<table>
<thead>
<tr>
<th>項目</th>
<th>内容</th>
</tr>
</thead>
<tbody>
<tr>
<td>タイトル</td>
<td>シェンジン・ジェファーソンの平等に関する見解</td>
</tr>
<tr>
<td>著者</td>
<td>IWABUCHI, Sachiko</td>
</tr>
<tr>
<td>引用</td>
<td>北大法学論集, 50(5): 190-153</td>
</tr>
<tr>
<td>発行日</td>
<td>2000-01-31</td>
</tr>
<tr>
<td>URL</td>
<td><a href="http://hdl.handle.net/2115/14983">http://hdl.handle.net/2115/14983</a></td>
</tr>
<tr>
<td>ファイル情報</td>
<td>50(5)_p190-153.pdf</td>
</tr>
</tbody>
</table>

日本語の研究論文の抜粋です。
Thomas Jefferson and His Views on Equality

Sachiko IWABUCHI*

Table of Contents

Introduction

1. Equality and Inequality: Jefferson's Authorship of the Declaration of Independence

2. Jefferson and His Views on Slavery
   (1) A history of slavery in colonial Virginia
   (2) Jefferson's opinions on slavery

3. Jefferson and Race: Recent Debate over Jefferson a "Racist"

4. Jefferson and the Issue of Miscegenation
   (1) Miscegenation in Virginia in the seventeenth and eighteenth centuries
   (2) Miscegenation at Monticello

5. Reverberation of Jefferson's Ideas on Equality

*I thank Professor Peter S. Onuf, Thomas Jefferson Memorial Foundation Professor of History at the University of Virginia, for his advice and suggestions on my paper. Without his encouragement, I could not have been able to finish my thesis, which is the prototype of this paper. I also thank Professor Alan D. Williams for his comments and for correcting my misunderstandings. I thank the graduate students in my class who read my paper and gave me insightful feedback. Finally, I thank Professor Jun Furuya of the Faculty of Law at Hokkaido University for his encouragement and support. I am grateful to the Japan Society for the Promotion of Science for their support. Their grant made the research for this paper possible.
Introduction

In 1943 when Franklin D. Roosevelt delivered the speech for the Jefferson Memorial in the nation’s capital, Jefferson’s status as a nation’s hero became firmly established. “Today, in the midst of a great of war for freedom,” Roosevelt announced, “we dedicated a shrine to freedom. To Thomas Jefferson, apostle of freedom, we are paying a debt overdue.”(1) Jefferson image had been always contentious, never obtaining a consensus. But the dedication of the Jefferson Memorial had created an atmosphere among the nation to view Jefferson as a demigod, whom the nation looks up to as an advocate of democracy. Thomas Jefferson became a sacred figure whose thoughts and ideas were the touchstone of the country.(2)

The following years did not maintain this sacred image. The outcry for the racial equality in the 1950s, the upsurge of the Civil Rights Movement in the 1960s, and the dismay at the Vietnam War, and the disgust of the Watergate scandal in the 70s had led the nation to doubt its image and created an atmosphere in which to review the nation’s history not just as "the straight, wide, white road"(3) as it used to be taught but as the way it actually had been. Though most of the revisionists’ re-evaluation of Jefferson was unfavorable, the change in both academia and the public made it possible to reinterpret the historical Jefferson as an individual human being, who once breathed and lived in a given time and space.

New interpretations of Thomas Jefferson were encouraged, but the scholars hardly agreed on who Jefferson was. The re-evaluation of the nation’s Founding Father turned into a "character" issue questioning how Jefferson, the author of the Declaration of Independence, could own slaves. Jefferson’s writings on African-Americans also became a target among his critics. Paul Finkelman has condemned Jefferson’s inaction toward emancipation. Jefferson was, Finkelman argues, "the intellectual godfather of the racist pseudo-science of the American school of anthropology.“(4) A Scottish historian Conor Cruise O’Brien not only questioned Jefferson’s character, but also suggested that Jefferson was a misfit as a nation’s hero and should be removed from the pantheon for failing to envision multi-racial America.(5) New research on Jefferson’s alleged relationship with his young slave girl reopened the Jefferson’s character controversy.
My paper examines Jefferson as an individual human being in historical context. What did Jefferson mean by the famous phrase "all men are created equal"? What did he mean by "all men"? How did he see the reality of racial inequality? Did Jefferson recognize the discrepancy? What did equality mean to Jefferson in the eighteenth century? I would like to emphasize contingency and the importance of historical context in re-examining Jefferson’s ideas and thoughts. From the twentieth-century’s criterion, discrimination based on gender, race, and religious belief is unacceptable. We are prone to employ our modern scale of judgment even when we understand the past. What is remarkable about the recent Jefferson scholarship is that Jefferson’s words and ideas were contested with a modern standard of judgment. I do not aim to judge whether Jefferson was right or wrong when he made discriminatory remarks on African-Americans. What I aim is to understand Jefferson’s ideas on equality, race, and miscegenation, emphasizing that equality in the eighteenth century is not the same as what we know in the twentieth century.

In the first section, I will discuss Jefferson’s understanding of equality, focusing on the ideas expressed in his draft of the Declaration of Independence. It seems to me that the question of how Jefferson could own slaves while he wrote "all men are created equal" comes from dissecting Jefferson’s ideas and taking them out of historical contexts. The first section examines what the document aims to achieve and what the equality in the document meant in 1776 when the battle for independence was being fought. This section also explores whether Jefferson believed in universal equality. Beyond the argument of equality in the Declaration of Independence, did Jefferson recognize any contradictions in inequality in society and endorse universal equality? One of the obvious inequalities was racial discrimination, which in Jefferson’s Virginia took the form of slavery. Chattel slavery is the total denial of one’s claim to equal treatment. In the second section I examine Jefferson’s opinions on both non-racial and racial slavery. Because the institution of slavery in Jefferson’s Virginia was a racial one, the third section examines Jefferson’s views on race. In the fourth section I delve into miscegenation in Jefferson’s writings. Understanding what Jefferson wrote and thought on miscegenation is no less significant than his ideas on equality. Race determined whether a person was free or not. When the mulatto population increased, the question of whether mulattos were entitled to equal rights and
Article

privileges as whites had to be answered. From Jefferson's writings on miscegenation, I explain what hindered Jefferson from imagining a multi-racial, racially equal American society. In this section, I also shed light on the alleged liaison between Jefferson and his black slave woman named Sally Hemings. The alleged liaison became such a controversy, especially when the DNA test was conducted to determine whether Jefferson fathered children with Sally Hemings. I believe that the better understanding of historic Jefferson — not an impenetrable flawless demigod, but a man who actually lived in a racially discriminated society, owned slaves and perhaps owned his own children as slaves — would be and could be achieved when historians incorporate private and public worlds of Jefferson. The Hemings story first broke out as a political scandal. My whole purpose to take up this story is to understand Jefferson, who abhorred miscegenation but may have been involved in one in private. There is a difference between examining history and muckraking historical figures.

I would like to add one general note for the use of historical term "Negro." In my paper I did not emend the word "Negro" whenever the word appears in the primary source. I also retain the word Negro when it is important to differentiate the legal status of those who were considered "negro" and those "mulatto." Today the word "negro" and words associated with the term are considered among the most condescending, most discriminative, most unacceptable. I agree with what Eugene Genovese wrote in his Roll, Jordan, Roll about the use of the term "Negro" in academic research.

Some of the language in this book [Roll, Jordan, Roll] may disturb readers; it disturbs me. Whenever "nigger" appears in the sources, it has been retained; moreover, I have used it myself when it seemed the best way to capture the spirit of a contemporary situation. The word is offensive, but I believe that its omission would only anesthetize subject matter infinitely more offensive.

I hope that the readers will understand my use of these terms for historical accuracy.
1. Equality and Inequality: Jefferson's Authorship of the Declaration of Independence

The fact that Thomas Jefferson, who wrote in the Declaration of Independence that "all men are created equal," owned slaves has called into question Jefferson’s understanding of equality. The discrepancy between his words and deeds even calls into question Jefferson’s integrity, and furthermore, whether Jefferson was serious when he criticized the institution of slavery in that document. The inconsistency between Jefferson’s philosophy expressed in the Declaration of Independence and the actual fact that he owned the slaves reflects such various problems as Jefferson’s views on slavery, the question of his character, and the implicit limits of his ideas and limitations on equality. Thus, Jefferson can be condemned as a hypocrite in that he pretended to believe in equality among human beings regardless of gender and racial differences, while he did not have faith in equality at all. A comparison between what Jefferson meant by "all men are created equal" and the fact that he was a slaveholder, however, overlooks some important issues. It is important to look beyond the superficial contradiction apparent in the facts of Jefferson’s authorship of the Declaration and his ownership of slaves, and to examine what Jefferson meant by equality and to comprehend the place of this concept in his political thought.

