Between Slaves and Citizens:
Free Blacks and the Transformation of Citizenship in the Age of Revolutions, 1776-1840

I.

“Slavery, unquestionably, should be abolished, particularly in this country; because it is inconsistent with the declared principles of the American Revolution.”

- OTHELLO, Baltimore, May 10, 1788

After negotiating the Treaty of Paris that recognized its independence in 1783, the U.S entered the post-revolutionary era of the American War for Independence without undergoing any meaningful consideration of, or change in, its labor arrangements. Slavery was not abandoned and the suffrage was severely limited. In some respects, it appeared that the war against the British Empire had been fought to preserve the privileges of the slave-owning class to keep profiting off of their human chattel. Where voting restrictions were loosened, it did so primarily to enfranchise wealthy propertied men. These facts are as salient in United States history as they are remarkable. The Revolution made enslavement an embarrassment—that human beings were kept in bondage amid calls for liberty—but this did not mean that the moral problem of slavery would furnish a rationale for abolishing the institution. The ingenuity of the revolutionary ideology was that many of the patriots managed to rationalize the oppression of Black citizens. So, as many historians have shown, a paradoxical relationship emerged between the defense of slavery and the revolutionary politics of the era. And as Barbara Fields has demonstrated, racist ideology functioned

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mainly to sustain the unequal relationship that existed between Black and white citizens within a revolutionary context that was otherwise anathema to the rhetoric of natural rights.\textsuperscript{5} This paradox was especially true in the North, where slavery was gradually receding.

Slaveholders and the country at large managed to detach whatever perceived connections existed between their millennial goal of liberty and Black people’s appeals for freedom. It was not uncommon to find a defense of liberty linked to property ownership of other human beings. In fact, this became the foremost ideology of slaveholders who demanded wholesale protection of their property right from the new government. For example, although the Northwest Ordinance of 1787 had initially prohibited slavery in the Northwest Territories north of the Ohio, by April 2, 1790 the antislavery clause of the ordinance was counterbalanced by “An Act to Accept a cession of the claims of the state of North Carolina to a certain district of western territory.”\textsuperscript{6} Included in this Act, was a federal concession to North Carolina that protected the rights of the “inhabitants against enemies [Native Americans], and [that Congress] shall never bar or deprive them of any privileges which the people in the territory west of the Ohio enjoy: \textit{Provided always}, That no regulations made or to be made by Congress, shall tend to emancipate slaves (emphasis added).”\textsuperscript{7} Slaveholders were in effect responding to Rufus King, author of the first Ordinance Act and delegate to the Continental Congress. King was a proponent of gradual emancipation following the American War of Independence and believed he had succeeded

ordinance which passed as I originally formed it.” He was also surprised that it received the support of Southern delegates, who wrongly believed the territory would be settled by southerners and thus strengthen their hands in congressional representation. Gauging the national mood around slavery, King was doubtful that he could impress on Congress an antislavery clause. As he put it, he “had no idea the States would agree to the sixth Article prohibiting Slavery---;as only Massachusetts of the Eastern States was present---;and therefore omitted it in the draft.” However, after “finding the House favourably disposed on this subject, after we had completed the other parts I moved the article [back]; which was agreed to without opposition (emphasis added).”

Historians have noted that the War of Independence served primarily not as a social revolution, but a political upheaval that overthrew empire while maintaining existing social arrangements. One only needs to look at the tacit complicity of the Constitution. While it never mentioned slavery, the document lent powerful support for slaveholders in South Carolina, for example, to continue their extensive role in the transatlantic slave trade. It further reinforced the domestic power of slavery as Southern elites “helped write a constitution that not only sanctioned slavery while limiting federal jurisdiction over it but

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8For my excerpts from this letter, see original document in Library of Congress online documents: A Century of Lawmaking for a New Nation. https://memory.loc.gov/cgi-bin/query/r?ammem/hlaw:@field%28DOCID+@lit%28dg024297%29%29
also rewarded slaveholders with more representation than other Americans” through the three-fifths compromise. While the Revolution certainly marked a turning point in effectively bringing the questions of slavery, citizenship and freedom to the forefront of discourses surrounding liberty, as Ira Berlin notes, it “strengthened the plantation regime and slavery grew as never before, spreading across” the North American landmass. Viewed in this context, the Revolution marked a new birth of freedom while also launching a great expansion of slavery.

It is in this history that the burgeoning roots of African-American protests and embrace of the radicalism of the Haitian Revolution also took place. The rise and expansion of American slavery, the extension of citizenship rights for European immigrants (1790 Naturalization Act), the broad enfranchisement of white working men next to curtailing the rights and privileges of Black citizenship offers the prelude for much of the Haitian and African-American partnership that eventually came to rest on revolutionary transnationalism—a consciousness of natural rights that recognized Black equality as part of universal human rights in the Atlantic. This chapter sketches the trials of Black freedom in the Age of both Revolution and expanding slavery, and how that era influenced African-Americans’ search for liberation tactics that transcended the limits—politically, culturally, constitutionally and otherwise—imposed by American racial politics. I show how the

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9 Steve Hahn. 1990. "Class and State in Post-emancipation Societies: Southern Planters in Comparative Perspective". The American Historical Review. 95 (1). 80-83. For a general consensus among historians on the proslavery origins of the Constitution see David Waldstreicher. 2010. Slavery’s Constitution: From Revolution to Ratification. New York: Hill & Wang; Paul Finkelman. 2001. Slavery and the Founders: Race and Liberty in the Age of Jefferson. New York: Armonk; Donald L. Robinson. 1971. Slavery in the Structure of American Politics. 1765-1820. New York; David Brion Davis. 1975. The Problem of Slavery in the Age of Revolution. 1770–1823. Ithaca: Cornell University Press. 27–179. While the debate rages still among historians, my interpretation is similar to George W. Van Cleve’s (A Slaveholders Union) analysis: One immediate political effect of independence was to make the American slave states far larger stakeholders in a much smaller country. As debates in the new government quickly showed, the slave states also had strong common interests in various government policies. As a political matter, given their large resources and political cohesion, slave states were much more strongly positioned to resist Confederation control of slavery than they would have been to resist increased British imperial control of it.

American Revolution, and then Haitian revolutionaries, changed the political consciousness of free Black people, leading them to demand a radically transformed vision of citizenship beyond existing race-based models.

