</sup> Claudia L. Bushman, *In Old Virginia: Slavery, Farming, and Society in the Journal of John Walker* (Baltimore: Johns Hopkins University Press, 2002), 84-85.

<sup>59</sup> Commonwealth v. Frederick, trial record, Rappahannock County, October 22, 1844, GPLV, box 378.

foregoing cases, the vehement pleas to make an example reflected the fear that every failure to execute convicts of such offenses would send the wrong message to the slave quarters. Leniency would only encourage a desperate slave to strike back and take his chances with the judicial system. The more so if, as some disciplinarians believed, banishment was not strong enough as a punishment to deter potential offenders—or even no punishment at all. Some observers of the penal system were aware that reprieved slaves were rarely taken outside of the United States, and that most of them were actually sold in the Deep South. Changing slavery in Virginia for slavery in a more southern location did not seem too much of a punishment from the perspective of the advocates of severity. Although these opinions were interspersed with racist notions that blacks often wanted to move down South on their own accord—for allegedly they were happier and more comfortable in a warmer climate, they carried one insight: if perpetual slavery in Mississippi, Louisiana, or Texas was the fate of thousands of slaves who had not committed any crime whatever, and who were separated from their loved ones by the slave trade nonetheless, how could the same lot be an appropriate punishment for slaves who had attempted to kill their masters? In this view, every slave must know with all certainty that any such attempt would be invariably punished with death.<sup>60</sup>

Nevertheless, the hegemonic interpretation has led us to believe that the disciplinarians were shortsighted sticklers who did not understand their true interests. A recent analysis of one interesting case of murder illustrates this notion eloquently. Joshua Rothman examines the intriguing case of Peggy, a slave who murdered her master in the

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<sup>60</sup> Citizens of the County of Fairfax to Thomas W. Gilmer, [May, 1840]; R. C. Mason to Gilmer, April 22, 1840; Elisha Hutchinson et al. to Gilmer, n. d.; Thomas L. Orr to Gilmer, April 27, 1840, all in GPLV, box 362. See also William Old to James McDowell, [June, 1844], GPLV, box 378. For a brief explanation of the increasing difficulties to sell the convicts outside of the United States, see above, p. 161-162.

summer of 1830 in New Kent County. Peggy had been the target of her master's sexual advances for some time, until she could take it no more and decided to kill him, which she accomplished with a stick, an axe, and the help of two fellow slaves. The fact that John Francis, Peggy's master and harasser, was also her father probably contributed in driving her to desperation. Francis' dark side was not unknown to his neighbors, so many of them petitioned the executive to grant reprieves to the convicts, alleging that the depravity of the victim and the circumstances of the case justified a reduction of the sentence for Peggy and her accomplices. It took several entreaties and insistence, but the executive finally agreed to reprieve the three convicts for transportation.

Rothman delivers a rich, subtle, and insightful reading of this complex and fascinating case. In trying to explain the sympathetic reaction of the white community towards the murderers, however, he argues: "The petitioners ... probably believed they acted beneficently and out of sympathy, but their plea for mercy was not really about mercy at all." A show of severity, Rothman holds, "could suggest that white men in the county were deeply frightened, more than either they wanted to believe or they wanted other slaves to believe." Thus mercy to the convicts was really "a sign of strength," the best course to appear "secure, calm, and rational," that is, just another way to show both to themselves and to the slaves who was in control.<sup>61</sup> Rothman offers this unpersuasive explanation after having fully acknowledged the subversive edge implicit in sparing the lives of slaves who had murdered their master. The pitfalls of functionalism and

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<sup>61</sup> Rothman, *Notorious in the Neighborhood*, 149-159, 158 (quotations).

hegemony are fully illustrated here: no matter what they did, whites always wound up upholding slavery.<sup>62</sup>

There is evidence to suggest, however, that the authorities, with community support, reprieved slaves in cases in which strict disciplinarians seemed to know what they were talking about. Consider the well-known case of Jordan Hatcher, a Richmond slave who killed an overseer in the tobacco factory where he was hired. One day in February of 1852, while he was being whipped with a cowhide on account of keeping dirt on his work bench, Hatcher picked up an iron poker and gave his overseer one strong blow to the head, running away from the scene immediately afterwards. The overseer fell to the floor but did not lose consciousness, and he even got up quickly and tried to go after Hatcher. The physician who examined him right after the incident, moreover, believed that the wound in his forehead was light and superficial. A few hours later, however, the overseer's condition worsened considerably, and a second examination revealed that the blow had fractured the skull and imbedded pieces of bone into the brain. The overseer died the following day and Hatcher was found guilty of murder and sentenced to die with no recommendation of mercy by the court. Nevertheless, some prominent Richmond citizens submitted a petition in his favor and the governor decided to commute his sentence for transportation.<sup>63</sup>

When word of the reprieve got out, some concerned citizens called a public meeting to remonstrate, and soon afterwards an angry crowd marched to the governor's mansion

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<sup>62</sup> Philip Schwarz, although he argues that the authorities were always under social pressure to prove their control of the slave population, and therefore to punish slave misconduct strictly, ends up accepting the same circular logic when he concludes that, in the last analysis, "mercy as well as terror helped to maintain slavery." *Slave Laws in Virginia*, 95-96.

<sup>63</sup> The trial record of the case and the petition were both published in the *Richmond Whig and Public Advertiser* (hereinafter cited as *Richmond Whig*), May 11, 1852.

and surrounded it for a couple of hours, yelling insults and booing. This manifestation of public sentiment also had strong political motivations. The Whig party had been recently defeated in the first popular election ever for governor in Virginia—before the constitution of 1851 the governor was elected by the legislature. During the campaign, the proslavery credentials of each candidate had been an important issue, and the Democrats had succeeded in presenting Joseph Johnson, their candidate, as more sound in this regard than George W. Summers, the Whig aspirant. Richmond, however, was a predominantly Whig city, with a Whig mayor, and thus the Hatcher affair afforded the defeated party an excellent opportunity to take Johnson and the state Democrats to task in their avowed role as proslavery champions.<sup>64</sup>

The Whigs received all the help they needed to exploit the issue from the governor himself. Complying with a duty required by the new state constitution, Johnson sent a note to the legislature explaining his reasons for granting the reprieve, in which he stated that his examination of the record convinced him that Hatcher had acted without premeditation or intent:

“[T]he injury was inflicted by a single blow, given at a moment of great excitement and suffering and without any effort to inflict further injury[.] The great and essential ingredient to constitute *murder*, to wit: *intent* or *malice prepen*ce was therefore wholly wanting. That the penalty under such circumstances should be death though perhaps authorized by the letter, is I believe, against the spirit of our laws, and of the age, as it is contrary to mercy and humanity ... If Hatcher had been a white man, the utmost he could have been charged with would have been justifiable

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<sup>64</sup> William A. Link, “The Jordan Hatcher Case: Politics and “A Spirit of Insubordination” in Antebellum Virginia,” *Journal of Southern History*, 64 (1998): 615-648; see also Harrison M. Ethridge, “The Jordan Hatcher Affair of 1852: Cold Justice and Warm Compassion,” *Virginia Magazine of History and Biography*, 84 (1976): 446-463.

homicide or involuntary manslaughter, and in this case it was but manslaughter without intent to kill.”<sup>65</sup>

Johnson’s candid statement of the rationale behind his decision—and behind the penal policy of the state for many years—only fanned the flames of the controversy. The Whig press, although pleased with the ammunition provided, furiously rebuked the governor for the subversive implications of his policy. The governor’s explanation amounted to saying that “a negro is as good as a white man,” for he was in fact manifesting a disposition to give them equal treatment before the law as far as the death penalty was concerned. But the most alarming feature in Johnson’s statement was the notion that a murder committed by a slave during an act of resistance could be considered “justifiable.” According to the governor’s critics, such a contention suppressed in one stroke the masters’ right to compel their slaves to work and obedience. As the *Richmond Whig* put it, “All the safe-guards which the law throws around the masters are removed; and slaves are told that if they resist chastisement, and in so doing, kill their masters, they are *justifiable*.” In this view, Johnson had done more damage to slavery by himself and in just a few days than all the northern abolitionists throughout their entire careers.<sup>66</sup>

Again, there was a good deal of political opportunism in these responses, but the expressions of concern about the implications of Hatcher’s reprieve had a tone of sincerity to them. A slave had killed an overseer while resisting what was considered normal and ordinary punishment in a slaveholding community. Hatcher had not struck

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<sup>65</sup> Johnson’s communication to the legislature is taken from the *Richmond Whig*, May 14, 1852 (emphasis in the original). The constitution of 1851 abolished the executive council and created the obligation for the governor to inform the legislature of the reasons for every reprieve he granted.

<sup>66</sup> See the editorials in the *Richmond Whig*, May 14, and May 21, 1852.



back in response to unusually harsh chastisement; he had been whipped with a cowhide and offered resistance after only a few stripes. Yet he had not been executed.<sup>67</sup>

The governor himself later felt compelled to declare, in a second note he wrote in order to placate the uproar, that inflicting physical punishment was an inalienable right of the master. “The slave,” he said, “has no rights adverse to those of the master or the agent to whom he has delegated his authority.” Furthermore, in clear allusion to the General Court’s ruling in the *Commonwealth v. Richard Turner*, Johnson also asserted that a master could “not be indicted for the cruel or excessive whipping of his own slave.”<sup>68</sup> This second explanation was probably an attempt at marking the difference between taking Hatcher’s acts as a legitimate defense against aggression, which Johnson’s detractors claimed he had done, and simply arguing that it had not been willful murder, which was the ground he had taken to grant the reprieve. But in trying to establish the distinction Johnson only made his position more vulnerable; for if the master’s right to punish his slave was unquestionable, and if he could exercise it legally even to excess as long as the slave did not die, then it became very difficult to justify the reprieve of a slave who had killed his overseer while resisting “moderate” punishment. To quote again the sharp pen of the editor of the *Whig*, “how long, under the practice of this leveling precepts, can the institution of slavery exist?”<sup>69</sup>

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<sup>67</sup> Unfortunately, given that Virginia denied the right of appeal to slaves, the state General Court never had occasion to grapple with the difficult issue of whether a slave had the “right” to defend himself from excessive punishment. Therefore, we have no Virginia equivalent to the case of Will in North Carolina, a slave who killed his overseer after the latter had deliberately fired his gun at him and wounded him. In a landmark decision, Judge William Gaston established that the killing of a master/overseer in self-defense was not murder. Will was found guilty of manslaughter. *State v. Negro Will*, 18 N. C. 121 (1834).

<sup>68</sup> Joseph Johnson to the General Assembly, in the *Richmond Whig*, May 21, 1852. *The Commonwealth v. Richard Turner*, 5 Randolph 678 (1827). For a brief analysis of this case see above, p. 14-16.

<sup>69</sup> “Higher Law!” *Richmond Whig*, May 14, 1852.

In the end Hatcher was transported, the controversy subsided, slavery did not collapse, and the case failed even to change the established penal policy of the state. What is more, the proportion of reprieves to convictions of capital crimes increased through the 1850s. But this in no way suggests that the reprieve of Hatcher, or the reprieve of other slaves in similar cases, supported the preservation of slavery. In fact, the circumstances of Hatcher's case afford considerable insight into the frame of mind of those who took a more disciplinarian approach to slave crime; people whose behavior showed them unwilling to believe that the hardest forms of coercion were not so necessary to keep the slaves in order and submission, and who also disregarded the proslavery contention that slaves were content in their situation and that they consented to their bondage.

But the admission that the fears of the disciplinarians were not entirely misguided—and that leniency was therefore not always hegemonic—confronts us with a set of very difficult questions: did leniency pose a threat to slavery and the social order? Was the recognition of certain slave rights, both by the judiciary and the white communities, a contradiction working to undermine slavery? Was the reluctance to punish unruly slaves with all rigor and severity a portent of slavery's demise? The answer to these questions depends, in large measure, on our understanding of the conditions that slavery needed to reproduce itself.

James Oakes, who has dealt with this issue in a clear and straightforward way, believes that slavery was bound to succumb sooner or later under the weight of a fundamental contradiction: as the nineteenth century wore on, it was becoming increasingly hard to reconcile slavery with a liberal political culture and a liberal polity;

southerners had used this ideological and institutional framework to their own benefit, but in doing so they had simultaneously legitimized many of its subversive elements, such as the belief in universal rights, which was completely antithetical to slavery. The concession of rights to slaves was an important manifestation of this systemic contradiction: “Grounded in the presumption of universal, inviolable rights, the American political system at once defined the slaves as rightless and yet risked undermining slavery every time it recognized the legal personality of the slave.” Slavery depended on the absolute power of the master over his slave, yet the slaveholder had to acknowledge the authority of the state over him, and every intervention of the state to curtail the authority of the master became in effect a concession of rights to slaves. “This made the jurisprudence of slavery intrinsically subversive.” Thus, according to Oakes, the reform trends that expanded the role of public authority, gave certain procedural guarantees to slave defendants, and limited the master’s freedom to tyrannize and mistreat his slaves at will, were actually undermining the foundations upon which the edifice of slavery rested.<sup>70</sup>

There are, of course, quite diverse views on this crucial question, and Oakes is almost alone in taking such a strong stance as to the existence of conditions without which slavery could not survive. These questions will be the central subject-matter of the following chapter, but here a partial conclusion regarding the effects of leniency on the treatment of slave criminals is in order. Depending on a complex set of circumstances, white communities sometimes acted to defend the “rights” of a slave to a fair process. Or, at least, they acted upon a moral compunction to prevent the execution of a slave who, had she/he been white, would have been sent to the penitentiary, or whose

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<sup>70</sup> Oakes, *Slavery and Freedom*, 155 (first quotation), 159 (second quotation), and *passim*.

culpability had not been fully proven in court. The state authorities, in turn, seeking to strengthen the legitimacy of their society and to keep the costs of the penal system as low as possible, played a decisive role in making banishment the most likely fate of a condemned slave. In most instances, the state acted on the recommendation of local authorities, or followed community opinion as expressed in petitions. But the executive could also act according to its own inclinations, even if this resulted in eliciting hostile responses from some local groups and authorities. It is also significant that Virginians in positions of authority and many community members showed a disposition to leniency not only in crimes against property, but also in instances like the murder of an overseer or a master, which were the most threatening from the white perspective.

These attitudes toward slave crime were not the symptoms of a moribund system, nor had they the potential to bring slavery to its destruction. But it would be wrong to take them only as components of a hegemonic project just because they posed no revolutionary threat to the regime. Such attitudes tell us more about the moral quandaries of everyday life in a slave society than about fundamental contradictions bound to burst the seams of the social order, but they had subversive implications nonetheless: the notion that black slaves could be treated as fairly as whites by the judiciary, or at least with enough fairness to satisfy the expectations of a society that liked to think of itself as enlightened, Christian, and progressive, could have debilitating effects for the established order in the long run. A slave society that constructed a self-image of impeccable morality turned its own idealized self-perception into a double edged sword; one side legitimized the system and surely helped to diminish the misgivings of many slaveholders, as well as to increase their resolve to defend their social system; but the

other side became a constant reminder of all the shortcomings of that system, of all the aspects in which actual practices fell far short from the prescription. The sword metaphor is somewhat inadequate because it suggests a dualism, whereas in fact both sides were intertwined, cohabited and fed on each other for most of the antebellum period. The climax of the sectional controversy and the Civil War, however, created a context in which the proslavery argument would finally have to face its contradictions.

## CHAPTER V

### AN UNCERTAIN FUTURE: REFORM IN THE SLAVE REPUBLIC

As the states of the lower South seceded from the Union after Lincoln's election, Virginians weighed their options and waited. A unionist coalition composed mainly of former Oppositionists and Douglas-Democrats showed considerable strength through the critical winter of 1861. Although the legislature called a state convention—a measure that had been the crucial first step toward secession in all the lower South states—more than two thirds of the delegates elected to the meeting turned out to be Unionists. If the elections are any indication, a majority of Virginians were “conditional unionists,” that is, they wished to remain in the Union as long as the federal government did not use forcible means to bring the seceding states back into the fold. Unionist leaders in the convention wanted to call a conference of the upper and border South states and thus gain time for more deliberation and the devising of a successful compromise measure. After the bombardment of Fort Sumter and Lincoln's call for 75,000 volunteers, however, when it became clear that Virginia men would be called to join the attempt at coercion of the seceding states, most unionists in the state shifted their allegiance to the newborn Confederacy. The convention passed an ordinance of secession on April 17, which was ratified by enfranchised Virginians a few weeks later.<sup>1</sup>

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<sup>1</sup> On Virginia's hesitant course toward secession see William A. Link, *Roots of Secession: Slavery and Politics in Antebellum Virginia* (Chapel Hill: University of North Carolina Press, 2003), 220-235, 239-244; William W. Freehling, *The Road to Disunion*. Volume II. *Secessionists Triumphant 1854-1861* (New

The beginning of the war bred a wave of patriotic feeling and self-righteousness; a feeling that was further galvanized by the election of Richmond as the seat of the new Confederate government. As if trying to forget their strong heritage of ambivalence toward slavery, and their reluctance to join the new slaveholding republic, many Virginians lent their voices to the nationalist bombast, and felt a rush of state-pride in becoming the leading state of the Confederacy. In a way, Virginia became the embodiment of the new southern nation: the seat of its government; its border and first frontline against the enemy; and the first provider of men and resources for its biggest army. Of course, not all shared in the enthusiasm: the convention delegates from the northwestern section of the state had voted against the secession ordinance, and they went back to their counties in defiance to call yet another convention, this time to proclaim their continued allegiance to the Union and, for all practical purposes, secede from Virginia. The age-old political dispute between East and West would reach its culmination in the permanent partition of the state in 1863.<sup>2</sup>

In the East, however, signs of devotion to the new regime appeared everywhere, and the churches were no exception. Although the clergy had been among the last groups to support secession, once the war begun they made a substantial contribution to the barrage of patriotic rhetoric. In the words of one historian, “literally within days of formal secession, many pastors’ ambivalence toward the Confederacy turned to firm resolve.” In denominational newspapers and in countless sermons, Virginia clergymen vindicated the

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York: Oxford University Press, 2007), 504-516, 524-526; Craig M. Simpson, *A Good Southerner: The Life of Henry A. Wise of Virginia* (Chapel Hill: University of North Carolina Press, 1985), 239-251; Daniel W. Crofts, *Reluctant Confederates: Upper South Unionists in the Secession Crisis* (Chapel Hill: University of North Carolina Press, 1989).

<sup>2</sup> William Blair, *Virginia’s Private War: Feeding Body and Soul in the Confederacy, 1861-1865* (New York: Oxford University Press, 1998), *passim*; Link, *Roots of Secession*, 246-248, 250-252; Crofts, *Reluctant Confederates*, 159-163.

justice of the Confederate cause and repeated one time after another that slavery was an institution sanctioned by scripture. This rhetorical surge was not exactly conducive to a mood of self examination, and it combined with other factors in preventing slavery reform from becoming a primary concern for Virginians.<sup>3</sup>

From the beginning of the war, the Old Dominion was the main theater of military activities in the eastern section of the Confederacy. The state soon became the target of invading armies and the scene of constant fighting, experiencing many disruptions since the early stages of the conflict. Union troops crossed the Potomac in early 1862 after Confederate general Joseph E. Johnston decided to draw his defensive line southward to the Rappahannock. In May of the same year, an army of 100,000 men under the command of George B. McClelland secured a foothold in the peninsula between the James and the York rivers, thereby posing an imminent threat to Richmond. At one point during the so-called Peninsula campaign, the Union forces were only six miles short from reaching the Confederate capital. The spring of 1862 was pretty active in the Shenandoah Valley too, where two federal armies chased a Confederate force down to Rockingham County. In short, with enemy troops advancing in several fronts, with most white manpower in the army trying to keep them at bay, and with the slaves running

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<sup>3</sup> For the initial reaction of the Southern clergy to secession see Bertram Wyatt-Brown, "Church, Honor, and Secession," in Randall M. Miller, Harry S. Stout, and Charles Reagan Wilson, eds., *Religion and the American Civil War* (New York: Oxford University Press, 1998). For Virginia see Beth Barton Schweiger, *The Gospel Working Up: Progress and the Pulpit in Nineteenth Century Virginia* (New York: Oxford University Press, 2000), 91-94 (quotation on p. 94); Minutes of the Synod of Virginia, 1861 (manuscript), William Smith Morton Library, Union Theological Seminary, Richmond, Virginia, hereinafter cited as UTS; T. V. Moore, *God our Refuge and Strength in this War. A Discourse before the Congregations of the First and Second Presbyterian Churches* (Richmond: W. Hargrave White, 1861), 18; *Minutes of the Seventy-First Anniversary of the Albemarle Baptist Association, 1862*, 17; *Minutes of the Goshen Baptist Association, 1861*, 3. See also, for an illustration of patriotic feeling among the clergy, a manifest signed by many Virginia ministers after the emancipation proclamation: "An Address to Christians throughout the World," *Central Presbyterian*, April 23, 1863.



away in growing numbers to the Union camps, the conditions to launch an ambitious reform campaign were far from ideal.<sup>4</sup>

The war soon disrupted the organizational framework of the religious denominations, whose work was indispensable to draw public attention to reform initiatives. With increasingly scarce funds and their bureaucratic structures impaired, the denominations lost reach and effectiveness. While a good number of churches lay within territory that the Union army would occupy early in the conflict, the rest of the congregations in the state saw their white membership dwindle as most fighting-age-men gradually left for the war—church leaders and even the ministers often among them. The churches thus went through a good deal of trouble just to stay active, and they were in no condition to make a priority of the needs of the black membership.<sup>5</sup>

Furthermore, the denominations chose to invest most of their energy into the evangelization of soldiers. The religious bodies saw in the war a great opportunity to expand their public influence. The cause of an independent southern nation needed all the legitimacy and support it could garner, and clergymen gave both gladly, thereby gaining access to the rank and file of the army and achieving the conversion of thousands of soldiers. Scores of ministers joined the army as chaplains and became a familiar presence in army camps. The denominations also launched an impressive publishing endeavor and

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<sup>4</sup> James M. McPherson, *Battle Cry of Freedom: The Civil War Era* (New York: Oxford University Press, 1988), 423-427, 454-460, 497-501; Blair, *Virginia's Private War*, 46-48; about the impact of runaway slaves in the course of the war see William W. Freehling, *The South vs. The South: how Anti-Confederate Southerners Shaped the Course of the Civil War* (New York: Oxford University Press, 2001), 115-139.

