

# THE REVOLUTIONARY VIRGINIA MANUMISSION LAW OF 1782

Master's Thesis

North American Studies

University of Leiden

Philip Voorn

S1901451

May 11, 2020

Supervisor: Prof.dr. D.A. Pargas

Second reader: Dr. E.F. van de Bilt

## Contents

Introduction.....	3
Chapter I: Slavery in Virginian Society.....	9
Introduction.....	9
The Economic Degradation of Slavery.....	10
Developments in the Slave Community.....	14
Wartime Disruption.....	19
Conclusion.....	23
Chapter II: The Slavery Debate in Revolutionary Virginia.....	24
Introduction.....	24
Religious Arguments.....	25
Humanitarian Arguments.....	29
Racial Arguments.....	33
Personal Stake Arguments.....	37
Conclusion.....	40
Chapter III: The Manumission Law Takes Effect: Pragmatism vs. Idealism.....	42
Introduction.....	42
Use of the Law: 1782-1787.....	43
Resistance to the Law: 1785-1792.....	48
Gutting the Law: 1792-1806.....	53
Conclusion.....	58
Conclusion.....	60

## Introduction

During the American Revolution a discussion emerged within the newly formed United States as to whether the revolutionary ideals of freedom and equality were reconcilable with the institution of slavery. As a result of this discussion the northern states eventually abolished slavery. The southern states kept the peculiar institution, which led to a geographical and ideological divide of the young nation.

The divide between a free North and a slave South was not as self-evident in the first years following the Revolution as it would later become however. The northern states indeed initiated the first strikes against slavery by implementing (mostly gradual) abolition, but states in the upper South also took measures to put slavery on the road to abolition.

Antislavery was on the rise after the Revolution and this was not solely restricted to the regions north of the Mason-Dixon line. Especially Quakers on both sides of the divide organized themselves to attack the institution, with varying degrees of success throughout the country. And not just the Quakers, but indeed prominent revolutionaries and thinkers openly challenged and doubted the future of slavery in states like Virginia, Maryland, and Delaware.

In Virginia, such challenges ultimately did not lead to abolition, but they did result in the crafting of the 1782 Virginia Manumission Law. Idealistic slaveholders used this new law to free their slaves in an era in which the future of slavery in that part of the South seemed doomed. The free black population of Virginia consequently increased from around 3,000 in 1780 to 30,000 in 1810.<sup>1</sup> Over time however, this antislavery momentum reversed course. In the first years after the Virginia Manumission law was implemented, opponents to the law submitted multiple proslavery petitions demanding stricter legislation on the freeing of slaves.<sup>2</sup> From the 1790s onwards, legislation made it more difficult to be a free black person

---

<sup>1</sup> Robert McColley, *Slavery and Jeffersonian Virginia* (Urbana, IL: University of Illinois Press, 1964), 141.

<sup>2</sup> Peter Kolchin, *American Slavery* (London: Penguin, 1995), 86.

in Virginia, as manumitted slaves became required to either register every year or leave the state within a year of manumission. Overall, the law did increase the free black population in the upper South substantially, but subsequent developments resulted in a backlash.

Explanations for the rise and fall of Virginia's manumission law should be sought in the broader economic, social, and ideological context of the time. In the lead-up to the 1782 law the institution of slavery was weakened by the disruption of the Revolutionary War and the demise of the tobacco economy.<sup>3</sup> As such, the need for slavery became less pertinent and the future of slavery seemed less certain. But by the turn of the nineteenth century, the situation had changed drastically. With the rise of cotton and the abolition of the transatlantic slave trade in 1808, the value of Virginia slave labor rose again and the interest in keeping the institution increased as well.<sup>4</sup> This economic revaluation of slave labor, combined with the social anxiety that followed in the wake of the successful uprising in Haiti, provided confirmation to many Virginia slaveholders that the institution was worth keeping and that the free black population should be kept to a minimum.<sup>5</sup> These developments eventually led to increased restrictions on the Virginia Manumission law, rendering it practically ineffective when new legislation was passed by the Virginia legislature in 1806.

In the literature concerning antebellum slavery, the North-South division of the United States is often taken for granted. The South is mostly seen as a coherent cultural and political entity and internal differences are often overlooked. The antislavery movement of the upper South in the Revolutionary era is often marginalized and local developments skipped over. Peter Kolchin, in his work *American Slavery*, for example, recognizes antislavery sentiments in the revolutionary upper South, but he dismissed them as amounting

---

<sup>3</sup> Kolchin, *American Slavery*, 74; Ira Berlin, *Generations of Captivity: A History of African-American Slaves* (Cambridge, MA: The Belknap Press of Harvard University Press, 2003), 113-114;

<sup>4</sup> Kolchin, *American Slavery*, 86.

<sup>5</sup> Kolchin, *American Slavery*, 89; Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South* (New York: Pantheon Books, 1974), 89.

to merely a “moderate questioning” of the institution after the Revolution, and therefore focuses on the subsequent backlash and expansion of slavery at the turn of the nineteenth century.<sup>6</sup> McColley, in his book *Slavery and Jeffersonian Virginia*, sees even less of a weakening of the institution in the revolutionary era, as he argues that the effect of manumission on the institution of slavery was limited and eventually only led to a “further curtailing of the practice.”<sup>7</sup> Similar conclusions are drawn in Ira Berlin’s *Generations of Captivity*, in its discussion of the Revolutionary era in the Chesapeake Bay.<sup>8</sup> Where Berlin recognizes changing conditions for slavery as a whole, he concludes that the institution itself “hardly faltered.”<sup>9</sup> David Brion Davis also sees only a marginal role for revolutionary antislavery sentiment in the upper South. He ascribes the lion’s share of antislavery measures to Quaker efforts and sees the embeddedness of slavery in Christianity as the reason why antislavery was, according to him, so limited in the upper South.<sup>10</sup> Manisha Sinha, in *The Slave’s Cause*, sees a discrepancy in Revolutionary antislavery as well. Where she correctly identifies the antislavery rhetoric of certain Virginian revolutionaries during the Revolution itself, she underscores their failure to enact measures to put words into practice.<sup>11</sup> Indeed, Sinha argues that black abolitionists were the most important antislavery activists in the revolutionary upper South, not the revolutionary elite. In the end, their ability to effect real change was severely circumscribed.<sup>12</sup>

The literature concerning antislavery in the upper South in the era after the Revolution appears to suffer from two general limitations. The first is the common misconception of the

---

<sup>6</sup> Kolchin, *American Slavery*, 86.

<sup>7</sup> McColley, *Slavery and Jeffersonian Virginia*, 142.

<sup>8</sup> Berlin, *Generations of Captivity*, 111.

<sup>9</sup> Berlin, *Generations of Captivity*, 111.

<sup>10</sup> David Brion Davis, *The Problem of Slavery in the Age of Revolution 1770-1823* (Oxford, UK: Oxford University Press, 1999), 43.

<sup>11</sup> Manisha Sinha, *The Slave’s Cause: A History of Abolition* (New Haven, CT: Yale University Press, 2016), 67-68.

<sup>12</sup> Sinha, *The Slave’s Cause*, 76-77.

South being an organized entity regarding slavery before the antebellum period. Right after the Revolutionary War the South was fairly diverse, however, and antislavery was more prominent in some Southern regions than is sometimes suggested. The second is the tendency to underestimate the role (and sincerity) of the revolutionary elite in the antislavery movement of the upper South, as well as the antislavery sentiments of common (white) Virginians. While Quakers can indeed be viewed as agitators of antislavery discourse, the role of revolutionaries in antislavery movements and debates in the South is often viewed as passive or insincere.<sup>13</sup> The history of the Virginia Manumission Law of 1782 however, suggests that a degree of sincere antislavery sentiment was indeed present in the revolutionary upper South. The nature of the law indicates no argument of economic gain and the law passed the Virginia Assembly where Quakers most certainly did not command anywhere near a majority. This suggests a more active stance of Revolutionaries and a real commitment to antislavery by some Virginians.

The effectiveness of the law is debated, for example by McColley, as it presents problems to his thesis on the expansion of slavery in Virginia in the Revolutionary era.<sup>14</sup> Arguments supporting this point of view often originate from the conviction that the southern revolutionary elite held an ambivalent stance towards slavery, but then fail to recognize the development of this ambivalence over time. In fact, a trend from revolutionary antislavery to proslavery backlash in the final two decades of the eighteenth century is clearly visible, a trend that deserves closer attention from scholars. Consequently, by an investigation of the Virginia Manumission Law of 1782, allows for a closer examination of the development of antislavery and proslavery by Virginians in the upper South in the revolutionary era. The enormous increase in the manumitted free black population of Virginia indicates that

---

<sup>13</sup> Kolchin, *American Slavery*, 87-88; Merrill D. Peterson, *Thomas Jefferson and the New Nation: A Biography* (Oxford: Oxford University Press, 1970), 153.

<sup>14</sup> McColley, *Slavery and Jeffersonian Virginia*, 141-142.

antislavery was perhaps more widespread than literature would suggest, and the subsequent proslavery backlash calls for deeper analysis of public sentiment at the turn of the nineteenth century.

This thesis examines why the Manumission Law of 1782 was implemented in the Revolutionary era and how effective it was. It examines the state of slavery in Revolutionary Virginian society, the internal and external factors that influenced the passage of the manumission law of 1782, and the subsequent backlash that resulted in the de facto gutting of the law in 1806.

This thesis draws from primary sources of contemporary Virginians in order to analyze the discussions and the motivations of Virginians with respect to the manumission law. The arguments that resonate in the writings of these Virginians are assessed in respect to the timeframe. The use and effectivity of the arguments used in the slavery discussion are investigated to paint an image of the discussion and how it ended in the acceptance of the 1782 Manumission Law. Finally, the use of the law is investigated, as well as the effectiveness, consequences, and demise of the law. The effectiveness and use of the law are investigated by researching the use of data on manumissions and texts of manumissions. This information is retrieved from several deed and will books from the Petersburg area. Transcripts of the deeds and wills from these books are available online and therefore formed the basis for my research. The books, in combination with previous research on manumissions, will form the basis for the assessment of the effectiveness of the law. The critique on the law and its successive demise are analyzed by the assessment of petitions against the law. Several proslavery petitions form the basis to assess criticism from opponents of the law and the changing views on antislavery that characterizes the transition period between the Revolutionary and antebellum eras in Virginia.

The first chapter examines the external conditions relevant to Virginia in the Revolutionary era. The economic situation of Virginia before, during, and after the Revolution are discussed first. Then developments in the slave community are analyzed. Thirdly, the effect of the Revolutionary War on the discussion of slavery in Virginia is weighed. All these factors are analyzed to create a better understanding of Virginian society when the 1782 Manumission Law was implemented. The second chapter takes the external conditions into account and uses them to interpret the slavery discussion that was held by Virginians after the Revolution. The arguments used in the slavery discussion form the outline of this chapter. The arguments are divided by religion, humanitarianism, race, and personal stake. The final chapter delves into the question how Virginians used and viewed the law. By analyzing the use of the law an image is created on how antislavery progressed over time, finalizing this analysis of antislavery in Virginia during the Revolutionary era.



## Chapter I: Slavery in Virginian Society

### Introduction

In 1772, three years before the outbreak of the American Revolution, the Virginia House of Burgesses enacted a prohibitive duty on slave imports and requested the Crown to accept the curtailment of a “Trade of Great Inhumanity.”<sup>15</sup> The slave trade was under siege by the largest slave state of the soon to be United States. As the Enlightenment secured its influence around the world, facets in society that had been taken for granted for over a century, like the institution of slavery, were suddenly open for discussion. The growing critique on slavery was paired with Enlightenment ideals regarding natural rights and was looking for ground to plant itself in. Some of this ground was found in Virginia.<sup>16</sup> The Enlightenment opened up the discussion on slavery in the world. What followed was a conflict between different notions of freedom.<sup>17</sup> To understand how the discussion on slavery led to the Manumission Law of 1782, it is imperative to look at what Virginian society looked like in the preceding years. This chapter investigates the external conditions that shaped the slavery debate in the years leading up to 1782.

The eighteenth century witnessed drastic changes in different aspects of society. Due to the Enlightenment influence, the existing social hierarchy was challenged and ideas on natural freedom emerged worldwide.<sup>18</sup> Virginia had established its slave society around the

---

<sup>15</sup> *Journals of the House of Burgesses of Virginia 1770-1772 vol. 12*, ed. John Pendleton Kennedy (Richmond, VA: The Colonial Press, E. Waddey Co., 1907), 284.

<sup>16</sup> Davis, *The Problem of Slavery in the Age of Revolution*, 82; Peter Kolchin, *American Slavery* (London: Penguin, 1995), 76. Sinha, *The Slave's Cause*, 30.

<sup>17</sup> Davis, *The Problem of Slavery in the Age of Revolution*, 82.

<sup>18</sup> Davis, *The Problem of Slavery in the Age of Revolution*, 82; Allan Kulikoff, *Tobacco & Slaves: The Development of Southern Cultures in the Chesapeake, 1680-1800* (Chapel Hill, NC: University of North Carolina Press, 1986), 12; Winthrop D. Jordan, *White over Black: American Attitudes toward the Negro 155-1812* (Chapel Hill, NC: University of North Carolina Press, 1968), 281.

previous turn of the century and was now in a process of redefining itself.<sup>19</sup> The investigation into the way this process took shape in the years leading up to 1782 is categorized into three major themes. The first, concerns the economic changes and challenges of Virginian society in the period leading up to the American Revolution. The second theme focusses on the changing relations within Virginian society with special attention to the changes in the black communities and their impact on the institution of slavery in Virginia. The third and final theme focusses on the impact of the wartime disruption on the institution of slavery.

### **The Economic Degradation of Slavery**

Virginia underwent several economic developments that altered the plantation system in the years before the Revolution. The economic changes in Virginia had a major influence on the institution altogether. A good example of the influence of economic changes on the institution, is the previously mentioned attack on the Atlantic slave trade by Virginia in 1772. Historians have argued that the Atlantic slave trade would have never been attacked, were it not for the oversaturation of slaves in Virginia.<sup>20</sup> Historians have debated how much of Virginian antislavery could be attributed to Enlightenment inspired altruism and how much could be attributed to economic changes. Robert McColley argues in *Slavery and Jeffersonian Virginia* that there never was true antislavery sentiment present in Revolutionary Virginia and that the seemingly altruistic actions were merely adopted out of economic conditions.<sup>21</sup> Contrarily, David Brion Davis argues that the measures taken in the times of

---

<sup>19</sup> Edmund S. Morgan, *American Slavery, American Freedom: The Ordeal of Colonial Virginia* (New York: W.W. Norton & Company, Inc., 2003), 14-15; Kulikoff, *Tobacco & Slaves*, 83; Eric Foner, *Give Me Liberty! An American History, Volume 1: To 187* (New York: W.W. Norton & Company, Inc., 2007), 139.

<sup>20</sup> McColley, *Slavery and Jeffersonian Virginia*, 117; Philip D. Morgan, *Slave Counterpoint: Black Culture in Eighteenth-Century Chesapeake & Lowcountry* (Chapel Hill, NC: University of North Carolina Press, 1998), 59; Jordan, *White over Black*, 320.

<sup>21</sup> McColley, *Slavery and Jeffersonian Virginia*, 6.

Revolution were more in line with the Enlightenment discourse of natural freedom and made possible by the economic and social template of the time.<sup>22</sup> Both, however, agree that the economic changes in Virginia were a prerequisite for changes in the institution. To better understand antislavery in Virginia in the Revolutionary era, the state of the Virginian economy has to be established first.

Being in the Virginia elite in the eighteenth century mostly meant being in the governing planter class. This class had become wealthy around the turn of the previous century with the use of slaves on their tobacco plantations. Since then, the class had established itself and consolidated its power within the state.<sup>23</sup> Prior to the Revolution, the profitability of tobacco had been declining. In the 1760s and 1770s, the price of tobacco was still high, but, as Kulikoff correctly pointed out, “the opportunity to profit from the high prices decreased.”<sup>24</sup> Land became scarcer, and thus, more costly. Alongside the increasing land prices, the free population of Virginia grew, further increasing the competition for available farmlands. Furthermore, tobacco growth caused soil depletion, leaving even less tracts of quality land available in the colony.<sup>25</sup> The predatory nature of Virginian tobacco agriculture was having its effects on the cultivation of crops. As tobacco became more difficult to harvest, landowners started to diversify their crops, shifting away from tobacco. The exhaustive nature of the tobacco plant pressurized the production capacity. These challenges with growing tobacco caused two main problems for the Virginian planters. The first problem was the difficulty in repaying the loans that were taken to finance the production of tobacco. Most plantations were financed by British bankers who expected a

---

<sup>22</sup> Davis, *The Problem of Slavery in the Age of Revolution*, 82.