For all its limitations on Black freedom, the American revolutionary experience, as had the French Revolution for Haitians, bequeathed a powerful consciousness to African-Americans: a slaveholding nation could not be both a model of universal freedom and involuntary servitude.\(^\text{11}\) This chapter examines the post-revolutionary and early republic consequences of that transformation, especially how American freedom and American slavery developed intimately to form a national racial ideology that was not expansive enough to accommodate the status of free Black people as citizens.\(^\text{12}\) The examination outlined in this chapter brings to mind a history of the emergence of American citizenship next to racial expressions of nationalism which eventually developed hand in hand with containing Black freedom. This contained world did two things. One, it constrained the civil liberties of free Black people by devolving into a characteristically racial (white) nationalism. Second, within that politically insulated space there developed a communal solidarity (or political culture) that responded to these national rituals. Equally important is the dialectics of this construction as it provides a powerful corollary to the alien who stands outside of the bounds of citizenship; just as the state defines and is vested with the power to confer citizenship, this formulation meant that it could also police measure of exclusion against those deemed deviant subjects. As many historians have pointed out, this story suggests that

\(^{11}\) I am noting here the fact that even illiterate slaves often self-advocated for freedom and subsequent equality by petitioning the states for abolition. In doing so, their fight was the earliest of indications that considerable challenge would emanate from Blacks against the property concept in human beings. For slave petitions see: “Petition of Slaves,” quoted from James Oliver Horton and Lois E. Horton. 2004. Slavery and the Making of America. New York.

\(^{12}\) Since your chapter title says the chapter is about citizenship, this should be in the text: As used here, citizenship refers not only to the formal legal recognition of a free person’s status to demand rights from the state but also to the abstract, ideal construction of civic duties, civic participation, and a sense of belonging extended to those groups and communities who are believed to be constitutive members of the political community.
“the making of slavery, [and] the making of race”\textsuperscript{13} in this period formulated the incipient racism that defined the emergence of white resistance to Black citizenship and of the emergent Black struggle for a democratic resistance that pitted colonization, emigration and abolitionist schemes all within the cacophonous debates regarding the direction to guide American democracy.

II. The American Counter-Revolution

“Distinctions of color are not recognized in the letter of the United States Constitution; yet that instrument leaves it in the power of Congress and individual states to trample on or acknowledge, as tyranny may dictate, the rights of colored citizens.” Congress can as well naturalize, Asiatics, South Americans and Africans, as Europeans; and yet, for reasons best known to the slave power which rules this nation, the instances are few and far between where colored aliens have received naturalization papers.

- William Cooper Nell’s “The Colored Patriots of the American Revolution”

Pending the ratification from North Carolina and Rhode Island in 1790\textsuperscript{14}, eleven of the thirteen original states had, by 1789, already agreed to ratify the United States Constitution and solidify their union into a federal system of government. The year stands as a significant marker in the genesis of American citizenship. Before ratification, the country had experienced a Revolution that transformed the British American people from subjects to citizens. For the African-American men and women who lived through it, the period between 1789 and the 1820s was a moment of hope and of uncertainty. It appeared to be the best of times because the United States had just consolidated itself into a republic for “free” people, professing values of liberty and the right of any individual to pursue happiness. It was also a time of anxiety when the patriots determined whether they would inhabit the republic as freedmen and women or in chains. Some of the most powerful

\textsuperscript{13} In fact, for some, if slavery provided a moral quandary for citizenship, it was that it monopolized labor in the hands of the planter class, limiting white yeoman citizenship. See Alexander Sexton. 1990. \textit{The Rise and Fall of the White Republic: Class, Politics, and Culture in Nineteenth Century America.} London: Verso. 255.

\textsuperscript{14} McLoughlin, William G. 1978. \textit{Rhode Island: a Bicentennial history.} New York: W.W. Norton. According to McLoughlin, “Congress threatened to treat Rhode Island as foreign nation and require it to pay duties on all goods it shipped into the United States. Some Congressional leaders suggested prohibiting all commercial traffic between Rhode Island and the Union,” if it did not ratify the Constitution and join the remaining states. pp. 104-5.
leaders of the Revolution, such as Patrick Henry and Thomas Jefferson, came from states where slavery was deeply entrenched. As delegates were working to replace the Articles of Confederation, slave merchants like Joseph Clay of Georgia argued that “the Negro business is a great object with us, both with a view to our interest individually, and the general prosperity of this State and its commerce, it is to the trade of this Country, as Soul to the Body.” It was a perspective that captured the centrality of the business of slavery to the commercial health of the new nation, especially South Carolina. That much was made clear by Charles Cotesworth Pinckney, a Federalist from Charleston, who warned the Philadelphia convention that “South Carolina and Georgia cannot do without slaves.”

In the two decades that followed the Constitutional Convention of 1787, freedom was not as widespread among African-descended people as they had hoped. With the backing of the early presidencies of the Virginian dynasty—the administrations of George Washington, Thomas Jefferson, and later James Madison and James Monroe—that held sway over the presidency, planters from the Deep South had free rein to import more slaves into the United States than at any other twenty year period in history. The 697,897 slaves who were counted by the first federal census in 1790 had ballooned to 1,191,354 by 1810. Equally striking is the fact that this expansion came on the heels of the 1807 ban on the legal importation of slaves. How did the high hopes and ideals of the American Revolution succumb to a counterrevolution against Black people? Few people at the time registered that the first casualty of the struggle for freedom was a fugitive slave turned freedman, Crispus Attucks, a sailor hailing from Framington, Massachusetts. An African-American man of...


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Native-American heritage, his death at the hands of British troops arguably inspired African-Americans to wage guerilla warfare, petition for emancipation, and voice their legitimate claims to the liberties later enunciated in the 1776 Declaration of Independence. Another aspect of Attuck’s legacy, according to Sylvia Frey, is that it reflected the calculated and divided loyalty that haunted the strategic choices African-Americans made throughout the Revolutionary War. Always with their eyes towards freedom, thousands of African-Americans also fought for the British Crown while Attucks sided with the patriots. Having lived in bondage for over 150 years before the war, Blacks understood that the most fundamental part of what it means to be American was to be free. So when disagreements over land settlements, movement patterns, and taxes led thirteen North American colonies to rebel against the British Empire and declare their independence, it provided an unprecedented opening for slaves and freedmen to seize on whatever opportunities there were for freedom on both sides.

As far as the more than 450,000 slaves were concerned, the coming of the American Revolution and its aftermath posed the greatest challenge to slavery. By defending the concept of natural equality, it exposed the fissures of racial subordination, tested loyalties and provided ideological ammunition against servitude. Most importantly, it led Northerners especially, and some benevolent slaveholders, to reconsider the morality or sustainability of slavery. Tens of thousands of Black men and women who were held in captivity capitalized on the revolutionary moment to shed their chains. Some rushed to British lines, others fought for the patriots, raising the specter of widespread emancipation. In the words of Benjamin Quarles, they reserved their loyalty for the side whose ideals adhered “not to a
place, nor a people, but to a principle,” liberty. They also understood early on that their best chance for living that principle rested with the British, not the patriots.