What did Jefferson mean by the phrase "all men are created equal"? Prior to this inquiry, we have to remind ourselves not to telescope the issue from the present standpoint. When we read the Declaration of Independence, our modern perception of "equality" distorts our comprehension of the phrase. Jefferson’s definition of equality has to be examined within its historical context. The phrase which contains "all men are created equal" is a part of the Declaration’s preamble. Although the phrase is paid the most attention, the focal point of the Declaration of Independence lies in its last part, which states that

We therefore the Representatives of the United states [sic] of America in General Congress assembled, appealing to the supreme judge of the world for the rectitude of our intentions, do in the name, & by authority of the good people of these colonies, solemnly publish & declare that these United colonies
are & of right ought to be free & independent states; that they are absolved from all allegiance to the British crown, and that all political connection between them & the state of Great Britain, is & ought to be, totally dissolved; & that as free & independant states they have full power to levy war, conclude peace, contract alliances, establish commerce & to do all other acts & things which independant states may of right do. and for the support of this declaration, with a firm reliance on the protection of divine providence we mutually pledge to each other our lives, our fortunes & our sacred honor.(9)

The Declaration of Independence was written as a political statement, which aimed to deny British authority over the American colonies. The principal purpose of the Declaration of Independence was to declare the equality of the American states among the powers of the earth, not to endorse universal equality of human beings.(10)

Even admitting that the original and main goal of the Declaration of Independence was not to promote equality in the modern sense, the question of how Jefferson defined the differences between gender, race, and religion still remains. One approach to this problem is to compare Jefferson’s draft and John Locke’s Second Treatise on Government. The focus of this argument is to analyze the wording of the Jefferson’s draft and the philosophies behind it. Although this analytical approach encompasses Jefferson’s other comments on equality scattered through his writings, the emphasis lies in understanding the intention behind the Declaration of Independence and the political impact it had at a specific historical moment. As some historians have pointed out, Jefferson and his contemporaries imbibed the Lockean understanding of equality, whose emphasis lay in an equal station of the United colonies to Great Britain. Equality for Jefferson and his contemporaries, as Locke elucidated, did not mean that all human beings are equally endowed in talent and virtue.(11)

Yet, even if Jefferson and the revolutionaries did not endorse universal equality in the text of the Declaration of Independence, whether Jefferson generally believed in the natural equality of all human beings has to be examined. On this account, a study of the notion of nature in Jefferson’s philosophical scheme provides a pivotal perspective.

In his work on Jefferson’s Declaration of Independence, Morton White has asserted that by the phrase “all men are created equal,” Jefferson meant equal creation
of "the members of the same species."(12) If so, one might wonder whether Jefferson and the enlightened political philosophers did not see any contradiction in gender and racial inequalities among human beings. The concept of nature dissolved the knot. Jefferson was a disciple of natural philosophy. The concept of nature molded Jefferson's views of his surrounding world.(13) Jefferson saw nature as God's divine creation. In Jefferson's opinion, God designed nature perfectly so that every creature has its proper station. Since Jefferson believed that nature was God's creation and that God could not err, differences inscribed in nature such as those of gender, merit, and color among human beings could not be questioned. Gradual change from the Creator's original scheme might happen, but nature was supposed to be perfect by itself and could not be modified by human effort. It was in nature that Jefferson found his justification for gender and racial discrimination in society.

Republicanism also provides another explanation why differentiation by gender and race was sanctioned. In colonial America, women and black slaves were not the only ones whose natural rights were infringed. Being a white male was not sufficient to secure full membership in political society. The revolutionaries sought to construct a republic in the New World, where only virtuous citizens were entitled to the privileges of the civil rights and equal protection of law. One of the requisites for full citizenship was internal and external independence. Internal independence allowed people to make right decisions concerning their private and public interest; external independence was the freedom from physical and economic constraint. Indentured servants were not considered citizens because of their dependency on their master's will. Nor could man without property, or "a stake in society," vote. The exclusion of black slaves from society was justified with the this reasoning.(14)

The exclusion of slaves from society on account of their dependency was widely accepted throughout the colonies. Jefferson, who believed that racial distinctions were divinely sanctioned, did not question the exclusion of blacks from a republican society. However, a letter to Edward Bancroft in 1788 indicated that Jefferson at one point hoped that the blacks would be good citizens if they were to be indoctrinated with proper sense of property and foresight. With a mixture of disappointment and hope, Jefferson disclosed his plan to eradicate slavery. "I shall endeavor to import as many Germans as I have grown slaves. I will settle them and my
slaves, on farms on 50. acres each, intermingled, and place all on the footing of the
Metayers [Medietarii] of Europe. Their children shall be brought up, as others are, in
habits of property and foresight, and I have no doubt but that they will be good
citizens."(15) Yet it is questionable whether Jefferson ever enthusiastically embraced the
prospect of realization of black citizenship, especially in America. Jefferson expressed
his hope that blacks could be good citizens, but the fact that Jefferson did not elaborate
concrete plans to make slaves citizens, together with the fact that elsewhere in his
writings Jefferson proposed the deportation of blacks as the only way to end slavery,
suggests that Jefferson did not anticipate the emergence of a racially harmonious
society in his time.(16)

Even when the political and historical context of the Declaration of
Independence saved Jefferson from the accusation that he was a false advocate of
universal equality, Jefferson's views on the African-Americans and the institution of
slavery, especially those expressed in his Notes on the State of Virginia, provide a
weapon for Jefferson critics. On one hand, Jefferson had attacked the existence of
slavery in America, and he often expressed his hope for its termination in the future. He
considered the institution of slavery as morally wrong and argued that domination over
his slave would harm white masters as well as the slaves.(17) On the other hand,
Jefferson justified America's "Negro slavery" by his observations on blacks' intellectual inferiority. His description of the African slaves was colored with his
personal belief that "whiteness" was superior in an aesthetic sense.(18) Jefferson showed
his sympathy towards the slaves' plight, but he only proposed to deport them outside
the United States.

In his private world Jefferson was surrounded by slaves. They were mostly
black or mulatto, but in the beginning of Virginia's settlement servitude was not always
confined to a particular race. Racial boundaries and discrimination had been modified
through times, corresponding to social and economic changes. The crucial difference
between white indentured servitude and black slavery lay in a possibility of freedom.
White indentured servants were not considered slaves because they became free at the
end of their term whereas slaves were in bondage for life and their status was passed
onto their descendants. In colonial America when people discussed the evils of slavery,
it was black slavery they had in mind. Yet even though American slavery was racial,
the question of slavery had always been conceived as twofold, both as an issue of bondage in general, and as an issue of race. Jefferson's views on slavery reflected this double character. And because of this double character of the American slavery, Jefferson's views on slavery need to be examined from two different angles. I will first discuss Jefferson's views on chattel slavery in general, and then proceed to look at his views on blacks.

2. Jefferson and His Views on Slavery

(1) A history of slavery in colonial Virginia

One approach to grasping Jefferson's views on slavery and race is to explore his ideas and thoughts within his writings. The shortcomings of this approach are that we cannot fully understand why and how Jefferson's perspectives were unique and distinctive in given time. He wrote that slavery was morally wrong. We also know that slaves in Jefferson's time were mostly black. We know that in Jefferson's time slavery as practiced in Virginia was a racial institution. Yet we do not know whether he was against racial slavery or whether he was against any kind of slavery. Nor is it clear whether Jefferson was against white master-black slave bondage when he used the term "slavery." Moreover, we do not know how Jefferson and his contemporaries came to justify enslavement of Africans. Jefferson, who was familiar with the classics, knew the practice of slavery in Roman and Greek times, but slavery in ancient times was not necessarily racial. When Jefferson argued against slavery in America, he did not always differentiate the institution of slavery from the one he witnessed in his country. To understand better Jefferson's views on slavery, both racial and non-racial bondage, I will provide a history of the practice and theory that surrounded the issue of slavery in colonial Virginia.

