# Slavery and Freedom: the American Paradox

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# Slavery and Freedom: The American Paradox*

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AMERICAN historians interested in tracing the rise of liberty, democracy, and the common man have been challenged in the past two decades by other historians, interested in tracing the history of oppression, exploitation, and racism. The challenge has been salutary, because it has made us examine more directly than historians have hitherto been willing to do, the role of slavery in our early history. Colonial historians, in particular, when writing about the origin and development of American institutions have found it possible until recently to deal with slavery as an exception to everything they had to say. I am speaking about myself but also about most of my generation. We owe a debt of gratitude to those who have insisted that slavery was something more than an exception, that one fifth of the American population at the time of the Revolution is too many people to be treated as an exception.[1]

We shall not have met the challenge simply by studying the history of that one fifth, fruitful as such studies may be, urgent as they may be. Nor shall we have met the challenge if we merely execute the familiar maneuver of turning our old interpretations on their heads. The temptation is already apparent to argue that slavery and oppression were the dominant features of American history and that efforts to advance liberty and equality were the exception, indeed no more than a device to divert the masses while their chains were being fastened. To dismiss the rise of liberty and equality in American history as a mere sham is not only to ignore hard facts, it is also to evade the problem presented by those facts. The rise of liberty and equality in this country was accompanied by the rise of slavery. That two such contradictory developments were taking place simultaneously over a long period of our history, from the seventeenth century to the nineteenth, is the central paradox of American history.

The challenge, for a colonial historian at least, is to explain how a people could have developed the dedication to human liberty and dignity exhibited by the leaders of the

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[1] Particularly Staughton Lynd, *Class Conflict, Slavery, and the United States Constitution: Ten Essays* (Indianapolis, 1967).

American Revolution and at the same time have developed and maintained a system of labor that denied human liberty and dignity every hour of the day.

The paradox is evident at many levels if we care to see it. Think, for a moment, of the traditional American insistence on freedom of the seas. "Free ships make free goods" was the cardinal doctrine of American foreign policy in the Revolutionary era. But the goods for which the United States demanded freedom were produced in very large measure by slave labor. The irony is more than semantic. American reliance on slave labor must be viewed in the context of the American struggle for a separate and equal station among the nations of the earth. At the time the colonists announced their claim to that station they had neither the arms nor the ships to make the claim good. They desperately needed the assistance of other countries, especially France, and their single most valuable product with which to purchase assistance was tobacco, produced mainly by slave labor. So largely did that crop figure in American foreign relations that one historian has referred to the activities of France in supporting the Americans as "King Tobacco Diplomacy," a reminder that the position of the United States in the world depended not only in 1776 but during the span of a long lifetime thereafter on slave labor.[2] To a very large degree it may be said that Americans bought their independence with slave labor.

The paradox is sharpened if we think of the state where most of the tobacco came from. Virginia at the time of the first United States census in 1790 had 40 percent of the slaves in the entire United States. And Virginia produced the most eloquent spokesmen for freedom and equality in the entire United States: George Washington, James Madison, and above all, Thomas Jefferson. They were all slaveholders and remained so throughout their lives. In recent years we have been shown in painful detail the contrast between Jefferson's pronouncements in favor of republican liberty and his complicity in denying the benefits of that liberty to blacks.[3] It has been tempting to dismiss Jefferson and the whole Virginia dynasty as hypocrites. But to do so is to deprive the term "hypocrisy" of useful meaning. If hypocrisy means, as I think it does, deliberately to affirm a principle without believing it, then hypocrisy requires a rare clarity of mind combined with an unscrupulous intention to deceive. To attribute such an intention, even to attribute such clarity of mind in the matter,

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[2] Curtis P. Nettels, *The Emergence of a National Economy1775-1815* (New York, 1962), 19. See also Merrill Jensen, "The American Revolution and American Agriculture," *Agricultural History*, XLIII (Jan. 1969), 107-24.

[3] William Cohen. "Thomas Jefferson and the Problem of Slavery," *Journal of American History*, LVI (Dec. 1969), 103-26: D. B. Davis, *Was Thomas Jefferson An Authentic Enemy of Slavery?* (Oxford, 1970): Winthrop D. Jordan, *White over Black American Attitude Toward the Negro, 1550-1812* (Chapel Hill, 1968), 429-81.

to Jefferson, Madison, or Washington is once again to evade the challenge. What we need to explain is how such men could have arrived at beliefs and actions so full of contradiction.

Put the challenge another way: how did England, a country priding itself on the liberty of its citizens, produce colonies where most of the inhabitants enjoyed still greater liberty, greater opportunities, greater control over their own lives than most men in the mother country, while the remainder, one fifth of the total, were deprived of virtually all liberty, all opportunities, all control over their own lives? We may admit that the Englishmen who colonized America and their revolutionary descendants were racists, that consciously or unconsciously they believed liberties and rights should be confined to persons of a light complexion. When we have said as much, even when we have probed the depths of racial prejudice, we will not have fully accounted for the paradox. Racism was surely an essential element in it, but I should like to suggest another element, that I believe to have influenced the development of both slavery and freedom as we have known them in the United States.

Let us begin with Jefferson, this slaveholding spokesman of freedom. Could there have been anything in the kind of freedom he cherished that would have made him acquiesce, however reluctantly, in the slavery of so many Americans? The answer, I think, is yes. The freedom that Jefferson spoke for was not a gift to be conferred by governments, which he mistrusted at best. It was a freedom that sprang from the independence of the individual. The man who depended on another for his living could never be truly free. We may seek a clue to Jefferson's enigmatic posture toward slavery in his attitude toward those who enjoyed a seeming freedom without the independence needed to sustain it. For such persons Jefferson harbored a profound distrust, which found expression in two phobias that crop up from time to time in his writings.

The first was a passionate aversion to debt. Although the entire colonial economy of Virginia depended on the willingness of planters to go into debt and of British merchants to extend credit, although Jefferson himself was a debtor all his adult life – or perhaps because he was a debtor – he hated debt and hated anything that made him a debtor. He hated it because it limited his freedom of action. He could not, for example, have freed his slaves so long as he was in debt. Or so at least he told himself. But it was the

impediment not simply to their freedom but to his own that bothered him. “I am miserable,” he wrote, “till I shall owe not a shilling [...]”[4]

The fact that he had so much company in his misery only added to it. His Declaration of Independence for the United States was mocked by the hold that British merchants retained over American debtors, including himself.[5] His hostility to Alexander Hamilton was rooted in his recognition that Hamilton's pro-British foreign policy would tighten the hold of British creditors, while his domestic policy would place the government in the debt of a class of Native American creditors, whose power might become equally pernicious.

Though Jefferson's concern with the perniciousness of debt was almost obsessive, it was nevertheless altogether in keeping with the ideas of republican liberty that he shared with his countrymen. The trouble with debt was that by undermining the independence of the debtor it threatened republican liberty. Whenever debt brought a man under another's power, he lost more than his own freedom of action. He also weakened the capacity of his country to survive as a republic. It was an axiom of current political thought that republican government required a body of free, independent, property-owning citizens![6] A nation of men, each of whom owned enough property to support his family, could be a republic. It would follow that a nation of debtors, who had lost their property or mortgaged it to creditors, was ripe for tyranny. Jefferson accordingly favored every means of keeping men out of debt and keeping property widely distributed. He insisted on the abolition of primogeniture and entail; he declared that the earth belonged to the living and should not be kept from them by the debts or credits of the dead; he would have given fifty acres of land to every American who did not have it – all because he believed the citizens of a republic must be free from the control of other men and that they could be free only if they were economically free by virtue of owning land on which to support themselves.[7]

If Jefferson felt so passionately about the bondage of the debtor, it is not surprising that he should also have sensed a danger to the republic from another class of men who,

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[4] Julian P. Boyd, ed., *The Papers of Thomas Jefferson* (18 vols., Princeton, 1950- ), X, 615. For other expressions of Thomas Jefferson's aversion to debt and distrust of credit, both private and public, see *ibid.*, II, 275-76, VIII, 398-99, 632-33, IX, 217-18, 472-73, X, 304-05, XI, 472, 633, 636, 640. XII, 385-86.