On the eve of the Revolution, Black freedom dreams incited white nightmares of slave insurrections. Rumors spread among the slaves of South Carolina for example, that the Crown’s troops were “coming to help the poor Negroes.” Indiscriminate fears, led to executions as Jeremiah, the slave thought to be responsible for inciting rumours of slave revolt, was reprimanded and burned at the stake. Opportunities for resistance took on an even more dramatic turn when Lord Dunmore’s Proclamation was announced in 1775. In an attempt to tame the American revolutionaries, the Earl of Dunmore, the royal governor of Virginia at the time, issued a proclamation of freedom to Blacks who joined his forces. Eventually, tens of thousands of slaves deserted their patriot masters for Royal lines. The measure drew the ire of Virginian planters. Soon after, patrols were organized to capture fugitive slaves acting on Dunmore’s offer. The Virginia Gazette cautioned slaves to "Be not then...tempted by the proclamation to ruin your selves." Even George Washington, reacting to Dunmore’s proclamation, warned “If that man, Dunmore, is not crushed before the Spring he will become the most dangerous man in America. His strength will increase


like a snowball running down hill.”

Instigating slave insurrections, the patriots feared, was Britain’s military strategy.

Both sides, however, exploited the strategic manpower of the enslaved. The Patriots often auctioned off captured fugitives as rewards for service during the war. It was recognized on both sides that slave manpower was significant in the arena of war. But one would be remiss to think that the slaves were mere pawns. To the contrary, as Hubert Aptheker wrote, African-Americans “played what at first glance appears to have been a dual role from 1775 to 1783” as they served with American forces “when they were permitted to do so” but were not hesitant to join the British side in wholesale flight when circumstances were better conducive to their search for freedom. Intent on securing freedom, these “varied and superficially contradictory activities” were the result of “one common origin, one set purpose—the achievement of liberty.” Indeed, more proclamations followed, and at each turn, African-Americans rose to the challenge. For instance, African-Americans took up the call of the Philipsburg Proclamation of June 30th, 1779. It was issued by the British General Sir Henry Clinton to quell revolutionary forces throughout the colonies, especially in those states that served as enclaves for slaveholders. Or take the 1779 siege of Georgia, which prompted the hard-pressed British army to arm African-Americans and “permitted them to serve in the ranks, something they willingly did as they expected freedom to be their reward.”

circumstantial, flexible and capacious. Together, Philipsburg and Dunmore’s proclamations fueled hopes that freedom was on the horizon. One South Carolinian planter was taken aback by the assertiveness of a slave who was not afraid to openly walk off the planation, declaring to his master that: “he will be free, that he will serve no Man, and that he will be conquered or governed by no Man.” Faced with these prospects of open rebellion, slaveholders often observed that British victories had been helped most effectively by the employment of “a greater number of sailors…and armed blacks.”

Blacks, enslaved and free, openly staked a claim to revolutionary rhetoric. They appealed to the courts through petitions; they sought the aid of sympathetic groups like Quakers; they vociferously called for the inclusion of Black people as co-participants in the U.S body politic. For example, in the midst of war, some 20 enslaved men from Portsmouth, New Hampshire, a state where the number of slaves was tiny, (656 on the eve of the War of Independence) petitioned the New Hampshire legislature for freedom. Anyone reading the New Hampshire Gazette on November 12th, 1779 would have been confronted by their challenge to slaveholders’ claim on their bodies as property. “Is their authority assumed from customs?” the men asked. Then “If so, let that custom be abolished, which is not founded in nature, reason nor religion as freedom inspires a noble, confidence, and gives the mind an emulation to vie in the noblest efforts to enterprize.” The radicalism of the appeal is that while it used conciliatory language, it was defiant in its demands. It admonished the masters for their hypocrisy, positing that they had violated the principle of freedom, which, using the

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rhetoric of the day, they insisted existed in a state of nature. Enlightenment principles, it further suggested, were incompatible with human servitude. The slaves of Portsmouth radically inserted themselves in the debate over how to define freedom.

Redefining freedom sometimes meant slaves took remarkable steps towards repossessing their stolen bodies and its labor capacity. The story of Oney Judge is just one of thousands of examples of self-emancipation. 38 “A light mulatto girl, much freckled, with very Black eyes, she is of middle stature, slender, and delicately…about 20 years of age,” Judge reportedly “absconded from the household of the President of the United States.” 39 The advertisement in the Pennsylvania Gazette, promised “Ten dollars will be paid” by President George Washington “to any person who will bring her home, if taken to the city, or on board any vessel in the harbor;—and a reasonable additional sum if apprehended.” 40 Aided by free Blacks in and around Philadelphia, Judge took flight from the revolutionary generation’s most revered Founding member.

Like other African-Americans, in the wake of the American Revolution, fugitives like Oney Judge who fled for the Northern states confronted the question of citizenship status in a world still in the thrall of slavery. In 1788, an Essay on Negro Slavery, published under the pseudonym "Othello" of Baltimore, appeared in an issue of the American Museum, a monthly published by Matthew Carey in Philadelphia. Historians attribute its arguments to Benjamin Banneker, the African-American astronomer and almanac maker who vociferously spoke against slavery. In clear and uncompromising language, Banneker attacked American hypocrisy. "Slavery, in whatever point of light it is considered, is repugnant to the feelings of nature, and inconsistent with the original rights of man," he argued. "It ought therefore to be

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stigmatized for being unnatural; and detested for being unjust." It was an outrage, he continued, "that the Americans, after considering the subject in this light--after making the most manly of all possible exertions in defense of liberty--after publishing to the world the principle upon which they contended, viz 'that all men are by nature and of right out to be free, should still retain in subjection a numerous tribe of the human race.'

Banneker's criticism was not a repudiation of the ideals of American democracy, but of its hypocrisy. The American Revolution had transformed the British-American colonists from subjects to citizens. Fueled by this expansion of hope and freedom, the possibilities for greater rights at first seemed limitless. But by 1788, Banneker noted, "Being once accustomed to subsist without labour..." and driven by "an insatiable, avaricious desire to accumulate riches, co-operating with a spirit of luxury and injustice," white Americans could not imagine their republican virtues outside of "this peculiarly degrading and ignominious practice (slavery)." Indeed, slavery kept its hold on the early republic in spite of the bitter struggle Blacks fought to disentangle slavery from the new nation.

However rebellious African-Americans proved to be, they could not slow the rise of American slavery. Appeals to Congress fell to deaf ears. Between 1787 and 1797, petitions from antislavery societies in Maryland, Pennsylvania, New York, Rhode Island, and Connecticut failed to persuade Congress to abolish slavery. The reluctance stems in part from the fact that American conceptions of liberty and the pursuit of happiness were closely tied to the existence of a bountiful wilderness of supposedly free land beyond the

42 Ibid.
Appalachians. For the founding generation, the North American frontier was a grand spatial utopia. As the historian Gordon Wood explains, most of the revolutionary leaders “thought of property in pre-modern, almost classical terms...They conceived of it as a source of authority and independence, not as a commodity or as the source of productivity and capitalistic investment.” But events suggest these men did see the land as a capitalistic investment. Since Native Americans were viewed as neither proprietors nor an indispensable source of labor, it was easy to write them out of the imagined American socioeconomic order. Hence, slavery was sustained by exterminating, or displacing, Native Americans from the land, then commoditizing Black bodies to work that land.