<sup>5</sup> "Parochial Reports," *Journal of the Sixty-Seventh Annual Convention of the Protestant Episcopal Church in Virginia, 1862*; "Parochial Reports," *Journal of the Sixty-Ninth Annual Council of the Protestant Episcopal Church in Virginia, 1864*; *Minutes of the Seventy-First Anniversary of the Albemarle Baptist Association, 1862*, 19; *Minutes of the Seventy-Ninth Annual Session of the Middle District Bap. Association, 1862*, 10; *Minutes of the Nineteenth Annual Session of the Rappahannock Baptist Association, 1861*, 5; *Minutes of the Twentieth Annual Session of the Rappahannock Baptist Association, 1862*, 10; *Minutes of the Synod of Virginia, 1864* (manuscript), UTS.

released hundreds of thousands of religious tracts, which very likely won them more converts than the direct preaching of army chaplains. In large measure, the role of the religious bodies in the war was a logic extension of the “Faustian deal” they had struck thirty years before with the social order: embracing and sanctioning slavery in exchange for an acknowledged authority in devising the ethical standards of their society. The increasing importance of religion was noted in a “Report of the state of the church” presented to the Episcopal Council of Virginia in 1863: “never, perhaps, in the history of the church, have the masses been more accessible; and never has religious earnestness and truth and consistency been of more importance to the country. Oh, if we could realize this more!”<sup>6</sup>

The very nature of the Civil War, however, made appeals for reform difficult to ignore. That slavery was the root cause of the strife was a clear fact to most candid observers. And in the view of the reformers who had been advocating for ameliorative measures long before the war, the separation from the North finally opened the possibility of adopting improvements that formerly would have been frowned upon as admissions of guilt. From this perspective, political independence brought a long-awaited opportunity for southerners to deal with the most questionable features of slavery without unwelcome interventions, and to try in earnest to make good all previous claims that the institution was kind and paternalistic. As the Episcopalians admonished in a pastoral

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<sup>6</sup> Drew Gilpin Faust, “Christian Soldiers: the Meaning of Revivalism in the Confederate Army,” *Journal of Southern History*, 53 (1987): 63-90; Schweiger, *The Gospel Working Up*, 91-108; Minutes of the Synod of Virginia, 1861, 1862, 1863, and 1864 (manuscript), UTS; *Journal of the Sixty-Eighth Annual Council of the Protestant Episcopal Church in Virginia, 1863*, 22-23, 27, 34 (quotation); *Minutes of the Twentieth Annual Session of the Rappahannock Baptist Association, 1862*, 7.

letter: “Now that we have thrown off from us that hateful and infidel pestilence [abolitionism], we should prove to the world that we are faithful to our trust[.]”<sup>7</sup>

Therefore, even though the moment might not have been the most auspicious, calls for reform could not be simply brushed aside. From the beginning, the religious instruction of the slaves continued as a primary concern. Insistence in evangelization was the most prudent way to keep the reformist cause alive and remind masters of their duties toward the slaves; it also lent credibility to the claim that the Confederate cause met God’s approval: evangelization was the crucial element in the providential mission of the South to elevate and civilize blacks.<sup>8</sup> In Virginia, the main denominations manifested a strong interest in furthering efforts in this regard. Their arguments were very similar to those they had uttered ceaselessly during the antebellum period, but the war gave the appeal a tone of moral urgency. “This is the great duty of the church of this Confederacy,” said a Petersburg Presbyterian referring to the catechization of the slaves, “if our Southern Zion shall fully awake to the magnitude of this great work, and address itself diligently to its discharge, then will she receive ... the abundant tokens of His favor; then will the relation of master and slave, as it obtains with us, be vindicated in the eyes of the world; and then will our beloved Confederacy occupy a pinnacle of moral

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<sup>7</sup> Eugene D. Genovese, *A Consuming Fire: The Fall of the Confederacy in the Mind of the White Christian South* (Athens: University of Georgia Press, 1998), 52-53, 60-61; Drew Gilpin Faust, *The Creation of Confederate Nationalism: Ideology and Identity in the Civil War South* (Baton Rouge: Louisiana State University Press, 1988), 75-76; *Pastoral Letter from the Bishops of the Protestant Episcopal Church to the Clergy and Laity of the Church in the Confederate States of America* (Augusta, Ga.: Steam Power Press Chronicle and Sentinel, 1862), 12. *Documenting the American South*, 1999, University Library, The University of North Carolina at Chapel Hill, February, 2007, <<http://docsouth.unc.edu/impls/pastoral/menu.html>>.

<sup>8</sup> For eloquent statements of this notion see *Pastoral Letter of the Bishops of the Protestant Episcopal Church*, 10-11; and also “Report of the Committee of the West Hanover Presbytery, on the Evangelization of the Colored People of the Confederate States,” *Central Presbyterian*, October 2, 1862.

grandeur and become a praise and a blessing in all the earth!”<sup>9</sup> Charles Minnigerode, the minister of St. Paul’s Episcopal Church in Richmond, likewise made a call to “do right in the sight of the Lord ... by bringing them [the slaves] His Gospel and leading them in the paths of peace and love and knowledge and righteousness –let us prove our right, defend our position, if need be die in the performance of our duty towards those whom God has so signally committed to our care[.]”<sup>10</sup>

The proposed ways to forward this project were very reminiscent of the antebellum years, at least among the Baptists. The usual suggestions were that the churches offer special meetings for the slaves, in which the ministers should adapt their preaching to suit the tastes and needs of black audiences. By the same token, masters were once again vehemently reminded of their heavy responsibility before God, and enjoined to include their slaves in some plan of family worship.<sup>11</sup>

Although these efforts marked a clear continuity with the antebellum mission to the slaves, they combined with the war to bring an affirmation of the religious “freedoms” of the slaves, especially the one of joining whatever church they wanted, including semi-

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<sup>9</sup> “Report on the State of the Church. A Paper read before the Synod of Virginia, During its Sessions in Staunton, October, 1862, by the Rev. A. W. Miller, Petersburg, Va.,” *Southern Presbyterian Review*, 15 (1863): 447.

<sup>10</sup> “Report on the State of the Church,” *Journal of the Sixty-Eight Annual Council of the Protestant Episcopal Church in Virginia*, 1863, 38. For more expressions of concern for the evangelization of the slaves in Virginia during the war, see the minutes of the following Baptist associations: Albemarle, 1861, 1862, 1863, 1864; Appomattox, 1861, 1862, 1863, 1864; Concord, 1861, 1863, 1864; Dover, 1862; Middle District, 1862, 1863; Rappahannock, 1863; Strawberry, 1863; see also “Revival among the Colored People,” *Religious Herald*, July 2, 1863; Minutes of the Synod of Virginia, 1864, UTS; *Central Presbyterian*, June 4, 1863; *Minutes of the General Assembly of the Presbyterian Church of the Confederate States of America*, 1862 (Augusta: Chronicle and Sentinel, 1862), 27; *Journal of the Sixty-Seventh Annual Convention of the Protestant Episcopal Church in Virginia*, 1862, 29.

<sup>11</sup> *Minutes of the Seventy-Second Anniversary of the Albemarle Baptist Association*, 1863, 17; *Minutes of the Seventy-Third Anniversary of the Albemarle Baptist Association*, 1864, 17; *Minutes of the Appomattox Baptist Association*, 1861, 10-11; *Minutes of the Thirty-Third Annual Session of the Concorde Baptist Association*, 1864, 5.

independent black congregations. After a South Carolina editor used his paper to make very scathing remarks on the Richmond all-black churches, calling them a “nuisance” and a threat to the public order, Virginia Baptists reacted with energy, calling attention to the indispensable role of those churches in bringing the gospel to the slaves. “African churches in our cities,” said the main Baptist paper in the state, “are a necessity, if the public means of grace are not to be withheld from the servile population.” Robert Ryland, the minister of Richmond’s First African Baptist Church— the largest black congregation in the South with more than 3,000 members— published an angry rebuttal stating that he had baptized 3,540 blacks in a ministry of 22 years, and that since the foundation of his church the most respectable white families in the city had gladly allowed their servants to join the congregation. Ryland also alleged that black congregations enforced the church discipline even more strictly than the whites, an argument Baptists had used often before the war to answer similar accusations. A few weeks later, the Virginia Baptist General Association took avail of its yearly meeting to defend Ryland’s labor among the slaves in the most praising terms, saying that the “experiment” initiated by him had “succeeded beyond expectations.” Moreover, the Association’s committee on the religious instruction of the slaves recommended the creation of more separate black congregations “in such places as may be suitable,” as the best way to accomplish the evangelization of the bond people.<sup>12</sup>

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<sup>12</sup> *Religious Herald*, May 14, May 29, and June 18, 1863. The *Central Presbyterian* of Richmond also spoke very favorably of Ryland’s pastoral labors, and underlined the importance of black churches for evangelization. See the issue of May 28, 1863. According to Mechal Sobel, Virginia had the four largest black congregations in the whole South, and the First African Church of Richmond was at the top of the list. *Travelin’ On: The Slave Journey to an Afro-Baptist Faith* (Princeton: Princeton University Press, 1988), 215. For the assertion that black congregations generally observed a “more rigid discipline,” see “African Baptist Church,” *Religious Herald*, June 22, 1843.

Virginia Baptists thus gave full sanction to black churches at a time when the temptation to tighten controls over the slaves was strong in many communities. The disruptions of the war made many whites believe that any effort to make amends to the slaves should wait, and the sense of duty and ideological consistency that propelled reformist clergymen was sometimes counteracted by the suspicion and fear of the white part of their congregations.<sup>13</sup> These fears were naturally stronger in those areas of the state where the enemy forces were near and the slaves had begun to run away by the hundreds. A Baptist association in northern Virginia gave a good description of the predicament of its affiliated churches:

Perhaps no department of Christian labor in our midst is attended with difficulties of such magnitude as that of evangelizing our colored population. ... All efforts for their [the slaves] spiritual welfare are regarded by some with indifference, by others with suspicion. ... [M]any of our brethren are opposed to the reception of any such into our churches, and advise the suspension of all efforts for their moral and religious culture, during the pending crisis. ... Your committee are [sic] well aware that such prejudices exist not without reason. Hundreds of servants, who were members of our churches, have left kind masters, their kindred, the homes of their childhood, and their churches, and have leagued themselves with the enemies of our country. ... But the innocent should not suffer on account of the guilty. Those who still remain faithful to their masters are entitled to our spiritual regard. God, in his providence, has cast these people among us, and it is our duty to do them good.<sup>14</sup>

The experience of these churches reflected an on-going process in many Virginia communities. Each locality, according to its own particular circumstances within the context of intense military conflict, had to find a course between the clergy's goal of

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<sup>13</sup> James L. Roark, *Masters without Slaves: Southern Planters in the Civil War and Reconstruction* (New York: W. W. Norton, 1977), 74-76.

<sup>14</sup> *Minutes of the Twenty-First Annual Session of the Rappahannock Baptist Association, 1863*, 22-23. See also *Minutes of the Twenty-Second Annual session of the Rappahannock Baptist Association, 1864*, 10; *Minutes of the Seventy-Second Anniversary of the Albemarle Baptist Association, 1863*, 17.

advancing the work of slave evangelization and the whites' perception that the social order was at risk; between the ministers' hopes for fulfillment of the paternalistic agenda, and the slaveholders' feelings of indifference, or even anger, after their allegedly faithful servants had deserted them. In Brunswick County, for instance, St. Andrews Episcopal Church stopped holding services for the black membership because the community had "deemed such services inexpedient during the present situation of affairs." Whether the motive was that too many slaves had already run away, or that the parishioners thought it safer to keep the slaves from assembling in religious meetings, the laconic statement did not specify, but the practical effects were the same. In Charlottesville, in the meantime, the leaders of the First Baptist Church faced little internal resistance in giving their blessing to the departure of the black membership to form their own independent congregation in 1863—even though the permission had been requested just two months after the emancipation proclamation. Contrariwise, the white members of Chestnut Grove Church, also in Albemarle County, were divided as to the best way to handle a black membership that had grown in numbers and assertiveness since the beginning of the war. In this case, those wishing to keep the black communicants on a tight rein gained the upper hand, and blocked even a proposal to hold separate services for the slaves. Again, the progress of the mission to the slaves during the war depended on a complex set of circumstances surrounding each biracial church.<sup>15</sup>

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<sup>15</sup> Roark, *Masters without Slaves*, 83-84, 89; for St. Andrew's Church see "Parochial Reports," *Journal of the Sixty-ninth Annual Council of the Protestant Episcopal Church in Virginia, 1864*; for the Baptist Churches in Albemarle County see Andrew Witmer's fine article: "Race, Religion, and Rebellion: Black and White Baptists in Albemarle County, Virginia, during the Civil War," in Edward L. Ayers, Gary W. Gallagher, and Andrew J. Torget, eds., *Crucible of the Civil War: Virginia from Secession to Commemoration* (Charlottesville: University of Virginia Press, 2006), 148-157.

The official position of the religious bodies, however, was to forward the project of evangelization. In a sense, these efforts aimed simply at expanding somewhat the sphere of religious autonomy that before the war the white community had already recognized, at least to some extent, as a “right” of the slaves. Nevertheless, the continued discussion of religious duties toward the slaves inevitably led toward the consideration of more ambitious reforms, such as allowing the slaves direct access to the Bible by lifting the ban on slave literacy, and, ultimately, the protection of slave marriages by law. Slave literacy, in particular, was inextricably linked to the efforts of evangelization. We have already seen the fate of this initiative in the antebellum period. During the war, however, reformers could finally dismiss the threat of abolitionist propaganda that had been adduced so often as the main reason for keeping the slaves illiterate. Now, the argument ran, the circumstances had changed, and keeping the Bible out of the reach of the slaves had become a wrongful and pointless hurdle in their ascent in the scale of civilization.

In the view of a committee reporting to the Appomattox Baptist Association, the oral methods of instruction had proven completely ineffectual to dispel the “superstitions” that supposedly adulterated the slaves’ religious believes. “Your committee is therefore, led to the conviction that the only remedy is to cultivate their [the slaves] intellects. By enlarging their mental horizon, and clearing up for them a pathway to higher knowledge we may subdue their prejudices and dissipate their superstition.” The committee therefore resolved that “the laws of the state of Virginia ought to be so altered as to make it lawful to teach slaves to read.” The following year, the same committee brought up the subject again, stating that “the infidelity of Virginia’s prohibitory laws has had a very deleterious influence. We should stretch our sanction,



then, so far as to let them sing, pray and exhort one another, for when the rigidity of the law is enforced, they are mortified, and not only so, but if they are capable of drawing inferences, they must infer we are afraid of them. Let us elevate them.”<sup>16</sup>

The vulnerability of the slaves’ familial relations also became a primary focus of the reformers’ attention. In 1862, the Episcopal bishops of the Confederacy, gathered in Augusta, Georgia, issued a pastoral letter in which they called it a “duty of the Church to press upon the masters of the country their obligation, as Christian men, so to arrange this institution as not to necessitate the violation of those sacred relations which God has created and which man cannot, consistently with Christian duty, annul.” The statement implied that the churches would be watching for such breaches of Christian conduct on the part of the masters. In addition, the letter lauded the fact that the legislatures of some states had “already taken steps” to remedy this evil, thereby showing that the denomination as a whole supported the attempts to write the protection to slave marriages into the law, lest it continued subject to the masters’ discretion.<sup>17</sup>

Other denominations followed suit. The Presbyterians devoted considerable attention to the subject of reform in their General Assembly of 1863. James A. Lyon from Mississippi, the chair of the committee on the religious instruction of the slaves, delivered an address strongly recommending reforms on several fronts, most signally a change in the laws of all the states so as to afford protection to slave marriages. The address, published later under the title of “Slavery, and the Duties growing out of the Relation,” was undoubtedly one of the most forceful pleas for reform to appear during

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<sup>16</sup> *Minutes of the Appomattox Baptist Association, 1862 and 1863*, 16; *Minutes of the Appomattox Baptist Association, 1864*, 11.

<sup>17</sup> *Pastoral Letter from the Bishops of the Protestant Episcopal Church*, 11-12.

the war. Lyon proposed the immediate suppression of anti-literacy laws, which he found “anti-protestant and peculiarly offensive.” He also suggested the admission of slave testimony in trials of white persons accused of murder against slaves. The acceptance of slave testimony in court as circumstantial evidence, he believed, would render the punishment of this crime more effective and thus extend the protection of the law to the lives of the slaves. Lyon’s chief concern, however, was that slave marriages receive legal protection. Lyon called the lack of such a safeguard for the slaves’ domestic joy a “crying and damaging evil,” and ultimately a “positive sin against God.” Separating slave marriages was not only a violation of Christian principles, but also detrimental to the slaveholders’ interests. The callous disregard of his conjugal bond “depre[sse]d the slave, and ma[de] him a faithless and inefficient servant.” Moreover, it denied the slave the attachments that would keep him more effectively from running away. Lyon granted that a law forbidding separations might cause slave owners some inconvenience, but only in the beginning, for it was absurd to argue that “the true interests of slavery require a violation of the laws of God.” Besides, no inconvenience or material losses could justify this breach of divine law: “it is no sacrifice for a Christian to do right.” If the Confederacy truly desired to be regarded with respect by the rest of the world, Lyon challenged, it must start working immediately to bring slavery up to the “bible standard.”<sup>18</sup>

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<sup>18</sup> An extract of Lyon’s report was published in the *Central Presbyterian*, May 28, 1863. The full text appeared a few weeks later as “Slavery, and the Duties Growing out of the Relation,” in the *Southern Presbyterian Review*, 16 (1863): 1-37. About Lyon and the context of the general assembly of 1863 see R. Milton Winter, “James A. Lyon: Southern Presbyterian Apostle of Progress,” *Journal of Presbyterian History*, 60 (1982): 321-325. On Presbyterian initiatives of reform in the Confederacy see Haskell M. Monroe, Jr., “The Presbyterian Church in the Confederate States of America,” Ph. D. dissertation, Rice University, 1961, 275-293.

Lyon's address caused ripples in Virginia even before he read it in the General Assembly. In fact, intimations of its content had already been discussed in the denominational press of the state. Aware that the address would call for the legal protection of the marital bond between the slaves, the editors of the Richmond *Central Presbyterian* manifested a good deal of satisfaction about the prospect of soon witnessing a change in this regard. "Now, while we are reconstructing so many things belonging to our internal policy, is the proper time to bring the subject ... under review, and let the Church, regardless of the fear of man, and in the fear of God, do whatever it believes to be right in his eyes. It is our long settled judgment that our southern states, while they are right in other questions pertaining to the negro race, have done them a great wrong in this particular. If we intend to place our defense of slavery upon a foundation not to be shaken, we must make up our minds to look this great question calmly in the face, and resolve to do justly in everything and to every man." The *Religious Herald* agreed, and "rejoice[d] in hope of the time when this 'great wrong' will be remedied by just and wise legislation." Similarly, the West Hanover Presbytery had appointed a special committee to look into the subject and "suggest such action on the part of the religious bodies as may be judicious."<sup>19</sup>

As it had been usual before the war, reformers assured that these changes, far from endangering the preservation of slavery, would only work to perfect it. Proponents of more strenuous efforts of evangelization, and of allowing the bond people direct access to the Bible, argued that Christian slaves would better understand the benefits of their station in life and be less inclined to run away or rebel. Again, clergymen tried to

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<sup>19</sup> *Central Presbyterian*, April 23, 1863; *Religious Herald*, May 7, 1863; Minutes of the West Hanover Presbytery, April 18, 1863 (microfilm), UTS.

convince slaveholders, and those who feared for the stability of the social order, that Christian slaves would make better servants.<sup>20</sup> In like manner, reformers argued that the legal protection of marriages, by guaranteeing to the slaves the integrity of their families, would become the most effective means to keep them within their owners' sight. As Lyon himself said in his report, "let the slave be bound by family ties, ... and he becomes ... a fixture to the soil[.]" Every slave family, when kept together "will serve as a hostage for the good behavior of its several members, and act with more potency than all 'fugitive slave laws.'" Furthermore, the adoption of these reforms would show to the world that slavery could be raised to more humanitarian standards and thereby improve the international image of the Confederacy.<sup>21</sup>

## II

Were the reformers right? Would a process of significant amelioration have transformed slavery into a more moral, humane, safer, and therefore more durable system? It is fascinating to speculate about the possible effects of these reforms. Again, we are faced with the difficult question of whether ameliorative measures would have strengthened the slave system or contributed to its eventual downfall. The reform campaign in the Confederacy represented a veritable moment of truth for the southern slave society. Although the proposals for change were not different from what reformers had been advocating for a long time, the war gave them an ideal opportunity to put to the test the will of slaveholders to live up to their paternalistic professions, and also the actual

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<sup>20</sup> *Central Presbyterian*, July 2, 1863; *Minutes of the Appomattox Baptist Association, 1862 and 1863*, 16; *Minutes of the Appomattox Baptist Association, 1864*, 11; *Minutes of the Thirty Second Annual Session of the Concord Baptist Association*, 1863, 9.