[5] Jefferson's career as ambassador to France was occupied very largely by unsuccessful efforts to break the hold of British creditors on American commerce.

[6] See Caroline Robbins, *The Eighteenth-Century Commonwealthman: Studies in the Transmission, Development and Circustance of English Liberal Thought from the Restoration of Charles II until the war with the Thirteen Colonies* (Cambridge, Mass., 1959); J. G. A. Pocock, "Machiavelli, Harrington, and English Political Ideologies in the Eighteenth Century,” *William and Mary Quarterly*, XXII (Oct. 1965), 549-83.

[7] Boyd, ed., *Papers of Thomas Jefferson*, I. 341, 352, 362, 560, VIII, 681-82.

like debtors, were nominally free but whose independence was illusory. Jefferson's second phobia was his distrust of the landless urban workman who labored in manufactures. In Jefferson's view, he was a free man in name only. Jefferson's hostility to artificers is well known and is generally attributed to his romantic preference for the rural life. But both his distrust for artificers and his idealization of small landholders as "the most precious part of a state" rested on his concern for individual independence as the basis of freedom. Farmers made the best citizens because they were "the most vigorous, the most independent, the most virtuous. ..." Artificers, on the other hand, were dependent on "the casualties and caprice of customers." If work was scarce, they had no land to fall back on for a living. In their dependence lay the danger. "Dependence," Jefferson argued, "begets subservience and venality, suffocates the germ of virtue, and prepares fit tools for the designs of ambition." Because artificers could lay claim to freedom without the independence to go with it, they were "the instruments by which the liberties of a country are generally overturned."[8]

In Jefferson's distrust of artificers we begin to get a glimpse of the limits —and limits not dictated by racism—that defined the republican vision of the eighteenth century. For Jefferson was by no means unique among republicans in his distrust of the landless laborer. Such a distrust was a necessary corollary of the widespread eighteenth-century insistence on the independent, property-holding individual as the only bulwark of liberty, an insistence originating in James Harrington's republican political philosophy and a guiding principle of American colonial politics, whether in the aristocratic South Carolina assembly or in the democratic New England town.[9] Americans both before and after 1776 learned their republican lessons from the seventeenth- and eighteenth-century British commonwealthmen; and the commonwealthmen were uninhibited in their contempt for the masses who did not have the propertied independence required of proper republicans.

John Locke, the classic explicator of the right of revolution for the protection of liberty, did not think about extending that right to the landless poor. Instead, he concocted a scheme of compulsory labor for them and their children. The children were to begin at the age of three in public institutions, called working schools because the only subject

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[8] *Ibid.*, VIII, 126, 682: Thomas Jefferson, *Notes on the State of Virginia,* William Peden, ed. (Chapel Hill. 1955), 165. Jefferson seems to have overlooked the dependence of Virginia's farmers on the casualties and caprice of the tobacco market.

[9] See Robbins, *The Eighteenth-Century Commonwealthmen*; Pocock. "Machiavelli, Harrington, and English Political Ideologies," 549-83; Michael Zuckerman, "The Social Context of Democracy in Massachusetts," *William and Mary Quarterly,* XXV (Oct. 1968), 523-44; Robert M. Weir. 'The Harmony We Were Famous For': An Interpretation of Pre-Revolutionary South Carolina Politics." *ibid.,* XXVI (Oct. 1969), 471-501.

taught would be work (spinning and knitting). They would be paid in bread and water and grow up "inured to work." Meanwhile the mothers, thus relieved of the care of their offspring, could go to work beside their fathers and husbands. If they could not find regular employment, then they too could be sent to the working school.[10]

It requires some refinement of mind to discern precisely how this version of women's liberation from child care differed from outright slavery. And many of Locke's intellectual successors, while denouncing slavery in the abstract, openly preferred slavery, to freedom for the lower ranks of laborers. Adam Ferguson, whose works were widely read in America, attributed the overthrow of the Roman republic, in part at least, to the emancipation of slaves, who "increased, by their numbers and their vices, the weight of that dreg, which, in great and prosperous cities, ever sinks, by the tendency of vice and misconduct to the lowest condition."[11]

That people in the lowest condition, the dregs of society, generally arrived at that position through their own vice and misconduct, whether in ancient Rome or modern Britain, was an unexamined article of faith among eighteenth-century republicans. And the vice that was thought to afflict the lower ranks most severely was idleness. The eighteenth-century's preferred cure for idleness lay in the religious and ethical doctrines which R. H. Tawney described as the New Medicine for Poverty, the doctrines in which Max Weber discerned the origins of the spirit of capitalism. But in every society a stubborn mass of men and women refused the medicine. For such persons the commonwealthmen did not hesitate to prescribe slavery. Thus Francis Hutcheson, who could argue eloquently against the enslavement of Africans, also argued that perpetual slavery should be "the ordinary punishment of such idle vagrants as, after proper admonitions and trials of temporary servitude, cannot be engaged to support themselves and their families by any useful labours."[12] James Burgh, whose Political Disquisitions earned the praises of many American revolutionists, proposed a set of press gangs "to seize all idle and disorderly persons, who have been three times complained of before a magistrate, and to set them to

[10] C. B. Macpherson, *The Political Theory of Possessive Individualism* (Oxford, 1962), 221-24; H R. Fox Bourne, *The Life of John Locke* (2 vols., London, 1876), II, 377-90.
[11] Adam Ferguson, *The History of the Progress and Termination of the Roman Republic* (5 vols., Edinburgh, 1799), 1, 381. See also Adam Ferguson, *An Essay on the History of Civil Society* (London, 1768), 309-11.
[12] Francis Hutcheson, *A System of Moral Philosophy* (2 vols., London, 1755), II, 202; David B. Davis, *The Problem of Slavery in Western Culture* (Ithaca, 1966), 374-78. I am indebted to David B. Davis for several valuable suggestions.

work during a certain time, for the benefit of great trading, or manufacturing companies, &c."[13]

The most comprehensive proposal came from Andrew Fletcher of Saltoun. Jefferson hailed in Fletcher a patriot whose political principles were those "in vigour at the epoch of the American emigration [from England]. Our ancestors brought them here, and they needed little strengthening to make us what we are [...]"[14] Fletcher, like other commonwealthmen, was a champion of liberty, but he was also a champion of slavery. He attacked the Christian church not only for having promoted the abolition of slavery in ancient times but also for having perpetuated the idleness of the freedmen thus turned loose on society. The church by setting up hospitals and almshouses had enabled men through the succeeding centuries to live without work. As a result, Fletcher argued, his native Scotland was burdened with 200,000 idle rogues, who roamed the country, drinking, cursing, fighting, robbing, and murdering. For a remedy he proposed that they all be made slaves to men of property. To the argument that their masters might abuse them, he answered in words which might have come a century and a half later from a George Fitzhugh: that this would be against the master's own interest, "That the most brutal man will not use his beast ill only out of a humour; and that if such Inconveniences do sometimes fall out, it proceeds, for the most part, from the perverseness of the Servant."[15]

In spite of Jefferson's tribute to Fletcher, there is no reason to suppose that he endorsed Fletcher's proposal. But he did share Fletcher's distrust of men who were free in name while their empty bellies made them thieves, threatening the property of honest men or else made them slaves in fact to anyone who would feed them. Jefferson's own solution for the kind of situation described by Fletcher was given in a famous letter to Madison, prompted by the spectacle Jefferson encountered in France in the 1780s, where a handful of noblemen had engrossed huge tracts of land on which to hunt game, while hordes of the poor went without work and without bread. Jefferson's proposal, characteristically phrased in terms of natural right, was for the poor to appropriate the uncultivated lands of the

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[13] James Burgh, *Political Disquisitions: Or, An ENQUIRY into public Errors, Defects, and Abuse ...* (3 vols., London, 1774-1775), III, 220-21. See the proposal of Bishop George Berkeley that "sturdy beggars should ... be seized and made slaves to the public for a certain term of years." Quoted in R. H. Tawney, R*eligion and the Rise of Capitalism: A Historical Essay* (New York, 1926), 270.