Slavery was nothing new in the eighteenth century. The institution had existed since the time of ancient Rome and Greece. In Jefferson's time, we know that racial slavery had long been familiar in colonial Virginia. The peculiar fact is that slavery had been out of practice in Britain when most colonists came across the Atlantic. Also, the practice of slavery had gone through gradual changes through time.
During the course of colonial history, the institution of slavery, which in the beginning was not necessarily limited to a specific race, emerged in its familiar racial form. In the following pages I will provide a brief history of slavery in Virginia, which will serve as a foil for Jefferson's opinions of slavery as an institution in general and for his views on black slavery expressed in his writings.

Several points need to be mentioned about the practice of slavery and the slave trade in seventeenth- and eighteenth-century Virginia. First, most settlers in the earlier period were from England, but the actual practice of human bondage had been long outlawed in Britain. It was an irony, therefore, that while chattel slavery declined in Britain it resumed and became ubiquitous in her colonies in the West Indies and North America. Second, because the West Indian colonies had preceded North American colonization, the customs and practice of slavery were transported from the islands and later modified through economic and social changes in America. Third, the institution of slavery was ancient, but it was during the fourteenth century when the European countries went out to sea partly for wealth and partly for diffusion of Christianity that slavery became associated with race and ethnicity. Fourth, even though the slaves who were brought to the New World by Spanish, Portuguese, and later Dutch and English slave traders were mostly African, discrimination based on the ethnic origin was clearly established in the beginning. By the time Jefferson was born in 1743, slavery in Virginia was "Negro" slavery, and the distinct codes for the slaves as chattel had been well articulated.

The Bible and the classics were employed in the defense of slavery. The justification of slavery had been sought in the Bible since ancient times. One justification is that enslavement is allowed in the Scripture. Another is that Africans' alleged progeny of Ham, who is considered "cursed" in the Bible, provided a ground for enslavement of Africans. When slavery became associated with Africans, who had not traditionally been Christian, European captors also used the Africans' infidelity to justify their enslavement. Whether baptism would free the African slaves became an issue when their status as pagan was used for justification of bondage. The process of how the British colonists and British merchants maneuvered to deny emancipation by baptism to confine Africans in the status of slaves is found in British government documents. In 1729 the English Attorney-General and Solicitor-General's opinions
Thomas Jefferson and His Views on Equality

decided that "baptism could not alter the temporal condition of a slave within the British kingdoms, and that a slave was not freed by the mere facts of being brought to England."(24) In colonial Virginia, the 1753 statute declared that "a slave's being in England shall not be a discharge from slavery, without other proof of being manumitted there; and that baptism of slaves doth not exempt them from bondage."(25)

In addition to the biblical sanction, slavery was justified by classical philosophers such as Plato and Aristotle. In Plato and Aristotle's age slaves were not connected with any specific race; nevertheless, when the slave trade flourished along the African coasts, the justification of African enslavement was sought in the works of classics as well as in the Bible. Two principles were established from the works of antiquity. One was that being enslaved was the victim's fault. Plato argued that "a people with a capacity and ardent desire for freedom, as evidenced by their political institutions, could not legitimately be slaves." Aristotle attributed sin of slavery to the slaves for their lacking virtue and advanced culture.(26)

Although no certain date is known when slavery originated in Virginia, it has been thought that Africans first landed in Virginia around 1619. Most slaves brought to the New World were Africans, though they might have been brought via the West Indies or pirated at sea. Most blacks in early Virginia were slaves. However, the history of the colony suggests that race relations before 1660s had been lenient enough to enable many blacks to avoid lifelong slavery. It has to be noted that there had been a difference between "free" and "bond," and "indentured servants" and "slaves." Indentured servants were those who worked for their master or owner for a certain amount of time till they paid off their debt for their passage to the New World. In most cases, indentured servants were whites, who came to Virginia from England or other countries in Europe. Indentured servants were not "slaves," though they were bought and sold and passed on to their master's heirs. The difference between indentured servants and slaves lies in the possibility of becoming free at the end of servitude. Although indentured servants could be inherited (as long as their terms remained uncompleted), there was an assumption that they could become free at some point. In contrast, slaves were lifelong, inheritable, and most of all, considered as personal property like a horse or a cattle. They were literally conceived as chattel, not as human beings.
Whereas the later history of colonial Virginia shows that indentured servants were mostly white while slaves were black, in the beginning the situation was not so apparent. There were blacks who were not only free but also owned slaves. In most cases, their slaves were non-whites, but these blacks enjoyed the ownership of property. However, the blacks' status gradually deteriorated in the late seventeenth century. Economic and demographic changes were involved. First, Virginia's tobacco crop required a large labor supply, which initially included both white indentured servants and black slaves. But after the Royal African Company gave up its monopoly of the slave trade to the New World in the 1690s, an influx of African slaves flowed into the British southern colonies. The emergence of large number of blacks, brought as slaves, increased apprehension among the whites, which led to efforts to confine blacks as slaves for life. Second, the plantation economy worked against small freeholders both white and black. Since the British encouraged colonization into the New World, they provided fifty acres of land as headright for new settlers. But most immigrants worked for larger planters who accumulated their headrights. As large planters accumulated both land and labor force, they came to control the wharves to ship the crops. The more large plantations thrived, the more the position of smaller freeholder both black and white eroded. While whites continued to remain as indentured servants in smaller numbers, the Africans and their descendants were reduced to the status of "slaves," deprived of rights to own property, including land. As Winthrop Jordan has noted, it is difficult to pinpoint which triggered racial debasement, whites' prejudice and phobia toward non-Christian Africans, or the Africans' miserable social and economic predicament. Yet by 1670 Virginia law defined slavery as lifelong and inheritable based on race. In 1705 Virginia established the slave code, which enacted that "all servants imported and brought into this colony, by sea or land, who were not christian in their native country, (except Turks and Moors in amity with her majesty, and other that can make due proof of their being free in England, or any other christian country, before they were shipped, in order to transportation hither) shall be accounted and be slaves, and as such be here brought and sold notwithstanding a conversion to christinanity afterwards." When Thomas Jefferson was born in 1743, slavery was embedded in Virginia legal codes, and the debasement of black slavery had already taken place in public mind.
Thomas Jefferson and His Views on Equality

(2) Jefferson's opinions on slavery

At the very end of his life, Jefferson, when asked about slavery, wrote that his sentiments on the issue had been public for forty years and that its eventual abolition would continue to be his "most fervent prayer." Indeed, slavery had been a great concern for Jefferson. Born in one of the planter families in Virginia, Jefferson had directly witnessed the workings of slavery. His family owned slaves and they were passed to Jefferson from his father and his father-in-law. Throughout his life, Jefferson repeatedly protested that it was not he but the public mind which was not ready for the radical change. When asked to join in the circle of European abolitionists, Jefferson declined and explained that both masters and slaves were not ready. In later days Jefferson repeated his credo that an inadequate plan does more harm than good. These writings lead us to think that Virginians were adamantly against any kind of abolition. Yet movement toward emancipation was gradually underway. If Jefferson's opposition to slavery was remarkable for someone who had such great stake in slavery as a planter, the examination of Jefferson's views on slavery needs to be examined in contrast to the development of the public opinion about human bondage, both racial and non-racial.