Although the American War for Independence had “disrupted tobacco markets [in the Chesapeake] so severely that less tobacco reached Europe in the period 1776-1782 than during any single year before the war,” by the 1790s, commerce had rebounded and a disproportionate share of the labor to repair and build the postwar infrastructure fell on the

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47This long footnote is not needed. As George Fredrickson argued, the early history of the United States displayed a remarkable bent towards justifying the importation of slaves and uprooting and killing American Indians in order to clear the path for establishing an expanding agrarian economy. The Seven Years War (1754-1763) in many ways marked the rupture between Britain and its American colonists, a rupture that would come to define how the future United States viewed, treated, and subjugated Native Americans through land dispossession. In 1768, in the treat of Fort Stanwix, signed by the superintendent of Indian Affairs, Sir William Johnson, and the Six Nations of Iroquois, the British guaranteed that the land north of the Ohio River would constitute Indian territory and as such was protected from the encroachment of the thirteen colonies. The treaty merely reaffirmed what Native Americans had already understood to be a recognition of their sovereignty as articulated in similar terms in the Proclamation of 1763, which set the Appalachians as the westernmost limit for colonial settlement. The Proclamation raised the ire of colonists while consolidating an alliance between Britain and various tribes (Cherokees, Chickasaws, Choctaws, and Creeks in the South) during the American War of Independence. In 1783 with the signing of a truce to the war the new Treat of For Stanwix (1784), without the consultation of Native Americans, forced them to give up huge swaths of the Old Northwest. In the end, American-Indian sovereignty was compromised as they became a subordinated group within the US, which treated them as a conquered people and afterward instituted and negotiated a variety of policies between 1784 and 1786 that unilaterally demanded that Native Americans, especially the Creeks, the Chickasaws, Cherokees and the Choctaws, give up their rights to the land. See Marie-Jeanne Rossignol. 2004. *The Nationalist Ferment: The Origins of U.S Foreign Policy, 1792-1812*. Columbus: Ohio State University Press. 8-11.
enslaved.48 They cleared vast swaths of land for staple agriculture, restored irrigation systems, and became entangled in a thriving domestic slave trade from the Upper to the Deep South.49 The need for slave labor was amplified by Eli Whitney’s invention of the cotton gin in 1793, which spurred a revolution in the scale at which cotton could be processed and shipped to overseas markets like Liverpool, England. The magnitude of this growth is best summarized by Sven Beckert’s survey in Empire of Cotton:

“Armed with this new technology, cotton production spread rapidly after 1793 into the interior of South Carolina and Georgia. To enable such expanded production, planters brought with them thousands of slaves. In the 1790s, the slave population of the state of Georgia nearly doubled to sixty thousand. In South Carolina, the number of slaves in the upcountry cotton growing districts grew from twenty-one thousand in 1790 to seventy thousand twenty years later, including fifteen thousand slaves newly brought from Africa. As cotton plantations spread, the proportion of slaves in four typical South Carolina upcountry counties increased from 18.4 percent in 1790 to 39.5 percent in 1820.”50

As production expanded exponentially, so too did the insatiable appetite for more slaves, which contributed to the massive importation of men, women and children between 1784 and 1808.51 Whitney’s technological improvement coincided with the death knell for the idea of widespread abolition. A decline in cotton production in the French Caribbean colony of Saint-Domingue turned British merchants towards North American planters as their main suppliers. By sheer coincidence, slave insurrections and the revolt of Affranchis—free people of color—in the Franco-Caribbean changed the political economy of the American South. They would also stubbornly affect the course of the rise and fall of Black citizenship in this period52.

48 Richard S. Dunn, “Black Society in the Chesapeake,” 66-67: Before the Revolution, “a majority of the whites stood outside of the slave system” only to increase a generation later when “a majority of the whites had a direct personal stake in the system.”
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50 Sven Beckert. Chapter 5. “Slavery Takes Command,” in Empire of Cotton.
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52 This long discussion is also unnecessary. The scholarship on the Revolution itself is not only rich but producing new studies at voluminous pace. For studies that I consider especially invaluable on the history and wider influences of the
The enslaved men and women rebelling against the Ancien Régime’s planters, and later Napoleon Bonaparte, could not have foreseen the Atlantic legacy stemming from their resistance. French defeat would lead Napoleon to sell the Louisiana Territory to the U.S in 1803. The Louisiana Purchase doubled the country in size, vastly expanding the availability of land for cotton production. Meanwhile, an influx of settlers, notably planters, invaded much of the Lower South—southern Georgia, Alabama, Mississippi, and Louisiana—to displace the Chickasaw, Choctaw, and Cherokee Native Americans. Thus, in the first decades of the nineteenth century, a full-fledged slave-based plantation economy emerged, a Cotton Kingdom, which consolidated the expansive economic ideology of the revolutionary generation. In 1798, the renowned political economist, Thomas Robert Malthus noted this economic explosion next to the implosion that he foresaw: “If the United States of America continue increasing, which they certainly will do…Indians will be driven further and further back into the country, till the whole race is ultimately exterminated and the territory is incapable of further extension.”

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54 Robert Thomas Malthus. 1803. An essay on the principle of population, or, A view of its past and present effects on human happiness. 7-9.
to Native Americans were now worked by white Americans and slaves.  

The Revolutionary era generated a great amount of rhetoric around millennial possibilities, invariably raising questions about despotism, tyranny, justice, equality, and natural rights, questions that could not simply treat slavery as an aside. It is notable that the revolutionaries sought to deflect the tension of this rhetorical hyperbole by imposing restrictions on the Atlantic slave trade when Congress passed the Slave Trade Act of 1794 and the Act Prohibiting Importation of Slaves in 1807. However, the imperative of securing capital in the carnage of accumulated human flesh provided a juxtaposition between self-ownership—the cherished Revolutionary ethos that affords a person property rights over their own persons and thus undergirds American freedom—and slave ownership. This contrast sharpened the political antagonism between the free North and increasingly slave South, positing the dynamism of the new American individualism against the reality of the commodification of human life in a free society.  

Gradual abolition in the North, notwithstanding, the centrality of slavery to the nation’s economy made it impossible for the free states to see beyond Black slavery to Black humanity. It was because of that association (between slaves and Black people) that the status of the growing class of free Blacks remained insecure. Wedding land, slavery and racism to the financial wealth of the new republic, the ideology of white supremacy calcified into a simple logic: the equality of white males required and justified the dehumanization of Black people. As human property, their status was not that of political sovereigns, as white Americans had viewed Native Americans. They were subjects who labored in the fields and

56 See “What, then, is the American, this new man?” in Christopher L. Tomlins. 2010. Freedom bound: law, labor, and civic identity in colonizing English America, 1580-1865. Cambridge: Cambridge University Press.
within the confines of their white masters’ households. As such, they were a constitutive part of the emerging American society. A significant number of founding revolutionaries—large landowners, patricians, slaveholders, and successful merchants—were themselves dependents of the slave trade and the enslaved Africans. As Patrick Henry conceded, although he found the institution of slavery “as repugnant to humanity as it is inconsistent with the bible, and destructive to liberty…The general inconveniency of living without them [slaves]” made emancipation difficult.  