<sup>23</sup> Edmund S. Morgan, *American Slavery, American Freedom*, 14-15; Kulikoff, *Tobacco & Slaves*, 83; Eric Foner, *Give Me Liberty*, 139.

<sup>24</sup> Kulikoff, *Tobacco & Slaves*, 131-132; T.H. Breen, *Tobacco Culture: The Mentality of the Great Tidewater Planters on the Eve of the Revolution* (Princeton, NJ: Princeton University Press, 1985), 39.

<sup>25</sup> Kulikoff, *Tobacco & Slaves*, 132; Breen, *Tobacco Culture*, 41; Char Miller, *The Atlas of U.S. and Canadian Environmental History* (New York: Routledge, 2003), 21.

return on their investment. This requirement became increasingly harder to meet for the Virginian planters. The second problem was the oversaturation of slaves. Too many slaves were living in Virginia for the decreasing production of tobacco. Decreasing yields of tobacco harvest in combination with the same number of slaves on the plantation, increased the costs of labor for tobacco while the value of slaves decreased. The once so giving tobacco had become less generous.

The condemnation of the slave trade by the House of Burgesses in 1772 as a “Trade of Great Inhumanity,” was a good indicator of the economic position of slavery in the second half of the eighteenth century.<sup>26</sup> The market for slaves in Virginia had become oversaturated and the importation of new slaves would only further decrease the price of slaves. For Virginians there was little incentive to buy new slaves. Without the need for further slave importations, it became possible to condemn the trade that provided Virginia with its slaves. The link between the oversaturation of slaves and the subsequent condemnation of the slave trade indicates a peculiar interaction between economic incentive and the slavery discussion. It indicates that the discussion on slavery was opened up when the economic situation gave room for it. It was no coincidence that 1772 was the year in which Virginians condemned the slave trade, for also in 1772, Britain experienced a credit crisis and demanded the thirteen colonies to repay their debts to England. Especially the Southern plantation states, and more specifically Virginia, were hit by the crisis via the credit they had received from British bankers.<sup>27</sup> Most plantation owners were not prepared for the quick repayment of their debts and experienced financial losses from the British debt recollection. The increasing tensions between the planters and the mother country spurred the discussion on slavery. David Brion Davis in *The Problem of Slavery in the Age of Revolution* emphasizes the influence of the

---

<sup>26</sup> *Journals of the House of Burgesses of Virginia 1770-1772 vol. 12*, 284.

<sup>27</sup> Richard B. Sheridan, “The British Credit Crisis of 1772 and the American Colonies,” *The Journal of Economic History* 20, no. 2 (1960): 167; Kulikoff, *Tobacco & Slaves*, 129; Breen, *Tobacco Culture*, 23.

economic conditions that Virginia was experiencing during the Revolution on the institution. The economic conditions were however not the sole factor that opened the slavery debate. Without the presence of humanitarian ideals, it is unlikely that a discussion would have been conducted in the first place.<sup>28</sup>

The rising tensions between Virginia and Britain occurred in a time that the Enlightenment thinkers started question slavery. 1772 not only meant the year of the British credit crisis, it was also the year of the Somerset case that banned slavery from England and Wales, confirming the increased attention for slavery in the period. The Somerset case can be seen as a true milestone in the slavery discussion as the first successful legal attack on the institution. The condemnation of England for the slave trade in the same year by the Virginia House of Burgesses indicates the position that slavery held in the conflict between the two parties. The Somerset case can be explained as criticism on American slavery by Great Britain, whereas the condemnation of the slave trade by Virginia could be interpreted as criticism on the British slavery stance. The plantation regime of Virginia appeared willing to defy the institution, or at least part of it, in their struggles with England. Historians however argued that this attack was relatively risk free. Robert McColley and David Brion Davis both argue that the slave trade was for Virginia the weakest spot of slavery and that it could easily be attacked without many consequences.<sup>29</sup> The attack on the trade however indicated that slavery experienced a wave of criticism during this period. For Virginia's position in its conflict with England, it could be beneficial to position itself at the good side of history, but at what costs would the plantation holders willing to do this?

---

<sup>28</sup> Davis, *The Problem of Slavery in the Age of Revolution*, 85.

<sup>29</sup> McColley, *Slavery and Jeffersonian Virginia*, 117; Kolchin, *American Slavery*, 79.

## Developments in the Slave Community

The structure of Virginian society during the Revolution is of vital importance in understanding the course of the antislavery discussion. The societal tensions and their changes give insight into the formation of the discussion on slavery. Historians have debated the existence of these tensions in Virginian society and come to a relative consensus towards black and white relations, best described by Jordan's *White over Black*. Jordan emphasizes the existence of racial tensions between white and black communities. Over time, the gap between black and white in Virginia had grown, resulting in a highly racialized society.<sup>30</sup> Where this racial division of society is generally accepted as being the truth, the existence of class tensions is debated more widely. Some historians, like Robert E. Brown and B. Katherine Brown, and to a lesser degree, Robert McColley, see a relatively egalitarian and democratic pre-Revolutionary Virginia. Whereas historians like Charles A. Beard and Allan Kulikoff have argued that Virginia was a more aristocratic and patriarchal society during this time period.<sup>31</sup> Both the democratic and the aristocratic elements of Virginian society are present in the time leading up to the American Revolution and are discussed in this chapter. The economic and cultural changes during this period and the conflict of the Revolution impacted Virginian society for black and white people alike. The societal changes during the Revolution would then open the way for the antislavery discussion in Virginia.

The conversion of Virginia from a society with slaves to a slave society determined the consolidation of the social hierarchy. As rich families established themselves by the use of slaves on tobacco plantations in the colony, the potential for social mobility decreased for the poorer whites in the 1760's and 1770's as land became increasingly harder to acquire.<sup>32</sup> A

---

<sup>30</sup> Jordan, *White over Black*, 270; Kulikoff, *Tobacco and Slaves*, 381-382.

<sup>31</sup> Chilton Williamson, review of *Virginia 1705-1786: Democracy or Aristocracy?*, by Robert E. Brown and B. Katherine Brown, *The Journal of Southern History* 31, No.1 (1965): 98.

<sup>32</sup> Johann David Schoepf, *Travels in the Confederation (1783-1784)*, ed. Alfred James Morrison, (Philadelphia: W.J. Campbell, 1911), 31; Kulikoff, *Tobacco & Slaves*, 131.

social hierarchy existed within Virginian society, separating the planter class and the poorer white people. Below the class of poorer white people, the black slaves made up the lowest class in Virginian society.<sup>33</sup> The class divisions before the Revolutionary War would however drastically change by the conflict. It is generally accepted that the American Revolution played a large role in reshaping class relations in Virginia.<sup>34</sup> The democratizing effect of the Revolution would elevate the position of poorer whites in the state by increasing their political influence. The societal changes of the Revolution would, however, not be reserved for the white classes alone. Changes in the black community as well altered the position of many blacks in Virginian society and helped to ignite the slavery discussion in the state. The improvement of the position of black slaves would eventually culminate in the Manumission Law of 1782 that created the new class of free blacks in Virginian society.

For black slaves in the eighteenth century, the changing conditions of the plantation system proved a first opening towards more unity. The position of black slaves in society in the previous era was largely determined by the importation of Africans for the growth of tobacco on plantations, large and small. In the middle of the eighteenth century however, the black population in Virginia experienced some structural changes that improved their position in society.<sup>35</sup> In his work *Slave Counterpoint* historian Philip D. Morgan argued that the cultural changes in the black community altered the institution of slavery in Virginia.<sup>36</sup> By becoming increasingly American, black slaves gained more influence in Virginian society and thereby influenced the slavery discussion in Virginia. The ability of blacks to shape the slavery discussion has been largely overlooked by historians as they have generally deemed the influence of blacks on the discussion virtually non-existent. The role of black people in

---

<sup>33</sup> Kulikoff, *Tobacco & Slaves*, 132.

<sup>34</sup> Jordan, *White Over Black*, 270; Kulikoff, *Tobacco and Slaves*, 417.

<sup>35</sup> Kulikoff, *Tobacco and Slaves*, 417; Manisha, *The Slave's Cause*, 69-70; Morgan, *Slave Counterpoint*, 209/212; Berlin, *Generations of Captivity*, 119.

<sup>36</sup> Kulikoff, *Tobacco and Slaves*, 396; Morgan, *Slave Counterpoint*, 209/212.

shaping the course of slavery has been marginalized by historians like Robert McColley and even David Brion Davis. Lately, the notion that blacks influenced the slavery discussion has received more attention, most notably by Manisha Sinha's *The Slave's Cause*. Although with limitations, the role of black people in shaping the slavery discussion is a factor to be considered. The most influential factors that increased the influence of blacks in shaping the slavery discussion were the creolization blacks, the Christianization of blacks and the consolidation of the black community.<sup>37</sup>

The foremost factor that influenced the position of blacks in Virginia was the creolization of the slave population. The creolization of Virginian slaves allowed for more organization within the black community. In 1710, the total percentage of Africans within the slave population was 52, whereas at the eve of the Revolution this number had decreased to a mere 9 percent.<sup>38</sup> This decrease in the number of Africans signaled the Americanization of Virginian slaves. In the Chesapeake Bay area, both the number of skilled workers and the number of black families increased rapidly in the 1770's. The number of slaves living on relatively large plantations of more than 21 slaves also increased steadily in this period.<sup>39</sup> The increasing number of black families on large plantations created a sense of community among Virginian slaves brought into contact with one another. The convergence to large plantations with more American slaves helped to improve the skill level of slaves<sup>40</sup>, because larger plantations offered a more diverse work set for slaves and American-born slaves could be taught a trade at a young age.<sup>41</sup> Americanized slaves living on large plantations with increased levels of skill in the mid-eighteenth century determined the emergence of the black community. Before the Americanization of slaves, communication between slaves was hard

---

<sup>37</sup> Kulikoff, *Tobacco and Slaves*, 417; Morgan, *Slave Counterpoint*, 502.

<sup>38</sup> Morgan, *Slave Counterpoint*, 61.

<sup>39</sup> Morgan, *Slave Counterpoint*, 41/217; Kulikoff, *Tobacco & Slaves*, 319.

<sup>40</sup> Morgan, *Slave Counterpoint*, 209/212, Kulikoff, *Tobacco & Slaves*, 30.

<sup>41</sup> Kulikoff, *Tobacco and Slaves*, 396-397; Morgan, *Slave Counterpoint*, 209/212.



due to language differences. The existence of smaller plantations that were separated from each other further increased the barriers of communication. Now that English had become the new lingua franca and the larger plantations allowed slaves to have more contact, a community emerged. The new larger plantations not only housed more slaves of both sexes that spoke the same language, but also were better connected to other plantations.<sup>42</sup> That larger plantations indeed resulted in an increased sense of community resonated in Schoepf's travel accounts from Virginia as he explained that "A plantation in Virginia [...] has often more the appearance of a small village."<sup>43</sup> Cross-plantation networks emerged and families rarely spanned multiple plantations. The increase of network sizes and the level of skilled workers indicated the increased involvement in Virginian society and suggested a better level of geopolitical literacy of slaves. These changing aspects in slave society would especially come of use in the Revolutionary War. Historian Manisha Sinha, in her work *The Slave's Cause*, sees the first successful attempts of black defiance arise during the Revolutionary War.<sup>44</sup> Through the establishment of the black community in eighteenth century Virginia, slaves could organize themselves to play a part in the Revolutionary War and elevate their position.

The creolization of slaves not only meant the formation of the black community but also opened up the possibility for conversion. Africans appeared more resistant towards conversion than American born slaves and slaveholders began to hold less opposition toward the conversion of their slaves in the eighteenth century. This allowed for an increase in conversions and baptisms.<sup>45</sup> In the light of the Great Awakening of the early eighteenth century, more and more slaves were becoming Christians. Although the norm would still be

---

<sup>42</sup> Morgan, *Slave Counterpoint*, 502; Kulikoff, *Tobacco & Slaves*, 341.

<sup>43</sup> Schoepf, *Travels in the Confederation*, 32.

<sup>44</sup> Sinha, *The Slave's Cause*, 74.

<sup>45</sup> Marcus W. Jernegan, "Slavery and Conversion in the American Colonies," *The American Historical Review* 21, no. 3 (1916): 523; Morgan, 656; Jordan, *White over Black*, 213.

otherwise, the conversion of slaves meant the closing of the gap between black and white. By slaves becoming Christians, the argument that slaves were heathens and therefore doomed to slavery lost fortitude. Slaves were becoming Christians and were establishing their place in Virginian society. To help retrieve this place, slaves formed allies with the Quakers and the Methodists. Through the Christianization process, contact with white people increased, which allowed for the formation of these coalitions. The Quakers and the Methodists started to organize themselves to fight for abolition.<sup>46</sup> The increasing organization, creolization and Christianization of slaves helped in the formation of the case of these religious groups against slavery.

The consolidation of the black community offered opportunities with the coming of the Enlightenment. With a larger role for blacks in Virginian society and an increased measure of geopolitical literacy, blacks in Virginia saw the opportunity to elevate their position. The Enlightenment sparked the discussion whether slavery was reconcilable with the humanitarian ideal of natural freedom. By increasing their place in Virginian society, blacks steered the discussion in their favor. The Americanization process that slaves underwent simultaneously dissolved some arguments for enslavement that Virginians had previously used to justify the chattel bondage of Africans. Black Virginians started having families and were becoming more Christianized aided by the work of the Quakers and Methodists.<sup>47</sup> The arguments that blacks were slaves because they were “heathens” or “savages” now proved less effective. With the creation of the black community, the Americanization of black slaves, and the arrival of the Enlightenment, a door opened that questioned the institution of slavery.

---

<sup>46</sup> Davis, *The Problem of Slavery in the Age of Revolution*, 213; Kolchin, *American Slavery*, 67.

<sup>47</sup> Jernegan, “Slavery and Conversion,” 523; Morgan, *Slave Counterpoint*, 421; Berlin, *Generation of Captivity*, 118.

## Wartime Disruption

The increased tensions in thirteen colonies came to a boiling point in 1776, when the Declaration of Independence was signed. The conflict between the colonies and the British Crown would alter the discussion on slavery in several ways. The preceding events of the Somerset Case and the condemnation of the Atlantic slave trade by the Virginians had already given the institution a place in the conflict, but now the conflict itself influenced slavery as well. Three main effects caused the altering of the institution of slavery that changed the slavery discussion in Virginia. The first was the economic effect that the war brought to Virginian farmers. The Revolutionary War drained the tobacco revenues of Virginian farmers and made them switch to other crops, altering the life on plantations.<sup>48</sup> The second effect that the Revolutionary War had on the institution of slavery was the democratization of Virginia. A result of the conflict was a more egalitarian Virginia for whites, giving more people political influence in the state. The third effect of the War was the participation of slaves in the conflict. Black slaves fought on both sides of the conflict in an attempt to improve their position in Virginian society.<sup>49</sup> The conflict became a catalyst for the opening of the slavery discussion in Virginia.

The economic downturn in Virginia was the first effect that the Revolution had on the institution of slavery. By the implementation of a trade embargo, Virginian tobacco had been cut off from the British market.<sup>50</sup> The British credit crisis of 1772 and the decreasing profits on tobacco had already put the Virginian plantations under pressure, but the Revolution was the final nail in the coffin. The British put an embargo on Virginian goods, dissolving the Virginian tobacco sales and forcing Virginians away from tobacco. Instead of tobacco,

---

<sup>48</sup> Kulikoff, *Tobacco and Slaves*, 417; Morgan, *Slave Counterpoint*, 209/212; Berlin, *Generations of Captivity*, 119.

<sup>49</sup> Kulikoff, *Tobacco & Slaves*, 418-419; Berlin, *Generations of Captivity*, 112; (Both sides Revolution)

<sup>50</sup> Kulikoff, *Tobacco & Slaves*, 157, Peter Kolchin, *American Slavery*, 74.

Virginians started to grow staple crops that required a different plantation regime.<sup>51</sup> The diversified workload of the new crops changed life on the plantations for many slaves. For the production of tobacco, slavery had been required by the intensive and continuous workload. For the more seasonal based staple crops that Virginians switched to, slavery was less suited.<sup>52</sup> The switch in plantation regime made Virginians question the necessity of slavery.

The second major contribution to the slavery discussion by the Revolutionary War was the democratization process that the war initiated. Inspired by the Enlightenment ideals of freedom and brotherhood, Virginians rose against the British Crown.<sup>53</sup> For the elite it was an opportunity to finally gain independence and “representation.” For the rest of the colony it was also an opportunity to gain more liberties. Much of the war effort had to come from the white lower and middle classes, who took the opportunity to gain more say with the Virginia elite by engaging in the debate to shape postwar Virginia.<sup>54</sup> The aristocratic society of Virginia began to have more democratic elements through the communal war effort of Virginians. Inspired by the Enlightenment, Jefferson and his peers wrote the Declaration of Independence and afterwards the Bill of Rights, underscoring the Enlightenment character of the American Revolution. By adding democratic elements to the aristocratic Virginian system, the discussion on slavery would now be held over the entire width of Virginian society. The elite alone would no longer decide upon the fate of slavery, but the lower and middle class too, who now saw their opportunity arise to exert their influence on the

---

<sup>51</sup> Breen, *Tobacco Culture*, 186; Berlin, *Slaves Without Masters*, 26; McColley, *Slavery and Jeffersonian Virginia*, 13; Kulikoff, *Tobacco and Slaves*, 429.