Jefferson hoped gradual change would take place both in popular perceptions of slavery and in slaves' adaptation to society as freemen. He also expressed his concern that his criticism against slavery in America might retard the cause of emancipation rather than promote it. Jefferson received a letter from a South Carolinian Francis Kinloch, who responded to Jefferson's attack on slavery. Kinloch wrote that "the general alarm which another passage in your Notes occasioned amongst us. It is not easy to get rid of old prejudices, and the word 'emancipation' operates like an apparition upon a South Carolina planter." Yet the accuracy of Jefferson's observations is questionable. Even before Jefferson wrote Notes on Virginia, the evils of slavery had provoked public concern, and emancipation was discussed. In 1769 when the delegates of the House of Burgesses who had been dismissed by the British Governor, gathered and dissolved the Virginia Nonimportation Resolutions. In the following year, the members of the House of Burgesses and the body of merchants assembled and declared that "we will not import or bring into the colony or cause to be imported or brought into this colony, either by sea or land, any slaves, or make sale of
any upon commission, or purchase any slave or slaves that may be imported by others, after the 1st day of November next, unless the same have been twelve months upon the continent."(35) While Jefferson remained suspicious about general awareness and recognition of immorality of slavery throughout his life, James Madison informed Jefferson in 1786, who was at the time in Paris, that an abolition movement was gradually gaining momentum.(36) Yet Jefferson feared that the bulk of people would approve slavery and a minority, "which for weight and worth of character preponderates against the greater number," would not "have the courage to divest their families of a property which however keeps their conscience inquiet."(37) It is hard to measure how significant the anti-slavery voice was in Jefferson's time and how those who opposed the institution shaped public opinion. Yet Jefferson was convinced that emancipation could be realized only when "the mind of the master is to be apprised by reflection, and strengthened by the energies of conscience, against the obstacles of self-interest to an acquiescence in the rights of others."(38)

We have learned that by the time Jefferson actively engaged in his political career the institution of slavery was embedded in laws and practice. Throughout his eighty three years of life Jefferson consistently condemned the institution of slavery. Jefferson designated slavery as "the evil," or "[the] violations of human rights," or "a perpetual exercise of the most boisterous passions, the most unremitting despotism on the one part, and degrading submissions on the other."(39) In 1774 Jefferson drafted A Summary View of the Rights of British America, in which he denounced the king's exercise of the negative over the colonists' attempt to impose duties on imported slaves.(40) In his draft of the Declaration of Independence, Jefferson censured the British slave trade, to which he attributed the cause of the evils of slavery in America.(41) In his third draft for the Virginia Constitution of 1776, Jefferson also proposed that "no person hereafter coming into this country would be held in slavery under any pretext whatever."(42) In his draft for the revision of the state constitution of Virginia, Jefferson proposed a plan to prevent the increase of the Negro and mulatto slaves by suggesting that "Negroes and mulattoes which shall hereafter be brought into this commonwealth and kept therein one whole year, together, or so long at different times as shall amount to one year, shall be free."(43) His plan for the government of the Western territories prohibited slavery and involuntary servitude after the year of 1800.(44) All these
writings suggest that Jefferson was hostile to the institution of slavery and anticipated its gradual termination.

The problem of slavery was detrimental for both masters' and slaves' morals. Jefferson designated slavery as "a perpetual exercise of the most boisterous passions, the most unremitting despotism on the one part, and degrading submissions on the other." Jefferson was concerned with the influence that masters' despotic rule over slaves would have upon children's moral sensitivity.

The whole commerce between master and slave is a perpetual exercise of the most boisterous passions, the most unremitting despotism on the one part, and degrading submissions on the other. Our children see this, and learn to imitate it; for man is an imitative animal. This quality is the germ of all education in him. From his cradle to his grave he is learning to do what he sees others do. If a parent could find no motive either in his philanthropy or his self-love, for restraining the intemperance of passion towards his slaves it should always be a sufficient one that his child is present. But generally it is not sufficient. The parent storms, the child looks on, catches the lineaments of wrath, puts on the same airs in the circle of smaller slaves, gives a loose to his worst of passions, and thus nursed, educated, and daily exercised in tyranny, cannot but be stamped by it with odious peculiarities. The man must be a prodigy who can retain his manners and morals undepraved by such circumstances. And with what execration should the statesman be loaded, who permitting one half the citizens thus to trample on the rights of the other, transforms those into despots, and these into enemies, destroys the morals of the one part, and the amor patia of the other. (45)

Despite the fact that Jefferson condemned chattel slavery as endangering the morals of both masters and slaves, Jefferson neither envisioned nor planned an expeditious emancipation. Jefferson was eloquent about his opposition to the institution of slavery, but when it came to the question of abolition, his words sunk to murmuring. In Jefferson's theory, slavery had to be ended, but it would become possible only outside the United States. Jefferson presented several reasons which he thought would prevent or hinder emancipation. One is the differences between two races, which were prescribed in nature. The differences were beyond human's control,
since God created nature as it should be. "It will probably be asked," Jefferson wrote:

Why not retain and incorporate the blacks into the state, and thus save the expense of supplying, by importation of white settlers, the vacancies they will leave? Deep rooted prejudice entertained by the whites; ten thousand recollections, by the blacks, of the injuries they have sustained; new provocations; the real distinctions which nature has made; and many other circumstances, will divide us into parties, and produce convulsions which will probably never end but in the extermination of the one or the other race.

The differences were "fixed" in nature, and in Jefferson's point of view, there should be some meaning in the very existence of the difference between two races. Jefferson assumed the inferiority of blacks' intelligence and the aesthetic superiority of whites.

I advance it therefore as a suspicion only, that the blacks, whether originally a distinct race, or made distinct by time and circumstances, are inferior to the whites in the endowments both of body and mind. It is not against experience to suppose, that different species of the same genus, or varieties of the same species, may possess different qualifications. Will not a lover of natural history then, one who views the gradations in all the races of animals with the eye of philosophy, excuse an effort to keep those in the department of man as distinct as nature has formed them? This unfortunate difference of colour, and perhaps of faculty, is a powerful obstacle to the emancipation of these people. Many of their advocates, while they wish to vindicate the liberty of human nature, are anxious also to preserve its dignity and beauty.

With his "suspicion" that blacks were inferior in mental faculties, Jefferson's reasoning also took on the tone of paternalism. Emancipating slaves without due preparation was, Jefferson thought, like "abandoning children." Because of the long habits of surrendering themselves to their master's will, slaves had lost their capacity to govern themselves. Discussing Quaker experiments with emancipation, Jefferson argued that the Quaker landlord, who hired slaves as tenants, "was obliged to plan their crops for them, to direct all their operation during every season and according to the weather, but what is more afflicting, he was obliged to watch them daily and almost constantly to
Thomas Jefferson and His Views on Equality

make them work, and even to whip them."(49) Here Jefferson did not completely deny the good emancipation could bring for slaves. Yet he insisted that freeing slaves when they had not learned to make their own living would harm them rather than improve their conditions. If slaves were emancipated without being "prepared by instruction and habit for self-government, and for the honest pursuits of industry and social duty," Jefferson apprehended that slaves might soon return to the former state of bondage.(50)

For the slaves' sake, Jefferson insisted that "until more can be done for them, we should endeavor, with those whom fortune has thrown on our hands, to feed and clothe them well, protect them from all ill usage, require such reasonable labor only as is performed voluntarily by freemen, & be led by no repugnancies to abdicate them, and our duties to them."(51) In order to prevent the revival of chattel slavery, both masters and slaves were to prepare with patience for the day of emancipation.(52)

When the slave revolt broke out in St. Domingo in 1791, the grave apprehension of slave revolt in the United States was excited, especially among the Southern slaveholders. The fear of slave revolt had been perceived long before. Slaveowners had well known the necessity of slave labor for their plantation, yet at the same time they considered that disproportionate numbers of blacks might endanger the public safety.(53) "I become daily more and more convinced," Jefferson wrote, "that all the West India islands will remain in the hands of the people of colour, and a total expulsion of the whites sooner or later take place. It is high time we should foresee the bloody scenes which our children certainly, and possibly ourselves (South of Potomac) have to wade through, and try to avert them."(54) The American situation was like having "the wolf by the ears"; if the white slaveowners failed to control of their slaves, rebellious slaves would take over their domain.(55)

The slave revolt in the West Indies also seemed to provoke another sort of danger for the republic: civil war. The issue of slavery aggravated tensions between the North and the South in the Missouri Crisis. The preservation of the union was one of the concerns Jefferson held throughout his life. For Jefferson the state of Virginia was his "country," claiming his first loyalty; at the same time, he was concerned with the preservation of the union. The creation of the American republic was the fruit of the American battle against despotism. Faced with the Missouri Crisis, Jefferson described it as "the knell of the Union," and called himself "the faithful advocate of the Union."(56)
To save the republic from racial and civil war Jefferson argued for deporting blacks to the black West Indies. Jefferson did not conceive a situation where different races could live harmoniously.