<sup>21</sup> Lyon, "Slavery, and the Duties Growing out of the Relation." 31.

flexibility of the system to assimilate progressive change, that is, the gradual elimination of slavery's "incident evils," the wrongs that supposedly were not intrinsic elements of the system, and could therefore be remedied.<sup>22</sup> We can only imagine the might-have-beens, but indulging in speculation is necessary to appreciate the possible long term consequences of slavery reform, which will remain hidden forever owing to the abrupt, war-wrought end of the peculiar institution. Such an exercise requires a consideration of the future of slavery as a system in the whole South. Therefore, in what remains of this chapter we will broaden the scope of the analysis and stop focusing exclusively on Virginia.<sup>23</sup>

As other reforms of religious inspiration, relaxing the regulations against slave literacy did not seem to pose a direct or immediate threat to the established order. To be sure, judging from their behavior after 1830, many slaveholders felt safer with an illiterate slave population than with a literate one, and, as already noted, during the antebellum period a few of them candidly admitted that the ignorance of the bond people was a bulwark of the system.<sup>24</sup> The effects of the liberalization of the literacy laws, however, would have taken many years to be felt—even taking for granted the provision of a sufficient number of Sunday schools for slave children, or, supposing a legal obligation in this regard, a dutiful compliance of masters in procuring instruction for their slaves. On the other hand, although a literate slave would know more about the

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<sup>22</sup> Faust, *The Creation of Confederate Nationalism*, 81; Genovese, *A Consuming Fire*, 61.

<sup>23</sup> For instructive counterfactual speculation about the future of slavery see Gary J. Kornblith, "Rethinking the Coming of the Civil War: a Counterfactual Exercise," *Journal of American History*, 90 (2003): 76; Catherine Gallagher, "When did the Confederate States of America Free the Slaves?" *Representations*, 98 (2007): 53-61; Robert William Fogel, *Without Consent or Contract: The Rise and Fall of American Slavery* (New York: W. W. Norton, 1989), 406-417.

<sup>24</sup> For a more detailed treatment of this subject, see chapter III above.

world and arguably find more reasons to feel unhappy about his bondage, there is at least the possibility that many slaves could be indoctrinated into conformity, perhaps even more successfully, if they were able to read. After all, there was a long stretch between giving the slaves basic literacy skills and allowing them open access to all kinds of printed matter, which was clearly not the reformers' goal.<sup>25</sup> Lifting the prohibition on literacy, moreover, would have been celebrated as the passing of a milestone in the white effort to elevate the slaves, and it would have given a big boost to the legitimacy of the slave regime. In short, as other reform initiatives, allowing the slaves to receive education had some subversive potential, but it could also benefit the established order.

The enactment of legislation protective of slave marriages was a completely different matter. As we have seen, the forcible separation of wives from husbands, or of small children from their parents, had been perhaps the sorest point in the slaveholders' conscience for years. This practice had also been an embarrassment to many proslavery clergymen, who admonished vehemently against it in their writings, but refused to use the authority of the churches to keep it in check. If there was a reform initiative that went clearly against the masters' power and economic interests, this was it.<sup>26</sup> During the antebellum period, the antagonists of reform had found it easy to oppose legal protection to slave marriages simply by denying that separations took place to any significant extent—a denial often complemented with racist notions of black incapacity for conjugal fidelity. The circumstances of the war, however, rendered this self-imposed blindness

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<sup>25</sup> For a revealing case of a white family who taught its slaves to read the Bible, but forbade them access to any other form of printed matter, see Charles L. Perdue, et al., eds., *Weevils in the Wheat: Interviews with Virginia Ex-Slaves* (Charlottesville: University of Virginia Press, 1992), 187.

<sup>26</sup> Eugene Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York: Vintage, 1976), 52-53; James Oakes, *Slavery and Freedom: an Interpretation of the Old South* (New York: Norton, 1989), 144.

insufficient, and demanded a more straightforward explanation of the dangers of any transformation in this regard.

One insightful critic of this initiative, who unfortunately remained anonymous, pointed out that the legalization of slave marriages would automatically remove the slaves from the familial government of the master and bring them straight into the realm of the civil law as contracting individuals; this “would amount to a revolution in the status of the slave,” and “let in as a flood many of the evils of a virtual emancipation. The door once opened—the threshold once passed—where do you purpose to stop?” A new regulation might prevent the separation of slave couples, he granted, but only at the cost of “fasten[ing] upon many a family and plantation the intolerable curse of an incorrigibly bad negro, rendered more desperately vicious by the consciousness that the state had interposed to make him a fixture.” This author suggested that the best solution was relying on the “Christian sentiment” of masters, which kept growing stronger with the passing of time and militated against such separations.<sup>27</sup>

As many southerners who recognized the evil, but saw no feasible way to fix it beyond making appeals to conscience, this writer regarded with sympathy the goal of keeping slave families together, but he believed there was no way to accomplish it through legislation. The slaveholders themselves had to be trusted to put limits to their own power and perform this commendable task. As James P. Holcombe had stated in an

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<sup>27</sup> “A Slave Marriage Law,” *Southern Presbyterian Review*, XVI (1863): 147 (first quotation), 148 (second quotation), 153-154, (third quotation), 156 (fourth quotation). This anonymous article was a direct response to the report of Lyon, published in the previous issue of the *Review*. Shortly after the end of the war, Robert Lewis Dabney, also a Presbyterian, used very similar arguments to defend the lack of legal protection to slave marriages in *A Defense of Virginia, (and through her of the South), in Recent and Pending Contests against the Sectional Party* (New York: E. J. Hale & Son, 1867), 227-232. It is interesting to note that, as a young man, Dabney had nothing but reproach for the masters who abused their power in rending slave families. See Thomas Cary Johnson, *The Life and Letters of Robert Lewis Dabney* (Richmond: Presbyterian Committee of Publication, 1903), 67-68, 128-129.

address before the Virginia Agricultural Society, the evil could be remedied “through the agency of public sentiment alone, acting upon buyer and seller, and operating where necessary through combinations of benevolent neighbors[.]”<sup>28</sup>

Viewing the question from a different ideological angle, radical racists had an easy way out of the dilemma, for they simply argued that the marital institution was completely inconsequential for a race of people “but a degree removed from the brute.” Nevertheless, few articulate Confederates were ready to subscribe publicly to such arguments; the belief that blacks belonged to a separate species ran against the scriptural account of the creation of man, and it therefore questioned the authority of the Bible. In adopting so eagerly the biblical sanction of slavery, slaveholders could not avoid the implicit recognition of the slave as a fellow man. This recognition was usually accompanied by so many racist caveats that its impact was pretty limited, but it certainly militated against a complete animalization of the slaves. Hence, the adversary of affording protection to slave marriages who claimed that the slaves “are our property—as much so as our horses,” could hardly expect a big following during the war. Given the highly religious content of the Confederate nationalistic ideology, crudely racist arguments to justify harsh treatment of slaves were bound to raise eyebrows and invite accusations of infidelity. Radical racist opinions were therefore not influential in the discussion of slave marriages.<sup>29</sup>

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<sup>28</sup> James P. Holcombe, “Is Slavery Consistent with Natural Law? Annual Address of the Virginia Agricultural Society,” *Southern Literary Messenger*, 27 (1858): 418.

<sup>29</sup> Atlanta *Southern Confederacy*, March 2, 1865, quoted in Clarence L. Mohr, *On the Threshold of Freedom: Masters and Slaves in Civil War Georgia* (Baton Rouge: Louisiana University Press, 2001), 258 (both quotations); see also the *Central Presbyterian*, May 28, 1863. For the debate between the racist and the religious positions in the defense of slavery see Genovese, *A Consuming Fire*, 79-84; and Drew Gilpin Faust, “Introduction: The Proslavery Argument in History,” in Faust, ed., *The Ideology of Slavery: Proslavery Thought in the Antebellum South, 1830-1860* (Baton Rouge: Louisiana State University Press,



The crucial question remains: could the slave system work without the masters' right to sell, buy, and move slaves without restriction? Some authors believe that it could not.<sup>30</sup> A more definitive answer, however, would have to consider the extent and character of the protection afforded to the slaves. Unfortunately, there were no clear statements as to how exactly this protection was to be ensured, and therefore it is not possible to determine with accuracy its potential to disrupt the system.

In this respect, it is instructive to look at the regulations of the three states that had enacted some form of protection before the war. Louisiana had passed a law since 1806 forbidding the sale of children under ten years of age apart from their mothers. The application of this statute seems to have been limited to commercial sales, however, which left the door open to separations in court-ordered sales, on account of debts, and settlements or divisions of estates. The Alabama and Georgia codes of the late antebellum period, on the other hand, prohibited the separation of children from their mothers in court sales, not in commercial sales, but both allowed for exceptions that diminished substantially the protective potential of the law. In Alabama the ban was absolute only for children under five years, but in the case of children from five to ten years the law allowed separate sales whenever "one of the parties to the legal action" proved that his interests would be better served that way. In Georgia the code prohibited

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1981), 14-17. See also George M. Fredrickson, *The Black Image on the White Mind: the Debate on Afro-American Character and Destiny, 1817-1914* (New York: Harper & Row, 1971). On the connection between animalization and slavery see David Brion Davis, *Inhuman Bondage: The Rise and Fall of Slavery in the New World* (New York: Oxford University Press, 2006), 32-33, 52-53.

<sup>30</sup> Oakes, *Slavery and Freedom*, 144; Genovese, *Roll, Jordan, Roll*, 52-53; the writer of "A Slave Marriage Law," also pointed out that any legislation in this regard opposed the "master's paramount right of ownership in them, as property." p. 154.

separate sales of children under six years, but it provided for an important exception in those cases in which an estate could not be divided any other way.<sup>31</sup>

Evidently, these statutes afforded only the most minimal protection, and only to mothers and very young children. Needless to say, slavery went on, and could go on for many more years unimpaired by such minor restrictions to the domestic slave trade. This does not mean that a regulation of court sales could not have been a viable entry point for amelioration. Before the war several reformers had suggested that a prohibition of separations in court-ordered sales was a feasible way to protect slave marriages. Among those favoring this course were very prominent lawyers, such as John Campbell, an Alabama justice of the U. S. Supreme Court, and Thomas R. R. Cobb, a Georgia attorney renowned for his legal treatise on the law of slavery.<sup>32</sup> If implemented, this protection would have been more than a token concession to humanitarian feeling. Court sales probably accounted for many family disruptions. As Thomas D. Russell has demonstrated, the operative principle of court house auctions was attaining the highest price possible in order to benefit either the debtor or the legatee, and individual sales usually commanded the highest prices.<sup>33</sup> Moreover, a prohibition of individual sales

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<sup>31</sup> Thomas D. Russell, "Articles Sell Best Singly: The Disruption of Slave Families in Court Sales," *Utah Law Review*, 1996 (1996): 1171-1174; Thomas D. Morris, *Southern Slavery and the Law, 1619-1860* (Chapel Hill: University of North Carolina Press, 1996), 77, 82-83.

<sup>32</sup> T. R. R. Cobb, *An Inquiry into the law of Negro Slavery in the United States of America: To Which Is Prefixed, an Historical Sketch of Slavery* (1858; New York: Negro Universities Press, 1968), 245-246; [John Campbell], "Slavery in the United States," *Southern Quarterly Review*, 12 (1847): 133; "Inalienability of Slaves," *DeBow's Review*, 23 (1857): 211-213. John Belton O'Neill could be included in this group, but to him the regulation of court sales was only a complement for the far more radical proposal of annexing the slaves "to the freeholds of their owners." O'Neill, *The Negro Law of South Carolina*, reproduced in J. D. B. De Bow, *The Industrial Resources, etc., of the Southern and Western States*. Three Volumes (New Orleans: De Bow's Review, 1852), 2: 269-295.

<sup>33</sup> Russell, "Articles Sell Best Singly," 1167-1171. It should be noted, however, as Russell himself points out, that slaves sold at court auctions often went to local buyers, which means that many slaves sold individually might not have been permanently separated from their families.

would probably have had negative effects for the slave economy. Slaves were often mortgaged and pledged as security for loans, and it is possible that a mandatory restriction to individual sales could have hampered their use as a basis of credit, causing unforeseen economic consequences.<sup>34</sup>

It is clear, however, that Confederate reformers had a more ambitious goal in mind. Although they gave no particulars, their statements suggest that they wanted the inseparability of married slaves guaranteed not only in court sales, but in commercial sales too. A Georgia reformer, reflecting on the power of the master to render slave couples, “no matter how fondly” they “may cleave together,” reached the following conclusion: “Marriage either exists among the slaves or it does not. If the Negroes are married, we sin as a people by denying them the rights of marriage: if they are not married, we sin by taking from them the marriage itself. In either case the cry ascends to heaven.”<sup>35</sup> It was the masters’ abuse of power over their slaves what most troubled the reformers. At court houses, the separation of family members seemed inevitable, as though effected by the impersonal agency of the law. Commercial sales, on the other hand, were the result of voluntary acts on the part of Christian slaveholders, no matter how hard pressed by “economic necessity,” and they thus betrayed, like no other fact, the shortcomings of a supposedly paternalistic institution.<sup>36</sup>

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<sup>34</sup> John Campbell included in his vision of a protected slave family an idealistic concern for the biracial patriarchal family. He thought that the master-slave relationship had to be protected from the auction hammer too, so that “those domestic ties which contribute so much to the happiness of the members, should not be severed at the pursuit of a creditor.” Therefore, he suggested the convenience of “withdrawing slaves in some measure from the market, as basis of credit.” See “Slavery in the United States,” 133.

<sup>35</sup> *Christian Index*, November 4, 1864, quoted by Mohr, *In the Threshold of Freedom*, 256.

<sup>36</sup> As we saw in chapter III above, slaveholders could adduce a number of justifications for this breach of their paternalistic obligations, such as urgent economic necessity, or the deserved punishment of a

Probably the surest way to protect slave marriages was the attachment of the bond people to the land, thus turning them into a kind of serfs, as judge John Belton O’Neill from South Carolina had suggested since 1848. In this manner, a plantation could be sold or inherited, but with all the slaves resident in it.<sup>37</sup> Such a solution, however, would have destroyed the interstate slave trade and seriously impaired the viability of the plantation regime, which depended on a ready supply of labor to the most dynamic agricultural areas. The plantation districts of the lower South would not have been the only ones to suffer, for the vitality of the slave market also worked for the benefit of the states of the upper South, which supplied the growing demand of slaves in the cotton states and profited enormously from high slave prices. Furthermore, beyond the direct consequences of such a scheme in the staple production regime, taking the slaves out of the market would have affected deeply the whole regional economic structure. As Walter Johnson has eloquently put it: “The entire economy of the antebellum South was constructed upon the idea that the bodies of enslaved people had a measurable monetary value, whether they were actually sold or not.”<sup>38</sup> In other words, the whole working of the southern economy was inextricably entwined with the prices slaves commanded in the market, and that value depended completely on the existence of an interstate slave trade.

Taking the slaves out of the market would have had significant consequences in the ideological realm too. One of the strongest arguments of the proslavery rhetorical arsenal

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recalcitrant slave. Churches and ministers admitted these motives as valid grounds for the sale of slaves, but sales exclusively for gain remained anathema. On the way in which the law hid human agency from court sales see Russell, “Articles Sell Best Singly,” 1201-1207.

<sup>37</sup> O’Neill, *The Negro Law of South Carolina*, 276.

<sup>38</sup> Walter Johnson, *Soul by Soul: Life inside the Antebellum Slave Market* (Cambridge: Harvard University Press, 1999), 25; see also Genovese, *A Consuming Fire*, 115.

was that the peculiar institution rested on an almost perfect coincidence of interest and benevolence. Slavery, the argument held, combined in a providential way the material interest and the duty of the slaveholder. An owner of slaves need not be especially kind or virtuous to perform his obligations and give adequate care and sustenance to his human property; after all, the slaves represented a sizeable part of his wealth, and their welfare was their masters' welfare. Therefore, if the slaves were attached to the land, the consequent decrease in their market value would seriously diminish the masters' main incentive for good treatment. "In the end," James Oakes observes, "only the price a slave commanded on the auction block could validate the claim that it was in the owner's pecuniary interest to keep his slaves assets in prime condition." And, indeed, many clergymen feared the effects of lower slave prices on slave treatment, and that had been one of their chief reasons to oppose the reopening of the foreign slave trade in the late 1850s.<sup>39</sup>

Of course, slave ascription to the land was not the only possibility, and in all likelihood it would have never been adopted. Legal protection could have been implemented in other ways. Shielding only those marriages duly performed by a minister, and their issue until a certain age, would have been a more suitable alternative. This would have allowed the sale of nuclear families, unmarried adults, and even teenagers, individually. It should be noted that the reformers envisioned the protection to the slave family as covering only husbands, wives, and young children, and they were unconcerned, implicitly at least, about the separation of more extended families, or of nuclear families whose young members had already come of age. This means that they

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<sup>39</sup> Oakes, *Slavery and Freedom*, 143; Johnson, *Soul by Soul*, 26; Genovese, *A Consuming Fire*, 118. For a fuller discussion of this argument see above, chapter II.

had no qualms about the separation of grown siblings from each other, or of teenaged sons and daughters from their parents. In other words, what most reformers had in mind was a very limited form of protection, one that would have little regard for the extensive kinship networks that sustained the slave communities.<sup>40</sup>

Such a scheme, although far more practical, would have faced difficulties in its enforcement too: the commonality of “abroad” marriages among the slaves would have rendered the sale of nuclear families a complicated affair.<sup>41</sup> Furthermore, the effectiveness of the protection would probably depend on the slaves having recourse to denounce attempted separations through illegal sale, which would have given unprecedented power to the slave and bred intense and frequent contentiousness. Of course, it was also possible for the states to adopt laws affording only a limited form of protection to slave conjugal unions, which, combined with a defective enforcement—a usual feature of ameliorative legislation in other slave societies—could have assuaged consciences somewhat, increase the legitimacy of the regime, and still keep a flourishing slave trade. Again, the reformers were unfortunately silent as to the details of a

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<sup>40</sup> Some proposals of reform specified that the prohibition of individual sales would apply to children under twelve years of age. Slave teenagers could therefore be sold away from their parents. “Memorial of the Citizens of North Carolina to the general Assembly Asking for Certain Reforms in the Laws Relating to Slaves and Free Persons of Color,” [1855], North Carolina Collection, University of North Carolina at Chapel Hill. A reform bill introduced in the Mississippi Senate in 1863 also adopted the twelve-year-old limit, see Winter, “James A. Lyon,” 324. Other proposals simply suggested “forbidding the separation of parents and young children.” What they meant by “young children” is debatable, but very likely they were thinking of pre-adolescent youths. See “Memorial of the Citizens of Virginia to the general Assembly, Asking for Certain Reforms in the Laws Concerning Slaves and Free Persons of Color,” Marshall County, February, 1856, Legislative Petitions, Library of Virginia. All sales inevitably disrupted the slave family networks, even when the sellers did their best to keep families together. See Robert H. Gudmestad, *A Troublesome Commerce: The Transformation of the Interstate Slave Trade* (Baton Rouge: Louisiana State University Press, 2003), 71.