[14] E. Millicent Sowerby, ed., *Catalogue of the Library of Thomas Jefferson* (5 vols., Washington, 1952-1959), 1, 192.

[15] Andrew Fletcher, *Two Discourses Concerning the Affairs of Scotland; Written in the Year 1698* (Edinburgh, 1698). See second discourse (separately paged), 1-33, especially 16.

nobility. And he drew for the United States his usual lesson of the need to keep land widely distributed among the people.[16]

Madison's answer, which is less well known than Jefferson's letter, raised the question whether it was possible to eliminate the idle poor in any country as fully populated as France. Spread the land among them in good republican fashion and there would still be, Madison thought, "a great surplus of inhabitants, a greater by far than will be employed in clothing both themselves and those who feed them. [...]" In spite of those occupied in trades and as mariners, soldiers, and so on, there would remain a mass of men without work. "A certain degree of misery," Madison concluded, "seems inseparable from a high degree of populousness."[17] He did not, however, go on to propose, as Fletcher had done, that the miserable and idle poor be reduced to slavery.

The situation contemplated by Madison and confronted by Fletcher was not irrelevant to those who were planning the future of the American republic. In a country where population grew by geometric progression, it was not too early to think about a time when there might be vast numbers of landless poor, when there might be those mobs in great cities that Jefferson feared as sores on the body politic. In the United States as Jefferson and Madison knew it, the urban labor force as yet posed no threat, because it was small; and the agricultural labor force was, for the most part, already enslaved. In Revolutionary America, among men who spent their lives working for other men rather than working for themselves, slaves probably constituted a majority.[18] In Virginia they constituted a large majority.[19] If Jefferson and Madison, not to mention Washington, were unhappy about that fact and yet did nothing to alter it, they may have been restrained, in part at least, by thoughts of the role that might be played in the United States by a large mass of free laborers.

When Jefferson contemplated the abolition of slavery, he found it inconceivable that the freed slaves should be allowed to remain in the country.[20]

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[16] Boyd, ed., *Papers of Thomas Jefferson*, VIII, 681-83.
[17] *Ibid.*, IX, 659-60.
[18] Jackson Turner Main, *The Social Structure of Revolutionary America* (Princeton, 1965), 271.
[19] In 1755, Virginia had 43,329 white tithables and 60,078 black. Tithables included white men over sixteen years of age and black men and women over sixteen. In the census of 1790, Virginia had 292,717 slaves and 110,936 white males over sixteen, out of a total population of 747,680. Evarts B. Greene and Virginia D. Harrington, *American Population before the Federal Census of 1790* (New York, 1932), 150-55.
[20] Jefferson, *Notes on the State of Virginia*, 138.

In this attitude he was probably moved by his or his countrymen's racial prejudice. But he may also have had in mind the possibility that when slaves ceased to be slaves, they would become instead a half million idle poor, who would create the same problems for the United States that the idle poor of Europe did for their states. The slave, accustomed to compulsory labor, would not work to support himself when the compulsion was removed. This was a commonplace among Virginia planters before the creation of the republic and long after. "If you free the slaves," wrote Landon Carter, two days after the Declaration of Independence, "you must send them out of the country or they must steal for their support."[21]

Jefferson's plan for freeing his own slaves (never carried out) included an interim educational period in which they would have been half-taught, half-compelled to support themselves on rented land; for without guidance and preparation for self support, he believed, slaves could not be expected to become fit members of a republican society.[22] And St. George Tucker, who drafted detailed plans for freeing Virginia's slaves, worried about "the possibility of their becoming idle, dissipated, and finally a numerous banditti, instead of turning their attention to industry and labour." He therefore included in his plans a provision for compelling the labor of the freedmen on an annual basis. "For we must not lose sight of this important consideration," he said, "that these people must be *bound* to labour, if they do not *voluntarily* engage therein. . . . In absolving them from the yoke of slavery, we must not forget the interests of society. Those interests require the exertions of every individual in some mode or other; and those who have not wherewith to support themselves honestly without corporal labour, whatever be their complexion, ought to be compelled to labour."[23]

It is plain that Tucker, the would-be emancipator, distrusted the idle poor regardless of color. And it seems probable that the Revolutionary champions of liberty who acquiesced in the continued slavery of black labor did so not only because of racial prejudice but also because they shared with Tucker a distrust of the poor that was inherent in eighteenth-century conceptions of republican liberty. Their historical guidebooks had made them fear to enlarge the free labor force.

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[21] Jack P. Greene, ed., *The Diary of Colonel Landon Carter of Sabine Hall,* 1752-1778 (2 vols., Charlottesville, 1965), II, 1055.
[22] Boyd, ed., *Papers of Thomas Jefferson*, XIV, 492-93.
[23] St. George Tucker, *A Dissertation on Slavery with a Proposal for the Gradual Abolition of It, in the State of Virginia* (Philadelphia, 1796). See also Jordan, *White over Black*, 555-60.

That fear, I believe, had a second point of origin in the experience of the American colonists, and especially of Virginians, during the preceding century and a half. If we turn now to the previous history of Virginia's labor force, we may find, I think, some further clues to the distrust of free labor among Revolutionary republicans and to the paradoxical rise of slavery and freedom together in colonial America.

The story properly begins in England with the burst of population growth there that sent the number of Englishmen from perhaps three million in 1500 to four-and-one-half million by 1650.[24] The increase did not occur in response to any corresponding growth in the capacity of the island's economy to support its people. And the result was precisely that misery which Madison pointed out to Jefferson as the consequence of "a high degree of populousness." Sixteenth-century England knew the same kind of unemployment and poverty that Jefferson witnessed in eighteenth-century France and Fletcher in seventeenth-century Scotland. Alarming numbers of idle and hungry men drifted about the country looking for work or plunder. The government did what it could to make men of means hire them, but it also adopted increasingly severe measures against their wandering, their thieving, their roistering, and indeed their very existence. Whom the workhouses and prisons could not swallow the gallows would have to, or perhaps the army. When England had military expeditions to conduct abroad, every parish packed off its most unwanted inhabitants to the almost certain death that awaited them from the diseases of the camp.[25]

As the mass of idle rogues and beggars grew and increasingly threatened the peace of England, the efforts to cope with them increasingly threatened the liberties of Englishmen. Englishmen prided themselves on a "gentle government,"[26] a government that had been releasing its subjects from old forms of bondage and endowing them with new liberties, making the "rights of Englishmen" a phrase to conjure with. But there was nothing gentle about the government's treatment of the poor; and as more Englishmen became poor, other Englishmen had less to be proud of. Thoughtful men could see an obvious solution: get the surplus Englishmen out of England. Send them to the New World, where there were limitless opportunities for work. There they would redeem themselves, enrich the mother country, and spread English liberty abroad.

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[24] Joan Thrisk, ed., *The Agrarian History of England and Wales*, Vol. IV: *1500-1640* (Cambridge, England, 1967), 531.

[25] See Edmund S. Morgan, "The Labor Problem at Jamestown, 1607-18," *American Historical Review*, 76 (June 1971), 595-611, especially 600-06.

[26] This is Richard Hakluyt's phrase. See E. G. R. Taylor, ed., *The Original Writings and Correspondence of the Two Richard Hakluyts* (2 vols., London, 1935), I, 112.