For most of the eighteenth century, slaves could be freed only by special act of the Virginia legislature. Manumission by will, however, was practiced in reality, even when it was prohibited by law. Finally in 1782, Virginia passed a manumission law which allowed the freeing of individual slaves. In the 1790s Jefferson freed two of his slaves Robert Hemings and James Hemings. Harriet and Beverly Hemingses were allowed to leave Monticello with Jefferson's assistance, and three other Hemingses became free with an execution of Jefferson's will. Considering the number of slaves Jefferson had owned his entire life, those manumitted consist a small number; at one time or another Jefferson owned several hundred slaves. Jefferson's critics charge that he could have freed more of his own slaves if he was so opposed to the institution. Could Jefferson have emancipated his slaves? Did he not intend to effect emancipation? Motivation and intention are hard to prove, but one factor can help explain Jefferson's inertia: his economic strain. Jefferson died with debts totaling one hundred thousand dollars. While he sanctified the image of yeoman farmers for their simplicity and frugality, Jefferson lived like a gentleman. He entertained guests with hospitality, providing lodging, and excellent wine and food; he continuously remodeled his house at Monticello. Monticello represented not only his private retreat. Jefferson wanted his house to inspire the taste for high culture and ingenious inventions. And slave labor enabled him to maintain his lifestyle. Jefferson might have been serious about terminating slavery in America, yet his economic situation subverted his intentions in his own cases. He seems to have made peace with his conscience with an excuse that the slaves in the South were better fed and treated than the wage laborers in England and the North.

Jefferson urged deportation of African-Americans to the West Indies or Africa, suggesting that it would be the best for both freed slaves and the whites. Jefferson feared that the hostility between the blacks and the whites would end up a gloomy picture of America, with one race extinguishing the other. Another conceivable scenario, the amalgamation of two different races, vexed Jefferson.
3. Jefferson and Race: Recent Debate over Jefferson a "Racist"

Jefferson’s prejudice against blacks is most conspicuously displayed in his Notes on the State of Virginia. Jefferson’s argument on black inferiority begins with his statement that the difference in color between whites and blacks was preordained in nature. He then declares that on aesthetic grounds, the color white is superior to black. "Are not the fine mixtures of red and white, the expressions of every passion by greater or less suffusions of colour in the one," he wrote, "preferable to that eternal monotony, which reigns in the countenances, that immoveable veil of black which covers all the emotions of the other race?" He continues to enumerate such physical distinctions of blacks as color, figure, hair, and odor. He moves on to evaluate blacks’ intelligence. "Comparing them [blacks] by their faculties of memory, reason, and imagination," Jefferson states, "in memory they are equal to the whites; in reason much inferior, as I think one could scarcely be found capable of tracing and comprehending the investigations of Euclid; and that in imagination they are dull, tasteless, and anomalous." While admitting that those blacks had never received any educational opportunities, Jefferson concluded with a comparison of white slaves in ancient times that blacks’ inferiority in body and mind was "not the effect of their condition of life." (62)

Although Jefferson saw color as an indelible line to differentiate blacks from whites, he did not apply the same argument to Native Americans. (63) Jefferson’s views on Native Americans were made from his observations of their physical construction, habits, manners, institutions, sexuality, and intelligence. Overall Jefferson presented more favorable opinions on Native American than on blacks, believing that the Native American was to be "in body and mind equal to the whiteman." (64) When Jefferson designated some part of the Indian culture as barbarous and less refined, he attributed their underdevelopment of civilization to their environmental condition, whereas he affirmed that blacks’ inferiority in body and mind was "not the effect merely of their condition of life." (65) The belief that the barbarism of the Native Americans reflected their lack of civilization, which to some extent consecrated their uncorrupted primitiveness as noble savage, prompted Jefferson to propose educating the Native
Americans. For blacks, he never provided or recommended schooling. He contented himself with asserting that blacks would not become equal in mind and body to whites even if they were to receive equal cultivation.

Jefferson’s different attitudes towards blacks and Native Americans can also be found in his perception of interracial mixture. Jefferson was haunted by fears of racial war as well as of interracial mixture of whites and blacks. "The plan of converting the blacks into Serfs would certainly be better than keeping them in their present condition," Jefferson wrote, "but I consider that of expatriation [of the blacks] to the governments of the W.I. of their own color as entirely practicable, and greatly preferable to the mixture of colour here. To this I have great aversion; but I repeat my abandonment of the subject." Interracial mixture between Africans and Europeans was, in Jefferson’s opinion, nothing but "a degradation to which no lover of his country, no lover of excellence in the human character can innocently consent."

The case was different for the Native Americans. Jefferson encouraged the integration of the Native Americans into white society. He wrote that "the ultimate point of rest & happiness for them [Native Americans] is to let our settlements and theirs meet and blend together, to intermix, and become one people. Incorporating themselves with us as citizens of the U.S., this is what the natural progress of things will of course bring on, and it will be better to promote than to retard it." Jefferson desired peace and friendship between whites and Native Americans: interminglings of the races was one way to achieve this end.

4. Jefferson and the Issue of Miscegenation

(1) Miscegenation in Virginia in the seventeenth and eighteenth centuries

Jefferson promoted the plans for the deportation and colonization of blacks to the West Indies based on his belief that the differences between whites and blacks would end in a bloody racial war. One reason behind Jefferson’s inability to imagine a successful integration of blacks into white society lay in his antipathy towards the practice of miscegenation. Although Jefferson explicitly expressed his opposition to miscegenation with a remark that expatriation of blacks was "preferable to the mixture
of colour," it is not clear on what grounds Jefferson abhorred white-black intermingling. On one level, the fact that Jefferson discounted blacks' intelligence accounts for his opposition to miscegenation. But the question remains as to why Jefferson, who proposed such forward-looking proposals as the establishment of religious freedom and abolition of primogeniture, was so much less radical, even reactionary, in the area of white-black interracial mixture. Before I explore Jefferson's anti-miscegenational ideas, I will provide an overview of the transformation of the colonists' views on miscegenation. I will go back to the early history of Virginia to explain why the colonists saw interracial mixture as unnatural and the extent to which the laws they created came to control miscegenation. Perhaps by examining the transformation of general perceptions of miscegenation as reflected in legal enactment we can get a better grasp on this puzzle of how an enlightened philosopher like Jefferson nevertheless shared the beliefs of his country men on this issue.

Winthrop Jordan has summarized that biblical, social, and psychological elements that had gradually fostered repugnance toward interracial mixture among the white settlers in America. These included: the perception that whites are physically more beautiful than blacks\(^{(71)}\); the conviction that interracial mixture of whites and blacks is an abominable evidence that slaves' baser passion had deprived white people's morality; the belief that God had created order and distinction among the human beings\(^{(72)}\) and that to destroy divine distinctions is nothing but disobedience to God. African-Americans' status as property made people see the union of two races as not just detestable but even criminal.\(^{(73)}\)

To justify the subjugation of Africans in bondage, colonists claimed that nature created by God prohibited miscegenation. One woman in New York described miscegenation as "abhorrence, as a violation of her [nature's] law," because "nature had placed between them [blacks and whites] a barrier, which it was in a high degree criminal and disgraceful to pass."\(^{(74)}\) Maryland and South Carolina assemblies denounced this supposed misbehavior with such expressions as "unnatural" and "inordinate copulations."\(^{(75)}\) The 1630 Virginia court record reveals that the judges and lawmakers considered transgressing racial barriers a "dishonor of God and shame of Christians."\(^{(76)}\) Slaves' status as chattel strengthened the notion of the unnaturalness of white-black union. Sexual relationships with chattel slaves were the same as sodomy,
which was "stamped as irredeemably illicit."(77)

The teachings of the Bible also made miscegenation iniquitous. Yet the Commandment in the Bible prohibits only "the sin of adultery," in other words "illicit relationship out of wedlock."(78) The Bible does not specifically ban interracial marriage between whites and blacks. For most colonists, however, miscegenation was virtually the same as adultery, because a relationship of a white master and a black female servant was, in most cases, concubinage. Therefore, interracial sexual relationship was condemned as the sin of fornication in a broader sense.