<sup>52</sup> Breen, *Tobacco Culture*, 186; Berlin, *Slaves Without Masters*, 26; McColley, *Slavery and Jeffersonian Virginia*, 13; Kulikoff, *Tobacco and Slaves*, 429; Berlin, *Generations of Captivity*, 114.

<sup>53</sup> Kolchin, *American Slavery*, 65; Berlin, *Generations of Captivity*, 100; Sinha, *The Slave's Cause*, 62.

<sup>54</sup> Michael A. McDonnell, *The Politics of War: Race, Class, and Conflict in Revolutionary Virginia* (Chapel Hill: University of North Carolina Press for the Omohundro Institute of Early American History and Culture, 2007), 15; John Selby, *The Revolution in Virginia, 1775-1783* (Charlottesville, VA: University of Virginia Press, 1988), 100.

plantation owners under the new form of “popular governance.” A combined Revolutionary war effort resolved the class tensions and helped democratize Virginia, which brought about a broader slavery discussion in Virginia.

The third major effect of the Revolution on slavery was the role of black slaves during the war. The role that slaves played in the conflict is of vital importance to the understanding of the slavery debate in the subsequent years. With some 100,000 slaves in Virginia, the slave population had the potential to be the deciding factor in the war. Above all, whites were afraid of black insurrections against the plantation regime, a fear shared by most white Virginians.<sup>55</sup> The British governor of Virginia, Lord Dunmore, knew the fear that lived among white Virginians and tried to mobilize the slave force for the British cause. In the Dunmore Proclamation, the governor declared “all indented Servants, Negroes, or others (appertaining to Rebels) free, that are able and willing to bear Arms.”<sup>56</sup> The effects of this proclamation appeared, however, not to be in the favor of the British. In reality it appeared that, although slaves attempted to flee to the British, this enterprise was hard and dangerous. Only a limited number of slaves managed to join the British forces, among half of whom were women and children that were initially exempt from the proclamation.<sup>57</sup> Whereas it is true that the fighting potential of the slaves could have been the deciding factor in the conflict, Dunmore was unable to exploit this potential. On the other side, historians have argued that by invoking rebellion among the slaves, the support for the Revolution against the British grew.<sup>58</sup> Even the Declaration of Independence mentions the “excited domestic

---

<sup>55</sup> Woody Holton, “Rebel against Rebel: Enslaved Virginians and the Coming of the American Revolution.” *Virginia Magazine of History and Biography* 105, no 2 (1997): 157-165; McColley, *Slavery and Jeffersonian Virginia*, 106.

<sup>56</sup> John Murray, earl of Dunmore, *Proclamation*, November 7, 1775.

[https://edu.lva.virginia.gov/online\\_classroom/shaping\\_the\\_constitution/doc/dunmores\\_proclamation](https://edu.lva.virginia.gov/online_classroom/shaping_the_constitution/doc/dunmores_proclamation)

<sup>57</sup> Holton, “Rebel against Rebel,” 157-165.

<sup>58</sup> Holton, “Rebel against Rebel,” 157-165; Selby, *The Revolution in Virginia*, 1-2; McDonnell, *The Politics of War*, 49-50.

insurrections” as a cause for the declaration.<sup>59</sup> By trying to win a quarter of the population of Virginia for the British forces, Dunmore ultimately united Virginia’s whites. Dunmore’s proclamation was issued in 1775, at the very beginnings of the conflict and appeared, overall, not very successful. Estimates are that a mere 800 slaves that did manage to escape finally reached the British troops to ultimately form the so-called “Ethiopian Regiment,” which was eventually disbanded in 1776.<sup>60</sup>

Thousands of slaves did manage to find freedom from the disruption. An increasing part of the persons in bondage had used the wartime disruption to flee their masters and yet another part saw joining the rebellion as their ticket to freedom. The slaves that stayed on plantations saw their daily routines changing with the conflict. Tobacco prices dropped as the British market was closed off for Virginia plantation holders. With the disappearance of the markets and the need for soldiers during the war, practice became such that slaves could fill the places of their masters during the conflict and find their way to freedom via this route. Several laws granting specific slaves their freedom were passed in this period. Discontent emerged from the rebellious militia that the elite was exempt from their draft duties which was partially resolved by letting slaves fight for their masters. The place that slaves took fighting alongside the revolutionaries increased their status in Virginia society and led to freedom for many.<sup>61</sup> The democratization process of Virginia may have troubled the position of slaves in Virginia, but the war effort of black slaves increased their position and opened the way to the first manumissions for slaves that fought on the side of the Revolutionaries.<sup>62</sup>

---

<sup>59</sup> *Declaration of Independence*, July 4, 1776.

<sup>60</sup> Kolchin, *American Slavery*, 71; Sinha, *The Slave’s Cause*, 79; Berlin, *Generations of Captivity*, 112.

<sup>61</sup> William Waller Hening, *The Statutes at Large: Being a Collection of All the Laws of Virginia, from the First Session of the Legislature, in the Year 1619: Volume X [I-XIII]* (New York: R. & W. & G. Bartow, 1823), 115; McDonnell, *The Politics of War*, 22-23; Holton, “Rebel against Rebel,” 157-165; Kolchin, *American Slavery*, 71; Sinha, *The Slave’s Cause*, 78.

<sup>62</sup> Hening, *The Statutes at Large*, 115; McDonnell, *The Politics of War*, 22-23; Sinha, *The Slave’s Cause*, 80.

## **Conclusion**

Developments in Virginian society changed the institution of slavery in a way that a discussion on the institution emerged during the Revolutionary era. Virginian slaves had become increasingly American in the years leading up to the conflict. The increased creolization of the slave population had caused the emergence of the black community that fought for its place in Virginian society. Several factors contributed to their struggle for freedom. The first factor was the downturn of tobacco by depletion of the lands. The increased price of land and the indebtedness to British bankers caused an economic recession. The recession made Virginia slowly move away from tobacco to other crops, diversifying the work of slaves. The diversification of the workload resulted in a more liberal work regime on the plantations. The economic downturn also resulted in increased tensions between England and the thirteen colonies and slavery was placed within this conflict. The role of slavery in the Revolution was already confirmed in 1772. In the same year that the Somerset Case banned slavery from the British Islands, Virginians attacked England for allowing the slave trade in their colony. The institution was further weakened during the war by the many slaves using the conflict of the Revolutionary War to find their way into freedom. In the Revolutionary Era thousands of slaves found their freedom in Virginia. The combination of the economic downturn, the changing conditions on the plantations and the wartime disruption all weakened the institution of slavery. With the Enlightenment spirit in the air opportunities arose to initiate a successful attack on the peculiar institution in Virginia.

## Chapter II: The Slavery Debate in Revolutionary Virginia

### Introduction

“An Act to Authorize the Manumission of Slaves,” was accepted by the Virginia General Assembly in 1782, allowing for the private manumission of slaves.<sup>63</sup> The law made it possible for Virginia slave owners to free their slaves without first having to receive governmental approval, as had been the case before. Laws however are seldom adopted without a certain demand or need from the population and the Manumission Law in fact suggests that a desire existed among Virginia slaveholders in the revolutionary era to be permitted to release their slaves from bondage as easily as possible. Unlike the later generation of the antebellum era, Revolutionary Virginia had a political climate that was, to a certain degree, open for debate on slavery.

How can the slavery debates in Virginia that led up to the 1782 manumission legislation be characterized? The nature of this debate is investigated in this chapter, based on the arguments that were used at the time, both arguments in favor of human bondage and against it. In a broader sense, the slavery debates of revolutionary Virginia centered around three main (and often interconnected) themes: slavery’s relation to religion, natural rights, and (personal) economy. This chapter examines each of these themes in turn. First, it addresses the influence of religion on the slavery discussion, including its connection to discourses on Enlightenment-inspired humanitarianism. This chapter then continues with an analysis of the larger debate on natural rights that characterized the Revolution, and how this debate affected the way Virginians thought about slavery. The final section of this chapter

---

<sup>63</sup> William Waller Hening, *The statutes at large: being a collection of all the laws of Virginia, from the first session of the legislature, in the year 1619: Volume XI [I-XIII]* (New York: R. & W. & G. Bartow, 1823), 39.



deals with the personal and economical arguments that were proffered regarding the future of slavery within the state. What personal stakes drove people in the slavery debate at the time? All these factors together provide insights into the status of antislavery in Virginia in the Revolutionary Era and help explain the acceptance of the 1782 Manumission Law.

### **Religious Arguments**

The role that religion played in the slavery debate of Virginia in the Revolutionary era is important to understand to what degree the institution of slavery was really under threat by religious convictions. The religious group with the fiercest antislavery conviction in Virginia were the Quakers. Their mobilization for the antislavery cause, as well as their most powerful religious arguments, are analyzed in this section. After that the role of slavery within Christianity in general is discussed, particularly the ways in which slavery and Christianity were linked and why this combination proved to be difficult for the antislavery cause. Finally, the influence of the conversion of black people in Virginia to Christianity on the religious debates on slavery is discussed.

In the period prior to the acceptance of the 1782 Manumission Law, some Christians in Virginia questioned the morality of slavery.<sup>64</sup> The largest group of Christians challenging this morality were the Quakers. Quakers had been influenced by the Enlightenment ideals of natural rights and had adopted early on the notion that slavery was contrary to natural and divine law.<sup>65</sup> As a religious group they managed to unite their lobby against the institution of slavery and quickly implemented the policy that Quakers should not be slaveholders. David Brion Davis has identified the 1774 Philadelphia Yearly Meeting as the occasion where this

---

<sup>64</sup> McColley, *Slavery in Jeffersonian Virginia*, 148; Davis, *The Problem of Slavery in the Age of Revolution*, 82; Sinha, *The Slave's Cause*, 151; Kolchin, *American Slavery*, 69; Berlin, *Generations of Captivity*, 111.

<sup>65</sup> Kolchin, *American Slavery*, 67; Davis, *The Problem of Slavery in the Age of Revolution*, 213.

notion was translated into official policy for the thirteen colonies.<sup>66</sup> By adopting a motion to penalize those who engaged in the “buying or transfer of slave property,” Quakers restricted themselves in dealing in or possessing human property.<sup>67</sup> The conventions to declare policy indicate that Quakers were able to adequately organize and unite for a cause. The fact that Quakers took the consequences of their religious conviction seriously becomes apparent in several examples. Quakers could be found in all layers of Virginian society, from the lower class to the elite. As the Virginia elite were mainly slaveholders, the elite Quakers in Virginia were also mainly slaveholders. As Quaker policy had become to not hold slaves, the elite Quaker slaveholders were expected to rid themselves of their slaves and the sin of slavery. This was not an easy proposition for those who had a substantial economic stake in holding slaves, and yet it appears that even slaveholding Quakers took the new policy to heart. Consider the case of plantation holder Robert Pleasants. Eleven years prior to the Manumission Law of 1782, Pleasants had convinced his father John and his half-brother Jonathan to adapt their wills to emancipate their slaves in their wills once legislation allowed for it.<sup>68</sup> This anecdote pinpoints the longer history between Quakers and antislavery.

For other Christians in Virginia, the debate whether slavery was sinful or according to Scripture remained unresolved during the American Revolution. Where Quakers, influenced by the Enlightenment, united to acclaim the inherent sinfulness of slavery, other Christians in Virginia were far more divided and proved unable to reach any consensus. As the debate remained unresolved, it was safe for Virginians to uphold the current status quo that allowed Christianity in combination with the institution of slavery. The sinfulness of slavery was debated by Christian Enlightenment thinkers from all over the world but the relation between

---

<sup>66</sup> McColley, *Slavery in Jeffersonian Virginia*, 148; Davis, *The Problem of Slavery in the Age of Revolution*, 82; Sinha, *The Slave's Cause*, 151.

<sup>67</sup> Davis, *The Problem of Slavery in the Age of Revolution*, 215; Sinha, *The Slave's Cause*, 38.

<sup>68</sup> William Fernandez Hardin, “Robert Pleasants (1723-1801),” *Encyclopedia Virginia* (Virginia Humanities: 2019). [https://www.encyclopediavirginia.org/Pleasants\\_Robert\\_1723-1801](https://www.encyclopediavirginia.org/Pleasants_Robert_1723-1801)

slavery and Christianity in Virginia was persistent. Before the Enlightenment there was a general consensus that chattel bondage was allowed by Scripture and this was not easily challenged in a place where Christianity and slavery had coexisted since the beginning.<sup>69</sup> Bible passages formed arguments for both sides of the slavery discussion but did not pose a significant threat to slavery in Virginia during the Revolution.<sup>70</sup> The position of Christianity on slavery in Virginia's Revolutionary era differs significantly from the later antebellum era. In the antebellum era, it was commonly accepted throughout the American South that the Bible allowed slavery.<sup>71</sup> During the Revolution, however, it remained unresolved whether God allowed for slavery. In Virginia, Christians were both critics of slavery and apologists of slavery. The arguments used by both sides during this period, however, were of a different nature than in the Antebellum era, where Scripture passages were taken more literally.<sup>72</sup> In the Revolutionary era, Enlightenment arguments as to why God would condemn or allow slavery were more significant. Antislavery activists in Virginia sought for ways outside of Bible scripture to convince their fellow Virginians that slavery was morally wrong.

Antislavery activists in Virginia used Enlightenment arguments to appeal to proslavery Virginians. This use of argumentation, not directly related to Scripture, resonates in a Quaker petition from 1780 asking for looser regulation on manumissions in Virginia.<sup>73</sup> The petition indicates the different position held by Quakers in the slavery debate on religious grounds. The petition states that the Quakers "prohibited their Members several years ago from purchasing any Slaves."<sup>74</sup> Quakers had the religious obligation to rid themselves of slavery where other Christians apparently did not have this obligation. Even more interesting

---

<sup>69</sup> Davis, *The Problem of Slavery in the Age of Revolution*, 47; Sinha, *The Slave's Cause*, 65.

<sup>70</sup> Davis, *The Problem of Slavery in the Age of Revolution*, 551-552, Sinha, *The Slave's Cause*, 65.

<sup>71</sup> Kolchin, *American Slavery*, 116; Berlin, *Generations of Captivity*, 229.

<sup>72</sup> Sinha, *The Slave's Cause*, 62/401-402.

<sup>73</sup> *Petition for Looser Regulation on Manumission nr. 11678004*, (Race & Slavery Petitions Project: 1780) <https://library.uncg.edu/slavery/petitions/index.aspx>

<sup>74</sup> *Petition for Looser Regulation on Manumission nr. 11678004*.

in the petition are the lines “Freedom was the natural Right of all mankind” to argue against the institution.<sup>75</sup> These words stem directly from the humanitarian Enlightenment natural rights philosophy and confirm the influence of the Enlightenment on Quakerism.<sup>76</sup> The words indicate the link that exists between religion and Enlightenment humanitarianism. Quakers had been influenced by the Enlightenment to adopt antislavery policies and were using the same Enlightenment arguments to convince others to do the same. Quakers had been convinced by the Enlightenment ideal that slavery and natural freedom do not go together. For Quakers, the way to convince their fellow Virginians to attack the institution during the Revolution was not by Scripture passages, but by the words of Enlightenment humanitarianism. The use of Enlightenment speech in their persuasion of others indicates the close links that existed between the Enlightenment and the view on religion in the Revolutionary era. The diversity of social backgrounds of Quakers contributed to the group’s influence as a whole in the Virginian slavery discussion. By lobbying and organizing petitions, efforts were made to put antislavery proposals on the political agenda, ultimately including the 1782 Manumission Law itself. The Quakers had the religious conviction that slavery was a sin. That conviction weighed more to them than any other possible argument.

Another tactic used by antislavery advocates to promote antislavery legislation, was through the notion of religious freedom. During the Revolutionary era, Virginians were known for their rational and liberal views on religion.<sup>77</sup> In 1777, Jefferson had proposed the Bill for Establishing Religious Freedom aimed at granting religious freedom to all without a state.<sup>78</sup> The act was eventually accepted in 1786 as the “Act for Establishing Religious Freedom,” but the drafting in 1777 indicated that freedom of religion was advocated by at

---

<sup>75</sup> *Petition for Looser Regulation on Manumission nr. 11678004.*

<sup>76</sup> Davis, *The Problem of Slavery in the Age of Revolution*, 214; Sinha, *The Slave’s Cause*, 60.