<sup>41</sup> On abroad marriages see Brenda E. Stevenson, *Life in Black and White: Family and Community in the Slave South* (New York: Oxford University Press, 1996), 229-233.

prospective law to protect slave marriages. And given the difficulty of devising any feasible plan, the omission might have been purposeful.<sup>42</sup>

In any event, the Confederate legislatures did not heed the reformers' appeal. In Virginia, secular authorities had no involvement whatever in initiatives advocated by the clergy. In Mississippi, where Lyon pled for reform with some success before the governor and a group of legislators, the state Senate started discussions on an omnibus reform bill that included the most critical points of Lyon's address. After brief discussion, however, the Senate decided that the whole matter should wait until the end of the war. In Georgia, probably the state where wartime discussions of reform reached more intensity, the legislature erased from the code an article that prohibited blacks to perform as preachers, but a similar initiative to lift the ban on slave literacy failed to pass. In like manner, the legislators, having more pressing concerns before them, postponed indefinitely the discussion of a slave-marriage bill introduced at the beginning of the session of 1865.<sup>43</sup>

In sum, the query of how subversive the protection to the slave family would have actually been admits no simple or straightforward answer. As we have seen, it all would have depended on the character and extent of such a protection. Nevertheless, given that the reform initiatives were interdependent in large measure, it is worth asking whether slavery could have survived the adoption of a program of amelioration ambitious and comprehensive enough to address all the concerns of the reformers. Supposing that some

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<sup>42</sup> Clarence Mohr suggests that in Georgia this reserve obeyed to a strategy to keep the ecumenical consensus around reform as long as possible. That is, a carefully detailed plan would have probably brought division among the denominations, so reformers believed it was better leave the details for later. *In the Threshold of Freedom*, 250.

<sup>43</sup> Winter, "James A. Lyon," 324; Faust, *The Creation of Confederate Nationalism*, 78; Mohr, *On the Threshold of Freedom*, 251-254, 261.

kind of protection to the slave family had been written into the law; that some mechanism was implemented to restrain masters from punishing their slaves with excessive harshness—through the admission of slave testimony against whites in court or by any other means; that legal reforms granted slave transgressors equality of procedure in court and more, even if not complete, equality of punishment; and that the slaves were given, or at least allowed to procure themselves with a basic education, then the status of the slave would have undergone a significant change, and the power of the masters would have also been substantially curtailed.

In recent years we have become more aware of slavery's enormous flexibility, and of the many different guises in which it has appeared throughout history. Consequently, now we are also far less able to agree upon a definition of slavery, or to pinpoint with certainty its essential elements. A broad approach to slavery, one that takes into consideration its enormous diversity and the long and ambiguous transition to free labor that it experienced in other societies, puts into question the notion that slavery had only one way to function with "normality;" it also casts serious doubt on the belief that there were elements, such as the absolute power of the master, without which slavery could not survive.<sup>44</sup> Nonetheless, it is still possible to argue that a system of bondage in which the masters would have their property rights considerably diminished—not being able to sell and buy slaves at will; their authority to compel the slaves to labor and obedience restrained; and in which the slaves would have some rights guaranteed by the law, would

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<sup>44</sup> David Brion Davis, *Slavery and Human Progress* (New York: Oxford University Press, 1984), 8-22; Davis, *Inhuman Bondage*, 27-47; Morris, *Southern Slavery and the Law*, 424-443; Faust, *The Creation of Confederate Nationalism*, 79-81; Eric Foner, *Nothing but Freedom: Emancipation and its Legacy* (Baton Rouge: Louisiana University Press, 1983). In mentioning elements supposedly indispensable to slavery, I refer to the work of Oakes, *Slavery and Freedom*, 155-159. See also Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge: Harvard University Press, 1982), 1-14.



be closer to a system of peonage than to the slavery southerners had known. We cannot have any certainty as to the exact shape of such a system, and it would still have been very far from freedom as we usually understand the concept, but it would also have been radically different from the slavery southerners had known and lived with for over two hundred years.<sup>45</sup>

Whether the transition to such a system of bound labor should be considered a sure sign of slavery's demise, or of its preservation under a different guise—an improved and “modernized” version of it that would last longer and be even more successful in accomplishing its exploitative ends, remains entirely a matter of perspective. In other words, a plausible case can be argued for both possibilities, and we will never know for sure. This ambivalence reveals as no other fact that the rigid dichotomy of hegemony or subversion leads toward an interpretative dead end, and that reform generally carried some potential for both.

In this crucial regard, the intentions of the reformers themselves shed only a very dim light. No Confederate reformer left a clear record of having abolitionist goals. Their most explicit aim was amelioration, and probably many of them pushed for reform with only a very limited understanding of its possible long-term effects on the viability of the regime. Of course, many clergymen remained completely immersed in the logic of the antebellum religious defense of bondage, and they still saw reform as a plan of slave elevation that would one day, no matter how distant, culminate in freedom—or a status closely approaching it. But there is no evidence that clergymen advocated reform to purposefully undermine slavery. Others may have urged the adoption of ameliorative

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<sup>45</sup> Jack P. Maddex, “Proslavery Millennialism: Social Eschatology in Antebellum Southern Calvinism,” *American Quarterly*, 31 (1979): 56; Genovese, *A Consuming Fire*, 115.

measures believing that the setbacks in the battlefield were the way in which an overruling providence was punishing southerners for remissness in their duty towards the slaves. Reformers in this frame of mind wished, most of all, to purge the system of its evils and thereby vindicate their national struggle. Perhaps a few among them, such as Baptist N. M. Crawford of Georgia, might have come to the painful conclusion that if slavery could not change and shed its most unsavory features, then it was a wrongful system and had to be ended. But this does not mean that they were looking forward to emancipation itself.<sup>46</sup>

We can obtain more clues about the possible long term consequences of reform by looking at a different group of Confederates. A number of civil and military officials were far more straightforward in their attempts to subvert slavery, and also in articulating their views on the future of the South without the peculiar institution. Prodded by more than three years of a devastating war, and facing an alarming shortage of manpower in the army, these Confederates were willing to grant freedom to the slaves in exchange for military service. Patrick Cleburne, an Irish born Arkansan, was the first high-rank military officer to advocate this measure in a memorandum he read before his fellow regimental commanders of the army of Tennessee in January of 1864. After arguing forcefully that only the slaves could supply the growing deficiency of fighting men in the Confederate army, Cleburne asserted that “every consideration of principle and policy demand that we should set [the slave soldier] and his whole race who side with us free. It is a first principle with mankind that he who offers his life in defense of the state should receive from her in return his freedom and his happiness[.]” Slavery would be probably subverted, he admitted, but instead of waiting for the Union army to accomplish its

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<sup>46</sup> Mohr, *On the Threshold of Freedom*, 268-271.

complete destruction, Southerners could do it “upon reasonable terms, and with such reasonable time as will prepare both races for the change, secur[ing] to [them]selves all the advantages” that would derive from it. Well aware that one of the chief objections to emancipation was that blacks would not work if freed, Cleburne said that “necessity and wise legislation will compel them to labor for a living.”<sup>47</sup>

When a copy of Cleburne’s proposal reached his desk, Jefferson Davis considered it explosive material and decided to bury it, instructing Joseph E. Johnston to prevent further discussion of the matter among the officers who had known its contents. By the fall of 1864, however, the military prospects of the Confederacy had become so dismal that the Davis administration took a radical change of course. Judah P. Benjamin, Davis’ closest collaborator, became the most outspoken advocate of enlisting the slaves in the army within the Richmond cabinet. As secretary of state, Benjamin was at the receiving end of reports from Confederate agents abroad in which they pointed out repeatedly that slavery had been very damaging to the diplomatic prospects of the South. Agents working in different countries perceived that the defense of slavery had tarnished the Confederate struggle in the eyes of foreign governments. Therefore, one of the arguments usually wielded in favor of slave enlistment and emancipation was that it would win immediate international approval, and maybe even move the English or the French to finally grant official recognition to the southern government. In Benjamin’s own estimation, “the action of our people on this point will be of more value to us abroad than

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<sup>47</sup> Cleburne’s proposal is printed in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, 128 vols. (Washington, D. C.: Government Printing Office, 1880-1901), series 1, vol. LII, pt. 2, p. 586-592. Hereinafter cited as *OR*.

any diplomacy or treaty making[.]”<sup>48</sup> In a letter to an old school friend, moreover, Benjamin also expressed candidly his view of the probable results of an emancipation granted to the slaves as a boon for armed service:

The next step [after emancipating the slave combatants] will then be that the states, each for itself, shall act upon the question of the proper status of the families of the men so manumitted. Cautious legislation providing for their ultimate emancipation after an intermediate stage of serfage or peonage would soon find advocates in different States. We might then be able, while vindicating our faith in the doctrine that the negro is an inferior race and unfitted for social or political equality with the white man, yet so modify and ameliorate the existing condition of that inferior race by providing for it certain rights of property, a certain degree of personal liberty, and legal protection for the marital and parental relations as to relieve our institutions from much that is not only unjust and impolitic in itself, but calculated to draw down on us the odium and reprobation of civilized man.<sup>49</sup>

Some prominent Virginians were especially vocal in their support of slave enlistment. Governor William Smith took a decided stance in favor of this measure in his message to the Virginia legislature at the end of 1864, “even if it resulted in the freedom” of the slave recruits. At around the same time, Robert E. Lee agreed to bring the weight of his enormous popularity and prestige to tip the balance in favor of the initiative. If the scheme resulted in the demise of slavery, he said, “it will be accomplished by ourselves,

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<sup>48</sup> To cite just a couple of reports from foreign countries suggesting that slavery had been an important factor in the international rejection of the Confederacy, see Henry Hotze to R. M. T. Hunter, London, February 28, 1862, Records of the Confederate States of America (microfilm), vol. 7, reel 7; P. N. Lynch to Benjamin, Paris, June 20, 1864, *ibid.*, vol. 4, reel 4; Edwin De Leon to Benjamin, Vichy, July 30, 1862, *ibid.*, vol. 9, reel 9; John T. Pickett to Jefferson Davis, Veracruz, n. d., *ibid.*, vol. 5, reel 5. Still the most comprehensive overview of the Confederate diplomatic efforts is Frank L. Owsley, *King Cotton Diplomacy. Foreign Relations of the Confederate States of America* (Chicago: University of Chicago Press, 1931). In his proposal for slave enlistment and emancipation, Patrick Cleburne stated confidently: “One thing is certain, as soon as the great sacrifice to independence [emancipation] is made and known in foreign countries there will be a complete change of front in our favor in the sympathies of the world.” *OR*, series 1, vol. LII, pt. 2, p. 589.

<sup>49</sup> Judah P. Benjamin to Frederick A. Porcher, Richmond, December 21, 1864, in *OR*, series 4, vol. III, p. 959.

and we can devise the means of alleviating the evil consequences to both races.”<sup>50</sup> Less well known than Lee, but far more eloquent, a Virginia physician named John H. Stringfellow wrote Jefferson Davis a letter in which he faced squarely the matter of emancipation and its consequences:

If we emancipate, our independence is secured, the white man only will have any and all political rights, retain all his real and personal property, exclusive of his property in his slave; make the laws to control the freed negro, who, having no land, must labor for the landowner, and being an adequate supply of labor must work for the landowner on terms about as economical as though owned by him. ... In my judgment, the only question for us to decide is whether we shall gain our independence by freeing the negro, we retaining all the power to regulate them by law when so freed, or permit our enemies through our own slaves to compel us to submit to emancipation with equal or superior political rights for our negroes, and partial or complete confiscation of our property for the use and benefit of the negro.<sup>51</sup>

The South would yield a good deal, but it would not lose everything, and it could start, in its own way and at its own pace, marching toward emancipation even while it kept the black population politically powerless and as a closely regulated labor force, with little economic choices apart from going back to the plantations.

Charles W. Button, editor of the *Lynchburg Virginian*, used the columns of his paper to advocate for the use of slaves as soldiers. In a very poignant editorial he tried to persuade his readers that an emancipation undertaken by southerners themselves “would make [the freedmen] much more docile to our rule than if they should owe their liberty entirely to the enemy. If we fail, universal emancipation follows. Of this no sane man can

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<sup>50</sup> William Smith, “Message to the General Assembly,” Richmond, December 7, 1864, *OR*, series 4, vol. III, p. 915; Robert E. Lee to Andrew Hunter, Richmond, January 11, 1865, *ibid.*, p. 1012-1013. Andrew Hunter was a member of the Virginia Senate who had previously asked Lee to come out publicly in favor of the measure. See Hunter to Lee, Richmond, January 7, 1865, *ibid.*, p. 1007-1009.

<sup>51</sup> John Henry Stringfellow to Jefferson Davis, Glen Allen, Henrico, February 8 1865, *OR*, series 4, vol. III, p. 1068 (first quotation), 1069 (second quotation).

entertain a doubt; and then, not we, but our villainous foes would fix the status of the freedmen. That they would make it as humiliating and annoying to us as possible, their conduct so far affords the most abundant evidence. They would fill the southern country with negro garrisons and keep us in subjection with bayonets in the hands of our servants. Could any fate be more revolting ... than this?"<sup>52</sup>

To be sure, such a radical departure from the proslavery creed did not go uncontested, and many Confederates reacted very adversely. Howell Cobb's often quoted indictment against arming the slaves was an able one-sentence summary of the negative response of many: "If slaves will make good soldiers our whole theory of slavery is wrong."<sup>53</sup> Similarly, North Carolina Governor Zebulon Vance considered that the measure would "render our whole revolution nugatory—a mere objectless waste of human life." Virginia was not short of antagonists to the measure either. "What is this but abolition?" asked Thomas Gholson, a representative of the heavily enslaved southern piedmont in the Confederate House. "If we have been in error heretofore—if liberty to our slaves be really a boon—if they really be fit and qualified for liberty, and should receive it as a merited reward for military service, then we surrender the whole question, and should forthwith emancipate them."<sup>54</sup> Rewarding the slaves with freedom, after so many years of claiming that liberty would be nothing but a curse to a people allegedly

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<sup>52</sup> *Lynchburg Virginian*, February 18, 1865. This paper was consistent advocate of this initiative. See the editorials of October 8, October 18, October 20, 1864, and February 27, March 16, March 24, 1865. In Virginia too, the *Richmond Enquirer* supported slave enlistment and the granting of freedom as a reward, see the issues of October 5, and October 18, 1864.

<sup>53</sup> Howell Cobb to James A. Seddon, Macon, Ga., January 8, 1865, *OR*, series 4, vol. III, p. 1009.

<sup>54</sup> Zebulon Vance in the *Raleigh Confederate*, November 23, 1864; "Speech of Hon. Thos. S. Gholson of Virginia ... delivered in the House of Representatives ... on the 1<sup>st</sup> of February, 1865," both quoted in Robert F. Durden, *The Gray and the Black: The Confederate Debate on Emancipation* (Baton Rouge: Louisiana State University Press, 2000), 253, 169.

unprepared for it, struck many as a glaring contradiction. In fact, some Confederates believed that if the slaves were freed they would eventually perish. Robert M. T. Hunter, Confederate senator and a seasoned Virginia politician, told the crowd in a public meeting in Richmond: “Those best acquainted with the negro’s nature know that perish he must in time off the face of the earth; for, in competition with the white man, the negro must go down. The only hope of the black man is in our success.”<sup>55</sup>

Hunter, Gholson, and Vance represented the outlook of many southerners who believed that independence had an essentially conservative purpose, and who saw no blessing whatever in an autonomy gained through the complete overturning of the social order. In Zebulon Vance’s apt phrase: “Our independence, I imagine, is chiefly desirable for the preservation of our political institutions, the principal of which, is slavery[.]” The most extreme adherents to these views were former unionist Whigs who had predicted—accurately, as it turned out—that secession and war would be more deadly to slavery than the Lincoln administration, and who, before allowing the Confederate government to free the slaves, were willing to consider a restoration of the Union if the northern government relinquished abolition.<sup>56</sup>

It is convenient to consider at this point the possible connections between the proposal of Confederate emancipation and the previous agenda of slavery reform. Were both of them ramifications of a single reformist trend? Was slave enlistment and

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<sup>55</sup> Hunter’s speech in the *Richmond Daily Dispatch*, February 10, 1865; see also the editorial in the issue of March 22, 1865. Of course, this had been a common argument of antebellum defenders of slavery. For a good example see Holcombe, “Is Slavery Consistent with Natural Law?” 408-411. A good analysis of this subject appears in Bruce Levine, *Confederate Emancipation: Southern Plans to Free and Arm Slaves during the Civil War* (New York: Oxford University Press, 2006), 50-51.

<sup>56</sup> Quotation of Vance in Durden, *The Gray and the Black*, 253. Perhaps the clearest example of this profile was William A. Graham from North Carolina. See *ibid.*, 172-173, 240-242; Richard E. Beringer, et al., *Why the South Lost the Civil War* (Athens: University of Georgia Press, 1986), 378-381.

manumission a sequel of the campaign to lift slavery up to the biblical standard, or its logical outcome? In a very penetrating analysis of slavery reform in the Confederacy, Clarence Mohr suggests that it was. “[T]he religious campaign for ameliorative reform,” he opines, “emerges in retrospect as a crucial first step in unshackling the southern mind and preparing slaveowners for the sweeping changes in labor and race relations that the war would bring. Arming the slaves and liberalizing the slave regime were also complementary endeavors in a direct sense, bound together by a common tendency to enlarge the scope of black freedom.”<sup>57</sup> Mohr’s statement is carefully qualified, and for good reason, for although some clergymen did support the use of slaves in the army, the connection between both initiatives was rather tenuous.<sup>58</sup>

The plan of Confederate emancipation sprung from a different motivation and rationale than the program of religious reform. There is no escaping the fact that the disposition even to discuss such a radical measure as freeing the slaves was the result of a desperate military situation. So much so that most of its supporters did not advocate it openly until it became certain that subjection to the federal government would bring emancipation anyway. The initiative was thus rooted, on the one hand, in a grudging and belated acknowledgement of the slaves’ intense wish for freedom and of their military value to the Union war effort, and on the other, on the painful certainty that slavery was

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<sup>57</sup> Mohr, “Slaves and White Churches in Confederate Georgia,” in John B. Boles, ed., *Masters and Slaves in the House of the Lord: Race and Religion in the American South 1740-1870* (Lexington: University Press of Kentucky, 1988), 168-169; and, with a slightly different phrasing, in *On the Threshold of Freedom*, 270-271.

<sup>58</sup> Virginia Episcopalian Charles Minnigerode, for instance, spoke in favor of slave enlistment and emancipation, but his indirect and cautious manner suggests that clergymen thought it was better to stay on the sidelines of the controversy. See his “*He that Believeth Shall not Make Haste.*” *A Sermon Preached on the First of January, 1865* (Richmond: Chas. H. Wynne, 1865), 9-10. *Documenting the American South*, 2001, University Library, The University of North Carolina at Chapel Hill, March 17, 2007, <<http://docsouth.unc.edu/imls/minnigerode/minnigerode.html>>. Revealingly, the main denominations in Virginia remained silent on the issue.



disintegrating and that the only clever thing southerners could do was to turn somehow that disintegration to the Confederacy's own advantage.<sup>59</sup>

Advocates of Confederate emancipation found their chief justification in the fact that the Union army was freeing the slaves anyway, and using them very effectively against the South. If the Confederacy was on the brink of defeat, and emancipation was a certain consequence of that dreaded event, then it was folly not to use blacks as the last resource available. "We should do no more than they [the Yankees] would do, and we would have the satisfaction of accomplishing it our own way," said the *Lynchburg Virginian*. Yet it remained a "matter of urgent necessity," of choosing between evils, as almost every supporter of the measure stated.<sup>60</sup>

Religious reformers, on the other hand, although many among them believed that one day the slaves would be ready for freedom, remained wedded to a gradualist and conservative approach, and were likely frightened at the prospect of a sudden abolition of at least a sizable portion of the slave population. The ameliorative measures reformers had advocated, even during the war, aimed at facilitating conditions favorable to the "elevation" of the slaves, not at setting them free in a rash way. This is also suggested by the fact that some Confederates otherwise very interested in reform were appalled by the proposal of arming the slaves and emancipating them. Zebulon Vance and Calvin

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<sup>59</sup> Levine, *Confederate Emancipation*, passim.

<sup>60</sup> *Lynchburg Virginian*, March 24, 1865; "Speech of Hon. J. P. Benjamin," *Richmond Daily Dispatch*, February 10, 1865; William Smith, "Message to the General Assembly," Richmond, December 7, 1864, in OR, series 4, vol. III, "matter of urgent necessity" in p. 916; Samuel Clayton to Jefferson Davis, Cuthbert, Ga., January 10, 1865, *ibid.*, p. 1011; Jefferson Davis to John Forsyth, Richmond, February 21, 1865, *ibid.*, 1110; Robert E. Lee to Andrew Hunter, Richmond, January 11, 1865, *ibid.*, 1012-1013.

