

## Edmund Morgan, Excerpts from Slavery and Freedom the American Paradox

During the first two decades of Virginia's existence, most of the arriving immigrants found precious little English liberty in the colony. 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 Richard Hakluyt had first envisaged.

Men of all countries appeared there: French, Spanish, Dutch, Turkish, Portuguese, and African. 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. 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 cases, masters bequeathed them not only freedom but land, cattle, and houses. Northampton, the only county for which full records exist, had at least ten free Negro households by 1668.

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 goe when my Corne is in," and refused to receive the warrant.

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 population stood at 1,300 or 1,400; in 1640 it was about 8,000. In the fifteen years between those dates at least 15,000 persons must have come to the colony. 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, hardly ... 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. It brought a huge expansion of tobacco production, which helped to depress the price of tobacco and the earnings of the men who planted it. 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.

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. And in the same year Francis Moryson, a member of the governor's council, explained the term "freedmen" was used in Virginia to mean "persons without house and land," implying that this was now the normal condition of servants who had attained freedom.

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

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. Consequently most of the freedmen had no wife or family to tame their wilder impulses.

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. 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 arms 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."

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 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. 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."

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.

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. And periodically in nearby Maryland and North Carolina, where the same conditions existed as in Virginia, there were tumults that threatened to spread to Virginia.

As Virginia thus acquired a social problem analogous 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. 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. 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. A three week's holiday might result in a year's extra service. If a servant struck his master, he was to serve another year. 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.

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 wild bachelors from gaining an influence in the government, the assembly in 1670 limited voting to landholders and householders. 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. But it is unlikely that the policy makers in London 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 were 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. 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. The demand was so great that traders for a time found a better market in Virginia than in Jamaica or Barbados. 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.

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 Negroes 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 Negroes 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." 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 beat his slave to death, but they placed new limitations on his punishment of "Christian white servant."

Virginians worried about the risk of having in their midst a body of men who had every reason to hate them. 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, 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 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 expedition. 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.

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 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. 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. He was proud that Virginia, unlike New England, had no free schools and no printing press, because books and schools bred heresy and sedition. 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 common-wealth men.

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 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 Jefferson's. 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.