<sup>77</sup> Kolchin, *American Slavery*, 86.

<sup>78</sup> Ronald D. Cohen, “*Church and State in Revolutionary Virginia, 1776-1787* (Book Review),” *Journal of Church and State* 21, no. 1 (1979): 125-127.

least some Virginians in the Revolutionary era.<sup>79</sup> Although not all Virginians supported the proposal for religious freedom as some petitions were issued against it, the proposal by Jefferson fits within the Revolutionary Enlightenment rhetoric.<sup>80</sup> The support for religious freedom by Virginians added force to the Quaker argument for the 1782 Manumission Law. In their petition in favor of the law, the Quakers namely used the argument that for them, religious freedom was to free their slaves.<sup>81</sup> The religious argument to support the Manumission Law of 1782 was not what convinced Virginians to accept the law but it did help the antislavery case. Quaker antislavery was based on religious conviction, the most important reason for action. In their conviction they sought to convince others in Virginia to join them in antislavery and drive the antislavery movement forward. Religion helped antislavery in the Revolution and the Revolution helped religion in antislavery. The secular notions that many prominent Virginians harbored opened the way to the 1782 Manumission Law, but also made Virginians less susceptible to religious arguments against slavery.<sup>82</sup>

### **Humanitarian Arguments**

Non-Quaker advocates of abolition in Virginia often refrained from using direct religious arguments in their pleas against the institution. Instead they used humanitarian arguments which, as mentioned above, also formed the basis for religious arguments. In *Notes on the State of Virginia*, Jefferson saw “principles inconsistent with republicanism” as the reason to alter the British laws that were in place.<sup>83</sup> One of these inconsistencies with republicanism for Jefferson, for example, was the slave trade, or as he had called it, a “Trade of Great

---

<sup>79</sup> *Act for Establishing Religious Freedom*, January 16, 1786. <https://edu.lva.virginia.gov/dbva/items/show/180>

<sup>80</sup> *Petition Against Religious Freedom nr. 11677901* (Race & Slavery Petitions Project: 1779) <https://library.uncg.edu/slavery/petitions/index.aspx>

<sup>81</sup> *Petition for Looser Regulation on Manumission nr. 11678004*.

<sup>82</sup> Kolchin, *American Slavery*, 86; Berlin, *Slaves Without Masters*, 20-21.

<sup>83</sup> Thomas Jefferson, *Notes on the State of Virginia* (Philadelphia: Prichard and Hall, 1787), 146.

Inhumanity,” before the Revolution.<sup>84</sup> In the period before the Enlightenment, slavery was unchallenged in Virginia.<sup>85</sup> This changed with the advent of Enlightenment. As new arguments against the institution were crafted based on Enlightenment principles, some of the Virginia elite became convinced that slavery and the natural rights of men were not reconcilable. The ideals of natural freedom resonated in the *Declaration of Independence*, where the Revolutionaries stated that “all men are created equal [...] endowed by their Creator with certain unalienable Rights [...] Life, Liberty and the pursuit of Happiness.”<sup>86</sup> But, even with the statements made by the Revolutionaries, many of whom were Virginians, slavery survived the American Revolution. For antislavery in Virginia during the Revolution the humanitarian argument has a large significance. The slavery debate in this period revolved around the question whether slavery was or was not reconcilable with the ideals of Enlightenment. To analyze this discussion, first the Enlightenment stance on natural rights is discussed. Afterwards the proslavery arguments that were used in the Enlightenment discussion on slavery are elaborated. Finally the counter-arguments based on natural law, often structured around the Lockean argument of freedom of possession, are discussed.<sup>87</sup>

The Virginia elite followed and participated in wider Atlantic debates regarding slavery and natural rights. In the early 1770s, the argument that slavery was not reconcilable with the natural rights philosophy became mainstream around the western world.<sup>88</sup> The Somerset Case of 1772, which introduced the concept of “free soil” and had a profound effect on these debates on the eve of the American Revolution, placed the slavery discussion to the

---

<sup>84</sup> *Journals of the House of Burgesses of Virginia 1770-1772 vol. 12*, 284.

<sup>85</sup> Davis, *The Problem of Slavery in the Age of Revolution*, 41; Kolchin, *American Slavery*, 63; Berlin, *Generations of Captivity*, 100.

<sup>86</sup> Jefferson, *Declaration of Independence*

<sup>87</sup> Sinha, *The Slave's Cause*, 60; Jordan, 287; Roger Bruns, *Am I Not a Man and a Brother: The Anti-Slavery Crusade of Revolutionary America: 1688-1788* (New York: Chelsea House Publishers in association with the R. Bowker Company, 1977), 278.

<sup>88</sup> Davis, *The Problem of Slavery in the Age of Revolution*, 470; Kolchin, *American Slavery*, 67.

forefront of world politics and natural rights played a major role in the trial. David Brion Davis states that Granville Sharp, one of the first British abolitionists, had proved that slavery “violated both divine and human law” in the early 1770s.<sup>89</sup> Sharp’s words made their way to the Somerset trial that eventually decided that slavery could not exist in England based on natural rights principles.<sup>90</sup> Lord Mansfield, Chief Justice of the King’s Bench during the trial, had decided that “the state of slavery is of such a nature, that it is incapable of being introduced by any reasons, moral or political, but only by positive law.”<sup>91</sup> For Mansfield the absence of slavery in England and the natural law being against the institution meant that slavery was not allowed in England. Only positive law that actively allowed the institution could turn slavery legal. In the colonies, such as Virginia, such a law was present. The fact that the slave laws of the colonies were instated only after the institution was established in those places did not seem to matter.<sup>92</sup> It appeared that natural rights formed a firm basis for the case against slavery.

Although the Somerset case was a milestone for the antislavery movement, eventually, no consensus was reached on the future of slavery. The universal principle of natural rights apparently did not hold outside of England, leaving room for slavery’s advocates to attack this natural rights principle. Evidence of the continuation of the discussion can be found in the court case concerning the slave ship *Zong*. In this case a slave trader threw 130 “sick and infirm slaves” overboard and the insurance company wanted to charge the traders for that.<sup>93</sup> The same Lord Mansfield who in the Somerset case decided that slavery and natural rights were contradictory, now decided that “the case of the slaves was

---

<sup>89</sup> Davis, *The Problem of Slavery in the Age of Revolution*, 469.

<sup>90</sup> “The Somerset Case,” *Howell’s State Trials Volume 20 Collection 82* (June 20, 1772) [https://www.nationalarchives.gov.uk/pathways/blackhistory/rights/transcripts/somerset\\_case.htm](https://www.nationalarchives.gov.uk/pathways/blackhistory/rights/transcripts/somerset_case.htm)

<sup>91</sup> “The Somerset Case,” *Howell’s State Trials*.

<sup>92</sup> Davis, *The Problem of Slavery in the Age of Revolution*, 473.

<sup>93</sup> Bruns, *Am I Not a Man and a Brother?*, 487.

the same as if horses had been thrown overboard,” as the occasion did not take place on English soil.<sup>94</sup> The question of whether a slave was free or not, seemed to break down to a question of conflicting laws. In this conflict it would be argued that natural rights do not take a higher place than worldly or divine laws.<sup>95</sup> For Lord Mansfield, if “a positive law” was instated before, this law could overrule the principle of natural law.<sup>96</sup> Especially the conflicting issue of slavery on property rights and natural rights added to the complexity of the problem and proved essential for the defense of slavery by its advocates. Although the argument of natural rights did not completely close the argument on the legality of slavery, it certainly had its impact on contemporaries. Revolutionaries fighting for independence from England, among which were several slaveholders, saw the contradiction between natural rights and slavery. Thomas Jefferson and George Washington, although they were large slaveholders themselves, expressed that they became increasingly convinced that slavery went against the principle of natural freedom.<sup>97</sup> The established conflict between natural law and slavery, however, did not directly lead to abolition. The Enlightenment inspired arguments used in the slavery discussion meant a breakdown of a multitude of conflicting laws of which natural freedom was just one law. The law that would guarantee freedom of property conflicted with the law of natural freedom. Positive laws conflicted with natural laws. The Enlightenment discussion thus left room for the weight of each law, leaving the discussion of abolition undecided. A relative consensus, however, existed that natural law was conflicting with slavery and that freedom of property supported slavery. This conflict hindered the road to abolition in Virginia but opened the way to the Manumission Law of

---

<sup>94</sup> Bruns, *Am I Not a Man and a Brother?*, 487.

<sup>95</sup> Davis, *The Problem of Slavery in the Age of Revolution*, 470.

<sup>96</sup> Hening, *The Statutes at Large Volume X*, 39.

<sup>97</sup> Sinha, *The Slave's Cause*, 67-68; Davis, *The Problem of Slavery in the Age of Revolution*, 165.



1782. The Manumission Law could be implemented since it resolved the conflict between property freedom and natural freedom.

In Virginia in 1782, the argument of slavery contradicting with natural rights weighed heavily on the discussion for the new Manumission Law and a good defense was lacking. The momentum was in favor of antislavery and the Somerset case in England had solidified the arguments of the antislavery side. The large role of antislavery in this period was partially caused by the fact that the defense of black slavery had not taken off yet.<sup>98</sup> The Revolutionary period in Virginia is characterized by the lesser need for slaves due to the difficulties with tobacco and the blockade of Virginia by the British.<sup>99</sup> Slaves were less needed and the decline of the profitability of slavery in Virginia in the Revolutionary era could point towards the end of the institution altogether. With the Enlightenment ideals of natural freedom, the absence of a solid defense of the institution, the opportunity to attack slavery was better than ever before in Revolutionary Virginia.

### **Racial Arguments**

Slavery's proponents sought ways to deny black slaves the same natural rights that they found applicable for themselves. As a counter to the humanitarian ideals of the Enlightenment, the racial justification for slavery was brought to the forefront of the discussion. Slavery's apologists claimed that because black people were unequal to white people, black people could be denied their natural rights.<sup>100</sup> In his book *White over Black*, Winthrop D. Jordan documented the evolution of racial prejudice in the United States. During the Revolutionary era, racial slavery had existed already for more than a century in Virginia

---

<sup>98</sup> Davis, *The Problem of Slavery in the Age of Revolution*, 167; Jordan, *White over Black*, 304.

<sup>99</sup> Kulikoff, *Tobacco & Slaves*, 157, Peter Kolchin, *American Slavery*, 74.

<sup>100</sup> Davis, *The Problem of Slavery in the Age of Revolution*, 166; Jordan, *White over Black*, 304.

and together with black slavery, racism had emerged.<sup>101</sup> With the emergence of the slavery debate, the argument for racism was developed for the first time. Racial differences became the basis for igniting fear in people's minds and the denial of natural rights. Long after the end of the slavery debate, the effects of this reasoning would simmer through.

Racism was an effective argument in the proslavery case because racism and fear of black people were extremely widespread in Revolutionary America.<sup>102</sup> In one of the earliest open discussions of the institution in 1773, Quaker-dominated Pennsylvania saw the development of proslavery arguments on a racial basis. To counter the natural rights philosophy, an anonymous author wrote a pamphlet called *Personal Slavery Established*, in which the humanity of black people was questioned.<sup>103</sup> Since Pennsylvania was generally antislavery and would be among the first states to abolish the institution, the impact of the pamphlet can be questioned, but it does signal a way of reasoning.<sup>104</sup> The use of anti-black rhetoric for the proslavery argument changed the debate. Fear for black people was common in the colonies and Virginia was no exception to this. The crux of the argument was that freedom for black people would result in social disorder, vagrancy, and even violence. This fear was even expressed by slavery's opponents. Although Jefferson harbored antislavery notions during the Revolutionary era, he later called for freed blacks to leave the country. They could not be free in a civilized white man's society, so the reasoning went. In his *Notes on the State of Virginia*, Jefferson pleads for the emancipation of slaves, while also elaborating on the inferiority of black people in the same chapter.<sup>105</sup> Jefferson seemed to have been conflicted as to what to do with the slaves once they're freed, harming his commitment

---

<sup>101</sup> Jordan, *White over Black*, 101; Sinha, *The Slave's Cause*, 69.

<sup>102</sup> Jordan, *White over Black*, 309; Sinha, *The Slave's Cause*, 93.

<sup>103</sup> *Personal Slavery Established, by the Suffrages of Custom and Right Reason. Being a Full Answer to the Gloomy and Visionary Reveries, of All the Fanatical and Enthusiastical writers on that Subject* (Philadelphia: John Dunlap, 1773), 7.

<sup>104</sup> Jordan, *White over Black*, 304.

<sup>105</sup> Jefferson, *Notes on Virginia*, 147.

for action. Just like many white contemporaries, Jefferson feared slave revolts and was reluctant to give too much freedom to black people. Jefferson's proposal for emancipation consisted of a plan to "colonize" the emancipated people out of the country.<sup>106</sup> Jefferson was against slavery, but he was troubled in his actions due to his prejudice against black people. As Jefferson had stated about slavery: "We have the wolf by the ears and feel the danger of either holding or letting him loose," meaning that the desire is there to address slavery, but fear for the consequences of releasing the slaves troubles the process.<sup>107</sup> Jefferson, though inspired by Enlightenment ideals, was constrained in his antislavery by his racism.

Believe in natural rights was not merely responsible for religious freedom and looser regulation on manumission in Virginia. The believe in natural rights however also facilitated democratization and allowed proslavery Virginians, whose racial fears made them cautious of black freedom, make their voices heard. Natural rights philosophy inspired people in Virginia to challenge the institution of slavery and fight for democracy, but it also had an opposing effect.<sup>108</sup> The voice of all Virginians in the slavery debate became louder as a result of the Revolution and along with that the voice that opposed looser slavery regulations became louder. The increased influence of all Virginians became noticeable when the first legislation on limiting slavery was being drafted. One of the ways Virginians had increased their say in politics was by the use of petitions. Petitions were used by opponents and proponents of slavery to express their stance on legislation concerning the institution. The first proslavery petitions that can be found in Virginia were regarding the Virginia Manumission Law of 1782.<sup>109</sup> A petition from 1782 stated that sixty-two citizens of Accomack County feared for

---

<sup>106</sup> Jefferson, *Notes on Virginia*, 146.

<sup>107</sup> Thomas Jefferson, *Thomas Jefferson to Lydia Howard Huntley Sigourney* (July 18, 1824), <https://rotunda.upress.virginia.edu/founders/default.xqy?keys=FOEA-print-04-02-02-4419>.

<sup>108</sup> Davis, *The Problem of Slavery in the Age of Revolution*, 165; Kolchin, *American Slavery*, 65; Berlin, *Generations of Captivity*, 100; Sinha, *The Slave's Cause*, 62.

<sup>109</sup> Fredrika Teute Schmidt and Barbara Ripel Wilhelm, "Early Proslavery Petitions in Virginia," *William and Mary Quarterly* 30, no.1 (1973): 135; Petition 11678004; *Accomack Petition Against Manumission nr. 11678202* (Race & Slavery Petitions Project: 1782) <https://library.uncg.edu/slavery/petitions/index.aspx>.

the consequences that freeing slaves would bring if private manumissions were to be allowed.<sup>110</sup> The people of Accomack County had drafted a list of objections to the proposed liberalization of the legislation concerning slave manumissions. The drafters of the petition found sixty-two persons in the county that would eventually sign the petition.<sup>111</sup> Around this time, the wartime disruption in Virginia had freed a number of slaves in the state already and their presence was perceived negatively by some Virginians. Four examples were given by the petitioners as to why the people of Accomack County did not want slaves, all of which centered around the negative effects of a free black population. First, the free blacks were accused of harboring “slaves sympathetic to the British.” Second, the people feared that the value of their property would be “greatly lessened.” Then the citizens proclaimed their support for manumitting slaves “in consequence of meritorious Services,” but stated that this was not to be the case in the new law. Finally, the citizens feared an increase in criminal activity if slaves were to be “set at Liberty without proper funds.” Racism appeared to be a major factor in the slavery discussion for some whites in Virginia, who feared the consequences to the social order if slavery were to be abolished. Democratization created another conflict for the influence of the Enlightenment on the slavery discussion.