Henderson Wiley, the superintendent of the North Carolina school system, provide prominent examples of that position.<sup>61</sup>

In short, as tempting as it is to see the initiative of emancipation as the logical dénouement of slavery reform, the fact is that only the ravages of a long and very destructive war were able to create the conjuncture for such a measure to be openly suggested; and only the certainty that slavery was doomed anyway was capable of rendering it palatable to many confederates, even to those who advocated the measure. This should put into question the notion that the South, if left alone, would have eventually reformed itself out of slavery. Even granting that a victorious Confederacy might have smoothed the roughest edges of slavery and started a transition toward a milder form of bound labor, this wouldn't have happened without the war; nor would reformers have been so vocal in their denunciations of the evils of the institution without the war. Perhaps an independent southern nation would have eventually abolished slavery, we will never know, but in all likelihood this would have taken many, many years.<sup>62</sup>

At any rate, the measure was far too radical to the taste of most Confederates. Notwithstanding the clear and visible signs of slavery's disintegration, and the appalling rates of desertion from the army by the beginning of 1865, the Confederate Congress stalled the measure for several weeks. The Senate finally passed a law of slave enlistment

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<sup>61</sup> For Vance see Faust, *Creation of Confederate Nationalism*, 76-78, and Durden, *The Gray and the Black*, 253; for Wiley see Genovese, *A Consuming Fire*, 57-58. Bruce Levine demonstrates that the opposition to the slave emancipation proposal was "broadly based," including many former unionists and Whigs, that is, it was not the exclusive province of proslavery zealots. *Confederate Emancipation*, 40-42, 58-59.

<sup>62</sup> For the belief that the Confederacy had embarked on a process of self-reformation that would have eventually culminated in emancipation, see E. Merton Coulter, *The Confederate States of America, 1861-1865* (Baton Rouge: Louisiana State University Press, 1950), 258; Allan Nevins, *The Statemanship of the Civil War* (New York: Macmillan, 1953), 91. For different views on this counterfactual question, see the works cited on note 23 above.

on March 8, which the House ratified the next day and Jefferson Davis signed on March 13. This act, however, contained no clear provision for the emancipation of the fighting bondmen, leaving the matter ambiguously in the hands of the individual owners. The law fell also quite short of an effective conscription measure, as it merely allowed the president to employ as soldiers those slaves voluntarily provided by owners; only if this voluntary expedient failed to produce a sufficient number of recruits, the executive could call the states to furnish the army with 300,000 slaves. The law remained silent as to how the state governments would gather their quotas. For implementation purposes, the act was followed a few days later by the "General Orders No. 14," which stated that the Confederate army would not accept slave recruits "unless with [their] own consent and the approbation of [their] master[s] by a written instrument conferring, as far as [they] may, the rights of a freedman." In this manner, the army would take only manumitted slaves, but the emancipation of the would-be soldier remained an altogether voluntary act on the part of his master.<sup>63</sup>

The initiative to arm the slaves was thus unable to overcome the attachment of southerners to their peculiar institution. Its significance resides, however, in the clarity with which its main advocates articulated their views on the future of the South without slavery. This was a vision that in many ways fulfilled the aspiration of religious reformers of transforming slavery into a system that could grant blacks basic freedoms and rights, such as a full autonomy in their family arrangements, and a modicum of legal protection to their persons and property, even if it still kept them in a subordinate status

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<sup>63</sup> Levine, *Confederate Emancipation*, 117-119; "An Act to Increase the military force of the Confederate States," and "General Orders No. 14," in *OR*, series 4, vol. III, 1161-1162; "Colored Troops. An Appeal to the People of Virginia," *Richmond Daily Dispatch*, March 25, 1865; Durden, *The Black and the Gray*, 268-270.

and as a controlled labor force. “Old school” reformers and Confederate emancipationists, in spite of their different motivations, could have likely come to agree on a blueprint for the future of southern society, in which slavery would have been transformed into a system of bound labor occupying a middle ground between bondage and freedom.

It is in this perspective that the initiative of Confederate emancipation can be seen as the ultimate manifestation of the reformist impulse, and as such it illustrates in the most eloquent and sharp way the essentially dual character of the reform program, with its potential both to preserve and to subvert slavery. Emancipationists wanted to revolutionize the South in order to keep as many of the essential elements of the antebellum social order as possible. They were thus in a sense trying to change in order to stay the same, but that did not make their choice of emancipation any less revolutionary.

We cannot know how a Confederate-wrought freedom would have looked like. If the Black Codes of 1865-1866 afford any indication, then it is clear that the freedmen would have faced many restrictions reminiscent of bondage. During presidential Reconstruction, every rebel state passed legislation circumscribing substantially the freedom of movement of the former slaves, and ensuring their continued exploitation as a cheap, agricultural labor force. The Black Codes reflected white southerners’ deeply ingrained belief that the freedmen would soon lapse into a state of idleness—which by the white definition included their unwillingness to keep working as slaves for a pittance; and also their nightmarish fear that the South could wind up as Jamaica, with its formerly prosperous plantation economy in ruins. The Codes varied from state to state, but all

featured harsh vagrancy regulations that criminalized unemployment with the aim of compelling the freedmen to stay in the plantations and accept whatever terms old masters were willing to offer. Other laws punished severely any breaches of labor contracts, threatening with a jail term every laborer who left his place of employment before the end of the year.<sup>64</sup>

Because the Black Codes were overturned soon after their enactment, we cannot know how effective they could have been in shaping labor and race relations in the post-emancipation South. In addition, the Codes carried all the bitterness elicited by defeat and imposed abolition, and they might not be an entirely reliable reflection of what Confederate emancipators had in mind. In any case, even under conditions so distant from an effective freedom, southern blacks would not have been slaves anymore. Even if southern lawmakers and authorities had succeeded in subjecting the freedmen to an oppressive and highly exploitative form of peonage, they would not have been property anymore, to be bought and sold at their masters' will; they would have had the right to own property and to stay with their families; and, at least formally, they would have had the protection of the law in their persons and property.

To compare the harshness of legal slavery with other forms of bound labor, in which compulsion and violence still played a central role, is a very tricky business, and the assessment would depend greatly on the criteria applied and on a myriad of particular circumstances. Such a comparison will not be attempted here. The point to be stressed is that Confederate emancipators had, as most humans, very limited predictive abilities. In

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<sup>64</sup> Eric Foner, *Reconstruction: America's Unfinished Revolution 1863-1877* (New York: Harper & Row, 1989), 198-210; Foner, *Nothing but Freedom*, 52, 72; Jack P. Maddex, *The Virginia Conservatives 1867-1879: A Study in Reconstruction Politics* (Chapel Hill: University of North Carolina Press, 1970), 39; Leon F. Litwack, *Been in the Storm So Long: The Aftermath of Slavery* (New York: Alfred A. Knopf, 1979); 319-322; Roark, *Masters without Slaves*, 137-141.

1864 and 1865, the future of the southern economy and race relations under a substantially weakened form of bondage was unfathomable, and the proponents of the plan of emancipation had no way of knowing with certainty how it would turn out.<sup>65</sup> Moreover, Confederates were willing to put arms in the hands of the slaves, which, as some critics of the scheme pointed out from the beginning, militated against any certainty that the bondmen would tamely accept whatever conditions the whites were ready to grant once independence was won. Armed service would have given the freedmen at least some leverage and bargaining power, not to the degree of claiming, as some terrified observers warned, social and political equality, but perhaps enough to have a say in the terms of their new status.<sup>66</sup>

In a recent, brilliant examination of the Confederate emancipation scheme, Bruce Levine interprets this initiative as a fundamentally hegemonic move, a “revolution from above” in the Prussian way. In his view, the “farsighted defenders of the plantation system” had been able to devise a careful scheme to change the social order so that it would be preserved in its essentials as much as possible. These leaders had read the developments of the war with insight, gaining awareness that slavery had its days numbered, and had understood that the only way to ensure black political, social, and economic subordination was to attempt emancipation by themselves.<sup>67</sup> Levine argues his case persuasively, but his conclusions inspire many reservations. As most historians who choose to stress the conservative intent, and effects, of reform, he grants his subjects too

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<sup>65</sup> Roark, *Masters without Slaves*, 106-107.

<sup>66</sup> “Speech of Hon. Thos. S. Gholson of Virginia,” in Durden, *The Gray and the Black*, 169-170; Levine, *Confederate Emancipation*, 54.

<sup>67</sup> Levine, *Confederate Emancipation*, 97, 102-109, 153-157 (quotation on 153).

much far-sight, too much ability to predict the future, and too much power to engineer social change and control it. Men are seldom so gifted as to know and calculate the ultimate consequences of their acts. And those conservatives who opposed reforms not always were shortsighted fools.<sup>68</sup> Conservatives sometimes perceived accurately that reforms, no matter how harmless their guise, had the potential to alter significantly the shape of the social order they wanted to uphold. Had Confederates effected emancipation by themselves, they would have been able, no doubt, to introduce many conservative features in the outcome, and the resulting “freedom” would have carried many restrictions. Nonetheless, even with all its eventual limitations, emancipation was an act of unpredictable consequences, and it would have changed the South deeply and forever.

Reform in the pre-emancipation South was an unstable and often contradictory mixture of intentions and potentialities. The attempt to lift slavery to the “Bible standard,” if successful, would have introduced very significant changes in the institution. The resulting limits to the authority and power of the slaveowner would have no doubt subverted slavery to some degree. But the fulfillment of the reform agenda would have simultaneously improved the institution, rendering it less violent and arbitrary, and increased enormously its legitimacy. Arguably, this would have given slavery a new lease on life. Similarly, Confederate emancipators’ chief goal was to preserve as much of their world as they could, but in their effort to do so they were ready to tear down the central pillar of their social order. These paradoxes carry the essence of slavery reform: the more reforms were adopted, the more slavery would become

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<sup>68</sup> *Ibid.* Throughout his analysis, Levine attributes far-sight to the advocates of emancipation several times, see p. 102, 153. On the other hand, he refers to the opponents of emancipation as “blinkered masters” on p. 157.

something else, something very different from what southerners knew it to be, but that something else also carried the promise of continuity and orderly progress.



## CONCLUSION

In its beginnings, the reformist impulse in Virginia sought to accomplish the eradication of slavery through voluntary manumission and the colonization of the freedmen in Africa. The appeal of the colonization project was strong because it set about to accomplish what many believed were godly designs. The plan of taking emancipated, Christianized blacks back to Africa, as the vanguard of civilization in a “benighted” land, afforded a providential explanation—and justification—of the enormous evils and human suffering caused by slavery. At the same time, such a plan seduced many enthusiasts of economic development, who thought that slavery was responsible for the backwardness of their state, and attracted clergymen and reformers who believed that slavery was a stumbling bloc on the road to a more Christian and moral society.

Therefore, through the 1820s and 1830s reform had a clear antislavery cast. To be sure, the reformers were no revolutionaries, and they adhered to gradual and mostly voluntary means to forward their projects. Nonetheless, they looked forward to slavery’s disappearance, and were convinced of the incompatibility of such an unfair, tyrannical, and exploitative form of subordination, with the economic, social, and moral improvement they so eagerly wished to attain. Combining liberalism with religion, reformers of the early nineteenth century saw slavery and all its effects as the enemy of a divinely ordained progress.

As explained in chapter II, the enormous difficulties of manumission and colonization in a society where a third of the population was enslaved, combined with other circumstances in the late 1830s to produce significant changes in the foregoing picture. The difficulties on the way of more ambitious social change gradually pushed the emphasis of reform initiatives toward amelioration. In many ways this was the result of a process of adaptation; reformers came to realize that slavery was not going away and they shifted their efforts toward the improvement and softening of what they considered the worst features of their social system. As the sectional crisis intensified, and the hold of orthodox proslavery ideology grew stronger, reform increasingly became the opposite of its former self: a way to reconcile the preservation of slavery with the ideals of nineteenth-century progress.

Inevitably, this shift had conservative effects. Reformers chose to do their work within the established order, and not against it. Through reform initiatives, such as the evangelization of the slaves, the promotion of better treatment and more enlightened practices of slave management, and the appeals against the separation of slave families, reformers contributed to bolster the moral legitimacy of the system. By incorporating—and sanctioning—these appeals to divest the system from its most unsavory features, the slave regime became more flexible, and was therefore better able to keep the allegiance of many Virginians who wanted to believe that they lived in a Christian and enlightened society. It is in this regard that reforms partially strengthened the established order and benefitted the slaveholding class. Nevertheless, as I have argued throughout this work, reform never became an instrument in the hands of the slaveholding elite. To begin with, the hegemony of the slaveholders, that is, their power to shape their own society and

culture, was incomplete and far more fragile, contradictory, and contested than has been usually acknowledged, especially because they had to contend not only with other classes, but with themselves too. Furthermore, reform ideologies had a life and logic of their own, and although they in some ways legitimated the social order, they also challenged it to some extent. The different reform movements were never controlled by any class for its own advantage.

The sanction of dissent had unintended consequences. In order to vindicate their society, Virginians not only had to believe that slavery was susceptible of improvement, but also that this process of improvement could eventually be brought to satisfy all the expectations of an enlightened age. In their stubborn denial that their slaves were not unhappy about their bondage, that violence was not the essential element of the system, and, in short, that the most disgusting characteristics of slavery were “incidental” and not structural, Virginians implicitly conceded that the system could assimilate all kinds of ameliorative measures. They therefore had to deflect responsibility for their inaction and blame the abolitionists for their failure to introduce the changes that, as they themselves admitted, decency and Christian morality demanded.

The Civil War had ended with the convenient excuse of unwanted abolitionist and outside interference, and it was during the armed conflict that southern reformers in some states pled their case with the most vigor. What they thought was a definitive separation from the North finally opened an opportunity for the adoption of changes they had sought for years. Similarly, the belief that the hand of God was actively engaged in determining the outcome of the war rendered more urgent the display of a true disposition to live up to past professions of upholding a paternalistic institution. Just as

the campaigns for reform were gathering momentum in some states of the Confederacy, however, the war itself overshadowed reform initiatives with more pressing problems.

The shape, and fate, of slavery in a victorious Confederacy will remain forever a matter of speculation. Nevertheless, no matter how proslavery all the reform appeals might have sounded, and no matter how successful they might have been in strengthening the legitimacy of the regime, reform also fed expectations that were potentially subversive. The expectation that slavery could adopt an ambitious program of reforms and be shaped into a system more similar to peonage than to the slavery southerners had known throughout their lives was, in the last analysis, subversive. Reformers wanted to change slavery and they painted an ideal picture of a harmonic system that worked without violence and in which the slaves would have some basic rights guaranteed by law. These ideals can be dismissed as aspirations with no bearing on reality. But to many southerners these ideals were the blueprints of the future.

## SOURCES CONSULTED

### MANUSCRIPTS

#### NORTH CAROLINA

Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill.

Blackford Family Papers  
John Early Diary  
James McDowell Papers  
Courtland Van Rensselaer Letter

Rare Book, Manuscript, and Special Collections Library, Duke University.

Charles Wesley Andrews Papers  
Winchester, Va., Papers

#### VIRGINIA

Library of Virginia, Richmond.

Executive Letterbooks, 1839-1848.

Governors Papers:

John Floyd  
William Branch Giles  
Thomas W. Gilmer  
James McDowell  
Littleton W. Tazewell

Journal of the Council of State, 1841-1842  
Journal of the Council of State, 1844-1845

Fredericksburg Hustings Court Order Book, 1827-1834 (microfilm).  
Fredericksburg Hustings Court Order Book, 1834-1840 (microfilm).  
Fredericksburg Hustings Court Order Book, 1841-1845 (microfilm).  
Fredericksburg Hustings Court Order Book, 1845-1850 (microfilm).  
Spotsylvania County Court Order Book, 1830-1834, (microfilm).

Spotsylvania County Court Order Book, 1834-1838, (microfilm).  
Spotsylvania County Court Order Book, 1838-1843, (microfilm).

#### Legislative Petitions

#### Church Records

Antioch Baptist Church Minute Book (Charlotte County)  
Gillfield Baptist Church Minute Book (Petersburg)  
Mount Vernon Baptist Church Minute Book (Halifax County)  
White Oak Primitive Baptist Church Minute Book (Stafford County)  
Piney Branch Church Minute Book, (Spotsylvania County)  
Liberty Baptist Church Minute Book (Appomattox County)  
South Quay Baptist Church Minute Book (Nansemond County)  
Tinkling Spring Presbyterian Church Session Minutes (Augusta County)

#### Virginia Historical Society, Richmond.

Benjamin Brand Papers  
Mary Lee Custis Papers  
Frederick Deane Goodwin Papers  
William Huntington Diary  
William Meade Letters  
Elliot Story Diary  
Minutes of the Virginia Branch of the American Colonization Society.

#### Virginia Baptist Historical Society, Richmond.

Fredericksburg Baptist Church Minute Book.  
Zoar Baptist Church Minute Book (Spotsylvania County)

#### Albert Small Special Collections Library, University of Virginia, Charlottesville.

Martin Baskett Shepherd Papers

#### William Smith Morton Library, Union Theological Seminary, Richmond.

Minutes of the Synod of Virginia, 1861-1865  
Minutes of the West Hanover Presbytery, 1861-1865

WASHINGTON, D. C.

Library of Congress

Records of the American Colonization Society (microfilm)

#### Microfilmed Collections

*Race, Slavery, and Free Blacks: Petitions to Southern Legislatures, 1777-1867.* Edited by Loren Schweninger. Bethesda, MD: University Publications of America, 1998 (microfilm).

#### PUBLISHED PRIMARY SOURCES

*Acts Passed at a General Assembly of the Commonwealth of Virginia, 1830-1831.* Richmond: Thomas Ritchie, 1831.

*Acts passed at a General Assembly of the Commonwealth of Virginia, 1831-1832.* Richmond: Thomas Ritchie, 1832.

*Acts Passed at a General Assembly of the Commonwealth of Virginia, 1832-1833.* Richmond: T. Ritchie, 1833.

*Acts of the General Assembly of Virginia, Passed at the Session Commencing 2<sup>nd</sup> December 1839 and ending 19<sup>th</sup> March 1840.* Richmond: Samuel Shepherd, 1840.

*An Address to the Presbyterians of Kentucky, Proposing a Plan for the Instruction and Emancipation of their Slaves.* Newbury Port: Charles Whipple, 1836.

*Aris Sonis Focisque: Being a Memoir of an American Family: The Harrisons of Skimino.* n. p., Fairfax Harrison, 1910.

Armstrong, George D. *The Christian Doctrine of Slavery.* New York: Charles Scribner, 1857.

\_\_\_\_\_, and Courtland Van Rensselaer, *A Discussion on Slaveholding. Three Letters to a Conservative, By George D. Armstrong, D. D., of Virginia. And Three Conservative Replies, by Courtland Van Rensselaer, D. D., of New Jersey.* Philadelphia: Joseph M. Wilson, 1858.

Bacon, Thomas, *Sermons Addressed to Masters and Servants, and Published in the Year 1743 by the Rev. Thomas Bacon, Minister of the Protestant Episcopal Church in*

*Maryland. Now Republished with other Tracts and Dialogues on the same Subject, and Recommended to All Masters and Mistresses to Be Used in their Families. By the Rev. William Meade.* Winchester, Va.: John Heiskell, n. d.

Baxter, George A., *An Essay on the Abolition of Slavery*. Richmond: T. W. White, 1836.

Beccaria, Cesare, *De los Delitos y las Penas*. México: Fondo de Cultura Económica, 2000.

Berry, Henry, *The Speech of Henry Berry of Jefferson in the House of Delegates of Virginia, on the Abolition of Slavery*. n. p., [January 1832].

Bledsoe, Albert Taylor, *An Essay on Liberty and Slavery*. Philadelphia: J. B. Lippincott & Co., 1856.

Bolling, Philip A., *The Speeches of Philip A. Bolling, (of Buckingham,) in the House of Delegates of Virginia, on the Policy of the State in Relation to her Colored Population: Delivered on the 11<sup>th</sup> and 25<sup>th</sup> of January, 1832*. Richmond: Thomas W. White, 1832.

Boyd, Julian P., ed., *The Papers of Thomas Jefferson*. Vol. 2. Princeton: Princeton University Press, 1950.

Bratton, Mary J., ed., "Field's Observations: The Slave Narrative of a Nineteenth Century Virginian," *Virginia Magazine of History and Biography*, 88 (1980): 92.

Brockenbrough, William, and Hugh Holmes, *A Collection of Cases Decided by the general Court of Virginia*. Vol. 2. Richmond: Peter Cottom, 1826.

Brown, John Thompson, *The Speech of John Thompson Brown, in the House of Delegates of Virginia, on the abolition of Slavery*. Richmond: Thomas W. White, 1832.

[Campbell, John], "Slavery in the United States," *The Southern Quarterly Review*, 12 (1847): 91-134.

Carter, Edward C. II, ed., *The Virginia Journals of Benjamin Henry Latrobe 1795-1798*. 2 Vols. New Haven: Yale University Press for the Maryland Historical Society, 1977.

Cary, Mathew, *Letters on the Colonization Society: with a View to its Probable Results Addressed to C. F. Mercer*. Philadelphia: Young, 1832.

Cary, Virginia, *Letters on Female Character Addressed to a Young Lady on the Death of her Mother* (Richmond: Ariel Works, 1830)

Castleman, Thomas Taylor, *Plain Sermons for Servants, by the Rev. Thomas Taylor Castleman, Rector of Trinity Church, Staunton, Va.* New York: Stanford and Swords, 1852.