The great publicist for this program was Richard Hakluyt. His *Principall Navigations, Voiages and Discoveries of the English nation*"[27] was not merely the narrative of voyages by Englishmen around the globe, but a powerful suggestion that the world ought to be English or at least ought to be ruled by Englishmen. Hakluyt's was a dream of empire, but of benevolent empire, in which England would confer the blessings of her own free government on the less fortunate peoples of the world. It is doubtless true that Englishmen, along with other Europeans, were already imbued with prejudice against men of darker complexions than their own. And it is also true that the principal beneficiaries of Hakluyt's empire would be Englishmen. But Hakluyt's dream cannot be dismissed as mere hypocrisy any more than Jefferson's affirmation of human equality can be so dismissed. Hakluyt's compassion for the poor and oppressed was not confined to the English poor, and in Francis Drake's exploits in the Caribbean Hakluyt saw, not a thinly disguised form of piracy, but a model for English liberation of men of all colors who labored under the tyranny of the Spaniard.

Drake had gone ashore at Panama in 1572 and made friends with an extraordinary band of runaway Negro slaves. "Cimarrons" they were called, and they lived a free and hardy life in the wilderness, periodically raiding the Spanish settlements to carry off more of their people. They discovered in Drake a man who hated the Spanish as much as they did and who had the arms and men to mount a stronger attack than they could manage by themselves. Drake wanted Spanish gold, and the Cimarrons wanted Spanish iron for tools. They both wanted Spanish deaths. The alliance was a natural one and apparently untroubled by racial prejudice. Together the English and the Cimarrons robbed the mule train carrying the annual supply of Peruvian treasure across the isthmus. And before Drake sailed for England with his loot, he arranged for future meetings.[28] When Hakluyt heard of this alliance, he concocted his first colonizing proposal, a scheme for seizing the Straits of Magellan and transporting Cimarrons there, along with surplus Englishmen. The straits would be a strategic strong point for England's world empire, since they controlled the route from Atlantic to Pacific. Despite the severe climate of the place, the Cimarrons and their English friends would all live warmly together, clad in English woolens, "well lodged

[27] Richard Hakluyt, *The Principall Natigations, Voiages and Discoveries of the English nation* ... (London, 1589).
[28] The whole story of this extraordinary episode is to he found in I. A. Wright, ed., *Documents Concerning English Voyager to the Spanish Main 1569-1580* (London, 1932).

and by our nation made free from the tyrannous Spanyard, and quietly and courteously governed by our nation."[29]

The scheme for a colony in the Straits of Magellan never worked out, but Hakluyt's vision endured, of liberated natives and surplus Englishmen, courteously governed in English colonies around the world. Sir Walter Raleigh caught the vision. He dreamt of wresting the treasure of the Incas from the Spaniard by allying with the Indians of Guiana and sending Englishmen to live with them, lead them in rebellion against Spain, and govern them in the English manner.[30] Raleigh also dreamt of a similar colony in the country he named Virginia. Hakluyt helped him plan it.[31] And Drake stood ready to supply Negroes and Indians, liberated from Spanish tyranny in the Caribbean, to help the enterprise.[32]

Virginia from the beginning was conceived not only as a haven for England's suffering poor, but as a spearhead of English liberty in an oppressed world. That was the dream; but when it began to materialize at Roanoke Island in 1585, something went wrong. Drake did his part by liberating Spanish Caribbean slaves, and carrying to Roanoke those who wished to join him.[33] But the English settlers whom Raleigh sent there proved unworthy of the role assigned them. By the time Drake arrived they had shown themselves less than courteous to the Indians on whose assistance they depended. The first group of settlers murdered the chief who befriended them, and then gave up and ran for home aboard Drake's returning ships. The second group simply disappeared, presumably killed by the Indians.[34]

What was lost in this famous lost colony was more than the band of colonists who have never been traced. What was also lost and never quite recovered in subsequent ventures was the dream of Englishman and Indian living side by side in peace and liberty. When the English finally planted a permanent colony at Jamestown they came as

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[29] Taylor, ed., *Original Writings and Correspondence*, I, 139-.46.
[30] Walter Raleigh, *The Discoverie of the large and bewtiful Empire of Guiana*, V. T. Harlow, ed. (London, 1928), 138-49; V. T. Harlow, ed., *Ralegh's Last Voyage: Being an account drawn out of contemporary letters and relations . . .* (London, 1932), 44-45.
[31] Taylor, ed., *Original Writings & Correspondence*, 11, 211-377, especially 318.
[32] Irene A. Wright, trans. and ed., *Further English Voyager to Spanish America, 1583-1594*: *Documents from the Archives of the Indies at Seville . . .* (London, 1951), lviii, lxiii, lxiv, 37, 52, 54, 55, 159, 172, 173, 181, 188-89, 204-06.
[33] The Spanish reported that "Although their masters were willing to ransom them the English would not give them up except when the slaves themselves desired to go." Ibid., 159. On Walter Raleigh's later expedition to Guiana, the Spanish noted that the English told the natives "that they did not desire to make them slaves, hut only to he their friends; promising to Erring them great quantities of hatchets and knives, and especially if they drove the Spaniards out of their territories." Harlow, ed., *Ralegh's Last Voyage*, 179.
[34] David Beers Quinn, ed., *The Roanoke Voyages 1584-1590* (2 vols., London, 1955).

conquerors, and their government was far from gentle. The Indians willing to endure it were too few in numbers and too broken in spirit to play a significant part in the settlement.

Without their help, Virginia offered a bleak alternative to the workhouse or the gallows for the first English poor who were transported there. During the first two decades of the colony's existence, most of the arriving immigrants found precious little English liberty in Virginia.[35] But by the 1630s the colony seemed to be working out, at least in part, as its first planners had hoped. Impoverished Englishmen were arriving every year in large numbers, engaged to serve the existing planters for a term of years, with the prospect of setting up their own households a few years later. The settlers were spreading up Virginia's great rivers, carving out plantations, living comfortably from their corn fields and from the cattle they ranged in the forests, and at the same time earning perhaps ten or twelve pounds a year per man from the tobacco they planted. A representative legislative assembly secured the traditional liberties of Englishmen and enabled a larger proportion of the population to participate in their own government than had ever been the case in England. The colony even began to look a little like the cosmopolitan haven of liberty that Hakluyt had first envisaged. Men of all countries appeared there: French, Spanish, Dutch, Turkish, Portuguese, and African.[36] Virginia took them in and began to make Englishmen out of them.

It seems clear that most of the Africans, perhaps all of them, came as slaves, a status that had become obsolete in England, while it was becoming the expected condition of Africans outside Africa and of a good many inside.[37] It is equally clear that a substantial number of Virginia's Negroes were free or became free. And all of them, whether servant, slave, or free, enjoyed most of the same rights and duties as other Virginians. There is no evidence during the period before 1660 that they were subjected to a more severe discipline than other servants. They could sue and be sued in court. They did penance in the parish church for having illegitimate children. They earned money of their own, bought and sold and raised cattle of their own. Sometimes they bought their own freedom. In other

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[35] Morgan, "The Labor Problem at Jamestown, 1607-18," pp. 595-611; Edmund S. Morgan, "The First American Boom: Virginia 1618 to 1630," *William and Mary Quarterly*, XXVIII (April 1971), 169-98.

[36] There are no reliable records of immigration, but the presence of persons of these nationalities is evident from county court records, where all but the Dutch are commonly identified by name, such as "James the Scotchman," or "Cursory the Turk." The Dutch seem to have anglicized their names at once and are difficult to identify except where the records disclose their naturalization. The two counties for which the most complete records survive for the 1640s and 1650s are Accomack-Northampton and Lower Norfolk. Microfilms are in the Virginia State Library, Richmond.