Women's fallibility depicted in the Bible worked to punish women both white and black for their seductive role in illicit relationships.(79) For example, seventeenth-century Maryland legislators conceived that white women sought connections with black men "for the satisfaction of their lascivious lustful desires."(80) The same burden fell on black women even when they were raped by their white masters against their will. The colonial Virginia law of 1662 declared that

WHEREAS by act of Assembly every woman servant haveing a bastard is to serve two years, and late experiente shew that some dissolute masters have gotten their maides with child, and yet claime the benefitt of their service, and on the contrary if a woman gott with child by her master should be freed from that service it might probably induce such loose persons to lay all their bastards to their masters; it is therefore thought fitt and accordingly enacted, and be it enacted henceforward that each woman servant gott with child by her master shall after her time by indenture or custome is expired be by the churchwardens of the parish where she lived when she was bought to bed of such bastard, sold for two years, and the tobacco to be imployed by the vestry for the use of the parish.(81)

For both black men and women, the sin of miscegenation was attributed to their ethnicity and sexuality; the lapses of white masters were overlooked.(82)

Race became crucial in sexual relations between two races when slaves had been deprived of their economic and social mobility and confined to eternal servitude. Early colonial Virginia’s legal records indicate that when social and economic status, not race, determined one’s position in society, race had little influence in judgments of
adultery. Breen and Innes’s study has shown that verdicts were not biased, and the
judges were more concerned about the hard fact of misconduct rather than in
determining moral responsibility.\(^{(83)}\) In Virginia the 1662 law first explicitly prohibited
 interracial marriages, declaring that "if any christian shall committ fornication with a
negro man or woman, hee or shee soe offending" should pay double fines.\(^{(84)}\) Later in
1691 the Virginia Assembly denounced miscegenation and the offspring from it as
"abominable mixture and spurious issue.\(^{(85)}\) The act of 1705 decreed,

> And for a further prevention of that abominable mixture and spurious issue,
which hereafter may increase in this her majesty’s colony and dominion, as well
by English, and other white men and women intermarrying with negros or
mulattos, as by their unlawful coition with them, Be it enacted, by the authority
aforesaid, and it is hereby enacted, That whatsoever English, or other white
man or woman, being free, shall intermarry with a negro or mulatto man or
woman, bond or free, shall, by judgment of the county court, be committed to
prison, and there remain, during the space of six months, without bail or
mainprize; and shall forfeit and pay ten pounds current money of Virginia, to
the use of the parish, as aforesaid.\(^{(86)}\)

Any form of sexual relationship between white and black became illegal. Racial
discrimination and social stratification had firmly developed when Jefferson was born
in 1743.

The final question involved in miscegenation is the status of offspring from
that relationship. The issue was how to determine whether the child would be free or
bond. The definition of mulatto children was partly an economic issue, because the
determination of children’s status affected slaveowners’ estate.\(^{(87)}\) Deeming mulatto
children as slaves based upon their mother’s condition had a far-reaching impact on
both households and society. Social sanctions punished fornication and its offspring as
“bastard” and "mongrel." Illegitimate children were a living stigma, a constant
reminder of the actual practice of miscegenation. And the household with white and
mulatto children, free and bound, had to treat children differently according to their
status. Even if white and mulatto children had the same parent, they were never treated
as siblings. Where the slaveholder had a slave mistress and lived with both his white
family and black illegitimate children, anguish and torment would have been on-going, causing real strain on both parents and children.

(2) Miscegenation at Monticello

Despite the general repugnance to miscegenation, racial mixing was prevalent in the South. Winthrop Jordan and Annette Gordon-Reed have pointed out that interracial mixture, especially between the white master and black slave woman, was a part of slavery. Jefferson, who abhorred racial mixing between whites and blacks, witnessed the reality of miscegenation at his home. When Jefferson married Martha Wayles, a mulatto slave woman named Elizabeth Hemings and her children came to Jefferson’s house. Elizabeth Hemings served Martha as her housemaid, and Elizabeth’s daughter Sally became a body servant for Jefferson’s daughter Martha Jefferson. Elizabeth Hemings had six children with Jefferson’s father-in-law, John Wayles. Elizabeth’s children James and Sally had received special treatment at Jefferson’s house. Around Jefferson were mulatto slaves. That Sally Hemings was probably a daughter of John Wayles means that Jefferson owned his wife’s half-sister as a slave. Thus, for Jefferson and his family at Monticello, racial mixture was much more than a fancy.

Besides the presence of mulatto slaves at home, Jefferson’s alleged liaison with his slave Sally Hemings has provoked a controversy over Jefferson’s character. The possibility that Jefferson had a long sexual relationship with a black slave has intrigued public curiosity. Yet the Jefferson-Hemings controversy is more than mere gossip. The notion that Jefferson, one of the Founding Fathers and the embodiment of American ideals, made a black slave girl his concubine, troubles the American mind. Until now, the controversy has been denied or discredited, partly because the scrutiny of the private Jefferson did not seem relevant in understanding his public writings on race and equality. Yet because Jefferson did not elaborate on his opposition to slavery or miscegenation, an inquiry into the alleged liaison allows us to speculate on Jefferson’s thoughts about racial mixture and racial equality.

The facts and issues relating to Jefferson-Hemings liaison are as follows. In 1784 Jefferson was appointed ambassador to France. While he was staying in Paris,
Jefferson called on his daughter Mary to join him. Sally Hemings, who at the time was fourteen years old, accompanied Mary. Sally, described by one of Jefferson’s former slaves as a beautiful, light-colored quadroon, later had six children, among whom two ran away from Monticello and two others were emancipated at Jefferson’s will. James Callender, a journalist who was working for the Jefferson’s political enemies, published a story that Jefferson had had a sexual relationship with his slave girl and fathered children with her. In 1853 Madison Hemings told an Ohio newspaper editor that he was one of the children of Thomas Jefferson and Sally Hemings. Madison Hemings also gave a detailed story about the lives of the Hemings at Monticello, and stated that two Heminges’ emancipation fulfilled a promise that Sally asked Jefferson to keep.

The Jefferson-Hemings story has been controversial in America for several reasons. Raising a question as to whether Thomas Jefferson fathered children with Sally Hemings had been almost a taboo, because this question inevitably has to deal with sex and race, two very contentious issues in America. The alleged Jefferson-Hemings liaison produces an image of the white slaveholder Jefferson abusing his power over his black slave girl Hemings. This image incites agony and guilt on the side of whites and antagonism and resentment on the side of blacks. The young age of Hemings creates a repellent image of Jefferson as a child molester. The suggestion in Madison Hemings’s story that Jefferson emancipated Sally Hemings’s two children based on Sally’s request renders Jefferson a helpless man who yielded his will to a woman. Jefferson defenders would say that all of this is "out of the known character of Thomas Jefferson." The public and the Jefferson defenders are at loss when they see their idol may not have been as perfect as they thought.

The alleged liaison raises two questions relevant to Jefferson’s views on race and slavery. First, if Jefferson held racially discriminatory opinions about blacks, it is less likely, as some historians have argued, that Jefferson had a sexual relationship with a black woman. However, one of the Jefferson’s former slaves described Sally Hemings as a light-colored, beautiful quadroon. It is also almost certain that Jefferson’s wife Martha and Sally Hemings were half-sisters. These facts do not prove the Jefferson scandal, but we should not automatically conclude that a racist Jefferson could not be involved in an interracial relationship. Considering the numbers of mulattoes in the Southern colonies, the argument that a racist Jefferson could not engage in a
relationship with a black woman loses plausibility.

Second, setting aside the question of whether the Jefferson-Hemings relationship was genuinely romantic or not, Jefferson's liaison raises a question about the seriousness and motive of Jefferson's opposition to miscegenation. We do not know whether Jefferson actually fathered children with Sally Hemings. Nor do we know whether Jefferson's experience of living with his wife and her enslaved half-sister made him feel the iniquity of miscegenation. Yet we do know that Jefferson and his family gave the Hemingses favorable treatment. We also know that Jefferson arranged to sell one of his female slaves so that she could make a family with a white man. Jefferson's personal experience of witnessing a family divided by master and slave might have strengthened his antagonism toward miscegenation. Jefferson might have known well how miscegenation would cause emotional strain even if the relationship was truly romantic.

We will never know exactly how Jefferson felt about owning slaves when he recognized, or at least wrote, that slavery was morally wrong. Yet as many historians have pointed out, Jefferson seemed to have been caught in the horns of moral dilemma or at least to have felt ambivalent about the contradictions in himself. It is indeed impossible to say how sincere Jefferson was when he wrote, "nobody wishes more ardently to see an abolition not only of the trade but of the condition of slavery; and certainly nobody will be more willing to encounter every sacrifice for that object." He saw the slaveholding interest as "avarice and oppression." He expressed his contentment when he heard that South Carolina suspended slave imports. Jefferson protested that American slaves in the South were better off compared to the English wage laborers, but he did not forget to add, that "I am not advocating slavery. I am not justifying the wrongs we have committed on a foreign people, by the example of another nation committing equal wrongs on their own subjects." Nowhere in his writings did Jefferson confess that he had suffered the pangs of conscience because of his slaveholding. Nor should we sentimentalize Jefferson as a guilt-afflicted, enlightened philosopher. He did see the evils of slavery, but at the same time he could not see slaves as equal human beings. At Jefferson's Monticello slaves were his labor force and property. He lived his entire life as an enlightened slaveholder with enormous debts.
5. Reverberation of Jefferson's Ideas on Equality

In 1943 the Jefferson Memorial was dedicated to celebrate his 200th birthday. Inside the Rotunda, the following sentences of Jefferson are engraved.