Catterall, Helen T., *Judicial Cases Concerning American Slavery and the Negro*. 5 Vols. Washington, D. C.: Carnegie Institution of Washington, 1926-.

Clay, Thomas S., *Detail of a Plan for the Moral Improvement of Negroes in Plantations. Read before the Georgia Presbytery*. n. p., 1833.

Cobb, Thomas R. R., *An Inquiry into the Law of Negro Slavery in the United States of America: to which is Prefixed a Historical Sketch of Slavery*. 1858; New York: Negro Universities Press, 1968.

*The Code of Virginia*. Richmond: William F. Ritchie, 1849.

*Controversy between Caius Gracchus and Opimius, in Reference to the American Society for Colonizing the Free People of Colour of the United States*. Georgetown, D. C.: James Dunn, 1827.

Conway, Moncure Daniel, *Autobiography, Memories and Experiences of Moncure Daniel Conway in two Volumes*. Boston: Houghton, Mifflin and Co., 1904.

[Cooper, Thomas], "Slavery." *Southern Literary Journal and Magazine of Arts*, I (1835): 190.

Dabney, Robert Lewis, *A Defense of Virginia, (and through her of the South), in Recent and Pending Contests against the Sectional Party*. New York: E. J. Hale & Son, 1867.

Douglas, Margaret, *Educational Laws of Virginia. The Personal Narrative of Mrs. Margaret Douglass*. Boston: John P. Jewett & Co, 1854.

*Duties of Masters to Servants*. Charleston: Southern Baptist Publication Society, 1851.

"Effects of Emancipation," *De Bow's Review*, 19 (1855): 226-227.

Farley, Charles Andrews, *Slavery; A Discourse Delivered in the Unitarian Church, Richmond, Va.* Richmond: James C. Walker, 1835.

Faulkner, Charles, *The Speech of Charles Jas. Faulkner, (of Berkeley) in the House of Delegates of Virginia, on the Policy of the State with Respect to her Slave Population. Delivered January 20, 1832*. Richmond: Thomas W. White, 1832.

Faust, Drew Gilpin, ed., *The Ideology of Slavery: Proslavery Thought in the Antebellum South, 1830-1860*. Baton Rouge: Louisiana State University Press, 1981.

Fitzhugh, George, *Cannibals All! Or Slaves without Masters*. 1856; Cambridge: Belknap Press of Harvard University Press, 1973.

Foote, William Henry, *Sketches of Virginia, Historical and Biographical. Second Series*. Philadelphia: J. B. Lippincott, 1855.

Giles, William Branch, *Political Miscellanies*. n. p., William Branch Giles, n. d.

Goodwin, Frederick D., "The Diary of Rev. Frederick D. Goodwin," *Proceedings of the Clarke County Historical Association*, IV (1944): 29-42.

Hammond, James Henry, "Letter to an English Abolitionist," in Drew Gilpin Faust, ed., *The Ideology of Slavery: Proslavery Thought in the Antebellum South, 1830-1860*. Baton Rouge: Louisiana State University Press, 1981.

Harper, William, "Memoir on Slavery," in Drew Gilpin Faust, ed., *The Ideology of Slavery: Proslavery Thought in the Antebellum South, 1830-1860*. Baton Rouge: Louisiana State University Press, 1981.

Holcombe, James P., "Is Slavery Consistent with Natural Law? Annual Address of the Virginia Agricultural Society," *Southern Literary Messenger*, 27 (1858): 418.

Hughes, Henry, "Treatise on Sociology," in Drew Gilpin Faust, ed., *The Ideology of Slavery: Proslavery Thought in the Antebellum South, 1830-1860*. Baton Rouge: Louisiana University Press, 1981.

Hundley, Daniel R., *Social Relations in our Southern States*. Edited by William J. Cooper. Baton Rouge: Louisiana State University Press, 1979.

"Inalienability of Slaves," *DeBow's Review*, 23 (1857): 211-213.

Jefferson, Thomas, *Notes on the State of Virginia*. Chapel Hill: University of North Carolina Press, 1954.

Jeter, Jeremiah Bell, *Recollections of a Long Life*. Richmond: The Religious Herald Co., 1891.

Johns, John, *A Memoir of the Life of the Right Rev. William Meade, D. D., Bishop of the Protestant Episcopal Church in the Diocese of Virginia*. Baltimore, Innes & Co., 1867.

Johnson, Thomas Cary, *The Life and Letters of Robert Lewis Dabney*. Richmond: Presbyterian Committee of Publication, 1903.

Jones, Charles Colcock, *The Religious Instruction of the Negroes. In the United States*. Savannah: Thomas Purse, 1842. *Documenting the American South*. 1999. University Library. The University of North Carolina at Chapel Hill. October, 2005.  
<<http://docsouth.unc.edu/church/jones/jones.html>>.

*Journal of the House of Delegates of the Commonwealth of Virginia, 1841*.

Lyon, James A. "Slavery and the Duties Growing out of the Relation," *Southern Presbyterian Review*, 16 (1863): 1-37.

Marshall, Thomas, *The Speech of Thomas Marshall, (of Fauquier) in the House of Delegates of Virginia, on the Policy of the State in Relation to her Colored Population: Delivered Saturday, January 13, 1832*. Richmond: Thomas W. White, 1832.

Maxwell, William, *A Memoir of the Rev. John H. Rice, D. D.* Richmond: R. I. Smith, 1835.

McDowell, James, *Speech of James M'Dowell, Jr. (of Rockbridge,) in the House of Delegates of Virginia, on the Slave Question: Delivered Saturday, January 21, 1832*. Richmond: Thomas W. White, 1832.

McTyeire, Holland N., "Master and Servant," in *Duties of Masters to Servants*. Charleston: Southern Baptist Publication Society, 1851.

Meade, William, *Pastoral letter of the Right Rev. William Meade, Assistant Bishop of Virginia, to the Ministers, Members, and Friends of the Protestant Episcopal Church in the Diocese of Virginia, on the Duty of Affording Religious Instruction to those in Bondage. Delivered in 1834*. Richmond: H. K. Ellyson, 1853.

\_\_\_\_\_, *Sermons, Dialogues and Narratives for Servants, to Be Read to Them in Families; Abridged, Altered, and Adapted to their Condition*. Richmond: James C. Walker, 1836.

\_\_\_\_\_, *Sketches of Old Virginia Family Servants*. Philadelphia: Isaac Ashmead, 1847.

\_\_\_\_\_, *Old Churches, Ministers and Families of Virginia*. 2 vols. 1857; Philadelphia: J. B. Lippincott Company, 1889.

Miller, Randall M., *Dear Master: Letters of a Slave Family*. Athens: University of Georgia Press, 1990.

Minnigerode, Charles, "He that Believeth Shall not Make Haste." *A Sermon Preached on the First of January, 1865*. Richmond: Chas. H. Wynne, 1865. *Documenting the American South*, 2001. University Library. The University of North Carolina at Chapel Hill. March 17, 2007. <<http://docsouth.unc.edu/imls/minnigerode/minnigerode.html>>.

A Mississippian, "Slavery, the Bible, and the 'Three Thousand Parsons,'" *De Bow's Review*, 26 (1859): 47.

Moore, T. V., *God our Refuge and Strength in this War. A Discourse before the Congregations of the First and Second Presbyterian Churches*. Richmond: W. Hargrave White, 1861.

Newton, Willoughby, *Address of Hon. Willoughby Newton, before the Virginia State Agricultural Society*. Richmond: Office of the Southern Planter, 1852.

Nicholls, Michael L., ““In the Light of Human Beings’ Richard Eppes and his Island Plantation Code of Laws,” *Virginia Magazine of History and Biography*, 89 (1981): 67-78.

Olmsted, Frederick Law, *A Journey in the Back Country. In the Winter of 1853-54*. 2 vols. 1860; New York: Knickerbocker Press, 1907.

O’Neill, John Belton, *The Negro Law of South Carolina*, reproduced in J. D. B. De Bow, *The Industrial Resources, etc., of the Southern and Western States*. Three Vols. New Orleans: De Bow’s Review, 1852. 2: 269-295.

“Ought Our Slaves Be Taught to Read?,” *De Bow’s Review*, 18 (1855): 52-53

Paskoff, Paul F., and Daniel J. Wilson, eds., *The Cause of the South. Selections from De Bow’s Review 1846-1867*. Baton Rouge: Louisiana State University Press, 1982.

*Pastoral Letter from the Bishops of the Protestant Episcopal Church to the Clergy and Laity of the Church in the Confederate States of America*. Augusta, Ga.: Steam Power Press Chronicle and Sentinel, 1862. *Documenting the American South*. 1999. University Library. The University of North Carolina at Chapel Hill. February, 2007.  
<<http://docsouth.unc.edu/imls/pastoral/menu.html>>.

Paxton, John D., *Letters on Slavery; Addressed to the Cumberland Congregation, Virginia*. Lexington, Kentucky: Abraham T. Skillman, 1833.

Perdue, Charles L., Jr., Thomas E. Barden, and Robert K. Phillips, eds., *Weevils in the Wheat. Interviews with Virginia Ex-Slaves*. Charlottesville: University of Virginia Press, 1976.

Plumer, William S. *Thoughts on the Religious Instruction of the Negroes in this Country*. Savannah, Edward J. Purse, 1848.

Pollard, Edward A., *Black Diamonds Gathered in the Darkey Homes of the South*. New York: Pudney and Russell, 1859.

*Proceedings and Debates of the Virginia State Convention of 1829-1830*. Richmond, 1830.

Randolph, Thomas J., *The Speech of Thomas J. Randolph, (of Albemarle,) in the House of Delegates of Virginia, on the Abolition of Slavery: Delivered Saturday, Jan. 21, 1832*. Richmond: Thomas W. White, 1832.

*Report of the Proceedings at the Formation of the African Education Society: Instituted in Washington, December 28, 1829.* Washington: Rothwell & Ustick, 1830.

*The Revised Code of the Laws of Virginia: Being a Collection of All Such Acts of the General Assembly, of a Public and Permanent Nature, as Are Now in Force; with a General Index.* 2 Vols. Richmond: Thomas Ritchie, 1819.

Ruffin, Edmund, *African Colonization Unveiled*. Washington: Lemuel Towers, [1858].

Ruffner, Henry, *An Address to the People of West Virginia*. 1847; Bridgewater, Va.: The Green Bookman, 1933.

Ryland, Robert, *Scripture Catechism for the Coloured People*. Richmond: Harrold and Murray, 1848.

Sasnett, William J., *Progress: Considered with Particular Reference to the Methodist Episcopal Church South*. Nashville: E. Stevenson & F. A. Owen, 1855.

“The Scriptural Argument for Slavery,” *Quarterly Review of the Methodist Episcopal Church, South*, XI (1857): 43-44.

Seabrook, Whitemarsh, *An Essay on the Management of Slaves, and Especially, on their Religious Instruction*. Charleston: A. E. Miller, 1834.

Shepherd, Samuel, *The Statutes at Large of Virginia*. 3 Vols. Richmond: Samuel Shepherd, 1835.

Slaughter, Philip, *The Virginian History of African Colonization*. 1855; Freeport, NY: Books for Libraries Press, 1970.

“Slave Marriages,” *De Bow’s Review*, 19 (1855): 130.

Smith, Adam, *The Wealth of Nations*. 2 Vols. Everyman’s Library. London: J. M. Dent & Sons, 1937.

Smith, William A., *Lectures on the Philosophy and Practice of Slavery: as Exhibited in the Institution of Domestic Slavery in the United States: with the Duties of Masters to Slaves*. Nashville: Stevenson and Evans, 1856.

“Dr. Smith’s Philosophy and Practice of Slavery,” *Quarterly Review of the Methodist Episcopal Church, South*, XI (1857): 244-247.

Stringfellow, Thornton, “The Bible Argument: or Slavery in the Light of Divine Revelation,” in E. N. Elliot, ed., *Cotton is King, and Pro-Slavery Arguments*. Augusta: Pritchard, Abbott and Loomis, 1860.

Stroud, George M., *A Sketch of the Laws Relating to Slavery in the several States of the United States of America*. 2<sup>nd</sup> ed. Philadelphia: H. Longstreth, 1856.

Sturgis, C. F., "Melville Letters," in *Duties of Masters to Servants*. Charleston: Southern Baptist Publication Society, 1851.

*Thirteenth Annual Report of the Association for the Religious Instruction of the Negroes, in Liberty County, Georgia*. Savannah: Edward J. Purse, 1848.

Torget, Andrew J., and Edward L. Ayers, eds., *Two Communities in the Civil War. A Norton Casebook in History*. New York: W. W. Norton & Co., 2007.

Tragle, Henry Irving, *The Southampton Slave Revolt of 1831: A Compilation of Source Material*. New York: Vintage Books, 1973.

Tucker, St. George, *A Dissertation on Slavery: with a Proposal for the Gradual Abolition of it, in the State of Virginia*. Philadelphia: Printed for Mathew Carey, 1796.

Upshur, Abel P., "Domestic Slavery, as it Exists in our Southern States, Considered with Reference to its Influence upon free Government," *Southern Literary Messenger*, 5 (1839): 677-687.

*David Walker's Appeal to the Colored Citizens of the World*. Edited by Peter Hinks. University Park: Pennsylvania State University Press, 2000.

*The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, 128 vols. Washington, D. C.: Government Printing Office, 1880-1901.

## DENOMINATIONAL LITERATURE

### Minutes of Baptist Associations

*Minutes of the Accomack Baptist Association, Held at Hungar's Meeting-House, Northampton County, August 14<sup>th</sup>, 15<sup>th</sup>, and 16<sup>th</sup>, 1819.*

*Minutes of the Sixtieth Anniversary of the Albemarle Baptist Association, Held in the Jonesborough Baptist Church, Nelson County, Va. on the 16<sup>th</sup>, 17<sup>th</sup>, and 18<sup>th</sup> of August 1851.* Charlottesville: James Alexander, 1851.

*Minutes of the Sixty-First Anniversary of the Albemarle Baptist Association, Held in the Cornerstone Baptist Church, Amherst County Va., on the 14<sup>th</sup>, 15<sup>th</sup>, and 16<sup>th</sup> of August 1852.* Charlottesville: James Alexander, 1852.

*Minutes of the Sixty-Fifth Anniversary of the Albemarle Baptist Association, Held with the Fork Baptist Church, Fluvanna County, Va., on the 12<sup>th</sup>, 13<sup>th</sup>, and 14<sup>th</sup> of August, 1856.* Charlottesville: James Alexander, 1856.

*Minutes of the Sixty-Seventh Anniversary of the Albemarle Baptist Association, held Within the Mount Ed Baptist Church, Albemarle County, Va., August 10, 11, & 12, 1858.* Charlottesville: James Alexander, 1858.

*Minutes of the Sixty-ninth Anniversary of the Albemarle Baptist Association, Held with the Chestnut Grove Baptist Church, Albemarle County, Va. August 14, 15, and 16, 1860.* Charlottesville: James Alexander, 1860.

*Minutes of the Seventy-First Anniversary of the Albemarle Baptist Association, Held with the Mountain Plain Baptist Church, Albemarle County, Va., August 12<sup>th</sup>, 13<sup>th</sup>, and 14<sup>th</sup>, 1862.*

*Minutes of the Seventy-Second Anniversary of the Albemarle Baptist Association, Held with the Abdiel Baptist Church, Nelson County, Va., August 11<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup> 1863.*

*Minutes of the Seventy-Third Anniversary of the Albemarle Baptist Association, Held with the Fork Baptist Church, Fluvanna County, Va., August 16<sup>th</sup>, 17<sup>th</sup>, and 18<sup>th</sup>, 1864.*

*Minutes of the Appomattox Baptist Association, Held in the Town of Farmville, August 6<sup>th</sup>, and 7<sup>th</sup>, 1861.*

*Minutes of the Appomattox Baptist Association, Held at New Chapel, Campbell County, Va., August 8<sup>th</sup>, and 9<sup>th</sup>, 1862, and at New Salem, Charlotte County Va., August 4<sup>th</sup>, and 5<sup>th</sup>, 1863.*

*Minutes of the Appomattox Baptist Association, Held at Rock's Church, Va., August 9<sup>th</sup>, and 10<sup>th</sup>, 1864.*

*Minutes of the Thirtieth Annual Session of the Concord Baptist Association, Held with the Cool Spring Church, Nottoway County, Va., August 14<sup>th</sup>, and 15<sup>th</sup>, 1861.*

*Minutes of the Thirty Second Annual Session of the Concord Baptist Association, Held at Liberty Church, Mecklenburg County, Va., August 12<sup>th</sup>, 13<sup>th</sup>, and 14<sup>th</sup>, 1863.*

*Minutes of the Thirty-Third Annual Session of the Concorde Baptist Association, Held with the Church at Tusekiah, Lunenburg County, Va., September 14<sup>th</sup>, 15<sup>th</sup>, and 16<sup>th</sup>, 1864.*

*Minutes of the Dover Baptist Association, Held in the City of Richmond, 1819.* Richmond, 1819.

*Minutes of the Sixty-Eight Annual Session of the Dover Baptist Association, 1850.* Richmond: H. K. Ellyson, 1850.

*Minutes of the 78<sup>th</sup>, 79<sup>th</sup>, 80<sup>th</sup>, 81<sup>st</sup>, and 82<sup>nd</sup>, Annual Meetings of the Dover Baptist Association, Held at Leigh Street, Beulah, Berera, Dover and Colosse Churches, 1862, 1863, 1864, 1865, and 1866 Condensed.* n. p., 1866.

*Minutes of the Baptist Association in the District of Goshen, Held at Waller's Meeting-House, Spotsylvania County, Virginia, 1819.* Fredericksburg: Wm. F. Gray, 1819.

*Minutes of the Goshen Baptist Association, Held with the Church at Williams', Louisa, September 6<sup>th</sup>-8<sup>th</sup>, 1853.* N. p., n. d.

*Minutes Goshen Baptist Association, Held with the Church at Wellers', Spotsylvania, September 4<sup>th</sup>-6<sup>th</sup>, 1855.* Np. N. d.

*Minutes of the Goshen Baptist Association, Held with the Church at Fredericksburg, Spotsylvania County, Va., September, 1861.*

*Minutes of the Seventy-Ninth Annual Session of the Middle District Bap. Association, Held with Mt. Moriah Church, Powhatan County, Va., July 29<sup>th</sup>, and 30<sup>th</sup>, 1862.*

*Minutes of the Eightieth Annual Session of the Middle District Bap. Association, Held with Mt. Hope Church, Amelia County, Va., July 28<sup>th</sup>, and 29<sup>th</sup>, 1863.*

*Minutes of the Virginia Portsmouth Baptist Association, Held at Racoon Swamp Meeting House, Sussex County, 1819.* Norfolk: Shields, Carlton & Co., 1819.

*Minutes of the Sixty-Ninth session of the Portsmouth Baptist Association, Held at Hick's Ford Church, Greensville County, May 25, 26, 27, and 28, 1849.* Richmond: H. K. Ellyson, 1849.

*Minutes of the Sixtieth Annual Session of the Portsmouth Baptist Association, Held at London Bridge Ch., Princess Ann County, may 10, 11, 12, and 13, 1850.* Richmond: H. K. Ellyson, 1850.

*Minutes of the Sixty-eighth Annual Session of the Portsmouth Baptist Association, Held at Black Creek Meeting-House, Southampton County, May 19<sup>th</sup>, 20<sup>th</sup>, and 21<sup>st</sup>, 1858.* Petersburg: O. Ellyson, 1858.

*Minutes of the Nineteenth Annual Session of the Rappahannock Baptist Association, Held with the Mount Zion Church, Essex County, on Tuesday and Wednesday, 23<sup>th</sup> and 24<sup>th</sup> of July, 1861.*

*Minutes of the Twentieth Annual Session of the Rappahannock Baptist Association, Held with Upper King and Queen Church, King and Queen County, Va., 23<sup>th</sup>, 24<sup>th</sup> and 25<sup>th</sup> of September, 1862.*



*Minutes of the Twenty-First Annual Session of the Rappahannock Baptist Association, 1863.*

*Minutes of the Twenty-Second Annual Session of the Rappahannock Baptist Association, Held with Mattaponi Church, King and Queen County, Va., 26<sup>th</sup>, 27<sup>th</sup>, and 28<sup>th</sup> of October, 1864.*

*Minutes of Three Sessions of the Strawberry Baptist Association. First at Mount Olivet Meeting-House, Bedford, September, 1849; Second at Suck Spring Meeting-House, Bedford, May, 1850; And the Third at Biglick, in Roanoake, August, 1850, being the Eighty Third Meeting of this Association. Richmond: H. K. Ellyson, 1850.*

*Minutes of the Ninety-Sixth Annual Meeting of the Strawberry Baptist Association, Held at Fairmont Church, Franklin Co., July- August, 1863.*

Journals and Minutes of other Denominations.