Nationwide, the ostensible realities of slavery next to liberty would provide a troubling and striking backdrop to the correlation that associated Black independence as incongruous to the virtues of liberty writ large. As slavery in the South became more and more a hallmark of Southern civilization, it became an adage to view slavery as a peculiar institution. The severely restricted freedom that Blacks enjoyed in the North was particularly instructive about the trajectory that racism, slavery and politics would follow in the years leading to the radical abolitionist era. American settler colonialism, paired with early American racial ideology of an unsettled frontier continued further encroachment on Native American land. The decimation of indigenous tribes made room for cultivation throughout the Deep South. As Whitney’s cotton gin took hold, the machine sped the harvesting of cotton to greatly aid this expansionist ideology. From 1792 to 1820, much of the better part of the land throughout the South went from harvesting 6,000 bales of cotton to an estimated 180,000. While the South was wedded to this singular crop, its sheer dominance both North and South meant that cotton had established its industrial position as king to all other American crop. As slavery became national, some working class whites envied the riches of

58Quoted in Alan Taylor. 2013. The internal enemy: slavery and war in Virginia, 1772-1832.  
the planter class and some became slaveholders themselves, enriched by the generous bounties they inherited from the war as concessions for having been recruited into the service of the continental army. In the rural parts of Georgia, South Carolina and the Cheasapeake, slaveholding increased in part due to the redistribution of slaveholdings from loyalist estates. According to Richard Dunn’s “Black Society in the Chesapeake,” a generation of white workers, who were previously peripheral to the slave system, were now firmly grounded in it, enough that “a majority of the whites had a direct personal stake in the system.”

The expansion of slavery therefore went hand in hand with the consolidation of an increasingly sectional and consciously defensive planter class. It began to develop ideologies not merely to protect slavery as a labor system, but in opposition to the emerging contrast of free labor in the North. Later deemed “the slave power” by abolitionists, slaveholders sought to silence the revolutionary impulses that had awakened the sensibilities of African-Americans, free and enslaved, during the American War of Independence. Meanwhile, by the 1790s to 1820s, many whites in the North could confidently claim to be antislavery. Almost every northern state, and some in the south, could point to laudable measures of

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60 Rachel Klein. 1990. Unification of a Slave State: The Development of Southern Cultures in the Chesapeake, 1680-1800. Chapel Hill, North Carolina: University of North Carolina Press.106-10. The North Carolina “Act to accept a cession of the claims of the state of North Carolina to a certain district of Western territory” also demanded that land in the Northwest territories be set aside for veterans of the American War of Independence: “That the lands laid of, or directed to be laid off by any act or acts of the General Assembly of this state, for the officers and soldiers thereof, their heirs and assigns respectively, shall be and enure to the use and benefit of the said officers, their heirs and assigns respectively.”


62 The irony of this emerging dichotomy was not lost on foreign observers who took note of this underlying hypocrisy within the economic logic of slavery. Speaking to the Estates General in 1789, the French politician, Comte de Mirabeau, noted the inherent contradiction in the “claim representation proportionate to the number of inhabitants [while] The free blacks are proprietors and tax payers, and yet have not been allowed to vote. And as for the slaves, either they are men or they are not; if the colonists consider them men, let them free them and them electors and eligible for seat…” This same point was underscored by Samuel Johnson’s searing comment, which sought to expose the inconsistency of the patriots’ actions: “How is it that we hear the loudest yelps for liberty from the drivers of negroes.”

Although the criticism pointedly challenge the U.S to demonstrate its professed ideals, it was nonetheless true that
emancipation. After all, it was a point of regional pride for the North to define itself against the rise of slavery while it embraced free labor. A geographical divide drew sharp contrast between Northern free labor and Southern slavery. In fact, Vermont, not Haiti, adopted the first constitution in the Atlantic world to abolish slavery. As early as 1775, Benjamin Franklin had been serving as a leading member of “The Society for the Relief of Free Negroes Unlawfully Held in Bondage,” the first American abolition society. Franklin later became the Society’s president and was charged on petitioning Continental Congress for the abolition of slavery. The Quock Walker case of 1783 abolished slavery in Massachusetts. Most of the Founding Fathers—from Thomas Jefferson, George Washington, James Madison, John Jay and John Hancock—held some form of antislavery views, though for a myriad and differing reasons. Leaders such as Thomas Paine and Alexander Hamilton genuinely expressed antislavery ideals in keeping with the revolutionary spirit. Washington not only integrated his army during the war (which would not happen again until the Truman administration), but freed the majority of his slaves in his will. Alexander Hamilton made an open appeal for the support of arming Blacks, slave and free. He believed “An essential part of the plan is to give them [slaves] freedom with their muskets. This will secure their fidelity, animate their courage, and I believe will have a good influence upon those who remain, by opening a door to their emancipation.” Hamilton also cautioned the nation against the dangers of an inhuman institution in a constitutional republic: “the pages of history are replete with instances that loudly warn us to beware of slavery.” To be sure,

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64 Davis Slavery in Western Culture.
the antislavery sentiments of many of these slaveholders stemmed from fear of the insurrectionary inclinations of a growing slave population. Hence, the principle of gradual abolition that they embraced was inspired both by self-preservation in the face of potential slave insurrections and the fact that the ideological premises of the Revolution stood in conflict with the moral legitimacy of slavery.

If the abolition of slavery had been barely discussed before the war, after the dust of revolution settled, emancipation gained new currency by moral persuasion. According to Benjamin Rush, a signer of the Declaration of Independence, “advocates for the poor Africans” had been thought of as too fanatical to associate with, but in 1783 “at present they are considered as the benefactors of mankind and the man who dares say a word in favor of reducing our black brethren to slavery is listened to with horror, and his company avoided by everybody.”

Many states encouraged private manumissions while others moved to end slavery altogether.

The combination of revolutionary ideology, the active petitioning of free Blacks and a rise in religious opposition made the institution increasingly indefensible in the North. Between 1781 and 1783 freedom suits flooded the Massachusetts Supreme Court, eventually winning abolition. In 1780 Pennsylvania enacted the nation’s first gradual abolition law, followed almost immediately by New Hampshire’s constitution in 1783, which granted free Black men the vote. The Pennsylvania act cited revolutionary fervor, stating that slaves were “deprived of the common blessings that they were by nature entitled to” and were “cast…into the deepest afflictions, by an unnatural separation and sale of husband and wife

Promoting the Manumission of Slaves, and Protecting Such of Them as Have Been, or May be Liberated.” He served as its first secretary 68 Freedom by Degrees 112-113. 69 For Massachusetts free black protests and the growth of the northern antislavery movement see Cameron, Christopher. 2014. To plead our own cause: African Americans in Massachusetts and the making of the antislavery movement.
from each other and from their children, an injury, the greatness of which can only be conceived by supposing that were in the same unhappy case.”  