For the discussion on the Virginia Manumission Law of 1782, the weight of the racial argument was limited. During the antebellum era, the racial argument had been further developed for the proslavery case. The Revolutionary era, however, was in a process of societal change which closed the gap between blacks and whites in Virginia. In the years preceding the Revolutionary War, the black population of Virginia had become increasingly American.<sup>112</sup> By increasing their skill level, becoming Christians, forming a community, and speaking the English language, black slaves were Americanizing and the plantation holders

---

<sup>110</sup> *Accomack Petition Against Manumission 16678202.*

<sup>111</sup> *Accomack Petition Against Manumission 16678202.*

<sup>112</sup> Morgan, *Slave Counterpoint*, 61.

were the first to notice. The role of slaves during the Revolutionary War additionally impacted this trend. As soldiers in the war, black slaves on the American side received respect from their fellow Americans and were issued the first manumissions.<sup>113</sup> It is more challenging to interpret the roles of black slaves who fought against the Americans on the side of the British, as these roles are more ambiguous. One well known case is that of James Madison, who released his slave Billey that had fled to the British troops because he wanted “that liberty for which we have paid the price of so much blood.”<sup>114</sup> Billey had received a degree of respect by fleeing and was rewarded with his freedom, whereas the other slaves of Madison remained in bondage. Black slaves fighting on the British side showed white Virginians the desire for freedom that they harbored. On the other hand, Virginians always feared slave insurrections, and the willingness of their slaves to join the British troops worried them. The gap between whites and black closed in Virginia, but whites were still scared of blacks.

### **Personal Stake Arguments**

The natural rights argument also formed a basis for economic arguments to keep slavery. Abolition was explained as an unjust attack on the personal property and economic livelihood of free people. The proslavery side existed due to the fact that slavery was, for some people, an extremely profitable enterprise and a way of life. The defense of slavery existed because slaveholders were afraid to lose their property. Slaves were, regardless of the economic situation, valuable property in Virginia. Attacking slavery was de facto attacking people’s

---

<sup>113</sup> Henning, *The Statutes at Large Volume X*, 115.

<sup>114</sup> James Madison quoted in McDonnell, *The Politics of War*, 488.

property and therefore provoked a defense. Attacking slavery came at a personal cost for elite Virginians and therefore strengthened the basis for the proslavery side.

Attacking slavery provoked a response from the proslavery side which could be personally harmful. For example, over the years Jefferson became more cautious to attack slavery out of fear for the backlash it received.<sup>115</sup> David Brion Davis found a letter of Jefferson to Edward Coles, written in 1814 when Jefferson was seventy-one years of age.<sup>116</sup> In the letter it becomes clear that Coles had written Jefferson to seek his support for the antislavery cause. In the letter, Jefferson presents an anecdote of his first year in the Virginia House of Burgesses when he was twenty-six years of age. Jefferson states that he “seconded the motion” of an older, respected member of the Virginia House of Delegates, named Richard Bland, to “move for certain moderate extensions of the protection of the laws to these people [slaves].”<sup>117</sup> Jefferson elaborated on the backlash Bland received and his “denouncement as an enemy to his country.”<sup>118</sup> Later in the letter Jefferson recognizes that the effort of the young Coles will have “all my prayers.”<sup>119</sup> Expressions against the institution of slavery were met with criticism by contemporaries. When Robert Carter III manumitted all his slaves, he feared the reaction of his neighbors.<sup>120</sup> Merrill D. Peterson addressed the issue in her work on Jefferson, *Thomas Jefferson and the New Nation: An Autobiography*, stating: “neither he [Jefferson] nor any other prominent Virginian was ever willing to risk friends, position and influence to fight for it.”<sup>121</sup> This statement seems to exaggerate the situation. In

---

<sup>115</sup> Davis, *The Problem of Slavery in the Age of Revolution*, 171; Jordan, *White Over Black*, 435; Peterson, *Thomas Jefferson and the New Nation*, 153.

<sup>116</sup> Thomas Jefferson, *Thomas Jefferson to Edward Coles* (August 25, 1814), <https://founders.archives.gov/documents/Jefferson/03-07-02-0439>; Davis, *The Problem of Slavery in the Age of Revolution*, 173.

<sup>117</sup> Jefferson, *Jefferson to Coles*.

<sup>118</sup> Jefferson, *Jefferson to Coles*.

<sup>119</sup> Jefferson, *Jefferson to Coles*.

<sup>120</sup> Berlin, *Slaves Without Masters*, 61; Andrew Levy, *The First Emancipator, The Forgotten Story of Robert Carter, the Founding Father Who Freed His Slaves* (New York: Random House, 2005), 172.

<sup>121</sup> Peterson, *Thomas Jefferson and the New Nation*, 153.

spite of the backlash criticism on slavery received, Virginians were willing to attack it. Especially in the Revolutionary era, antislavery had received support from Virginians and legislation constraining the institution was passed. Before the Manumission Law became subject of debate, Virginians indeed restrained themselves in being too outspoken on the matter of slavery. However, a degree of freedom did exist to express antislavery convictions in Virginia, as Jefferson proved with his *Notes on Virginia*, George Washington with his testament, and Robert Carter III with his deeds of manumission.<sup>122</sup>

Virginians feared the backlash antislavery provoked, but also feared the personal costs of antislavery measures. George Washington expressed his antislavery sentiment in multiple statements during his life. In a letter of Washington to John Francis Mercer in 1786, Washington stated: “it being among my first wishes to see some plan adopted, by the legislature by which slavery in this Country may be abolished by slow, sure & imperceptible degrees.”<sup>123</sup> Washington ended the letter with the intention to never purchase any slaves again. However upright his intentions may have been, some ten years later Washington broke his promise when his cook, Hercules, ran away. When referring to Hercules and his promise, Washington wrote “this resolution I fear I must break.”<sup>124</sup> For the people that owned slaves, a lot could be lost in the slavery debate. For slaveholding Virginians it made no economic sense to abolish the institution or even to allow for the manumission of slaves. Slavery had been a way of life for Virginians and it was hard for them to envision a world without it, even for Washington. Slaves comprised a large part of the wealth that Virginians had gathered. For economic reasons it is obvious that Virginians were reluctant to attack the institution, yet still they did.

---

<sup>122</sup> Jefferson, *Notes on Virginia*, 146-147; Kolchin, *American Slavery*, 86.

<sup>123</sup> George Washington, *From George Washington to John Francis Mercer* (September 9, 1786), <https://founders.archives.gov/documents/Washington/04-04-02-0232>.

<sup>124</sup> Stephen Decatur, *Private Affairs of George Washington* (Cambridge, MA: The Riverside Press, 1933), 297.

For non-slaveholding Virginians a way of life was threatened as well. The argument of personal stake for this group is closely related to the racial argument against manumission and other antislavery measures. Non-slaveholding Virginians were afraid that social changes from antislavery measures would harm their position in society. All whites profited from the class system by the preferential rights that were offered by the racialized society. Free black people would undercut pricing on the job market, and, as the Accomack petition suggested, too many free blacks in an area would decrease property values.<sup>125</sup> Beyond the decrease in earnings, white people also feared an increase in crime according to the petition.<sup>126</sup> For personal reasons it made no sense to white Virginians to end the practice of slavery in the state. Antislavery in Virginia was an altruistic enterprise, fueled by the humanitarian notions of the Enlightenment.

## **Conclusion**

Before the Revolution, Virginia experienced a climate open for discussion on slavery. In this climate, Enlightenment ideas on antislavery could be expressed, and measures against the institution could be proposed. The defense of slavery had not organized itself yet and arguments to keep the institution had not been fully developed. The personal stake of slaveholders seemed relatively low, as the economic situation for plantation life was experiencing troubles, decreasing the value of slaves. Black slaves became increasingly American, bridging part of the gap between white and black in Virginia. A first attack on the institution could be conducted in the light of the Revolution and the Manumission Law of 1782 seemed the first step towards gradual abolition. The slavery debate however was just

---

<sup>125</sup> *Accomack Petition Against Manumission 16678202.*

<sup>126</sup> *Accomack Petition Against Manumission 16678202.*



initiating and for Virginia, the 1782 Manumission Law was just the beginning of the discussion.

## **Chapter III: The Manumission Law Takes Effect: Pragmatism vs. Idealism**

### **Introduction**

In 1782, the Virginia Manumission Law went into effect, but was it effective? For slaveholders it now became possible to release their slaves with a simple trip to the magistrate's office, and without the formidable hurdles that had previously made manumission so difficult. In the first years after the implementation of the law, Virginian slaveholders made good use of the new law, freeing thousands of slaves. The resulting surge of manumissions created a class of free blacks that had not existed in the southern states before: a class of black people freed in the fervent wake of the American Revolution. As the Northern states slowly moved to abolish slavery within their own state borders, the Manumission Law in Virginia seemed a step in the same direction. Slavery throughout the new United States seemed under attack.

Slavery's defenders were, however, preparing a counterattack. The part of Virginia that was still highly dependent on slavery fuelled the racial fears that existed among white Virginians in order to attack the Manumission Law. The Haitian Revolution further ignited the fear among most Virginians that racial disorder and rebellion posed real threats to their society. When the plot of Gabriel Prosser was discovered in 1800, Virginians moved to further decimate the Manumission Law. By 1806, with the adaptation of the amendment that required slaves to leave the state within a year of their manumission, the law had been stripped of its initial intention to facilitate the individual liberation of Virginia slaves.

This chapter examines the effectiveness of the Manumission Law of 1782. It discusses the extent to which Virginia slaveholders of the revolutionary generation made use of the law to liberate their own slaves, as well as their motivations for doing so, delving into

manumission deeds to illuminate the influence of revolutionary ideals. It then explains why resistance to the law—and by extension to the notion of black freedom—grew into a groundswell that rendered it ineffective by the first decade of the nineteenth century.

### **Use of the Law: 1782-1787**

The Virginia Manumission Law of 1782 made manumission common practice in Virginia in the years right after it went into effect. Virginian slaveholders took the opportunity that the new law offered to free their slaves. During the three decades after the Revolution, the free black population of Virginia rose to over 30,000. Around the turn of the century, some ten percent of the total black population was free mostly due to the Manumission Law of 1782.<sup>127</sup> Freed blacks often left their former plantations and took refuge in cities.<sup>128</sup> The population of free blacks in Petersburg tripled from 310 to 1,089 between the years 1790 to 1810, and Richmond and Alexandria experienced similar growths.<sup>129</sup> Although the exact numbers are debated, consensus exists that in the years after the law took effect, hundreds of slaveholders manumitted their slaves, totaling the number of freed blacks in Virginia to the thousands.<sup>130</sup> Especially in the years after the Revolution, due to the liberating actions of the Virginia slaveholders, the spirit of freedom seemed vividly alive. Indeed the thousands of manumissions that occurred in Virginia as a result of the 1782 Manumission Law were impressive, but must also be put into perspective. Only a few thousand slaves out of a slave population of roughly over 300,000 were freed. Though the number of manumissions alone

---

<sup>127</sup> Berlin, *Generations of Captivity*, 119; Kulikoff, *Tobacco and Slaves*, 432-433; Kolchin, *American Slavery*, 81.

<sup>128</sup> Berlin, *Generations of Captivity*, 53-54; Kolchin, *American Slavery*, 81.

<sup>129</sup> *Aggregate Amount of Persons Within the United States in the Year 1810* (Washington, D.C., 1811) quoted in Berlin, *Generations of Captivity*, 55.

<sup>130</sup> Berlin, *Slaves Without Masters*, 30; Kolchin, *American Slavery*, 89; Kulikoff, *Tobacco and Slaves*, 432; Sinha, *The Slave's Cause*, 132-133.

was impressive, it was not enough to put the entire system of slavery under pressure in Virginia.<sup>131</sup> Nonetheless, the manumissions, in combination with other ways in which slaves found their freedom, such as during the Revolution, did reach the critical mass needed to create a free black society in Virginia. Something that had not been present in the American South ever before.<sup>132</sup>

A remarkable fact about the Virginia manumissions is the relative absence of the Founding Fathers on the list of slaveholders who manumitted their slaves. Of the Virginia Founding Fathers, only George Washington made use of the new law to manumit his slaves in his will. Thomas Jefferson, James Madison, and Richard Henry Lee refrained from liberating their human possession.<sup>133</sup> Manumission in Virginia was widespread but not the norm. Allan Kulikoff states, based on research by Peter J. Albert, that manumissions were mostly present in areas with “evangelical religious fervor, Quaker sentiment, or declining economic fortunes.”<sup>134</sup> This corresponds with the surviving deed books of counties around the James river that have recorded Quaker meetings.<sup>135</sup> Elitist Virginians, however, were not incapable of freeing their slaves. As mentioned before, Washington freed his slaves in his will, as well as, Robert Carter III, who was the head of one of the most wealthy and influential Virginian families at the time. In 1791 Carter freed all of his 442 slaves.<sup>136</sup> Carter stated that “I have for some time past been convinced that to retain them in Slavery is contrary to the true Principles of Religion and Justice and that therefore it was my Duty to manumit them.”<sup>137</sup> The reference to religion and justice combines religious and

---

<sup>131</sup> *Population of the United States in 1860* (Washington D.C: 1864), 600-601.

<sup>132</sup> Berlin, *Slaves Without Masters*, 46.

<sup>133</sup> Sinha, *The Slave's Cause*, 69.

<sup>134</sup> Kulikoff, *Tobacco and Slaves*, 432; Peter J. Albert, “The Protean Institution: The Geography, Economy and Ideology of Slavery in Post-Revolutionary Virginia” (Ph.D. diss., University of Maryland, 1976), 162-165.

<sup>135</sup> Albert, “The Protean Institution,” 165.

<sup>136</sup> Levy, *The First Emancipator*, 167.

<sup>137</sup> Levy, *The First Emancipator*, 166.

Enlightenment elements that before had been decisive in the discussion that led to the acceptance of the Manumission Law. Carter's manumission of his slaves indicates the possibilities there were for all Virginians to free their slaves, and that manumission was not solely reserved for Quakers. Despite it being possible for the Virginia elite to manumit slaves, the Revolutionaries were passive in releasing them. The Revolutionaries condemned slavery but, when given the possibility, they appeared unwilling to act on it. This corresponds with the position of Jefferson, who had expressed his support to antislavery measures, but chose not to manumit his slaves himself.

Although the Founding Fathers from Virginia were reluctant to liberate their slaves, the Enlightenment ideals of the American Revolution were of great influence to the slaveholders that did manumit their slaves. As mentioned in the previous chapter, the arguments used to accept the Manumission Law were primarily based on religious and humanistic ideals or a combination of the two. These arguments are resonated in actual manumission "deeds" that declared the freedom of slaves in accordance with the new law. For this thesis, a sample analysis was made from several "Deed Books" with recordings of the manumissions of six counties in the Petersburg area. The manumission statements of these slaveholders gave more insight into the questions of why and when slaves were released. In these Deed Books, the statements made by slaveholders are often clear in their referral to natural rights. A slaveholder named Joseph Hill, of the Isle of Wight, stated in his deed of manumission that, "after mature deliberation and agreeable to our Bill of Rights [I] am fully persuaded that freedom is a natural right and no law moral or divine gives me a just right or property in (...) any of my fellow creatures."<sup>138</sup> The manumission statement of Joseph Hill is clearly inspired by Enlightenment and Revolutionary ideals. Hill's reference to

---

<sup>138</sup> Joseph Hill, "Deed of Manumission by Joseph Hill," (Isle of Wight County Deed Book 15: 1782-1786: March 6, 1783), 122. [http://libguides.usu.edu/ld.php?content\\_id=1893829](http://libguides.usu.edu/ld.php?content_id=1893829)

the Bill of Rights confirms that antislavery rhetoric was not merely reserved to the Founding Fathers during the Revolutionary era, but found its way to common Virginia slaveholders. The reference to the “divine law” by Joseph Hill indicates the intertwined nature of religious and Humanistic arguments that appeared decisive in the decision to release his slaves. With the reference to natural rights in his statement, Joseph Hill was no different. Reference to “natural rights” or “natural law” is a recurring theme in multiple statements from different counties, especially in deeds of manumission during life as is visualized in *Figure 1*.<sup>139</sup> Ironically, the Revolutionaries themselves refrained from acting on the Enlightenment ideals of freedom. The main author of the Bill of Rights, James Madison, would release only one of his many slaves.<sup>140</sup> So the Enlightenment rhetoric of the Revolution was a source of inspiration for many slaveholders to manumit their slaves, but not for many Revolutionaries.

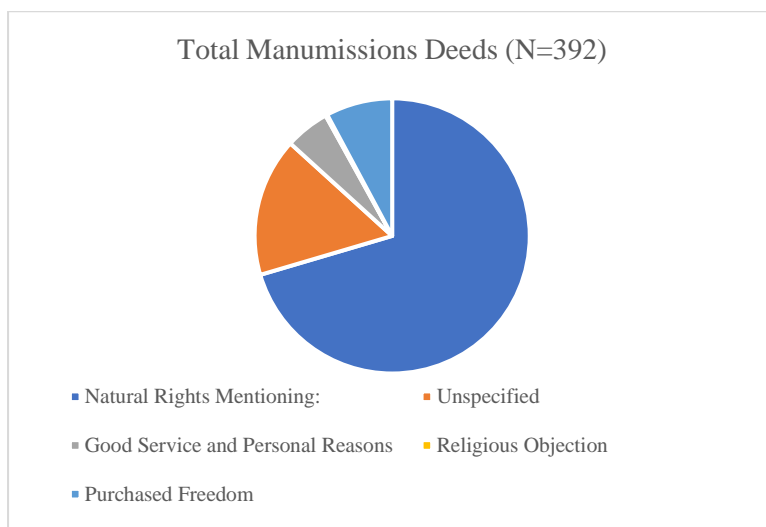


Figure 1: Reason for Manumission Petersburg Area: 1782-1820. Data Retrieved from <https://libguides.usu.edu/virginia-manumissions>.