*Journal of the Convention of the Protestant Episcopal Church of the Diocese of Virginia, which Assembled in the Town of Petersburg, on the 17<sup>th</sup> of May, 1837. Richmond: B. R. Wren, 1840.*

*Journal of the Convention of the Protestant Episcopal Church in the Diocese of Virginia, which Assembled in the Town of Charlottesville, on the 20<sup>t</sup> of may of 1840.*

*Journal of the Convention of the Protestant Episcopal Church in the Diocese of Virginia, Held in St. George's Church, Fredericksburg, Virginia, on the 21<sup>st</sup> of May, 1845. Richmond: Wm. McFarlane, 1845.*

*Journal of the Sixty-Sixth Annual Convention of the Protestant Episcopal Church in Virginia, Held in St. Paul's Church, Richmond, on the 16<sup>th</sup>, and 17<sup>th</sup> of May, 1861. Richmond: Chas. H. Wynne, 1861.*

*Journal of the Sixty-Seventh Annual Convention of the Protestant Episcopal Church in Virginia, Held in St. Paul's Church, Richmond, on the 21<sup>st</sup>, and 22<sup>nd</sup> May, 1862. Richmond: McFarlane & Ferguson, 1862.*

*Journal of the Sixty-Eighth Annual Council of the Protestant Episcopal Church in Virginia, Held in St. Paul's Church, Richmond, on the 20<sup>th</sup>, 21<sup>st</sup>, and 22<sup>nd</sup> May, 1863. Richmond: B. R. Wren, 1863.*

*Journal of the Sixty-Ninth Annual Council of the Protestant Episcopal Church in Virginia, Held in St. Paul's Church, Richmond, on the 18<sup>th</sup> and 19<sup>th</sup> May, 1864. Richmond: McFarlane & Ferguson, 1864.*

*Journals of the General Conference of the Methodist Episcopal Church, South, Held 1846 and 1850.* Richmond: John Early, 1851.

*Minutes of the Synod of Virginia at their recent Sessions in Petersburg, October, 1849. With an Appendix.* Richmond: Watchman and Observer Office, 1850.

*Minutes of the Synod of Virginia at their recent Sessions in Fincastle, October 1850. With an Appendix.* Richmond: Watchman and Observer Office, 1850.

*Minutes of the Synod of Virginia at their Session in Norfolk, October 1851.* Richmond: Watchman and Observer, 1851.

*Minutes of the Synod of Virginia at their Session in Winchester, October, 1852.* Staunton: Vindicator Office, 1853.

*Minutes of the General Assembly of the Presbyterian Church of the Confederate States of America, 1862.* Augusta: Chronicle and Sentinel, 1862.

## PERIODICALS

*African Repository and Colonial Journal*

*Farmers' Register*

*Southern Presbyterian Review*

*Virginia Evangelical and Literary Magazine*

## NEWSPAPERS

*Central Presbyterian* (Richmond)

*Lynchburg Virginian*

*Political Arena* (Fredericksburg)

*Religious Herald* (Richmond)

*Richmond Daily Dispatch*

*Richmond Enquirer*

*Richmond Whig and Public Advertiser*

*Virginia Free Press* (Charlestown, Jefferson County)

## SECONDARY SOURCES

Adamson, Walter L., *Hegemony and Revolution: A study of Antonio Gramsci's Political and Cultural Theory*. Berkeley: University of California Press, 1980.

Ashworth, John, *Slavery, Capitalism, and Politics in the Antebellum Republic*. Volume I: *Commerce and Compromise, 1820-1850*. New York: Cambridge University Press, 1995.

Ayers, Edward L., *Vengeance and Justice: Crime and Punishment in the 19<sup>th</sup>-Century American South*. New York: Oxford University Press, 1984.

\_\_\_\_\_, Gary W. Gallagher, and Andrew J. Torget, eds., *Crucible of the Civil War: Virginia from Secession to Commemoration*. Charlottesville: University of Virginia Press, 2006.

Bailey, Kenneth K., "Protestantism and Afro-Americans in the Old South," *Journal of Southern History*, 41 (1975): 451-472.

Bardaglio, Peter W., "Rape and the Law in the Old South: 'Calculated to Incite Indignation in Every Heart'," *Journal of Southern History*, 60 (1994): 749-772.

Bender, Thomas, ed., *The Antislavery Debate: Capitalism and Abolitionism as a Problem in Historical Interpretation*. Berkeley: University of California Press, 1992.

Beringer, Richard E., et al., *Why the South Lost the Civil War*. Athens: University of Georgia Press, 1986.

Berlin, Ira, *Slaves without Masters. The Free Negro in the Antebellum South*. New York: Oxford University Press, 1974.

\_\_\_\_\_, and Ronald Hoffman, eds., *Slavery and Freedom in the Age of the American Revolution*. Charlottesville: University Press of Virginia, 1983.

\_\_\_\_\_, *Many Thousands Gone: The First Two Centuries of Slavery in North America*. Cambridge: Belknap Press of Harvard University Press, 1998.

\_\_\_\_\_, *Generations of Captivity: A History of African-American Slaves*. Cambridge: Belknap Press of Harvard University, 2003.

Blackford, L. Minor, *Mine Eyes Have Seen the Glory; the Story of a Virginia Lady, Mary Berkeley Minor Blackford, 1802-1896, who Taught her Sons to Hate Slavery and to Love the Union*. Cambridge: Harvard University Press, 1954.

Blair, William, *Virginia's Private War: Feeding Body and Soul in the Confederacy, 1861-1865*. New York: Oxford University Press, 1998.

Bogger, Tommy L., *Free Blacks in Norfolk, Virginia, 1790-1860: the Darker Side of Freedom*. Charlottesville: University Press of Virginia, 1997.

Boles, John B., "Evangelical Protestantism in the Old South: From Religious Dissent to Cultural Dominance," in Charles Reagan Wilson, ed., *Religion in the South*. Jackson: University Press of Mississippi, 1985.

\_\_\_\_\_, ed., *Masters and Slaves in the House of the Lord: Race and Religion in the American South 1740-1870*. Lexington: University Press of Kentucky, 1988.

Bolton, Charles C., and Scott P. Culclasure, eds., *The Confessions of Edward Isham: a Poor White Life of the Old South*. Athens: University of Georgia Press, 1998.

Brown, Ira V., "Watchers of the Second Coming: The Millenarian Tradition in America," *Mississippi Valley Historical Review*, 39 (1952): 441-458.

Buckley, Thomas E., "Unfixing Race: Class, Power, and Identity in an Interracial Family," *Virginia Magazine of History and Biography*, 102 (1994): 349-380.

Burin, Eric, *Slavery and the Peculiar Solution: A History of the American Colonization Society*. Gainesville: University Press of Florida, 2005.

Burton, Orville Vernon, and Robert C. McMath, Jr., *Class, Conflict, and Consensus: Antebellum Southern Community Studies*. Westport, Conn.: Greenwood Press, 1982.

Bushman, Claudia L., *In Old Virginia: Slavery, Farming, and Society in the Journal of John Walker*. Baltimore: Johns Hopkins University Press, 2002.

Bynum, Victoria, *Unruly Women: The Politics of Sexual and Social Control in the Old South*. Chapel Hill: University of North Carolina Press, 1992.

Carmichael, Peter S., *The Last Generation: Young Virginians in Peace, War, and Reunion*. Chapel Hill: University of North Carolina Press, 2005.

Chaplin, Joyce E., "Slavery and the Principle of Humanity: A Modern Idea in the Early Lower South," *Journal of Social History*, 24 (1990): 299-315.

Clark, Christopher, "Consequences of the Market Revolution in the American North," in Melvyn Stokes and Stephen Conway, eds., *The Market Revolution in America: Social,*

*Political, and Religious Expressions, 1800-1880*. Charlottesville, University Press of Virginia, 1996.

Clarke, Elizabeth B., "'The Sacred Rights of the Weak:' Pain, Sympathy, and the Culture of Individual Rights in Antebellum America," *Journal of American History*, 82 (1995): 463-493.

Clarke, Erskine, *Wrestlin' Jacob: a Portrait of Religion in the Old South*. Atlanta: John Knox Press, 1979.

Cooper, William J., *Liberty and Slavery: Southern Politics to 1860*. New York: Knopf, 1983.

Cornelius, Janet Duitsman, *"When I Can Read My Title Clear:" Literacy, Slavery, and Religion in the Antebellum South*. Columbia: University of South Carolina Press, 1991.

\_\_\_\_\_, *Slave Missions and the Black Church in the Antebellum South*. Columbia: University of South Carolina Press, 1999.

Crofts, Daniel W. *Reluctant Confederates: Upper South Unionists in the Secession Crisis*. Chapel Hill: University of North Carolina Press, 1989.

\_\_\_\_\_, *Old Southampton. Politics and Society in a Virginia County, 1834-1869*. Charlottesville: University of Virginia Press, 1992.

\_\_\_\_\_, "Late Antebellum Virginia Reconsidered," *Virginia Magazine of History and Biography*, 107 (1999): 253-286.

Coulter, E. Merton, *The Confederate States of America, 1861-1865*. Baton Rouge: Louisiana State University Press, 1950.

Culclasure, Scott P., "Edward Isham and Criminal Justice for the Poor White in Antebellum North Carolina," in Charles C. Bolton and Scott P. Culclasure, eds., *The Confessions of Edward Isham: a Poor White Life of the Old South*. Athens: University of Georgia Press, 1998.

Daly, John Patrick, *When Slavery Was Called Freedom: Evangelicalism, Proslavery, and the Causes of the Civil War*. Lexington: University Press of Kentucky, 2002.

Davis, David Brion, "The Movement to Abolish Capital Punishment in America, 1787-1861," *American Historical Review*, 63 (1957): 23-46

\_\_\_\_\_, *The Problem of Slavery in Western Culture*. Ithaca: Cornell University Press, 1966.

\_\_\_\_\_, *The Problem of Slavery in the Age of Revolution 1770-1823*. Ithaca: Cornell University Press, 1975.

\_\_\_\_\_, *Slavery and Human Progress*. New York: Oxford University Press, 1984.

\_\_\_\_\_, *Inhuman Bondage: the Rise and Fall of Slavery in the New World*. New York: Oxford University Press, 2006.

Dunn, Richard S. "Black Society in the Chesapeake, 1776-1810," in Ira Berlin and Ronald Hoffman, eds., *Slavery and Freedom in the Age of the American Revolution*. Charlottesville: University Press of Virginia, 1983.

Durden, Robert F. *The Gray and the Black: The Confederate Debate on Emancipation*. Baton Rouge: Louisiana State University Press, 2000.

Eaton, Clement, *The Freedom of Thought Struggle in the Old South*. New York: Harper & Row, 1964.

Edwards, Laura F. "Law, Domestic Violence, and the Limits of Patriarchal Authority in the Antebellum South," *Journal of Southern History*, 65 (1999): 733-770.

Egerton, Douglas R., "'It's Origin is not a Little Curious:' A New Look at the American Colonization Society," *Journal of the Early Republic*, 5 (1985): 463-480.

\_\_\_\_\_, *Gabriel's Rebellion. The Virginia Slave Conspiracies of 1800 and 1802*. Chapel Hill: University of North Carolina Press, 1993.

\_\_\_\_\_, "Black Independent Struggles and the Tale of Two Revolutions: A Review Essay," *Journal of Southern History*, 64 (1998): 95-116.

\_\_\_\_\_, *Rebels, Reformers, & Revolutionaries: Collected Essays and Second Thoughts*. New York: Routledge, 2002.

Ely, Melvin Patrick, *Israel on the Appomattox: A Southern Experiment in Black Freedom from the 1790s through the Civil War*. New York: Alfred A. Knopf, 2004.

Eslinger, Ellen, "The Brief Career of Rufus W. Bailey, American Colonization Society Agent in Virginia," *Journal of Southern History*, 71 (2005): 39-74.

Ethridge, Harrison M., "The Jordan Hatcher Affair of 1852: Cold Justice and Warm Compassion," *Virginia Magazine of History and Biography*, 84 (1976): 446-463.

Faust, Drew Gilpin, "Evangelicalism and the Meaning of the Proslavery Argument: The Reverend Thornton Stringfellow of Virginia," *Virginia Magazine of History and Biography*, 85 (1977): 3-17.

\_\_\_\_\_, *A Sacred Circle: The Dilemma of the Intellectual in the Old South, 1840-1860*. Philadelphia, University of Pennsylvania Press, 1986.

\_\_\_\_\_, "Introduction: The Proslavery Argument in History," in Faust, ed., *The Ideology of Slavery: Proslavery Thought in the Antebellum South, 1830-1860*. Baton Rouge: Louisiana State University Press, 1981.

\_\_\_\_\_, *James Henry Hammond and the Old South: A Design for Mastery*. Baton Rouge: Louisiana University Press, 1982.

\_\_\_\_\_, "Christian Soldiers: the Meaning of Revivalism in the Confederate Army," *Journal of Southern History*, 53 (1987): 63-90.

\_\_\_\_\_, *The Creation of Confederate Nationalism: Ideology and Identity in the Civil War South*. Baton Rouge: Louisiana State University Press, 1988.

Fede, Andrew, "Legitimized Violent Slave Abuse in the American South, 1619-1865: A Case Study of Law and Social Change in Six Southern States," *American Journal of Legal History*, 29 (1985): 93-150.

Fiering, Norman S., "Irresistible Compassion: an Aspect of Eighteenth-Century Sympathy and Humanitarianism," *Journal of the History of Ideas*, 37 (1976): 195-218.

Finkelman, Paul, "Prosecutions in Defense of the Cornerstone," *Reviews in American History*, 17 (1989): 397-403.

Finnie, Gordon E. "The Antislavery Movement in the Upper South before 1840," *Journal of Southern History*, 35 (1969): 319-342.

Flanigan, Daniel J., "Criminal Procedure in Slave Trials in the Antebellum South," *Journal of Southern History*, 40 (1974): 537-564.

Fogel, Robert William, *Without Consent or Contract: The Rise and Fall of American Slavery*. New York: W. W. Norton, 1989.

\_\_\_\_\_, and Stanley Engerman, *Time on the Cross: The Economics of American Negro Slavery*. New York: W. W. Norton & Co., 1974.

Foner, Eric, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party before the Civil War*. New York: Oxford University Press, 1970.

\_\_\_\_\_, *Nothing but Freedom: Emancipation and its Legacy*. Baton Rouge: Louisiana University Press, 1983.

\_\_\_\_\_, *Reconstruction: America's Unfinished Revolution 1863-1877*. New York: Harper & Row, 1989.

Ford, Lacy K., Jr., "Making the 'White Man's Country' White: Race, Slavery and State-Building in the Jacksonian South," *Journal of the Early Republic*, 19 (1999): 712-737.

Foster, Charles I., "The Colonization of Free Negroes in Liberia, 1816-1835," *Journal of Negro History*, 38 (1953): 41-66.

Foucault, Michel, *Vigilar y Castigar: Nacimiento de la Prisión*. México: Siglo XXI, 1984.

Fox-Genovese, Elizabeth, *Within the Plantation Household: Black and White Women of the Old South*. Chapel Hill: University of North Carolina Press, 1988.

\_\_\_\_\_, and Eugene D. Genovese, *The Mind of the Master Class: History and Faith in the Southern Slaveholders' Worldview*. New York: Cambridge University Press, 2005.

Fredrickson, George M., *The Black Image in the White Mind; the Debate on Afro-American Character and Destiny, 1817-1914*. New York: Harper and Row, 1971.

\_\_\_\_\_, *The Arrogance of Race. Historical Perspectives on Slavery, Racism, and Social Inequality*. Middletown, Conn.: Wesleyan University Press, 1988.

Freehling, Alison Goodyear, *Drift toward Dissolution: The Virginia Slavery Debate of 1831-1832*. Baton Rouge: Louisiana State University Press, 1982.

Freehling, William W., *Prelude to Civil War: The Nullification Controversy in South Carolina 1816-1836*. New York: Harper & Row, 1966.

\_\_\_\_\_, "James Henley Thornwell's Mysterious Antislavery Moment," *Journal of Southern History*, 57 (1991): 383-406.

\_\_\_\_\_, *The Road to Disunion. Volume I. Secessionists at Bay, 1776-1854*. New York: Oxford University Press, 1990.

\_\_\_\_\_, *The Reintegration of American History: Slavery and the Civil War*. New York: Oxford University Press, 1994.

\_\_\_\_\_, *The South vs. The South: how Anti-Confederate Southerners Shaped the Course of the Civil War*. New York: Oxford University Press, 2001.

\_\_\_\_\_, *The Road to Disunion. Volume II. Secessionists Triumphant 1854-1861*. New York: Oxford University Press, 2007.

Frey, Sylvia R., and Betty Wood, *Come Shouting to Zion: African American Protestantism in the American South and British Caribbean to 1830*. Chapel Hill: University of North Carolina at Chapel Hill, 1998.



Friedman, Jean, *The Enclosed Garden: Women and Community in the Evangelical South, 1830-1900*. Chapel Hill: University of North Carolina Press, 1985.

Gallagher, Catherine, "When did the Confederate States of America Free the Slaves?" *Representations*, 98 (2007): 53-61.

Genovese, Eugene D., *Roll, Jordan, Roll, The World the Slaves Made*. New York: Vintage Books, 1976.

\_\_\_\_\_, *The World the Slaveholders Made: Two Essays in Interpretation*. Middletown, Conn.: Wesleyan University Press, 1988.

\_\_\_\_\_, *The Slaveholder's Dilemma: Freedom and Progress in Southern Conservative Thought, 1820-1860*. Columbia: University of South Carolina Press, 1992.

\_\_\_\_\_, *A Consuming Fire: The Fall of the Confederacy in the Mind of the White Christian South*. Athens: University of Georgia Press, 1998.

Getman, Karen A., "Sexual Control in the Slaveholding South: The Implementation and Maintenance of a Racial Caste System," *Harvard Women's Law Journal*, 7 (1984):115-152.

Gimelli, Louis B., "Louisa Maxwell Cocke: An Evangelical Plantation Mistress in the Antebellum South," *Journal of the Early Republic*, 9 (1989): 53-71.

Goldfield, David R., *Urban Growth in the Age of Sectionalism: Virginia, 1847-1861*. Baton Rouge: Louisiana State University Press, 1977.

Greenberg, Kenneth S., *Masters and Statesmen: The Political Culture of American Slavery*. Baltimore: Johns Hopkins University Press, 1985.

Grimsted, David, *American Mobbing, 1828-1861: Toward Civil War*. New York: Oxford University Press, 1998.

Gross, Ariela, "Pandora's Box: Slave Character on Trial in the Antebellum Deep South," *Yale Journal of Law & the Humanities*, 7 (1995): 267-316.

\_\_\_\_\_, "Beyond Black and White: Cultural Approaches to Race and Slavery," *Columbia Law Review*, 101 (2001): 640-689.

Gudmestad, Robert H., *A Troublesome Commerce: The Transformation of the Interstate Slave Trade*. Baton Rouge: Louisiana University Press, 2003.

Gunn, Simon, "From Hegemony to Governmentality: Changing Conceptions of Power in Social History," *Journal of Social History*, 39 (2006): 705-720.

- Hadden, Sally, *Slave Patrols: Law and Violence in Virginia and the Carolinas*. Cambridge: Harvard University Press, 2001.
- Halttunen, Karen, "Humanitarianism and the Pornography of Pain in Anglo-American Culture," *American Historical Review*, 100 (1995): 303-334.
- Haskell, Thomas L. "Capitalism and the Origins of Humanitarian Sensibility," in Thomas Bender, ed., *The Antislavery Debate: Capitalism and Abolitionism as a Problem in Historical Interpretation*. Berkeley: University of California Press, 1992.
- Hatch, Nathan O. *The Democratization of American Christianity*. New Haven: Yale University Press, 1989.
- Hesseltine, William B. "Some New Aspects of the Proslavery Argument," *Journal of Negro History*, 21 (1936): 1-15.
- Heyrman, Christine, *Southern Cross: The Beginnings of the Bible Belt*. Chapel Hill: University of North Carolina Press, 1997.
- Higginbotham, A. Leon, Jr., and Anne F. Jacobs, "The 'Law Only as an Enemy': The Legitimization of Racial Powerlessness through the Colonial and Antebellum Criminal Laws of Virginia," *North Carolina Law Review*, 70 (1992): 969-1070.
- Hindus, Michael S., "Black Justice under White Law: Criminal Prosecutions of Blacks in Antebellum South Carolina," *Journal of American History*, 63 (1976): 575-599.
- \_\_\_\_\_, *Prison and Plantation. Crime, Justice, and Authority in Massachusetts and South Carolina, 1767-1878*. Chapel Hill: University of North Carolina Press, 1980.
- Hodes, Martha Elizabeth, *White Women, Black Men: Illicit Sex in the Nineteenth-Century South*. New Haven: Yale University Press, 1997.
- Holifield, E. Brooks, *The Gentleman Theologians: American Theology in Southern Culture*. Durham, NC: Duke University Press, 1978.
- Howe, Daniel Walker, *The Political Culture of the American Whigs*. Chicago: University of Chicago Press, 1979.
- \_\_\_\_\_, "The Evangelical Movement and Political Culture in the North during the Second party System," *Journal of American History*, 77 (1991): 1216-1239.
- Huebner, Timothy S., "The Roots of Fairness: *State v. Caesar* and Slave Justice in Antebellum North Carolina," in Christopher Waldrep and Donald G. Nieman, eds., *Local Matters: Race, Crime, and Justice in the Nineteenth-Century South*. Athens: University of Georgia Press, 2001.