As was expected, some masters tried to evade the 1780 act “by various stratagems—selling their slaves out of the state, shipping pregnant women across the border to Virginia or Maryland where their children would be born into slavery.” As a response, the leading antislavery advocate at the time, Anthony Benezet, encouraged members of the then defunct Society for the Relief of Free Negroes to reestablish the organization. Reconstituted under a new name, the Pennsylvania Society for Promoting the Abolition of Slavery (PAS) in 1787, the PAS built a cross-denominational alliance that advocated for slaves who sought assistance in securing their freedom, especially that of their children.

The PAS effectively marshaled the resources of the 1780 law to secure the emancipation of slave fugitives and the many blacks who knew that masters who had not register them (as required by the law) would have a difficult time re-enslaving them. The legal difficulties surrounding the 1780 act arose from the fact that it did not free any living slaves but secured the freedom of children born to enslaved women after March 1780 (and in 1788 prohibited masters from shipping pregnant women to slave states to prevent fraud). It was a balancing act that negotiated between the American Revolution’s protection of chattel as private property while guaranteeing the freedom of those born into freedom.

Following Pennsylvania, Connecticut (1784), Rhode Island (1784), New York (1799), and New Jersey (1804) passed gradual abolition manumission laws that guaranteed that slavery would be dismantled in the region. Even in the Upper South, where planters were

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engaged in an internal slave trade with the Deep South, Delaware, Maryland and Virginia

experienced exponential growth in their free Black population. These states provided legal
 avenues for slaveholders to voluntarily emancipate their bondsperson. George Tucker

New states entered the Union with antislavery constitutions, beginning with Ohio in 1803, followed by Indiana in 1816, Illinois in 1818, and Maine in 1820. By 1830 the antislavery laws of Northern legislatures gave rise to a legal cartography of free soil and within it a culture that increasingly differentiated itself from the culture of slavery.

This remarkable pace of Northern progress may have emboldened the North to regard slavery as a relic of a bygone era, but the institution was only beginning to embed itself in national culture. Free Black communities in the North and Upper South, existed within a two-tier legal system wherein racism was national everywhere while slavery was perceived and understood as sectionally confined to the South.

The coexistence of freedom and slavery was the great paradox of American nationhood. “At a time when most men and nearly all women lived in some form of un-freedom, tied to one thing or another…saying what freedom was could be difficult. Saying what it wasn’t, though, was easy: “a very Guinea slave.” The muted response of white northerners to the 1793 Fugitive Slave acts suggests congruence between the early United States and this larger Atlantic viewpoint. And though Congress could place limitations on the trade, it lacked the legal power to abolish it. Laws enacted in 1794, 1800, and 1803 took decisive steps towards containing the African slave-trade. As George W. Van Cleve argues in A Slaveholders Union, “The unanimity about the [Fugitive slave] clause signified not its lack of importance or misunderstandings about it, but rather” the tacit agreement on the part of Northern states to accommodate slavery in the Constitution. The catastrophic result of this

73 George Tucker
74 Greg Grandin. 2014.
gentlemen’s “side bargain” was a slaveholders’ union where “The Constitution’s formal and informal protections for slavery resembled a broad and well-built canal through which a growing labor of slave labor could flow unimpeded.”

Charles Cotesworth Pinckney, a delegate to the Constitutional Convention, could confidently conclude: “We have a security that the general government can never emancipate them [slaves], for no such authority is granted and it is admitted, on all hand, that the general government has no powers but what are expressly granted by the Constitution, and that all rights not expressed were reserved by the several states.” Simply put, the early republican period may have seen the rise of the free Black community but it just as quickly established a national legal culture that shielded white Southern communities from slave revolts, ensured and regulated the subordination of Black people, and centralized the racial codification of Blackness as equivalent to enslavement. Constraints were imposed on free African-Americans as they sought to carve a space for themselves in the emerging polity. As Finkelman took care to note, “Starting in the post-revolutionary era, and coming to full maturity in the 1830s, a newly emerging ideology of racism influenced the law. This mature legal structure was totally committed to the preservation of slavery as a system. Thus law helped preserve it [slavery] after the revolution, and allowed the system of slavery to grow and develop until the Civil War.” While law was necessary for abolishing slavery in the North, law would also shape how to deal with the unwanted presence of Black people in a kind of limbo between slaves and citizens.

In some Northern states, after emancipation, blacks were legally allowed to vote, marry whites, file lawsuits, or sit on juries. But even where their rights were extended by law,

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75 George W. Van Cleve 167-69, 178-80
often the white majority did not allow them to exercise those rights. In Massachusetts in 1795, despite the absence of any law prohibiting Blacks from exercising the franchise, Justice James Winthrop wrote that Black people were neither eligible for office nor qualified to cast a vote. For much of the North, the American Revolution forged an era in which African-American freedmen and women became increasingly associated with the degraded status of their skin color as it mirrored the enslavement of their counterparts in the South. Northern society therefore had to confront what Thomas Holt calls the problem of freedom: How would a people whose subjectivities were formed in slavery be integrated into a free society—which by its nature required a very different psychological motor. As Alexis De Tocqueville noted in his *Democracy in America*, it did not matter that Northerners voiced and even acted out antislavery sentiments. The practice of American democracy carried the whiff of antiblackness regardless. “Race prejudice,” he noted, “seems stronger in those states that have abolished slavery than in those where it still exists, and nowhere is it more intolerant than in those states where slavery was never known.” The emergence of the United States clearly defined principles of liberty, and especially a northern region without slavery and a southern region that localized inhuman servitude, meant that revolutionary legacy of the American Revolution and its proslavery strands developed a dialectical relationship that characterized much of the early national formation of American political identity.

Although state citizenship predated national citizenship, the right to make new citizens, in the case of naturalization, rested with the federal government. Using this power to define who belongs in “We the People,” Congress opted to reflect popular conceptions of

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the country as a Euro-American state. In doing so, federal lawmakers acted with the trajectory of the historical context. A robust measure that legislated equal citizenship across the board would have been anathema to state rights. Citizenship is always an imprecise concept that fluctuates across space, time and place. Its meanings change over time to reflect contemporary circumstances. Hence the reason why models of citizenship for free Blacks, where such privileges—entitlements, immunities, obligations, etc.—extended in theory, did not always confer the claims it supposedly carried. That was because it did not fit neatly within the popular consensus of who was entitled to American citizenship. The Black community in the North may have had more room to maneuver economically but the abuses of political and social inequality visited on them rendered the benefits of that freedom almost negligible.