Enlightenment inspired humanitarianism was not the sole reason for manumission.

Multiple manumission statements from the deed books of Virginian counties hint at more

<sup>139</sup> Michael L. Nichols, “Pre-1820 Virginia Manumissions: Deed Books,” (March 23, 2020) <https://libguides.usu.edu/virginia-manumissions>.

<sup>140</sup> Paris Amanda Spies-Gans, “James Madison,” Slavery Princeton, Princeton, 13-04-2020, [https://owl.purdue.edu/owl/research\\_and\\_citation/chicago\\_manual\\_17th\\_edition/cmos\\_formatting\\_and\\_style\\_guide/web\\_sources.html](https://owl.purdue.edu/owl/research_and_citation/chicago_manual_17th_edition/cmos_formatting_and_style_guide/web_sources.html).

personal reasons for the manumission of slaves. In particular, Slaveholder's wills mention the manumissions of specific slaves as is visualized in *Figure 2*. It was not uncommon for masters to have a special connection to some of the slaves that were freed. An example of such an occasion is the will of Joseph Williams of Prince George County. In his will he stated a different purpose for each one of his slaves. To his wife, Williams leaves "a Negro girl named Anaky and a Negro child named Fanny" and he lends her "three Negroes to wit." Then Williams leaves his "Negro fellow Jack to be sold to the highest bidder" to pay his debts. The final statement in his will is that his "negro fellow Toby, after the decease of my wife should be free from the claim of any person and it is also my decree that he should have 30 acres of land convenient to fire wood during life" and that, would Toby be "incapable of maintaining himself that he should be supported out of my estate."<sup>141</sup> The differential treatment of the slaves in his will indicates the personal reasons that could form the basis for manumission. Joseph Williams was not under the assumption that "freedom was the natural law," as John Hill was convinced it was. Joseph Williams found slavery to be a legitimate institution. Despite him having no objection to the institution of slavery, Williams apparently had such a relation with one of his slaves that he freed him, while his other slaves would stay in bondage. The law was thus used even by people with no objection to slavery as an institution, indicating the widespread application of the law among all Virginia slaveholders.

---

<sup>141</sup> Joseph Williams, *Will of Joseph Williams* (Prince George County Deed Book: 1787-1792, June 9, 1787), 258, [http://libguides.usu.edu/ld.php?content\\_id=1893831](http://libguides.usu.edu/ld.php?content_id=1893831).

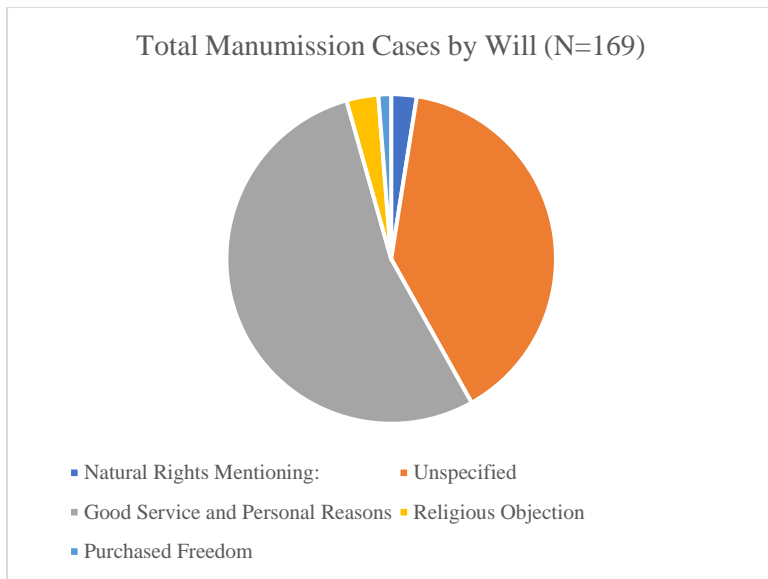


Figure 2: Manumissions by Will in Petersburg Area: 1782-1820. Data Retrieved from <https://libguides.usu.edu/virginia-manumissions>.

### Resistance to the Law: 1785-1792

The Enlightenment inspired idealism of the Revolution that was responsible for the initial success of the Manumission Law, slowly made place for common pragmatism in Virginia a few years after the law was instated. Not all Virginians were pleased by the Manumission Law and the corresponding surge of manumissions in the state. The tone of the slavery debate and the critique on the law grew as the years passed. When the law was proposed, the first criticisms regarding it were voiced by concerned Virginians. The most vocal criticism came in the form of several proslavery petitions, issued by Virginian citizens, demanding a stop to manumissions, and a rejection of the first proposal for gradual emancipation by Quakers.<sup>142</sup> In 1782 a single petition was issued in Accomack County concerning the looser regulation on manumission. In 1784 and 1785, new petitions surfaced. According to Teute and Schmidt, five different texts were distributed over eight Virginian counties. According to Teute and

<sup>142</sup> *Accomack Petition Against Manumission 16678202*; Schmidt and Wilhelm, "Early Proslavery Petitions," 137-138.



Schmidt, “The general similarity in form and content of all five, as well as the multiple submission of identical copies of two, [...] suggest that the petitions [...] passed from county to adjacent county.”<sup>143</sup> While the petition from 1782 seems, based on its singularity, a decentralized approach for proslavery, the petitions from 1784 and 1785 show a more orchestrated centralized approach. The first petition, as mentioned previously in Chapter II, stated that the proposed Manumission Law was undesirable for the white people living in Virginia.<sup>144</sup> The petition from 1782 was written out of dissatisfaction and used a tone that kept the discussion, to a certain degree, civil and open. The petitioners mentioned that “however desirable an object of universal Liberty in this Country may be; however religious or upright the intentions of their owners may be” that they “will prove motives sufficient to prevent such Bills passing.”<sup>145</sup> The petition indicates the existence of a discussion and the petitioners appear to respect this discussion. The precarious tone of the petition adds force to the statements of Winthrop D. Jordan and Robert McColley that Revolutionary era Virginians largely refrained from expressive statements on slavery, either for or against it.<sup>146</sup> Regarding the petition from 1782, proslavery expression was indeed limited. In the final year of the Revolutionary War in Virginia, Virginians were still united in their struggle against the British. Fueled by the Enlightenment spirit of the Revolution, the Manumission Law was passed. In the successive years, however, the divide concerning slavery steadily grew as the Enlightenment inspired humanistic ideals of the Revolution slowly faded.

As opposed to the limited proslavery expressiveness by Virginians in 1782, a proslavery voice emerged from the Virginia hinterland in 1785. Fredrika Teute Schmidt and Barbara Ripel Wilhelm found that the regions identified by Gerald W. Mullin as the last

---

<sup>143</sup> Schmidt and Wilhelm, “Early Proslavery Petitions,” 137-138.

<sup>144</sup> *Accomack Petition Against Manumission 16678202*.

<sup>145</sup> *Accomack Petition Against Manumission 16678202*.

<sup>146</sup> Davis, *Slavery in the Age of Revolution*, 167; Jordan, *White Over Black*, 304; McColley, *Slavery and Jeffersonian Virginia*; Schmidt and Wilhelm, “Early Proslavery Petitions,” 133.

remaining extensive tobacco producing counties after the war, were the counties that submitted the fiercest antislavery petitions.<sup>147</sup> The counties in central and southern Virginia still had a black population of around 50 percent and were heavily dependent on slave labor.<sup>148</sup> The original tobacco producing counties around the Chesapeake Bay had diversified their crops before the war and were now less dependent on slave labor. The map in *Figure 3* created by Peter Joseph Albert, shows the disparity in counties opposing and favoring a 1785 proposal for the repeal of the 1782 Manumission Law. The central and southern counties were mostly opposing private manumissions and the counties in the north of the state and south of the James River were mostly in favor of manumissions.<sup>149</sup> This Virginia hinterland, called the “Virginia black belt,” submitted several fierce proslavery petitions against looser regulations on slavery.<sup>150</sup> Schmidt and Wilhelm found that in 1785 several Methodist petitions for general emancipation appeared throughout Virginia, and in 1785 the petitions were “submitted to the 1785 General Assembly.” Afraid of the proposal by the Methodists, the black belt Virginians issued their petitions. A petition from Amelia County attacked the proposal for emancipation and the Manumission Law of 1782. This petition used all the proslavery arguments previously mentioned to prevent emancipation and calls to revoke the Manumission Law. The tone in this petition, however, differs from the tone used in the Accomack petition from 1782.<sup>151</sup> “That our Property might be secure in Future. [...] We Risked our Lives and Fortunes, and waded through Seas of Blood.”<sup>152</sup> The petitioners argued that the Enlightenment inspired Lockean arguments of “Rights of Liberty and Property” that were gained from the American Revolution, constituted their right to keep slaves.<sup>153</sup> The

---

<sup>147</sup> Gerald W. Mullin, *Flight and Rebellion: Slave Resistance in Eighteenth-Century Virginia* (New York, 1972), 126-127. Schmidt and Wilhelm, “Early Proslavery Petitions,” 137.

<sup>148</sup> Mullin, *Flight and Rebellion*, 126-127; Albert, “The Protean Institution,” 229.

<sup>149</sup> Albert, “The Protean Institution,” 229.

<sup>150</sup> Schmidt and Wilhelm, “Early Proslavery Petitions,” 137; Albert, “The Protean Institution,” 284.

<sup>151</sup> *Amelia County Petition*, November 10, 1785 from Schmidt and Wilhelm, “Early Proslavery Petitions,” 139.

<sup>152</sup> *Amelia County Petition*, from Schmidt and Wilhelm, “Early Proslavery Petitions,” 139.

<sup>153</sup> *Amelia County Petition*, from Schmidt and Wilhelm, “Early Proslavery Petitions,” 139.

Scriptural argument to support slavery emerged in the petition as the petitioners claimed that “Slavery was permitted by the Deity himself,”<sup>154</sup> but the racial argument was of particular importance in the attack on the Manumission Law. The petitioners namely feared “Want, Poverty, Distress and Ruin to the Free Citizen” if blacks were allowed to be free. The petition then referred to the “very bad Effects [...] as many of the Slaves, liberated by that Act have been guilty of thefts and Outrages, Insolences and Violences, destructive to the Peace, Safety, and Happiness of Society.”<sup>155</sup> In relation to the Manumission Law, the racial argument stressed in the final part of the petition was of great significance. Black belt Virginians sought an audience among other Virginians to protect the institution of slavery and to attack the Manumission Law. By playing up the racial fears that had existed since racial slavery was introduced in Virginia, support was found. The growing class of free blacks helped tobacco plantation holders to capitalize on the fears of their fellow Virginians.

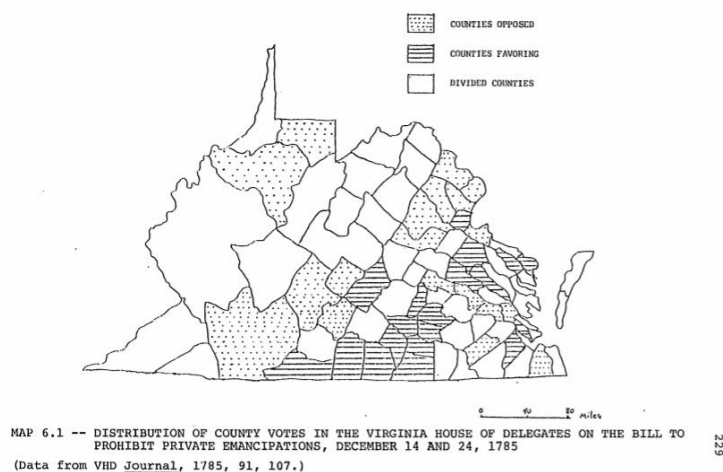


Figure 3: Counties for and Against Private Manumissions: 1785. Source: Albert, "The Protean Institution," 229.

Indicators of the waning antislavery sentiment in Virginia after 1785 support the argument that the proslavery voice of Virginia’s black expanded throughout the state. *Figure 4* shows that, in the Petersburg area, after the initial surge in manumissions as a result of the

<sup>154</sup> *Amelia County Petition*, from Schmidt and Wilhelm, “Early Proslavery Petitions,” 139.

<sup>155</sup> *Amelia County Petition*, from Schmidt and Wilhelm, “Early Proslavery Petitions,” 140.

adoption of the law, the number of manumissions steadily decreased. Peter J. Albert has found similar results for other Virginian counties in his research.<sup>156</sup> People who had been waiting to liberate their slaves often did so right after the implementation of the new law. The effects of the first manumissions became visible around this time period. The emergence of the previously nonexistent, or virtually nonexistent, class of free blacks was met with hostility by most Virginians, especially when free blacks competed with whites on the job market.<sup>157</sup> Manumissions had become common practice with the coming of the Manumission Law, but to most Virginians, black freedom in general was still undesirable, and free black people in their communities even more so. The resistance to free blacks was a part of the reason elite Virginians were reluctant in freeing their slaves. Prominent Virginians who owned many slaves were met with resistance when they attempted to free these slaves.<sup>158</sup> For example, when Robert Carter III manumitted his slaves, one of his major concerns was the reaction from his neighbors that his deeds of manumission would provoke.<sup>159</sup> To mitigate the negative responses, Carter set up a system that would provide the freedmen with a livelihood after he had liberated them. Washington called for a similar plan in his will, but not every slaveowner was able to arrange for such a scheme. Most liberated slaves were freed without means to support themselves. Without a livelihood they faced a challenging prospect in Virginia.<sup>160</sup> The conflicting mindsets of Enlightenment idealism and racism, harbored by many Virginians, were visible within Jefferson's reasoning as well. Jefferson himself was in favor of the Manumission Law and even gradual emancipation, but he was skeptical of the new class of black people in Virginia.<sup>161</sup> David Brion Davis identified in *The Problem of*

---

<sup>156</sup> Albert, "The Protean Institution," 284; Kulikoff, *Tobacco and Slaves*, 432; Nichols, "Pre-1820 Virginia Deed Books."

<sup>157</sup> Berlin, *Slaves Without Masters*, 60.

<sup>158</sup> Berlin, *Slaves Without Masters*, 61; Levy, *The First Emancipator*, 172.

<sup>159</sup> Levy, *The First Emancipator*, 172.

<sup>160</sup> Berlin, *Slaves Without Masters*, 60.

<sup>161</sup> Jefferson, *Notes on Virginia*, 146-147; Davis, *The Problem of Slavery in the Age of Revolution*, 167/174; Kolchin, *American Slavery*, 185.

*Slavery in the Age of the Revolution* that Jefferson “was particularly harsh in depriving free Negroes of legal protection and in insisting their expulsion from the commonwealth.”<sup>162</sup> The Enlightenment idealism of the Revolution started to conflict with the pragmatic racism that was harbored by Virginians.

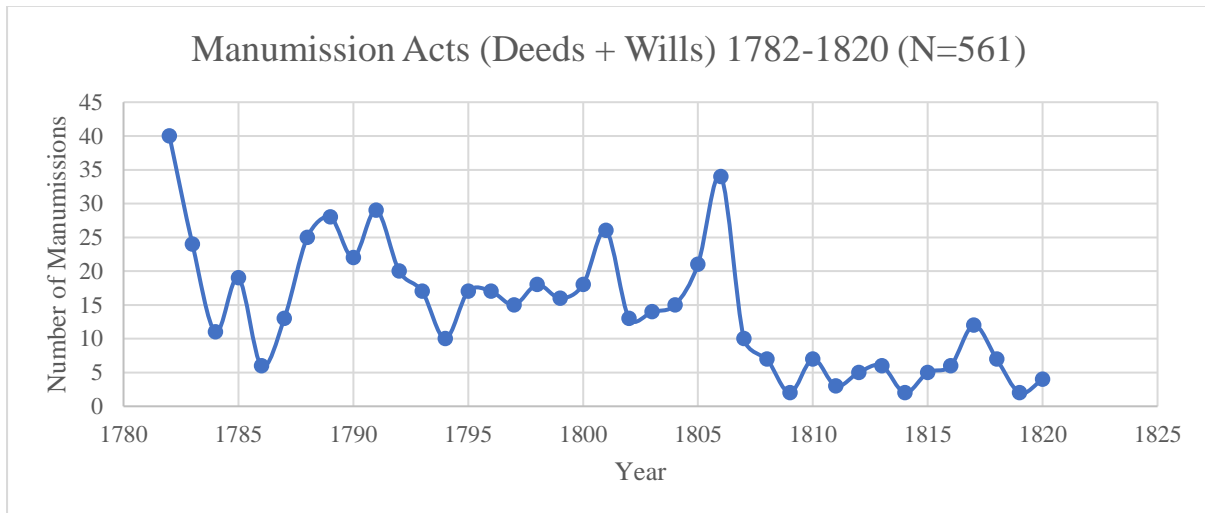


Figure 4: Number of Manumissions in Petersburg Area: 1782-1820. Data Retrieved from <https://libguides.usu.edu/virginia-manumissions>.