God who gave us life gave us liberty. Can the liberties of a nation be secure when we have removed a conviction that these liberties are the gift of God? Indeed, I tremble for my country when I reflect that God is just, that his justice cannot sleep forever. Commerce between master and slave is despotism. Nothing is more certainly written in the book of fate than these peoples are to be free.

This "quotation" combined separate remarks made by Jefferson. Before "Nothing is" was taken from his Notes on Virginia.\(^{(101)}\) The rest is in Jefferson's Autobiography, in which Jefferson wrote,

But it was found that the public mind would not yet bear the proposition, nor will it bear it even at this day. Yet the day is not distant when it must bear and adopt it, or worse will follow. Nothing is more certainly written in the book of fate than these people are to be free. Nor is it less certain that the two races, equally free, cannot live in the same government. Nature, habit, opinion has drawn indelible lines of distinction between them. It is still in our power to direct the process of emancipation and deportation peaceably and in such slow degree as that the evil will wear off insensibly, and their place be pari passu filled up by free white laborers.\(^{(102)}\)

The epitaph in the Jefferson Memorial was a modern day creation to call for an incessant endeavor to realize a racially harmonious country which Jefferson did not and could not imagine.

Jefferson's views on race and equality vary in occasions and in reasoning so that Jefferson may appear as hypocritical or inconsistent. Yet this moral judgment does not help us to understand the past. The ambivalence and ambiguity of Jefferson may reveal a human part of Jefferson. When we accept Jefferson as a human being, then the reality that two opposite ideas could reside in Jefferson, hanging in balance, may not
appear so surprising. This process of humanizing Jefferson is a significant step toward demystification of Jefferson. When the current debates over Jefferson's character and morality recede, the further examination of Jefferson's ideas and thought will be pursued not to glorify America's past but to understand it. America had had Jefferson as a personification of herself. Jefferson's words had functioned as a touchstone for Americans: "If Jefferson was wrong, America is wrong. If America is right, Jefferson was right."(103) The scholars and the public have come to separate life-size Jefferson from their country's self-image. The search for the historic Jefferson is making its way.

Notes


Thomas Jefferson and His Views on Equality


(7) Eugene D. Genovese once wrote, "I have used 'black' and 'Afro-American' in preference to 'Negro' out of respect for what I perceive to be the present preference of the majority of the black community. I have, however, used 'free Negro' because it was the most common contemporary term and also because it more accurately captures the color duality of that group as black and mulatto. When discussing the Caribbean, I have followed regional procedure and used 'colored' to refer to those who were part white." _Roll, Jordan, Roll: The World the Slaves Made_ (New York: Vintage Books, 1976), p. xvii.

(8) Ibid.


Article


(18) Ibid., Query XIV.

(19) As for the history of slavery, see David Brion Davis, *The Problem of Slavery in Western Culture* (Ithaca, N.Y.: Cornell University Press, 1966); David Brion
Thomas Jefferson and His Views on Equality


(21) Davis, Western; Breen and Innes, "Ground."

(22) Davis, Western, pp. 281-82.

(23) Ibid., pp. 246-47.


(26) Davis, Western, pp. 67and 72.

(27) When the status began to define based on race rather than economic status, the statutes began to tighten the possibility for blacks to own whites in order to protect Christians. See, Hening, Statutes, 3: 449-450 (The statute approved by the British Parliament in 1705); Hening, Statutes, 6: 359 (Approved in 1753).
(28) Morgan, "Freedom," p. 25. Land ownership had a key to a citizenship in seventeenth-century America. When one reads Jefferson's drafts for the Virginia constitution of 1776, one will find that Jefferson tried to provide a fifty acre of tract for landless free whites. In those days holding property, especially land, spoke their station in society, and "a stake in society." Unlike absentee landlords, landowner was considered to have a great concern in public welfare in their community where they actually lived. Jefferson, Papers, 1: 362; Breen, "Ground," p. 17; Wood, Creation, pp. 218-22; Wood, Radicalism, p. 89.

(29) Hening, Statutes, 3: 447-448. Breen and Innes have reminded the reader that the early colonial laws compiled in Hening's Statute at Large are a partial reflection of the large planters, who were elected in the House and whose interests stood against most of the small freeholders. Breen and Innes, "Ground," p. 24. Though the date is in the mid eighteenth-century, when the racial slavery had already well rooted in Virginia, we can still find the existence of opposing interests between large planters and small freeholders. In 1760 Lieutenant Governor of Virginia wrote to the Board of Trade that "it is apprehended will occasion a Battle in the next Session whenever the assembly meets again; for the contest on this occasion is between the old Settlers, who have bred great quantity of Slaves, and would make a Monopoly of them by a duty which they hope would amount to a prohibition; and the rising Generation who want Slaves, and don't care to pay the Monopolies for them at the price they have lately bore, which was exceedingly high." Elizabeth Donnan, ed., Documents Illustrative of the History of the Slave Trade to America (New York, N.Y.: Octagon Books, 1931), IV: 145.


(33) From Francis Kinloch to Thomas Jefferson, April 26, 1789, Jefferson, Papers,
Thomas Jefferson and His Views on Equality

15: 72.


(35) Donnan, ed., Documents, IV: 157. The editor of the Documents informs that even before 1769, the demand of slave importation had declined due to the depression of Virginia tobacco economy. "Our trade here [in Virginia] is very dull for want of Currency and consequently want of Payments. Our produce here are not so numerous as with money but [at] considerable loss. The assotiators here are not so numerous as with you the merchants being chiefly Factors, who imports Goods as formerly no notice taken of it." William Allason to William Gregory, Oct. 20, 1769, citation is from editor's note, II: 142, n. 2; The proposal to prohibit further importation of slaves can be also found in the Resolutions and Association of the Virginia Convention of 1774. "2dly. We will neither ourselves import, nor purchase any Slave or Slaves, imported by any Person, after the 1st Day of November next, either from Africa, the West Indies, or any other Place." Jefferson, Papers, 1: 138.


(40) "For the most trifling reasons, and sometimes for no conceivable reason at all, his majesty has rejected laws of the most salutary tendency. The abolition of domestic slavery is the great object of desire in those colonies where it was unhappily introduced in their infant state. But previous to the infranchisement of the slaves we have, it is necessary to exclude all further importations from Africa. Yet our repeated attempts to effect this by prohibitions, and by imposing duties which might amount to a prohibition, have been hitherto defeated by his majesty's negative: thus preferring the immediate advantages of a few British corsairs to the lasting interests of the American states, and to the rights of human nature deeply wounded by this infamous practice. Nay the single interposition of an interested individual against a law was scarcely ever known to fail of success, tho' in the opposite scale were placed the interests of a whole country. That this is so shameful an abuse of a power trusted with his majesty for other purposes, as
if not reformed would call for some legal restrictions. *A Summary View of the

(41) Jefferson censored George III for his support for the colonies’ involvement in
slave trade in his draft of the Declaration of Independence. Jefferson wrote, "he
[George III] was waged cruel war against human nature itself, violating its most
sacred rights of life and liberty in the persons of a distant people who never
offended him, captivating & carrying them into slavery in another hemisphere, or
to incur miserable death in the transportation thither. Determined to keep open
a market where MEN should be bought & sold, he has prostituted his negative
for suppressing every legislative attempt to prohibit or to restrain this execrable

1: 363-64.


(44) Jefferson, "Report on Government for Western Territory," March 1, 1784, in


(47) Ibid, p. 143.


(49) Ibid. Jefferson also analogized freed slaves’ helplessness to "pests in
society." Jefferson to Edward Coles, Aug. 25, 1814, in Paul Leicester Ford, ed.,

(50) Jefferson to David Barrow, May 1, 1815, Jefferson, *Writings*, 14: 296-97. See
also, Edward Bancroft’s recall of Jefferson’s comment on emancipation, From


(52) Jefferson to David Barrow, May 1, 1815, Jefferson, *Writings*, 14: 296-97;


(56) Ibid.