The inadequacy of contemporary historiography on U.S citizenship has been its failure to explain the historical life of American citizenship in the North and its contradistinction with the rise and ideology of Southern slavery. For example, how did Euro-Americans make sense of the continued expansion of Jeffersonian ideals of the yeoman republic and of Jacksonian democracy next to the racial logics of slavery in an otherwise free society? Perhaps one answer is to be found in the fact that both slaveholders and white commoners constituted an aristocracy of the skin, where their unequal statuses only mattered in terms of degree, not kind. Only within that equation was it possible to universalize the franchise for white men while in this same period, the years between 1815

82Leon Litwack. *North of Slavery:* “Early congressional legislation excluded Negroes from certain federal rights and privileges and sanctioned a number of territorial and state restrictions. In 1790, Congress limited naturalization to white aliens; in 1792, it organized the militia and restricted enrollment to able-bodied white male citizens; in 1810, it excluded Negroes from carrying the United States mails; in 1820, it authorized the citizens of Washington, D.C., to elect “white” city officials and to adopt a code governing free Negroes and slaves. Moreover, it repeatedly approved the admission of states whose constitutions severely restricted the legal rights of free Negroes. On the basis of such legislation, it would appear that Congress had resolved to treat Negroes neither as citizens nor as aliens.” p.31.
and 1819, the interstate slave trade grew to offer “opportunities for specialists in the purchase of bondspersons in the established Eastern Seaboard African-American neighborhoods, who transported them to the cotton frontier and sold them.”

It was in that time that cotton production grew by two-thirds and interstate trading firms sought greater efficiencies in a stable slave market that was supported by the Second Bank of the US, which guaranteed that private enterprises faced few federal regulations and provided the shield of governmental support.

It was also in this period that New York City’s free Black population experienced a surge as it went from over a thousand individuals to 10,500 by 1820. Similarly, Philadelphia’s went from 1,800 to 10,710. No growth was more spectacular than Baltimore’s, where a Southern city housed more Black people who were free than enslaved in 1820. In 1860, no state had more free Black people than Maryland where the number topped 83,942. This rising number of liberated African-Americans was perceived to pose a danger. Racial ideology was coupled with the rhetoric of slavery as an inherently Black condition—Blackness was to slavery and un-freedom as whiteness was to liberty and free labor. Increasingly, white society viewed freedom and citizenship as incompatible with blackness. Hence even as northern states abolished slavery, harsh patterns of discrimination and, on occasion, mob violence, were unleashed against Black communities. These occurrences

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marked an unfortunate truth: freedom for African-Americans in the North could not be equated with equality.

**III. The Paradox of African-American Citizenship**

**Tocqueville:** I said one day to an inhabitant of Pennsylvania, “Be so good as to explain to me how it happens that in a State founded by Quakers, and celebrated for its toleration, freed blacks are not allowed to exercise civil rights. They pay the taxes; is it not fair that they should have a vote?”

**Euro-American Citizen:** “You insult us,” replied my informant, “if you imagine that our legislators could have committed so gross an act of injustice and intolerance.” “What! Then the blacks possess the right of voting in this county?”

**Tocqueville:** “Without the smallest doubt.” “How comes it, then, that at the polling-booth this morning I did not perceive a single Negro in the whole meeting?”

**Euro-American Citizen:** “This is not the fault of the law: the Negroes have an undisputed right of voting, but they voluntarily abstain from making their appearance.”

**Tocqueville:** “A very pretty piece of modesty on their parts!” rejoined I.

**Euro-American Citizen:** “Why, the truth is, that they are not disinclined to vote, but they are afraid of being maltreated; in this country the law is sometimes unable to maintain its authority without the support of the majority. But in this case the majority entertains very strong prejudices against the blacks, and the magistrates are unable to protect them in the exercise of their legal privileges.”

**Tocqueville:** “What! Then, the majority claims the right not only of making the laws, but of breaking the laws it has made?”

When surveying the contours of Black life in the early American republic, what becomes clear rather quickly is how early emancipationist efforts failed to transform Black people from being subjects to acquiring full citizenship. If the relative ease with which state governments crushed the desires for Black citizenship did not extinguish Black freedom dreams, it certainly indicated that a determined white majority would never endorse the equality principle on which the notion of citizenship stood. This historical experience casts considerable doubt on the universalist claims of American theories of justice and nationhood. Moreover, it forced free African-Americans to reconsider how to pursue their

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As far as African-Americans were concerned they have a particular national experience that could not be conflated with the European transition from ethnic-European identity to American. Here is the inflexibility, the limits and the problem of nation, race and citizenship as men like Hector St. John Crevecoeur conceived it. From this standpoint, it was an incontrovertible claim that the American was a “new race of men…an American race” derived from the heterogeneity of a mixture of “English, Scotch, Irish, French, Dutch, Germans, and Swedes” stocks. Crevecoeur thus injected racial criteria within a universalism that he believed was not particularly exclusive but should still exclude African-Americans. The inability or refusal to include African-Americans within conception of American citizenship and nationalism was mired in this belief of an ethno-national heritage inscribed in the European lineage, therefore excluding enslaved men and women who, for generations, had already become African-descended Americans. The difficulty of accepting this truth helped proscribe racism into nationalism, thereby making the articulation of American citizenship antithetical to African-American belonging. An assumption of the almost naturalized white citizen also confers a certain level of state power that was in keeping with colonial subjecthood.

To racialize African-Americans into a group is not to assign them a national status, and unlike the white European-ethnic they were not transcending a French or German or English nationalism to become American. Instead, they would have to transcend the very fact that their political identity merged and emerged concurrently with the nation. In fact, while other racialized groups like Native Americans and later Asians could be categorized as

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87 Peter S. Onuf attempted to make an unpersuasive argument along this line regarding Thomas Jefferson’s….
constituting nations and denied a status of entry into the American republic, for Black Americans, that status had to be extracted and externalized. A conflict between race and nation, of belonging and not belonging was created in order to deny Black Americans citizenship.

Consequently, every redefinition of American citizenship had to find creative solutions, tortuous logics and unstable efforts to render the status of Black citizenship a problem. But if this problem was hard to resolve, it is because it was manufactured against its own original conception—American racism and American universalism cannot operate in tandem. This was evident in the fact that new segregated measures became institutionalized, white supremacist ideologies were rationalized, as in the minds of men like Crevecoeur, and white terrorism functioned to police social boundaries of inequality where legal theories faced difficulties in sanctioning such practices.\(^9\) Wherever the presence of free Blacks was not welcomed, elaborating their difference was mediated and negotiated into the remaking of Black citizens into otherwise anti-Americans. American citizenship, within the zone of the radical Enlightenment’s universal recognition of “the rights of man and the citizen,” was more than capable of accommodating African-Americans and did for a time. But in marshaling white supremacy as a proscriptive measure to limit this fact ideologically, it becomes clear rather quickly that whiteness, not Black people, stands as the antithesis to Americanism.