[37] Because the surviving records are so fragmentary, there has been a great deal of controversy about the status of the first Negroes in Virginia. What the records do make clear is that not all were slaves and that not all were free. See Jordan, *White over Black*, 71-82.

cases, masters bequeathed them not only freedom but land, cattle, and houses.[38] Northampton, the only county for which full records exist, had at least ten free Negro households by 1668.[39]

As Negroes took their place in the community, they learned English ways, including even the truculence toward authority that has always been associated with the rights of Englishmen. Tony Longo, a free Negro of Northampton, when served a warrant to appear as a witness in court, responded with a scatological opinion of warrants, called the man who served it an idle rascal, and told him to go about his business. The man offered to go with him at any time before a justice of the peace so that his evidence could be recorded. He would go with him at night, tomorrow, the next day, next week, any time. But Longo was busy getting in his corn. He dismissed all pleas with a "Well, well, Ile Roe when my Corne is in," and refused to receive the warrant.[40]

The judges understandably found this to be contempt of court; but it was the kind of contempt that free Englishmen often showed to authority, and it was combined with a devotion to work that English moralists were doing their best to inculcate more widely in England. As England had absorbed people of every nationality over the centuries and turned them into Englishmen, Virginia's Englishmen were absorbing their own share of foreigners, including Negroes, and seemed to be successfully moulding a New World community on the English model.

But a closer look will show that the situation was not quite so promising as at first it seems. It is well known that Virginia in its first fifteen or twenty years killed off most of the men who went there. It is less well known that it continued to do so. If my estimate of the volume of immigration is anywhere near correct, Virginia must have been a death trap for at least another fifteen years and probably for twenty or twenty-five. In 1625 the

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[38] For examples, see Northampton County Court Records, Deeds, Wills, etc., Book III, f. 83, Book V, ff. 38, 54, 60, 102, 117.19; York County Court Records, Deeds, Orders, Wills, etc., no. 1, ff. 232-34; Surry County Court Records, Deeds, Wills, etc., no. 1, f. 349; Henrico County Court Records, Deeds and Wills 1677-1692, f. 139.

[39] This fact has been arrived at by comparing the names of householders on the annual list of tithables with casual identifications of persons as Negroes in the court records. The names of householders so identified for 1668, the peak year during the period for which the lists survive (1662-1677) were: Bastian Cane, Bashaw Ferdinand°, John Francisco, Susan Grace, William Harman, Philip Mongum, Francis Pane, Manuel Rodriggus. Thomas Rodriggus, and King Tony. The total number of households in the county in 1668 was 172; total number of tithables 435: total number of tithable free Negroes 17: total number of tithable unfree Negroes 42. Thus nearly 29 percent of tithable Negroes and probably of all Negroes were free; and about 13.5 percent of all tithables were Negroes.

[40] Northampton Deeds, Wills, etc., Book V, 54-60 (Nov. 1, 1654).

population stood at 1,300 or 1,400; in 1640 it was about 8,000.[41] In the fifteen years between those dates at least 15,000 persons must have come to the colony.[42] If so, 15,000 immigrants increased the population by less than 7,000. There is no evidence of a large return migration. It seems probable that the death rate throughout this period was comparable only to that found in Europe during the peak years of a plague. Virginia, in other words, was absorbing England's surplus laborers mainly by killing them. The success of those who survived and rose from servant to planter must be attributed partly to the fact that so few did survive.

After 1640, when the diseases responsible for the high death rate began to decline and the population began a quick rise, it became increasingly difficult for an indigent immigrant to pull himself up in the world. The population probably passed 25,000 by 1662,[43] hardly what Madison would have called a high degree of populousness. Yet the rapid rise brought serious trouble for Virginia. It brought the engrossment of tidewater land in thousands and tens of thousands of acres by speculators, who recognized that the demand would rise.[44] It brought a huge expansion of tobacco production, which helped to

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[41] The figure for 1625 derives from the census for that year, which gives 1,210 persons, but probably missed about 10 percent of the population. Morgan, "The First American Boom:' 170n-71n. The figure for 1640 is derived from legislation limiting tobacco production per person in 1639.1640. The legislation is summarized in a manuscript belonging to Jefferson, printed in William Waller Hening, *The Statutes at Large; Being a Collection of All the Laws of Virginia, from the First Session of the Legislature, in the Year 1619* (13 vols., New York, 1823), I, 224-25, 228. The full text is in "Acts of the General Assembly, Jan. 6, 1639-40," *William and Mary Quarterly*, IV (Jan. 1924), 17-35, and "Acts of the General Assembly, Jan. 6, 1639-40," ibid. ( July 1924), 159-62. The assembly calculated that a levy of four pounds of tobacco per tithable would yield 18,584 pounds, implying 4,646 tithables (men over sixteen). It also calculated that a limitation of planting to 170 pounds per poll would yield 1,300,000, implying 7,647 polls. Evidently the latter figure is for the whole population, as is evident also from Hening, *Statutes*, 228.

[42] In the year 1635, the only year for which such records exist, 2,010 persons embarked for Virginia from London alone. See John Cam ien Flatten, ed., *The Original Lists of Persons of Quality* . . . (London. 1874), 35-145. For other years casual estimates survive. In February 1627/8 Francis West said that 1,000 had been "lately receaved." Colonial Office Group, Class 1, Piece 4, folio 109 (Public Record Office, London). Hereafter cited CO 1/4, f. 109. In February 1633/4 Governor John Harvey said that "this yeares newcomers" had arrived "this yeare." Yong to Sir Tobie Matthew, July 13, 1634, "Aspinwall Papers," *Massachusetts Historical Society Collections*, IX (1871), 110. In May 1635, Samuel Mathews said that 2,000 had arrived "this yeare." Mathews to , May 25, 1635, "The Mutiny in Virginia, 1635," *Virginia Magazine of History and Biography*, I (April 1891). 417. And in March 1636, John West said that 1,606 persons had arrived "this yeare." West to Commissioners for Plantations, March 28, 1636, -Virginia in 1636: ibid., IX ( July 1901). 37.

[43] The official count of tithables for 1662 was 11,838. Clarendon Papers, 82 (Bodleian Library, Oxford). The ratio of tithables to total population by this time was probably about one to two. (In 1625 it was 1 to 1.5; in 1699 it was 1 to 2.7.) Since the official count was almost certainly below the actuality, a total population of roughly 25,000 seems probable. All population figures for seventeenth-century Virginia should he treated as rough estimates.

[44] Evidence of the engrossment of lands after 1660 will be found in CO 1/39, f. 196; CO 1/40, f. 23; CO 1/48, f. 48; CO 5/1309, numbers 5, 9, and 23; Sloane Papers, 1008, ff. 334-35 (British Museum, London). A recent count of headrights in patents issued for land in Virginia shows 82,000 headrights claimed in the years from 1635 to 1700. Of these nearly 47,000 or 57 percent (equivalent to 2,350,000 acres) were claimed in the twenty-five years after 1650. W. F. Craven, *White, Red, and Black: The Seventeenth-Century Virginian* (Charlottesville, 1971), 14-16.

depress the price of tobacco and the earnings of the men who planted it.[45] It brought efforts by planters to prolong the terms of servants, since they were now living longer and therefore had a longer expectancy of usefulness.[46]

It would, in fact, be difficult to assess all the consequences of the increased longevity; but for our purposes one development was crucial, and that was the appearance in Virginia of a growing number of freemen who had served their terms but who were now unable to afford land of their own except on the frontiers or in the interior. In years when tobacco prices were especially low or crops especially poor, men who had been just scraping by were obliged to go back to work for their larger neighbors simply in order to stay alive. By 1676 it was estimated that one fourth of Virginia's freemen were without land of their own.[47] And in the same year Francis Moryson, a member of the governor's council, explained the term "freedmen" as used in Virginia to mean "persons without house and land," implying that this was now the normal condition of servants who had attained freedom.[48]

Some of them resigned themselves to working for wages; others preferred a meager living on dangerous frontier land or a hand-to-mouth existence, roaming from one county to another, renting a bit of land here, squatting on some there, dodging the tax collector, drinking, quarreling, stealing hogs, and enticing servants to run away with them.