### Gutting the Law: 1792-1806

In 1785 and 1787, two amendments to the Manumission Law were proposed in order to repeal or weaken the law. In 1785, proslavery advocates proposed to repeal the law entirely but were outvoted by the law’s advocates.<sup>163</sup> In 1788, an amendment was proposed to the law that would require freedmen to leave the state within one year after their liberation.<sup>164</sup>

Although both amendments were rejected, the proposals indicate that the issue of manumission was still debated by Virginians. The proposal to make liberated slaves leave the state indicates that there was a substantial number of white Virginians who were displeased

<sup>162</sup> Davis, *The Problem of Slavery in the Age of Revolution*, 174.

<sup>163</sup> Albert, “The Protean Institution,” 228.

<sup>164</sup> Albert, “The Protean Institution,” 231.

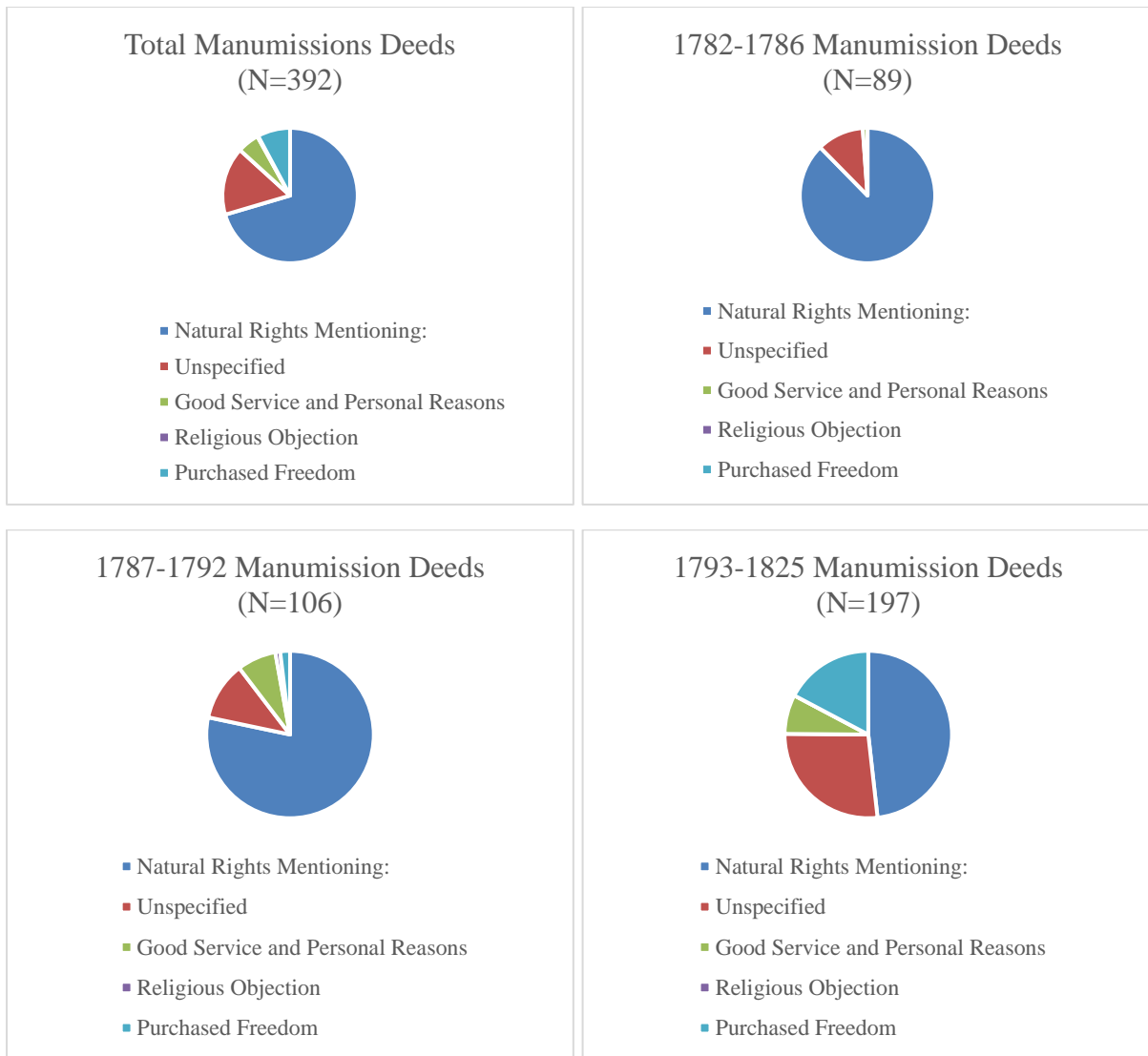
with the growing free black population. The Manumission Law had been generally accepted and was commonly used by Virginians who were inspired by the Enlightenment ideals of the Revolution. The influence of the Revolution, however, was challenged by the fear of blacks and more specifically, black revolt.<sup>165</sup> The idealism of Enlightenment was becoming less influential on Virginian's opinion on slavery. This notion becomes clear from the manumissions in the Petersburg area as shown in *Figures 4a to 4d*. These figures show that the belief in natural rights was issued less and less as a motivation for manumission over time. The phenomenon of the decreasing antislavery conviction of Virginians based on natural rights argument, is also captured by Washington's changing view of Virginia's place within the Union. In 1786, George Washington still referred to Virginia as a "Middle State" in an attempt to prevent the state from joining the southern slavery block.<sup>166</sup> For the adoption of the constitution in 1787, however, Washington had to affirm Virginia's place in the South as a slave state.<sup>167</sup> Admitting Virginia to the Union as a southern state indicated the influence that the proslavery camp in Virginia still had. From the Revolution, blacks had gained the potential to receive freedom, but this potential was now under pressure from its own success. With the growing free black caste, oppression against the legislation grew and would continue to grow in the last decade of the eighteenth century and in the first decade of the nineteenth century.

---

<sup>165</sup> Sinha, *The Slave's Cause*, 87; Kulikoff, *Tobacco and Slaves*, 434; McColley, *Slavery and Jeffersonian Virginia*, 185; Berlin, *Slaves Without Masters*, 86; Kolchin, *American Slavery*, 90.

<sup>166</sup> Berlin, *Slaves Without Masters*, 26.

<sup>167</sup> Berlin, *Slaves Without Masters*, 26; Patrick Gerster and Nicholas Cords, *Myth and Southern History Volume 1: The Old South* (Urbana: University of Illinois Press, 1989), 70.



Figures 5a to 5d: Motivation for Manumissions Petersburg Area Manumissions: 1782-1825. Data Retrieved from <https://libguides.usu.edu/virginia-manumissions>.

Crucial to the relationship between Enlightenment idealism and racial fear in Virginia, was the Haitian Revolution. In the 1790s, stories of successful uprisings in the French colony found their way to the United States.<sup>168</sup> The stories told by immigrants from the island confirmed the fears of most Virginians: that a slave revolt was indeed a very real possibility.<sup>169</sup> The stories of the successes that slaves booked under the leadership of

<sup>168</sup> McColley, *Slavery and Jeffersonian Virginia*, 183; Sinha, *The Slave's Cause*, 97-98; Berlin, *Slaves Without Masters*, 82; Kolchin, *American Slavery*, 89.

<sup>169</sup> McColley, *Slavery and Jeffersonian Virginia*, 183; Sinha, *The Slave's Cause*, 97-98; Berlin, *Slaves Without Masters*, 58/82; Kolchin, *American Slavery*, 89.

Toussaint L'Ouverture on St. Domingue were elaborately discussed in the Virginia media, together with the role of the "Amis des Noirs."<sup>170</sup> The Virginia media linked the activities of the Amis des Noirs to the Haitian Revolution, and used that connection to point out the dangers of antislavery activism.<sup>171</sup> As the Revolution on St. Domingue continued, the balance between Enlightenment idealism and racist fear in Virginia slowly tipped in favor of racial fear. The increased racial fear moved Virginians to ban immigration of free black people into the state in 1793. A measure put in place specifically to prevent slaves from hearing stories of revolt by Haitian immigrants.<sup>172</sup> The balance tipped even more when the spirit of revolt came to Virginia in 1800. In this year, a plot to spark a slave rebellion, organized by Gabriel Prosser, a free black himself, was discovered in Richmond.<sup>173</sup> The plot by Prosser further distorted the balance between Enlightenment ideals and racist fears. For Virginians, it became apparent that tolerating the existence of black freedom could, and almost did, inspire an all-out revolt among those who were still enslaved. Free blacks were apparently capable of putting revolutionary notions of freedom in slaves' minds, and even helped to organize a rebellion against their oppressors. The plot of Prosser was the direct cause for stricter regulations on the movement of slaves and their contacts with free blacks. As antislavery had been equated to the Manumission Law by proslavery advocates in the years before, support for the Manumission Law dropped. This appeared from the increasingly stringent amendments to the Manumission Law around the turn of the century.<sup>174</sup> As the ideals of the Revolution slowly faded in the Virginian minds, more Virginians moved away from antislavery out of fear of a revolution in the social order. In 1806, the increasing fears of

---

<sup>170</sup> Kolchin, *American Slavery*, 89; Albert, "The Protean Institution," 233.

<sup>171</sup> Albert, "The Protean Institution," 233; Kolchin, *American Slavery*, 89; Sinha, *The Slave's Cause*, 89-90.

<sup>172</sup> Albert, "The Protean Institution," 245.

<sup>173</sup> Kolchin, *American Slavery*, 89; Sinha, *The Slave's Cause*, 93; McColley, *Slavery and Jeffersonian Virginia*, 110-111; Berlin, *Slaves Without Masters*, 85-86; Albert, "The Protean Institution," 245.

<sup>174</sup> Albert, "The Protean Institution," 245; Kolchin, *American Slavery*, 89; Sinha, *The Slave's Cause*, 93; McColley, *Slavery and Jeffersonian Virginia*, 110-111; Berlin, *Slaves Without Masters*, 85-86.



social unrest resulted in the amendment to the law that required freed slaves to leave the state within one year after their release.<sup>175</sup> The result, as visualized by *Figure 4*, was a surge of manumissions before the law became effective and a near stop in manumissions after it became effective.<sup>176</sup> Antislavery had lost the battle to racial fears in Virginia.

Racial fear had caused the demise of antislavery in Virginia, but the final blow was delivered by an upward economic trend around the turn of the century. Several factors contributed to the increased profitability of slaves in the period of 1795 to 1806, and thereby decreasing slaveholder's interest in manumitting them. Contrary to the preceding period, the price of slaves increased after 1795.<sup>177</sup> Several factors contributed to the increased profitability of slavery. The first factor is the invention of cotton gin by Eli Whitney. The cotton gin made it possible to produce short-staple cotton that could be grown inland in an economically viable way.<sup>178</sup> The increased need for labor for the production of short-staple cotton powered the demand for slaves. The increased demand for slaves increased the value of Virginian slaves. This value increased even further by the Louisiana Purchase in 1803, opening up vast new lands for the production of cotton. The end of the Atlantic slave trade in 1808, making slaves scarcer in the United States, surged the prices even more. Previously, manumitting a slave for financial reasons might have been considered sensible, but the changed economic conditions altered this. These altered conditions may have had minimal implications for the Manumission Law, but it had significant implications for antislavery in general, as the slave trade within the United State expanded. With the racial tensions already

---

<sup>175</sup> Kulikoff, *Tobacco and Slaves*, 433; Berlin, *Slaves Without Masters*, 92; Albert, "The Protean Institution," 250.

<sup>176</sup> Albert, "The Protean Institution," 284; Kulikoff, *Tobacco and Slaves*, 432; Nichols, "Pre-1820 Virginia Deed Books."

<sup>177</sup> Albert, "The Protean Institution," 76.

<sup>178</sup> Kolchin, *American Slavery*, 95; McColley, *Slavery and Jeffersonian Virginia*, 181; Berlin, *Generations of Captivity*, 166.

causing a decline in antislavery sentiments in Virginia, the changing economic conditions proved to be the final blow to it. While during the Revolution, secular antislavery advocates inspired by Enlightenment ideals could be found in Virginia,<sup>179</sup> around the turn of the century this group became increasingly rare. Even the passive support that the antislavery cause had received from Revolutionaries slowly faded with Jefferson as the prime example. Jefferson had expressed his support for gradual emancipation earlier in his career through his *Notes on Virginia*. Jefferson's presidency, however, showed no action to move in that direction.<sup>180</sup> Jefferson did abolish the slave trade during his presidency, but the consequences for the institution of slavery in the United States were meagre with the opening of the domestic slave trade.

## **Conclusion**

The Manumission Law in Virginia was initially a success. Thousands of people previously held in bondage were released by their masters. As the manumissions prove, lots of these manumissions were issued by Virginians that were inspired by the Enlightenment.<sup>181</sup> Human bondage was considered conflicting with the ideals of liberty that were fought for during the American Revolution. Although the multitude of manumissions were likely issued by Quakers and Methodists, Virginians from all backgrounds released their slaves. Robert Carter III and George Washington were the most prominent Virginians to make use of the Manumission Law. Slaves were even released by slaveholders that did not oppose the institution of slavery.<sup>182</sup> However, the initial success of the Manumission Law eventually

---

<sup>179</sup> Kolchin, *American Slavery*, 86; Berlin, *Slaves Without Masters*, 20-21.

<sup>180</sup> Davis, *The Problem of Slavery in the Age of Revolution*, 180; Berlin, *Generations of Captivity*, 163; McColley, *Slavery and Jeffersonian Virginia*, 173.

<sup>181</sup> Nichols, "Pre-1820 Virginia Deed Books."

<sup>182</sup> Williams, "Will of Joseph Williams," 258

became its weakness. The growing group of free black people in Virginia ignited fears among the white population in the state. From 1785 onwards, slaveowners from Virginia's black belt lobbied against the Manumission Law by playing into the fears of their fellow Virginians. This tactic paid off when a revolution broke out on St. Domingue and slaves took control of the island. When Gabriel Prosser plotted his own rebellion in Richmond, support for the Manumission Law plummeted. The Enlightenment inspired ideals of freedom that were gained in the Revolution had faded due to fear of the racial order being changed. Virginia had too many slaves and black people to easily suppress any uprising. Antislavery was in retreat and the changing economic situation worsened this trend. The short-lived antislavery moment in Virginia had passed.

## **Conclusion**

The second half of the eighteenth century witnessed changes that put the institution of slavery under pressure. Tobacco was becoming less and less profitable, and slaveholders started to move away from the former cash cow. The changes in agriculture also changed the institution of slavery in Virginia. The new plantation regime was less suited for slavery and there were too many slaves on the plantations for the work being done. Virginians slowly started to question whether slavery was the best system for the state. With the coming of the Enlightenment, the pressure on slavery increased even more. Virginians started to openly question the institution and issued the first attack on the slave trade. When the Revolutionary War broke out, the institution was put under even more pressure, forcing Virginians to deal with the question whether slavery was an institution of the future.

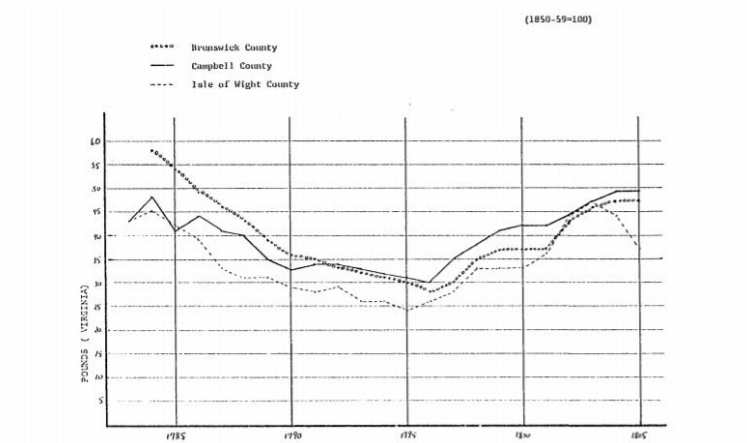
This initial questioning led to a discussion on slavery by Virginians. Arguments on religion, humanitarianism, race, and personal stake were used to plea for and against the institution, and in the early 1780s it seemed like Virginians had faith that slavery was on the retreat. Revolutionaries like Jefferson and Washington were outspoken against the institution and Quakers actively lobbied for its demise. Large numbers of Virginians became increasingly convinced in the wrongfulness of slavery. The first result of the discussion on slavery was the 1782 Manumission Law that allowed Virginians to manumit their slaves without going through a tremendous amount of trouble.