By the late 1820s, as the North was rapidly descending into a white supremacist society, it was in effect rejecting the strategy of Northern Black leadership. Between the

1790s and the 1820s, Black leadership had mainly resolved to take a tactful and, one could argue, respectable approach wherein displaying the virtues—patriotism, resourcefulness, and community association—of American citizenship, would confer on them the benefits of inclusion. Men and women such as Maria W. Stewart, Richard Allen, Samuel Cornish, Sarah and James Forten, Thomas Paul and James McCune Smith worked tirelessly to improve the lots of all persons of African descent. They formed civic organizations like the Free African Society in Philadelphia and the Prince Hall Mason Lodge in Boston. They founded churches, like the African Methodist and Episcopal (AME) church in Philadelphia and the Abyssinian Baptist church in New York City, and even respected existing laws, albeit at their own expense. James Forten, the wealthy Philadelphia sail-maker, cautioned patience with white hostility in the hopes that both sides will eventually attain “a rational liberty.”

The ultimate aspiration was that good behavior, through moral suasion, “must inevitably give way to Christian freedom.” So when they petitioned for freedom or openly complained about their depraved condition, it was done within the context of the law as when Absalom Jones led a group of African-American petitioners who pleaded with the President, the Senate, and House of Representatives on behalf of “the People of Colour, free men, within the City and Suburbs of Philadelphia.” In their words, they did not “ask for immediate emancipation of all...yet, humbly desire you may exert every means in your power to undo the heavy burdens, and prepare the way for the oppressed to go free, that every yoke may be broken...that we are men, we may be admitted to partake of the liberties and unalienable rights...held forth in the Declaration of Independence and the

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91 David Brion Davis. Slavery and Human Progress.
Constitution.” Free Blacks were major proponents of the American creed of natural rights, freedom and equality for all. They helped popularize it and despite the fact the Cotton Kingdom was ascendant, they held fast to their faith that Euro-Americans would recognize slavery as a stain on the American creed.

Frustrated, however, with the increasing “ideological marriage between egalitarian democracy and biological racism,” James McCune Smith would openly complain that “Our white brethren cannot understand us unless we speak to them in their own language; they recognize only the philosophy of force.” Free Black men and women began to notice that their strategies must change. The sharp upsurge in Negrophobia that universalized the suffrage for white males at the same time that it suppressed Black freedom meant that whites resolved to relegate free Blacks to a lower caste. As John Stauffer argues, African-Americans, “the victims of slavery, became in the mind of whites, “the embodiment of sin.” Hence free Blacks in the North and Upper South broadened their concept of community and in so doing, they had to rethink the geographical and communal boundaries of Black identity to include those African-Americans still toiling in slavery. It became clear to many free Blacks that “so long as any were enslaved, no African-American could be a full citizens in the land of the free.”

There is no doubt that in the post-Revolutionary decades, African-American freedom and citizenship expanded throughout the North. But how that freedom was reduced to second-class status in the early republic thrust African-American political thought from antislavery to radical demand for abolition, from protest to revolution. Freedom, and

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93 Donald R. Wright 3-5.
94 Ibid. 6-7.
its dividend, citizenship, had to be expanded beyond membership in a caste system. At the root of it all, was a movement towards eliminating a simple conflict: Blackness and citizenship had to be dissociated from slavery. But how does one even begin to embark on that project when slavery and Blackness were intimately coupled as elements of American democracy? This belief is, in the words of historian Barbara Fields, imbued with a “racial ideology to be expected in a society in which enslavement stands as an exception to a radically defined liberty so commonplace that no great effort of imagination is required to take it for granted.”

To restate the question from the perspective of a contemporary observer, how, Tocqueville wondered, did Blacks intend to bring about this change: If it was so difficult to root out an inequality which solely originates in the law, how are those distinctions to be destroyed which seem to be based upon the immutable laws of Nature herself? If he appeared skeptical, it was because he believed “Those who hope that the Europeans will ever mix with the negroes, appear to me to delude themselves; and I am not led to any such conclusion by my own reason, or by the evidence of facts… wherever the whites have been the most powerful, they have maintained the blacks in a subordinate or a servile position; wherever the negroes have been strongest they have destroyed the whites; such has been the only retribution which has ever taken place between the two races.” Tocqueville is referring here to Haiti, which many whites accused of executing a war of annihilation towards whites. And yet, as few whites perhaps imagined, and as Tocqueville himself overlooked, the answer

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97 Contrary to the popular assumption that this constitutes a paradox in American political life, Fields, as I myself would also argue, points out that: “It is the ideology proper to a ‘free’ society in which the enslaved descendants of Africans are an anomalous exception. There is no paradox; it makes good, common sense. Indeed, I dare go further. In the wake of the American Revolution, racial ideology assumed its greatest importance in the free, bourgeois society of the Northern states, where both slavery and the presence of Afro-Americans became increasingly minor exceptions. The paroxysm of racial violence that convulsed the South during the years after emancipation, and the ever more detailed legal codification of racial proscription, represent the nationalization of race, an ideology that described the bourgeois North much better than it did the slave South.”

98 Tocqueville, Democracy in America 393.

99 Ibid.
to this very question rested on this contrast, except it would be an ideological struggle, not racial warfare, to bring the legacies of one Atlantic revolution, the Haitian, to bear on the shortcomings of another Revolution, the American.

### 1860 U.S Census: Aggregate Free Black Population by State

**Sectional Breakdown**

**NORTH: 225,952***

1. Oregon: 128
2. Minnesota: 259
3. New Hampshire: 494
4. Vermont: 709
5. Iowa: 1,060
6. Wisconsin: 1,171
7. Maine: 1,327
8. Rhode Island: 3,952
9. California: 4,086
10. Michigan: 6,799
11. Illinois: 7,628
12. Connecticut: 8,627
13. Massachusetts: 9,602
14. Indiana: 11,428
15. New Jersey: 25,318
16. Ohio: 36,673
17. New York: 49,005
18. Pennsylvania: 56,949
19. Kansas (Territory): 625
20. Nevada (Territory): 45
21. Nebraska (Territory): 67

**SOUTH: 261,918***

1. Delaware: 19,829
2. Kentucky: 10,684
3. Maryland: 83,942
4. Missouri: 3,572
5. North Carolina: 30,463
6. Tennessee: 7,300
7. Virginia: 58,042
8. Alabama: 2,690
9. Arkansas: 144
10. Florida: 932
11. Georgia: 3,500  
12. Louisiana: 18,647  
13. Mississippi: 773  
14. South Carolina: 9,914  
15. Texas: 355  

Sources:  
*Historical Census Browser, from the University of Virginia, Geospatial and Statistical Data Center: http://mapserver.lib.virginia.edu/php/state.php.  

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