The presence of this growing class of poverty-stricken Virginians was not a little frightening to the planters who had made it to the top or who had arrived in the colony already at the top, with ample supplies of servants and capital. They were caught in a dilemma. They wanted the immigrants who kept pouring in every year. Indeed they needed them and prized them the more as they lived longer. But as more and more turned free each year, Virginia seemed to have inherited the problem that she was helping England to solve.

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[45] No continuous set of figures for Virginia's tobacco exports in the seventeenth century can now be obtained. The available figures for English imports of American tobacco (which was mostly Virginian) are in United States Bureau of the Census, *Historical Statistics of the United States, Colonial Times to 1957* (Washington, D.C., 1960), series Z 238-240, p. 766. They show for 1672 a total of 17,559,000 pounds. In 1631 the figure had been 272,300 pounds. Tobacco crops varied heavily from year to year. Prices are almost as difficult to obtain now as volume. Those for 1667-1675 are estimated from London prices current in Warren Billings, "Virginia's Deploured Condition, 1660-1676: The Coming of Bacon's Rebellion" (doctoral dissertation, Northern Illinois University, 1969), 155-59.

[46] See below.

[47] Thomas Luclwell and Robert Smith to the king, June 18, 1676, vol. LXXVII, f. 128, Coventry Papers Longleat House, American Council of Learned Societies British Mss. project, reel 63 (Library of Congress).

[48] *Ibid.*, 204-05.

Virginia, complained Nicholas Spencer, secretary of the colony, was "a sinke to drayen England of her filth and scum."[49]

The men who worried the uppercrust looked even more dangerous in Virginia than they had in England. They were, to begin with, young, because it was young persons that the planters wanted for work in the fields; and the young have always seemed impatient of control by their elders and superiors, if not downright rebellious. They were also predominantly single men. Because the planters did not think women, or at least English women, fit for work in the fields, men outnumbered women among immigrants by three or four to one throughout the century.[50] Consequently most of the freedmen had no wife or family to tame their wilder impulses and serve as hostages to the respectable world.

Finally, what made these wild young men particularly dangerous was that they were armed and had to be armed. Life in Virginia required guns. The plantations were exposed to attack from Indians by land and from privateers and petty-thieving pirates by sea.[51] Whenever England was at war with the French or the Dutch, the settlers had to be ready to defend themselves. In 1667 the Dutch in a single raid captured twenty merchant ships in the James River, together with the English warship that was supposed to be defending them; and in 1673 they captured eleven more. On these occasions Governor William Berkeley gathered the planters in army and at least prevented the enemy from making a landing. But while he stood off the Dutch he worried about the ragged crew at his back. Of the able-bodied men in the colony he estimated that "at least one third are Single freedmen (whose Labour will hardly maintaine them) or men much in debt, both which wee may reasonably expect upon any Small advantage the Enemy may gaine upon us, wold revolt to them in hopes of bettering their Condicion by Shareing the Plunder of the Country with them.[52]

Berkeley's fears were justified. Three years later, sparked not by a Dutch invasion but by an Indian attack, rebellion swept Virginia. It began almost as Berkeley had predicted, when a group of volunteer Indian fighters turned from a fruitless expedition

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[49] Nicholas Spencer to Lord Culpeper, Aug. 6, 1676, *ibid.*, 170. See also CO 1/49, f. 107.

[50] The figures are derived from a sampling of the names of persons for whom headrights were claimed in land patents. Patent Books I-1X (Virginia State Library, Richmond). Wyndham B. Blanton found 17,350 women and 75,884 men in "a prolonged search of the patent books and other records of the times . . . ," a ratio of 1 woman to 4.4 men. Wyndham B. Blanton, "Epidemics, Real and Imaginary, and other Factors Influencing Seventeenth Century Virginia's Population," *Bulletin of the History of Medicine,* XXXI (Sept.-Oct. 1957), 462. See also Craven, *White, Red, and Black*, 26-27.

[51] Pirates were particularly troublesome in the 1680s and 1690s. See CO 1/48, f. 71; CO 1/51, f. 340; CO 1/52, f. 54; CO 1/55, ff. 105-106; CO 1/57, 1. 300; CO 5/1311, no. 10.

[52] CO 1/30, ff. 114-115.

against the Indians to attack their rulers. Bacon's Rebellion was the largest popular rising in the colonies before the American Revolution. Sooner or later nearly everyone in Virginia got in on it, but it began in the frontier counties of Henrico and New Kent, among men whom the governor and his friends consistently characterized as rabble.[53] As it spread eastward, it turned out that there were rabble everywhere, and Berkeley understandably raised his estimate of their numbers. “How miserable that man is,” he exclaimed, “that Governes a People wher six parts of seaven at least are Poore Endebted Discontented and Armed.”[54]

Virginia's poor had reason to be envious and angry against the men who owned the land and imported the servants and ran the government. But the rebellion produced no real program of reform, no ideology, not even any revolutionary slogans. It was a search for plunder, not for principles. And when the rebels had redistributed whatever wealth they could lay their hands on, the rebellion subsided almost as quickly as it had begun.

It had been a shattering experience, however, for Virginia's first families. They had seen each other fall in with the rebels in order to save their skins or their possessions or even to share in the plunder. When it was over, they eyed one another distrustfully, on the lookout for any new Bacons in their midst, who might be tempted to lead the still restive rabble on more plundering expeditions. When William Byrd and Laurence Smith proposed to solve the problems of defense against the Indians by establishing semi-independent buffer settlements on the upper reaches of the rivers, in each of which they would engage to keep fifty men in arms, the assembly at first reacted favorably. But it quickly occurred to the governor and council that this would in fact mean gathering a crowd of Virginia's wild bachelors and furnishing them with an abundant supply of arms and ammunition. Byrd had himself led such a crowd in at least one plundering foray during the rebellion. To put him or anyone else in charge of a large and permanent gang of armed men was to invite them to descend again on the people whom they were supposed to be protecting.[55]

The nervousness of those who had property worth plundering continued throughout the century, spurred in 1682 by the tobacco-cutting riots in which men roved about destroying crops in the fields, in the desperate hope of producing a shortage that would raise the price of the leaf.[56] And periodically in nearby Maryland and North Carolina,

[53] CO 1/37, ff. 35-40.
[54] Vol. LXXVII, 144-46, Conventry Papers.
[55] Hening, *Statutes*, II, 448-54; CO 1/42, f.178; CO 1/43, f.29; CO 1/44, f. 398; CO 1/47, ff. 258-260, 267; CO 1/48, f. 46; vol. LXXVIII, 378-81, 386-87, 398-99, Conventry Papers.
[56] CO 1/48 *passim.*

where the same conditions existed as in Virginia, there were tumults that threatened to spread to Virginia.[57]

As Virginia thus acquired a social problem analagous to England's own, the colony began to deal with it as England had done, by restricting the liberties of those who did not have the proper badge of freedom, namely the property that government was supposed to protect. One way was to extend the terms of service for servants entering the colony without indentures. Formerly they had served until twenty-one; now the age was advanced to twenty-four.[58] There had always been laws requiring them to serve extra time for running away; now the laws added corporal punishment and, in order to make habitual offenders more readily recognizable, specified that their hair be cropped.[59] New laws restricted the movement of servants on the highways and also increased the amount of extra time to be served for running away. In addition to serving two days for every day's absence, the captured runaway was now frequently required to compensate by labor for the loss to the crop that he had failed to tend and for the cost of his apprehension, including rewards paid for his capture.[60] A three week's holiday might result in a years extra service.[61] If a servant struck his master, he was to serve another year.[62] For killing a hog he had to serve the owner a year and the informer another year. Since the owner of the hog, and the owner of the servant, and the informer were frequently the same man, and since a hog was worth at best less than one tenth the hire of a servant for a year, the law was very profitable to masters. One Lancaster master was awarded six years extra service from a servant who killed three of his hogs, worth about thirty shillings.[63]

The effect of these measures was to keep servants for as long as possible from gaining their freedom, especially the kind of servants who were most likely to cause trouble. At the same time the engrossment of land was driving many back to servitude after a brief taste of freedom. Freedmen who engaged to work for wages by so doing became servants again, subject to most of the same restrictions as other servants.