Thomas Jefferson and His Views on Equality

(58) The Virginia statute of 1782 decreed that "those persons who are disposed to emancipate their slaves may be empowered so to do, and the same hath been judged expedient under certain restrictions: Be it therefore enacted, That it shall hereafter be lawful for any person, by his or her last will and testament, or by any other instrument in writing, under his or her hand and seal, attested and proved in the county court by two witnesses, or acknowledged by the party in the court of the county where he or she resides, to emancipate and set free, his or her slaves, or any of them, who shall thereupon be entirely and fully discharged from the performance of any contract entered into during servitude, and enjoy as full freedom as if they had been particularly named and freed by this act." Hening, Statutes, II: 39.


(60) Jefferson inherited fifty two slaves from his father, which accrued to 187 when Jefferson's father-in-law left him with slaves along with debts. Stanton estimated the number of slaves Jefferson owned would be around two hundred. Stanton, "Those Who Labor," p. 148.

(61) Jefferson to Thomas Cooper, Sep. 10, 1814, Jefferson, Writings, 14: 183.

(62) Jefferson, Notes on Virginia, Query XIV, pp. 130-149.


(64) Jefferson to Chastellux, June 7, 1785, Jefferson, Papers, 8: 185-186.

(65) Jefferson, Notes on Virginia, Query XIV, p. 141.

(66) In terms of primitiveness, both Native Americans and Africans could have been considered equally noble, yet Davis has pointed out that the Europeans considered Africans as natural slaves, inferring Aristotle's premise. Davis, Western, p. 167.


(70) Jefferson to Charles Carroll, April 15, 1791, ibid., p. 977; Jefferson, Third
Annual Message, Oct. 17, 1803, ibid., p. 513; Jefferson, Sixth Annual Message, Dec. 2, 1806, ibid., p. 527; In his Eighth Annual Message, Jefferson wrote, "from a conviction that we consider them [our Indian neighbors] as part of ourselves, and cherish with sincerity their rights and interests, the attachment of the Indian tribes is gaining strength daily - is extending from the nearer to the more remote, and will amply requite us for the justice and friendship practised towards them." Jefferson, Eighth Annual Message, Nov. 8, 1808, ibid., p. 546.

(71) Jordan, White over Black, p. 164.
(72) Ibid., p. 165.
(73) Ibid., p. 144.
(74) Ibid.
(75) Ibid., p. 164.
(76) James Hugo Johnston, Race Relations in Virginia and Miscegenation in the South, 1776-1860 (Amherst, Mass.: University of Massachusetts Press, 1970), p. 166. The sentence reads that "September 17, 1630. Hugh Davis to be soundly whipped, before an assembly of Negroes and others for abusing himself to the dishonor of God and shame of Christians by defiling his body in lying with a negro, which fault he is to acknowledge next Sabbath day." Hening, Statutes, 1: 146.
(77) Jordan, White over Black, p. 144.
(78) Exodus 20: 14 "Thou shalt not commit adultery." Also, Matthew 5: 27-32.
(79) "For the lips of a strange woman drop as an honeycomb, and her mouth is smoother than oil: But her end is bitter as wormwood, sharp as a twoedged sword. Her feet go down to death; her steps take hold on hell." [Proverbs 5: 1-23]; See also, Proverbs 7: 1-27.
(80) Davis, Western, p. 277.
(81) Hening, Statutes, 2: 167.
(82) Jordan, White over Black, pp. 151-52. Davis has pointed out that between male and female offenders "the punishments [for adultery] were usually more severe for white women." Davis, Western, p. 277.
(83) Breen and Innes, "Ground," pp. 94-95.
(84) Hening, Statutes, 2: 170.
(85) Hening, Statutes, 3: 86.
(86) Hening, Statutes, 3: 453-54.
(87) According to Breen and Innes, the major concern over illegitimate children was how to manage the expense for those children. See, Breen and Innes, "Ground," p. 96. As for the reasons why mother's status had come to be
employed to determine children's social and legal status, see, Davis, Western, pp. 96-97.


(89) Lucia Stanton has found that a French visitor at Monticello in 1796 had recorded that he saw "at Mr. Jefferson's slaves who have neither in their color nor features a single trace of their origin." F.A. F. La Rocheefoucauld-Liancourt, Voyage dans les Etats-Unis d'Amerique (Paris, 1798-99) [translated by Lucia Stanton], Stanton, "Those Who Labor," p. 152.


(91) I owe this understanding of white-black perceptions on the Jefferson scandal to Gordon-Reed's insightful interpretation. Gordon-Reed wrote that African Americans say that "the belief that having sex with a slave was the most base activity in which whites could engage has its origins in the discomfort and fear that some white felt and still feel at the thought of miscegenation - whatever has been the actual practice." Gordon-Reed, Jefferson and Hemings, p. 113.

(92) Gordon-Reed has presented thorough examinations on how previous Jefferson scholars work ignored or belittled the historical facts in the Jefferson-Hemings story, which rendered the readers uninformed of the lives of slaves and reality of slavery at Monticello. For example, Douglass Adair dismissed the validity of the alleged story, simply because the idea that Jefferson was "in thrall to his lust" and "beguiled her [Sally Hemings] into returning to Virginia, to concubinage, and to the servitude" is "completely at variance with Jefferson's known character, revealing a hypocrisy, a gross insensitivity, and a callous selfishness that he conspicuously lacked, whatever other failings are credited to him." Douglass Adair, "Jefferson Scandals," in Trevor Colbourn, ed., Fame and the Founding Fathers: Essays by Douglass Adair (New York: W.W. Norton & Company, Inc., 1974), p. 182.

(93) Jefferson's grandson Thomas Jefferson Randolph recalled that the "entire household of servants with the exception of an under cook and carriage driver consisted of one family connection and their wives.... It was a source of bitter jealousy to the other slaves, who liked to account for it with other reasons than the true one; viz. superior intelligence, capacity and fidelity to trusts." Thomas Jefferson Randolph to [Pike County Republican?], in Stanton, "Those Who Labor," pp. 151-52.


(95) Gordon-Reed has made an acute analysis on this Jefferson's ambivalent
attitudes toward miscegenation. She has conjectured that Jefferson probably could differentiate the Hemingses from other offspring of miscegenation because of his "face-to-face interaction and communication." Gordon-Reed, *Jefferson and Hemings*, p. 138. On this account, David Davis also provides a similar perspective on white father's emotional torment with his racially segregated families. See Davis, *Western*, pp. 280-81. As with the probability of Jefferson's sexual relationship with Sally Hemings, Gordon-Reed elucidates that "Being attracted to or having affection for one member of a race does not mean that one has to love or respect other members of that race." Gordon-Reed, *Jefferson and Hemings*, p. 134.


(103) The quote was made by James Patron, who published Jefferson biography titled *Life* in 1874. The source of this quote is Peterson's *Image*, p. 231.
THE HOKKAIDO LAW REVIEW

Vol. 50 No. 5 (2000)
SUMMARY OF CONTENTS

Thomas Jefferson and His Views on Equality

Sachiko IWABUCHI *

The 200th anniversary of the Declaration of Independence and the rise of revisionism in the discipline of history, followed by the political and social upheavals in the 1960s, has reopened the question of how Thomas Jefferson, the author of the Declaration of Independence, justified owning the slaves while he drafted the famous phrase that "all men are created equal." The misunderstanding surrounding Jefferson's authorship of the Declaration of Independence and his views on equality comes from our present conception of equality as we read the document. This paper first examines what Jefferson meant by the phrase "all men are created equal," emphasizing that the document aimed not to achieve universal equality, but to achieve America's equal station to Britain. Jefferson's views on equality are then reviewed by examining Jefferson's opinions on slavery, both racial and non-racial. Throughout his life Jefferson hoped that slavery would be terminated in America. Yet, he also supported the plan of deporting African-Americans outside the United States. Mixture of two different races was the obstacle which kept Jefferson from envisioning a racially harmonious society. Because he abhorred miscegenation, Jefferson's alleged relationship to Sally Hemings, his slave girl, has drawn new interest in researching Jefferson's private and public writings on race and equality. The Jefferson-Hemings story needs to be re-examined as more than a tarnished political scandal. Racial mixture and fixed racial inequality were practiced, preserved, and repeated in his home, where the very

* Research Specialist at the University of Virginia's Electronic Text Center.
existence of slavery enabled Jefferson to live as a member of the gentry. Jefferson is still America's national icon, a personification of liberty, equality, and democracy, America's national creeds. The debates over Jefferson's life and character are part of America's search for their past.