Huston, James L., "The Experiential Basis of the Northern Antislavery Impulse," *Journal of Southern History*, 56 (1990): 609-640.

Isaac, Rhys, *The Transformation of Virginia 1740-1790*. New York: W. W. Norton & Co., 1988.

Jackson, Luther P., "Manumission in Certain Virginia Cities," *Journal of Negro History*, 15 (1930): 278-314.

\_\_\_\_\_, "Religious Development of the Negro in Virginia from 1760 to 1860," *Journal of Negro History*, 16 (1931): 168-239.

\_\_\_\_\_, *Free Negro Labor and Property Holding in Virginia, 1830-1860*. New York: D. Appleton-Century, 1942.

Jenkins, William Sumner, *Pro-slavery Thought in the Old South*. Chapel Hill: University of North Carolina Press, 1935.

Johnson, Paul E., *A Shopkeeper's Millennium: Society and Revivals in Rochester, New York, 1815-1837*. New York: Hill and Wang, 1978.

Johnson, Walter "Inconsistency, Contradiction, and Complete Confusion: the Everyday Life of the Law of Slavery," *Law and Social Enquiry*, 22 (1997): 405-433.

\_\_\_\_\_, *Soul by Soul: Life inside the Antebellum Slave Market*. Cambridge: Harvard University Press, 1999.

Johnston, James Hugo, *Race Relations in Virginia and Miscegenation in the South 1776-1860*. Amherst: University of Massachusetts Press, 1970.

Jordan, Winthrop, *White over Black: American Attitudes toward the Negro, 1550-1812*. Chapel Hill: University of North Carolina Press/ Institute for Early American History and Culture, 1968.

Keve, Paul W., *The History of Corrections in Virginia*. Charlottesville: University Press of Virginia.

Kierner, Cynthia A., "Woman's Piety within Patriarchy. The Religious Life of Martha Hancock Wheat of Bedford County," *Virginia Magazine of History and Biography*, 100 (1992): 79-98.

Kolchin, Peter, *American Slavery 1619-1877*. New York: Hill and Wang, 2003.

Koons, Kenneth E., and Warren R. Hofstra, eds., *After the Back Country: Rural life in the Great Valley of Virginia 1800-1900*. Knoxville: University of Tennessee Press, 2000.

- Kornblith, Gary J., "Rethinking the Coming of the Civil War: a Counterfactual Exercise," *Journal of American History*, 90 (2003): 76-105.
- Kraditor, Aileen S., "American Radical Historians and their Heritage," *Past and Present*, 56 (1972): 136-153.
- Kuykendall, John, *Southern Enterprise: The Work of the National Evangelical Societies in the Antebellum South*. Westport, Conn.: Greenwood Press, 1982.
- Lapansky, Philip, "Graphic Discord. Abolitionist and Antiabolitionist Images," in Jean Fagan Yellin and John C. Van Horne, eds., *The Abolitionist Sisterhood: Women's Political Culture in Antebellum America*. Ithaca: Cornell University Press, 1994.
- Lears, T. J. Jackson, "The Concept of Cultural Hegemony: Problems and Possibilities," *American Historical Review*, 90 (1985): 567-593.
- Lebsock, Suzanne, *Free Women of Petersburg: Status and Culture in a Southern Town, 1784-1860*. New York: Norton, 1984.
- Levine, Bruce, *Confederate Emancipation: Southern Plans to Free and Arm Slaves during the Civil War*. New York: Oxford University Press, 2006.
- Link, William A., "The Jordan Hatcher Case: Politics and "A Spirit of Insubordination" in Antebellum Virginia," *Journal of Southern History*, 64 (1998): 615-648.
- \_\_\_\_\_, *Roots of Secession: Slavery and Politics in Antebellum Virginia*. Chapel Hill: University of North Carolina Press, 2003.
- Litwack, Leon F. *Been in the Storm So Long: The Aftermath of Slavery*. New York: Alfred A. Knopf, 1979.
- Loveland, Anne C., *Southern Evangelicals and the Social Order 1800-1860*. Baton Rouge: Louisiana State University Press, 1980.
- Maddex, Jack P., *The Virginia Conservatives 1867-1879: A Study in Reconstruction Politics*. Chapel Hill: University of North Carolina Press, 1970.
- \_\_\_\_\_, "Proslavery Millennialism: Social Eschatology in Antebellum Southern Calvinism," *American Quarterly*, 31 (1979): 46-62
- \_\_\_\_\_, "'The Southern Apostasy' Revisited: The Significance of Proslavery Christianity," *Marxist Perspectives*, 2 (1979): 132-141.
- Manfra, Jo Ann, and Robert R. Dykstra, "Serial Marriage and the Origins of the Black Stepfamily: The Rowanty Evidence," *Journal of American History*, 72 (1985): 18-44.

Mathews, Donald G., "The Second Great Awakening as an Organizing Process, 1780-1830: an Hypothesis," *American Quarterly*, 21 (1969): 23-43.

\_\_\_\_\_, "Charles Colcock Jones and the Southern Evangelical Crusade to Form a Biracial Community," *Journal of Southern History*, 41 (1975): 299-320.

\_\_\_\_\_, *Religion in the Old South*. Chicago: University of Chicago Press, 1977.

McColley, Robert, *Slavery and Jeffersonian Virginia*. Urbana: University of Illinois Press, 1964.

McCurry, Stephanie, *Masters of Small Worlds: Yeoman Households, Gender Relations, and the Political Culture of the Antebellum South Carolina Low Country*. New York: Oxford University Press, 1995.

McPherson, James M., *Battle Cry of Freedom: The Civil War Era*. New York: Oxford University Press, 1988.

Miller, Randall M., Harry S. Stout, and Charles Reagan Wilson, eds., *Religion and the American Civil War*. New York: Oxford University Press, 1998.

Mintz, Steven, *Moralists and Modernizers: America's Pre-Civil War Reformers*. Baltimore: Johns Hopkins University Press, 1995.

Mohr, Clarence L., "Slaves and White Churches in Confederate Georgia," in John B. Boles, ed., *Masters and Slaves in the House of the Lord: Race and Religion in the American South 1740-1870*. Lexington: University Press of Kentucky, 1988.

\_\_\_\_\_, *On the Threshold of Freedom: Masters and Slaves in Civil War Georgia*. Baton Rouge: Louisiana University Press, 2001.

Morgan, Edmund S., *American Slavery, American Freedom: The Ordeal of Colonial Virginia*. New York: Norton, 1975.

Morgan, Philip D., *Slave Counterpoint: Black Culture in the Eighteenth-Century Chesapeake and Low Country*. Chapel Hill: Omohundro Institute of Early American History and Culture/ University of North Carolina Press, 1998.

Morris, Christopher, "The Articulation of Two Worlds: the Master-Slave Relationship Reconsidered," *Journal of American History*, 85 (1998): 982-1007.

Morris, Norval, and David J. Rothman, eds., *The Oxford History of the Prison: The Practice of Punishment in Western Society*. New York: Oxford University Press, 1995.

Morris, Thomas D., *Southern Slavery and the Law, 1619-1860*. Chapel Hill: University of North Carolina Press, 1996.

Morrow, Ralph E., "The Proslavery Argument Revisited," *Mississippi Valley Historical Review*, 47 (1961): 79-94.

Nash, A. E. Keir, "Negro Rights, Unionism, and Greatness in the South Carolina Court of Appeals: the Extraordinary Chief Justice John Belton O'Neal," *South Carolina Law Review*, 21 (1969): 141-190.

\_\_\_\_\_, "Fairness and Formalism in the Trials of Blacks in the State Supreme Courts of the Old South", *Virginia Law Review*, 56 (1970), 64-100.

Nevins, Allan, *The Statemanship of the Civil War*. New York: Macmillan, 1953.

Nisbet, Robert, *History of the Idea of Progress*. New York: Basic Books, 1980.

Noe, Kenneth W., *Southwest Virginia's Railroad: Modernization and the Sectional Crisis*. Urbana: University of Illinois Press, 1994.

Oakes, James, *The Ruling Race: A History of American Slaveholders*. New York: Alfred A. Knopf, 1982.

\_\_\_\_\_, *Slavery and Freedom: an Interpretation of the Old South*. New York: Norton, 1989.

Oates, Stephen, *The Fires of Jubilee: Nat Turner's Fierce Rebellion*. New York: Harper & Row, 1990.

O'Brien, Michael, *Rethinking the South: Essays in Intellectual History*. Baltimore: Johns Hopkins University Press, 1988.

Owsley, Frank L., *King Cotton Diplomacy. Foreign Relations of the Confederate States of America*. Chicago: University of Chicago Press, 1931.

Patterson, Orlando, *Slavery and Social Death: A Comparative Study*. Cambridge: Harvard University Press, 1982.

Pearson, C. C., and J. Edwin Hendricks, *Liquor and Antiliquor in Virginia 1619-1919*. Durham: Duke University Press, 1967.

Phillips, U. B., "Slave Crime in Virginia," *American Historical Review*, 20 (1915): 336-340.

Pilcher, George William, "Samuel Davies and the Instruction of Negroes in Virginia," *Virginia Magazine of History and Biography*, 74 (1966): 293-300.

Quist, John W., "Slaveholding Operatives of the Benevolent Empire: Bible, Tract, and Sunday School Societies in Antebellum Tuscaloosa County, Alabama," *Journal of Southern History*, 62 (1996): 481-526.

Roark, James L., *Masters without Slaves: Southern Planters in the Civil War and Reconstruction*. New York: W. W. Norton, 1977.

Rose, Willie Lee, "The Domestication of Domestic Slavery," in William W. Freehling, ed., *Slavery and Freedom*. New York: Oxford University Press, 1982.

Rotenstreich, Nathan, "The Idea of Historical Progress," *History and Theory*, 10 (1971): 197-221.

Rothman, Adam, *Slave Country: American Expansion and the Origins of the Deep South*. Cambridge: Harvard University Press, 2005.

Rothman, Joshua D., *Notorious in the Neighborhood: Sex and Families across the Color Line in Virginia, 1787-1861*. Chapel Hill: University of North Carolina Press, 2003.

Russell, John H., *The Free Negro in Virginia 1619-1865*. 1913; New York: Dover Publications, 1969.

Russell, Thomas D., "Articles Sell Best Singly: The Disruption of Slave families at Court Sales," *Utah Law Review*, 1996 (1996): 1161-1209

Ryan, Mary P., *Cradle of the Middle Class: The Family in Oneida County, New York, 1790-1865*. New York, Cambridge University Press, 1981.

Schmidt, Fredrika Teute, and Barbara Ripel Wilhelm, "Early Proslavery Petitions in Virginia," *William and Mary Quarterly*, 3<sup>rd</sup>. Ser., 30 (1973): 133-146.

Schwarz, Philip J., *Twice Condemned: Slaves and the Criminal Laws of Virginia*. Baton Rouge: Louisiana State University Press, 1988.

\_\_\_\_\_, *Slave Laws in Virginia*. Athens: University of Georgia Press, 1996.

Schweiger, Beth Barton, *The Gospel Working Up: Progress and the Pulpit in Nineteenth-Century Virginia*. New York: Oxford University Press, 2000.

Sellers, Charles, *The Market Revolution: Jacksonian America, 1815-1846*. New York: Oxford University Press, 1991.

Shade, William G., "'The Most Delicate and Exacting Topics:' Martin Van Buren, Slavery, and the Election of 1836," *Journal of the Early Republic*, 18 (1998): 459-484.

\_\_\_\_\_. *Democratizing the Old Dominion. Virginia and the Second Party System 1824-1865*. Charlottesville: University Press of Virginia, 1996.

Sheldon, Marianne Buroff, "Black-White Relations in Richmond, Virginia, 1782-1820," *Journal of Southern History*, 45 (1979): 27-44.

Sherwood, Henry N., "Early Negro Deportation Projects," *Mississippi Valley Historical Review*, 2 (1916): 484-508.

Shore, Laurence, "Making Mississippi Safe for Slavery: the Insurrectionary Panic of 1835," in Orville Vernon Burton and Robert C. McMath, Jr., *Class, Conflict, and Consensus: Antebellum Southern Community Studies*. Westport, Conn.: Greenwood Press, 1982.

\_\_\_\_\_. *Southern Capitalists: The Ideological Leadership of an Elite, 1832-1885*. Chapel Hill: University of North Carolina Press, 1986.

Simpson, Craig A., *A Good Southerner: The Life of Henry A. Wise of Virginia*. Chapel Hill: University of North Carolina Press, 1985.

Snay, Mitchel, *Gospel of Disunion: Religion and Separatism in the Antebellum South*. New York: Cambridge University Press, 1993.

Sobel, Mechal, *Travelin' On: The Slave Journey to an Afro-Baptist Faith*. Princeton: Princeton University Press, 1988.

Sommerville, Diane Miller, "The Rape Myth in the Old South Reconsidered," *Journal of Southern History*, 61 (1995): 481-518.

Sparks, Randy J., "Religion in Amite County, Mississippi, 1800-1861," in John B. Boles, ed., *Masters and Slaves in the House of the Lord: Race and Religion in the American South 1740-1870*. Lexington: University Press of Kentucky, 1988.

Stampp, Kenneth M. *The Peculiar Institution: Slavery in the Antebellum South*. New York: Vintage Books, 1956.

Stanley, Amy Drew, "Home Life and the Morality of the Market," in Melvyn Stokes and Stephen Conway, eds., *The Market Revolution in America: Social, Political, and Religious Expressions, 1800-1880*. Charlottesville, University Press of Virginia, 1996.

Stansell, Christine, *City of Women: Sex and Class in New York 1789-1860*. Urbana: University of Illinois Press, 1987.

Staudenraus, P. J., *The African Colonization Movement 1816-1865*. 1961; New York: Octagon Books, 1980.



Stevenson, Brenda E., *Life in Black and White. Family and Community in the Slave South*. New York: Oxford University Press, 1996.

Stokes, Melvyn and Stephen Conway, eds., *The Market Revolution in America: Social, Political, and Religious Expressions, 1800-1880*. Charlottesville, University Press of Virginia, 1996.

Tadman, Michael, *Speculators and Slaves: Masters, Traders, and Slaves in the Old South*. Madison: University of Wisconsin Press, 1989.

Takaki, Ronald, *A Pro-Slavery Crusade: The Agitation to Reopen the African Slave Trade*. New York: Free Press, 1971

Temperley, Howard, "Capitalism, Slavery and Ideology," *Past and Present*, 75 (1977): 94-118.

Thompson, Ernest Trice, *Presbyterians in the South*. 2 Vols. Richmond: John Knox Press, 1963.

Thornton, J. Mills, *Politics and Power in a Slave Society: Alabama, 1800-1860*. Baton Rouge: Louisiana State University Press, 1978.

Tise, Larry E., *Proslavery: A History of the Defense of Slavery in America, 1701-1840*. Athens: University of Georgia Press, 1987.

Tushnet, Mark V., *The American Law of Slavery, 1810-1860: Considerations of Humanity and Interest*. Princeton: Princeton University Press, 1981.

\_\_\_\_\_, "Constructing Paternalist Hegemony: Gross, Johnson, and Hadden on Slaves and Masters," *Law and Social Enquiry*, 27 (2002): 169-187.

Tuveson, Ernest Lee, *Redeemer Nation: The Idea of America's Millennial Role*. Chicago: University of Chicago Press, 1980.

Tyrrel, Ian R., "Drink and Temperance in the Antebellum South: An Overview and Interpretation," *Journal of Southern History*, 48 (1982): 485-510.

Varon, Elizabeth R., *We Mean to be Counted: White Women and Politics in Antebellum Virginia*. Chapel Hill: University of North Carolina Press, 1998.

Waldrep, Christopher, and Donald G. Nieman, eds., *Local Matters: Race, Crime, and Justice in the Nineteenth-Century South*. Athens: University of Georgia Press, 2001.

Walters, Ronald G., *The Antislavery Appeal: American Abolitionism After 1830*. New York: W. W. Norton, 1978.

Walther, Eric H., *The Fire-Eaters*, Baton Rouge: Louisiana State University Press, 1992.

Watson, Harry L., *Liberty and Power: The Politics of Jacksonian America*. New York: Hill and Wang, 1990.

Weeks, Louis III, "John Holt Rice and the American Colonization Society," *Journal of Presbyterian History*, 46 (1968): 26-41.

Wells, Jonathan Daniel, *The Origins of the Southern Middle Class 1800-1861*. Chapel Hill: University of North Carolina Press, 2004.

Welter, Barbara, "The Cult of True Womanhood: 1820-1860," *American Quarterly*, 18 (1966): 151-174.

Welter, Rush, "The Idea of Progress in America: An Essay in Ideas and Method," *Journal of the History of Ideas*, 16 (1955): 401-415.

Wills, Gregory A., *Democratic Religion: Freedom, Authority, and Church Discipline in the Baptist South, 1785-1900*. New York: Oxford University Press, 1997.

Wilson, Howard McKnight, *The Lexington Presbytery Heritage. The Presbytery of Lexington and its Churches in the Synod of Virginia*. Verona, Va.: McClure Press, 1971.

Winter, R. Milton, "James A. Lyon: Southern Presbyterian Apostle of Progress," *Journal of Presbyterian History*, 60 (1982): 314-335.

Witmer, Andrew, "Race, Religion, and Rebellion: Black and White Baptists in Albemarle County, Virginia, during the Civil War," in Edward L. Ayers, Gary W. Gallagher, and Andrew J. Torget, eds., *Crucible of the Civil War: Virginia from Secession to Commemoration*. Charlottesville: University of Virginia Press, 2006.

Woodward, C. Vann, *American Counterpoint; Slavery and Racism in the North-South Dialogue*. New York: Oxford University Press, 1983.

Wyatt-Brown, Bertrand, "The Abolitionist Postal Campaign of 1835," *Journal of Negro History*, 50 (1965): 227-238.

\_\_\_\_\_, "Community, Class, and Snopesian Crime: Local Justice in the Old South," in Orville Vernon Burton and Robert C. McMath, Jr., *Class, Conflict, and Consensus. Antebellum Southern Community Studies*. Westport, Connecticut: Greenwood Press, 1982.

\_\_\_\_\_, "Modernizing Southern Slavery: The Proslavery Argument Reinterpreted," in J. Morgan Kousser and James M. McPherson, eds., *Region, Race, and Reconstruction: Essays in Honor of C. Vann Woodward*. New York: Oxford University Press, 1982.

\_\_\_\_\_, *Southern Honor: Ethics and Behavior in the Old South*. New York: Oxford University Press, 1982.

\_\_\_\_\_, "Church, Honor, and Secession," in Randall M. Miller, Harry S. Stout, and Charles Reagan Wilson, eds., *Religion and the American Civil War*. New York: Oxford University Press, 1998.

Young, Jeffrey Robert, *Domesticating Slavery: The Master Class in Georgia and South Carolina, 1670-1837*. Chapel Hill: University of North Carolina Press, 1999.

## DISSERTATIONS

Coyner, Martin Boyd, "John Hartwell Cocke of Bremo: Agriculture and Slavery in the Antebellum South," Ph. D. dissertation, University of Virginia, 1961.

Hickin, Patricia P., "Antislavery in Virginia 1831-1861." Ph. D. dissertation, University of Virginia, 1968.

Lines, Stiles Bailey, "Slaves and Churchmen: the Work of the Episcopal Church among Southern Negroes, 1830-1860," Ph. D. dissertation, Columbia University, 1960.

McGraw, Marie Tyler, "The American Colonization Society in Virginia 1816-1832: A Case Study in Southern Liberalism." Ph. D. dissertation, George Washington University, 1980.

Monroe, Haskell M., Jr., "The Presbyterian Church in the Confederate States of America." Ph. D. dissertation, Rice University, 1961.

Scully, Randolph Ferguson, "A Gospel Fellowship: Evangelicalism, Republicanism, and Southern Culture in Southeastern Virginia, 1750-1840." Ph. D. dissertation, University of Pennsylvania, 2002.

Shepard, Eva, "The Question of Emancipation in Virginia from the Revolution to the Slavery Debate of 1832." Ph. D. dissertation, Harvard University, 2000.

Thomas, Arthus Dicken, Jr., "The Second Great Awakening in Virginia and Slavery Reform, 1785-1837," Th. D. dissertation, Union Theological Seminary in Virginia, 1981.

Troutman, Phillip Davis, "Slave Trade and Sentiment in Antebellum Virginia." Ph. D. dissertation, University of Virginia, 2000.

Wyly-Jones, Susan, "The Antiabolitionist Panic: Slavery, Abolition, and Politics in the U. S. South, 1835-1844." Ph. D. dissertation, Harvard University, 2000.