Nevertheless, in spite of all the legal and economic pressures to keep men in service, the ranks of the freedmen grew, and so did poverty and discontent. To prevent the

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[57] CO 1/43, ff. 159-365; CO 1/44, 10-62; CO 1/47. f. 261; CO 1/48, ff. 87-96, 100-102, 185; CO 5/1305, no. 43; CO 5/1309, no. 74.
[58] Hening, *Statutes*. II, 113.14, 210.
[59] *Ibid*., II, 266, 278.
[60] *Ibid*., II, 116-17, 273-74, 277-78.
[61] For example, James Gray, absent twenty-two days, was required to serve fifteen months extra. Order Book 1666-1680, p. 163, Lancaster County Court Records.
[62] Hening, *Statutes*, II, 118.
[63] Order Book 1666-1680, p. 142, Lancaster County Court Records.

wild bachelors from gaining an influence in the government, the assembly in 1670 limited voting to landholders and householders.[64] But to disfranchise the growing mass of single freemen was not to deprive them of the weapons they had wielded so effectively under Nathaniel Bacon. It is questionable how far Virginia could safely have continued along this course, meeting discontent with repression and manning her plantations with annual importations of servants who would later add to the unruly ranks of the free. To be sure, the men at the bottom might have had both land and liberty, as the settlers of some other colonies did, if Virginia's frontier had been safe from Indians, or if the men at the top had been willing to forego some of their profits and to give up some of the lands they had engrossed. The English government itself made efforts to break up the great holdings that had helped to create the problem.[65] But it is unlikely that the policy makers in Whitehall would have contended long against the successful.

In any case they did not have to. There was another solution, which allowed Virginia's magnates to keep their lands, yet arrested the discontent and the repression of other Englishmen, a solution which strengthened the rights of Englishmen and nourished that attachment to liberty which came to fruition in the Revolutionary generation of Virginia statesmen. But the solution put an end to the process of turning Africans into Englishmen. The rights of Englishmen 'ere preserved by destroying the rights of Africans.

I do not mean to argue that Virginians deliberately turned to African Negro slavery as a means of preserving and extending the rights of Englishmen. Winthrop Jordan has suggested that slavery came to Virginia as an unthinking decision.[66] We might go further and say that it came without a decision. It came automatically as Virginians bought the cheapest labor they could get. Once Virginia's heavy mortality ceased, an investment in slave labor was much more profitable than an investment in free labor; and the planters bought slaves as rapidly as traders made them available. In the last years of the seventeenth century they bought them in such numbers that slaves probably already constituted a majority or nearly a majority of the labor force by 1700.[67] The demand was so great that

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[64] Hening, *Statutes,* 11, 280. It had been found, the preamble to the law said, that such persons "haveing little interest in the country doe oftner make tumults at the election to the disturbance of his majesties peace, then by their discretions in their votes provide for the conservasion thereof, by makeing choyce of persons fitly qualifyed for the discharge of soe greate a trust...."

[65] CO 1/39, f. 196; CO 1/48, f. 48; CO 5/1309, nos. 5, 9, 23: CO 9/1310, no. 83.

[66] Jordan, *White over Black*, 44-98.

[67] In 1700 they constituted half of the labor force (persons working for other men) in Surry County, the only county in which it is possible to ascertain the numbers. Robert Wheeler, "Social Transition in the Virginia Tidewater, 1650-1720: The Laboring Household as an Index," paper delivered at the Organization of American Historians' meeting, New Orleans, April 15, 1971. Surry County was on the south side of the James, one of the least wealthy regions of Virginia.

traders for a time found a better market in Virginia than in Jamaica or Barbados.[68] But the social benefits of an enslaved labor force, even if not consciously sought or recognized at the time by the men who bought the slaves, were larger than the economic benefits. The increase in the importation of slaves was matched by a decrease in the importation of indentured servants and consequently a decrease in the dangerous number of new freedmen who annually emerged seeking a place in society that they would be unable to achieve.[69]

If Africans had been unavailable, it would probably have proved impossible to devise a way to keep a continuing supply of English immigrants in their place. There was a limit beyond which the abridgment of English liberties would have resulted not merely in rebellion but in protests from England and in the cutting off of the supply of further servants. At the time of Bacon's Rebellion the English commission of investigation had shown more sympathy with the rebels than with the well-to-do planters who had engrossed Virginia's lands. To have attempted the enslavement of English-born laborers would have caused more disorder than it cured. But to keep as slaves black men who arrived in that condition was possible and apparently regarded as plain common sense.

The attitude of English officials was well expressed by the attorney who reviewed for the Privy Council the slave codes established in Barbados in 1679. He found the laws of Barbados to be well designed for the good of his majesty's subjects there, for, he said, "although Negros in that Island are punishable in a different and more severe manner than other Subjects are for Offences of the like nature; yet I humbly conceive that the Laws there concerning Negros are reasonable Laws, for by reason of their numbers they become dangerous, and being a brutish sort of People and reckoned as goods and chattels in that Island, it is of necessity or at least convenient to have Laws for the Government of them different from the Laws of England, to prevent the great mischief that otherwise may happen to the Planters and Inhabitants in that Island."[70] In Virginia too it seemed convenient and reasonable to have different laws for black and white. As the number of slaves increased, the assembly passed laws that carried forward with much greater severity the trend already under way in the colony's labor laws. But the new severity was reserved for people without white skin. The laws specifically exonerated the master who accidentally

[68] See the letters of the Royal African Company to its ship captains, Oct. 23, 1701; Dec. 2, 1701; Dec. 7, t-04; Dec. 21, 1704; Jan. 25, 1704/15, 170 58 (Public Record Office, London).
[69] Abbot Emerson Smith, *Colonists in Bondage: White Servitude and Convict Labor in America 1607-1776* (Chapel Hill, 1947), 335. See also Thomas J. Wertenbaker, *The Planters of Colonial Virginia* (Princeton, 1922). 130-31, 134-35; Craven, *White, Red, and Black*, 17.
[70] CO 1/45, f. 138.

beat his slave to death, but they placed new limitations on his punishment of "Christian white servants."[71]

Virginians worried about the risk of having in their midst a body of men who had every reason to hate them.[72] The fear of a slave insurrection hung over them for nearly two centuries. But the danger from slaves actually proved to be less than that which the colony had faced from its restive and armed freedmen. Slaves had none of the rising expectations that so often produce human discontent. No one had told them that they had rights. They had been nurtured in heathen societies where they had lost their freedom; their children would be nurtured in a Christian society and never know freedom.

Moreover, slaves were less troubled by the sexual imbalance that helped to make Virginia's free laborers so restless. In an enslaved labor force women could be required to make tobacco just as the men did; and they also made children, who in a few years would be an asset to their master. From the beginning, therefore, traders imported women in a much higher ratio to men than was the case among English servants,[73] and the level of discontent was correspondingly reduced. Virginians did not doubt that discontent would remain, but it could be repressed by methods that would not have been considered reasonable, convenient, or even safe, if applied to Englishmen. Slaves could be deprived of opportunities for association and rebellion. They could be kept unarmed and unorganized. They could be subjected to savage punishments by their owners without fear of legal reprisals. And since their color disclosed their probable status, the rest of society could keep

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[71] Hening, *Statutes*, II, 481-82, 492-93; III, 86-88, 102-03, 179-80, 333-35, 447-62.

[72] For example, see William Byrd II to the Earl of Egmont, July 12, 1736, in Elizabeth Donnan, ed., *Documents Illustrative of the History of the Slave Trade to America* (4 vols., Washington, 1930-1935), IV, 131-32. But compare Byrd's letter to Peter Beckford, Dec. 6, 1735, "Letters of the Byrd Family," *Virginia Magazine of History and Biography*, XXXVI (April 1928), 121-23, in which he specifically denies any danger. The Virginia assembly at our times laid duties on the importation of slaves. See Dorman, ed., *Documents Illustrative of the History of the Slave Trade*, IV, 66-67, 86-88, 91-94, 102-17, 121-31, 13242. The purpose of some of the acts was to discourage imports, but apparently the motive was to redress the colony's balance of trade after a period during which the planters had purchased far more than they could pay for. See also Wertenbaker, *The Planters of Colonial Virginia*, 129.

[73] The Swiss traveler Francis Ludwig Michel noted in 1702 that "Both sexes are usually bought, which increase afterwards." William J. Hinke, trans. and ed., "Report of the Journey of Francis Louis Michel from Berne Switzerland to Virginia, October 2, (1) 1701-December 1, 1702: Part II," *Virginia Magazine of History and Biography*, XXIV (April 1916), 116. A sampling of the names identifiable by sex, for whom headrights were claimed in land patents in the 1680s and 1690s shows a much higher ratio of women to men among blacks than among whites. For example, in the years 1695-1699 (Patent Book 9) I count 818 white men and 276 white women, 376 black men and 220 black women (but compare Craven, *White, Red, and Black*, 99-100). In Northampton County in 1677, among seventy-five black tithables there were thirty-six men, thirty-eight women, and one person whose sex cannot be determined. In Surry County in 1703, among 211 black tithables there were 132 men, seventy-four women, and five persons whose sex cannot be determined. These are the only counties where the records yield such information. Northampton County Court Records, Order Book 10, 189-91; Surry County Court Records, Deeds, Wills, etc., No, 5, part 2, 287-90.

close watch on them. It is scarcely surprising that no slave insurrection in American history approached Bacon's Rebellion in its extent or in its success.

Nor is it surprising that Virginia's freedmen never again posed a threat to society. Though in later years slavery was condemned because it was thought to compete with free labor, in the beginning it reduced by so much the number of freedmen who would otherwise have competed with each other. When the annual increment of freedmen fell off, the number that remained could more easily find an independent place in society, especially as the danger of Indian attack diminished and made settlement safer at the heads of the rivers or on the Carolina frontier. There might still remain a number of irredeemable, idle, and unruly freedmen, particularly among the convicts whom England exported to the colonies. But the numbers were small enough, so that they could be dealt with by the old expedient of drafting them for military expeditions.[74] The way was thus made easier for the remaining freedmen to acquire property, maybe acquire a slave or two of their own, and join with their superiors in the enjoyment of those English liberties that differentiated them from their black laborers.

A free society divided between large landholders and small was much less riven by antagonisms than one divided between landholders and landless, masterless men. With the freedman's expectations, sobriety, and status restored, he was no longer a man to be feared. That fact, together with the presence of a growing mass of alien slaves, tended to draw the white settlers closer together and to reduce the importance of the class difference between yeoman farmer and large plantation owner.[75]

The seventeenth century has sometimes been thought of as the day of the yeoman farmer in Virginia; but in many ways a stronger case can be made for the eighteenth century as the time when the yeoman farmer came into his own, because slavery relieved the small man of the pressures that had been reducing him to continued servitude. Such an interpretation conforms to the political development of the colony. During the seventeenth

[74] Virginia disposed of so many this way in the campaign against Cartagena in 1741 that a few years later the colony was unable to scrape up any more for another expedition. Fairfax Harrison, "When the Convicts Came," *Virginia Magazine of History and Biography*, XXX (July 1922), 250-60, especially 256-57; John W. Shy, "A New Look at Colonial Militia," *William and Mary Quarterly*, XX (April 1963), 175-85. In 1736, Virginia had shipped another batch of unwanted freedmen to Georgia because of a rumored attack by the Spanish. Byrd II to Lord Egmont, July 1736, "Letters of the Byrd Family," *Virginia Magazine of History and Biography*, XXXVI (July 1928), 216-17. Observations by an English traveler who embarked on the same ship suggest that they did not go willingly: "our Lading consisted of all the Scum of Virginia, who had been recruited for the Service of Georgia, and who were ready at every Turn to mutiny, whilst they belch'd out the most shocking Oaths, wishing Destruction to the Vessel and every Thing in her." "Observations in Several Voyages and Travels in America in the Year 1736." *William and Mary Quarterly*, XV (April 1907), 224.

century the royally appointed governor's council, composed of the largest property-owners in the colony, had been the most powerful governing body. But as the tide of slavery rose between 1680 and 1720 Virginia moved toward a government in which the yeoman farmer had a larger share. In spite of the rise of Virginia's great families on the black tide, the power of the council declined; and the elective House of Burgesses became the dominant organ of government. Its members nurtured a closer relationship with their yeoman constituency than had earlier been the case.[76] And in its chambers Virginians developed the ideas they so fervently asserted in the Revolution: ideas about taxation, representation, and the rights of Englishmen, and ideas about the prerogatives and powers and sacred calling of the independent, property-holding yeoman farmer—commonwealth ideas.

In the eighteenth century, because they were no longer threatened by a dangerous free laboring class, Virginians could afford these ideas, whereas in Berkeley's time they could not. Berkeley himself was obsessed with the experience of the English civil wars and the danger of rebellion. He despised and feared the New Englanders for their association with the Puritans who had made England, however briefly, a commonwealth.[77] He was proud that Virginia, unlike New England, had no free schools and no printing press, because books and schools bred heresy and sedition.[78] He must have taken satisfaction in the fact that when his people did rebel against him under Bacon, they generated no republican ideas, no philosophy of rebellion or of human rights. Yet a century later, without benefit of rebellions, Virginians had learned republican lessons, had introduced schools and printing presses, and were as ready as New Englanders to recite the aphorisms of the commonwealthmen.

It was slavery, I suggest, more than any other single factor, that had made the difference, slavery that enabled Virginia to nourish representative government in a plantation society, slavery that transformed the Virginia of Governor Berkeley to the Virginia of Jefferson, slavery that made the Virginians dare to speak a political language that magnified the rights of freemen, and slavery, therefore, that brought Virginians into the same commonwealth political tradition, with New Englanders. The very institution that

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[75] Compare Lyon G. Tyler, "Virginians Voting in the Colonial Period," *William and Mary Quarterly*, VI (.July 1897), 7-13.

[76] John C. Rainholt, "The Alteration in the Relationship between Leadership and Constituents in Virginia, 1660 to 1720," *William and Mary Quarterly*, XXVII ( July 1970). 411-34.

[77] William Berkeley to Richard Nicolls, May 20, 1666, May I, 166'. Additional Mss. 28,2 I8. IT. 14-17 (British Museum, London).

[78] Hening, *Statutes*, II, 517.

was to divide North and South after the Revolution may have made possible their union in a republican government.

Thus began the American paradox of slavery and freedom, intertwined and interdependent, the rights of Englishmen supported on the wrongs of Africans. The American Revolution only made the contradictions more glaring, as the slaveholding colonists proclaimed to a candid world the rights not simply of Englishmen but of all men. To explain the origin of the contradictions, if the explanation I have suggested is valid, does not eliminate them or make them less ugly. But it may enable us to understand a little better the strength of the ties that bound freedom to slavery, even in so noble a mind as Jeffersons. And it may .perhaps make us wonder about the ties that bind more devious tyrannies to our own freedoms and give us still today our own American paradox.