The 1782 law was an initial success. Thousands of Virginians took the opportunity to release their slaves from bondage, either directly or in their will. The Enlightenment had a great influence in these “deeds of manumission.” Many Virginians argued that they released their slaves because they thought the institution to be contradictory to the natural rights of man. Antislavery seemed on the rise, but a counterattack soon came. The proslavery side

attacked the law by playing into the fears of white Virginians. By capitalizing on the fears of social unrest that had always simmered beneath the surface in Virginia, the law was challenged. This way of reasoning became most effective when news hit the United States of a successful slave uprising in Haiti. The Enlightenment slowly lost its influence in Virginia and Virginians released fewer slaves. Gabriel Prosser's attempted rebellion in Richmond affirmed for Virginians that the number of freed slaves in the state should not be too high, and eventually led to the end of the law. The changing economic conditions that increased the profitability were the final nail in the coffin for antislavery in Virginia. Virginia knew a true antislavery moment after the American Revolution, but racial fear eventually defeated Enlightenment idealism. Virginia had too many slaves to take the risk.

**Appendix I: Data from Various Sources**

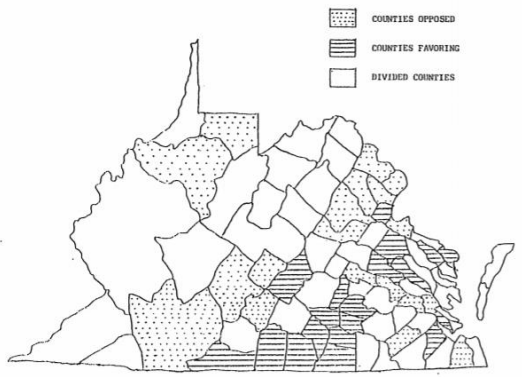
**Appendix I: Data from Various Sources**



GRAPH 2.1 -- THREE YEAR MOVING AVERAGE OF REAL SLAVE PRICES IN COUNTY INVENTORIES  
 (Data derived from inventories in the county court records; real price data from Hearings before the Joint Economic Committee, 2: 394-95.)

76

Figure I-1: Slave prices from Albert, "The Protean Institution," 250.



MAP 6.1 -- DISTRIBUTION OF COUNTY VOTES IN THE VIRGINIA HOUSE OF DELEGATES ON THE BILL TO PROHIBIT PRIVATE EMANCIPATIONS, DECEMBER 14 AND 24, 1785  
 (Data from VHD Journal, 1785, 91, 107.)

229

Figure I-2: Counties for and Against Private Manumissions: 1785. Source: Albert, "The Protean Institution," 229.

**Appendix II: Results on Research of Manumissions in Petersburg Area**

County	Number of Deeds	Number of Wills	Total
Sussex	69	34	103
Surry	48	17	65
Southampton	102	34	136
Isle of Wight	118	42	160
Chesterfield	28	30	58
Charles City	27	12	39
<b>Combined:</b>	<b>392</b>	<b>169</b>	<b>561</b>

Table 1: Number of Manumissions in Petersburg Area: 1782-1820. Data Retrieved from <https://libguides.usu.edu/virginia-manumissions>.

*Manumissions by life (Deeds)*

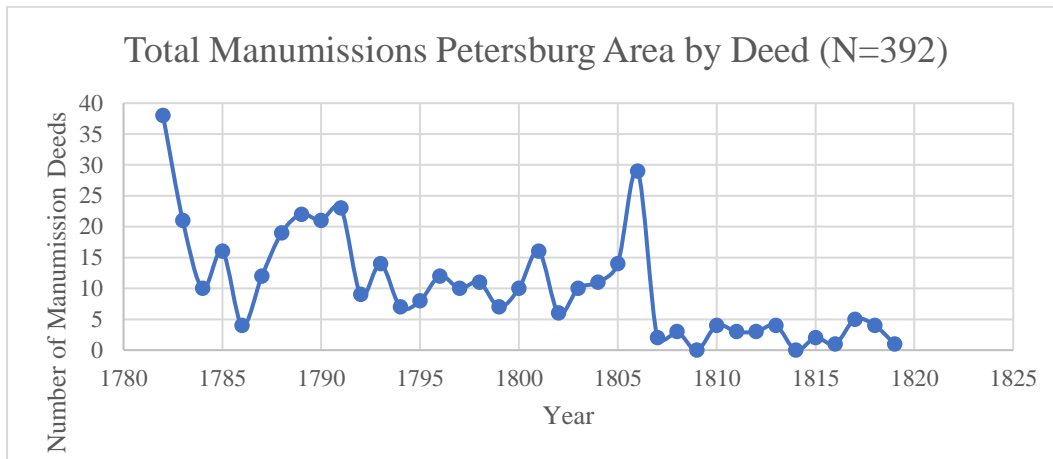
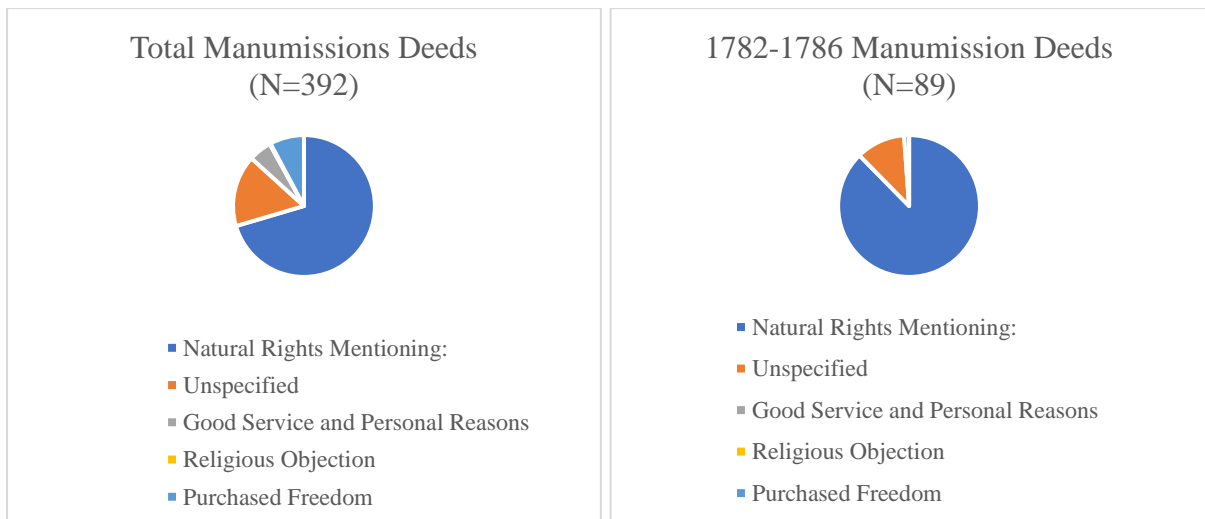
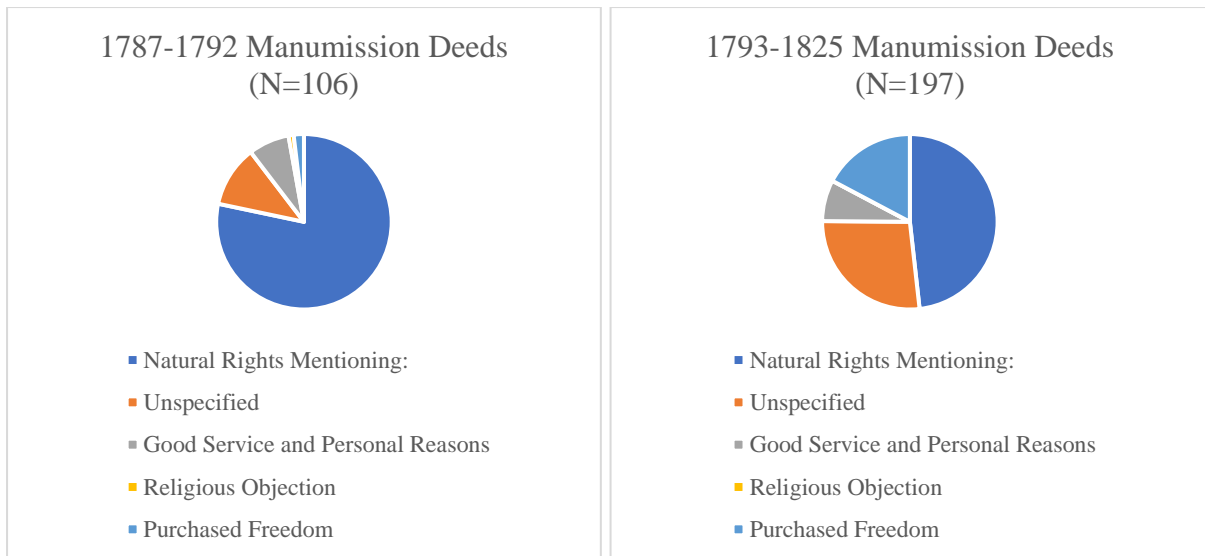


Figure II-1: Number of Manumissions in Petersburg Area: 1782-1820. Data Retrieved from <https://libguides.usu.edu/virginia-manumissions>.





Figures II-2a to II-2d: Motivation for Manumissions Petersburg Area Manumissions: 1782-1825. Data Retrieved from <https://libguides.usu.edu/virginia-manumissions>.

*Manumissions by testament (Wills)*

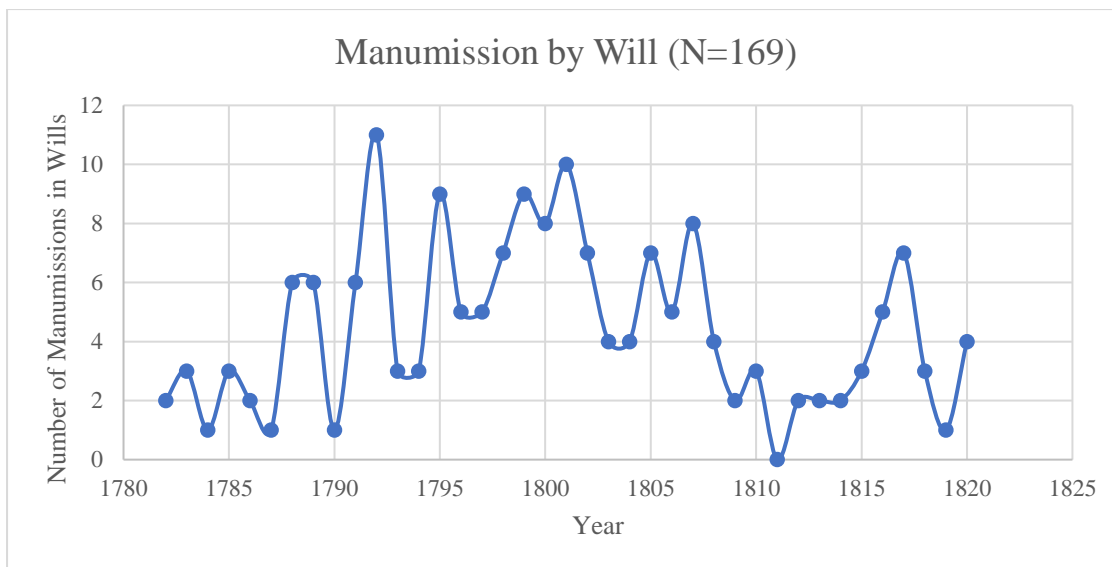


Figure II-3: Number of Manumissions by Will in Petersburg Area: 1782-1820. Data Retrieved from <https://libguides.usu.edu/virginia-manumissions>.



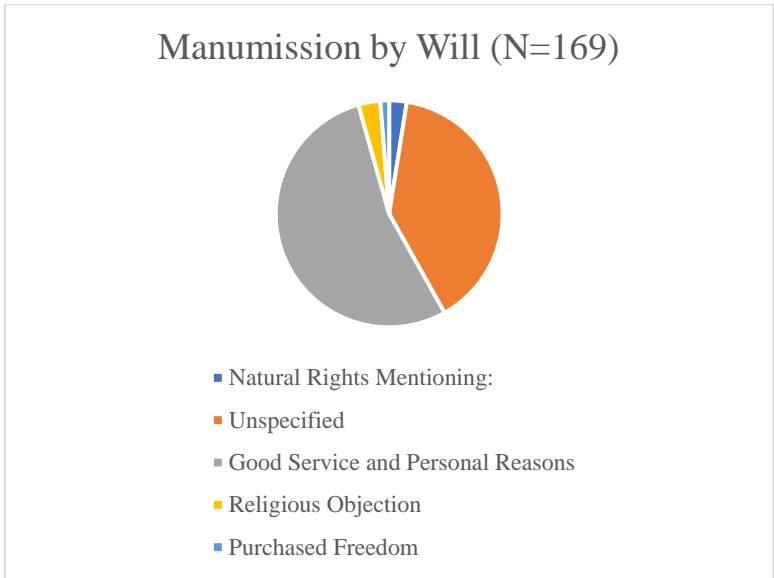


Figure II-4: Motivation for Manumissions by Will in Petersburg Area: 1782-1825. Data Retrieved from <https://libguides.usu.edu/virginia-manumissions>.

**Combined Manumissions from Deeds and Wills**

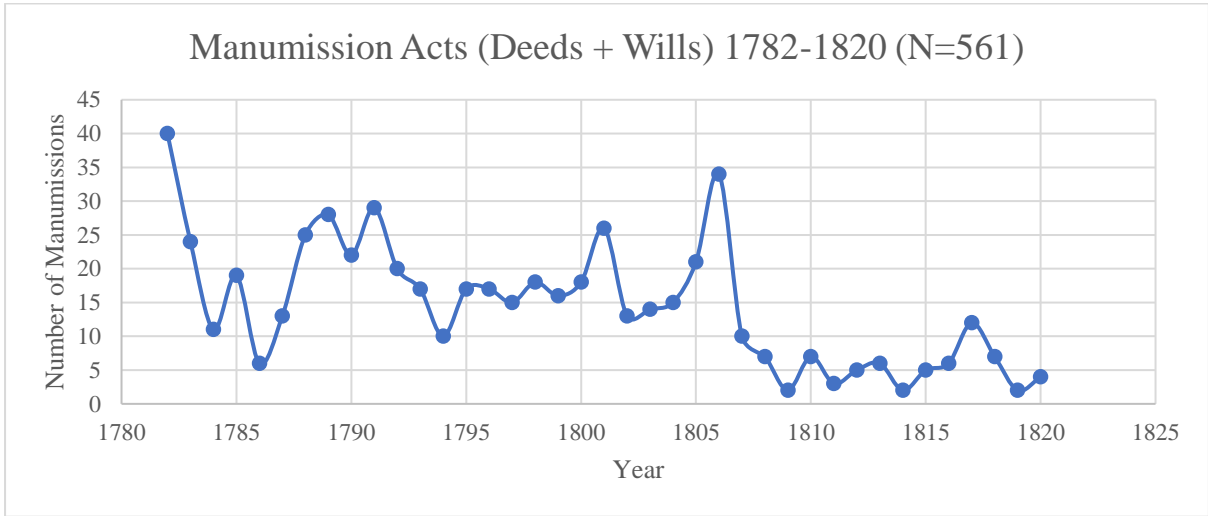
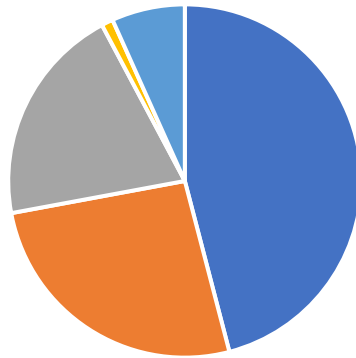


Figure II-5: Number of Manumissions in Petersburg Area by Will and Deed: 1782-1820. Data Retrieved from <https://libguides.usu.edu/virginia-manumissions>.

### Manumission Reasons Petersburg Area: 1782-1820 (561)



- Natural Rights Mentioning
- Unspecified
- Good Service and Personal Reasons
- Religious Objection
- Purchased Freedom

Figure II-6: Motivation for Manumissions by Will and Deed in Petersburg Area: 1782-1825. Data Retrieved from <https://libguides.usu.edu/virginia-manumissions>.

## Reference List:

- Accomack Petition Against Manumission nr. 11678202*. Race & Slavery Petitions Project, 1782. <https://library.uncg.edu/slavery/petitions/index.aspx>.
- Act for Establishing Religious Freedom*. January 16, 1786. <https://edu.lva.virginia.gov/dbva/items/show/180>
- Aggregate Amount of Persons Within the United States in the Year 1810*. Washington, D.C., 1811.
- Albert, Peter J. "The Protean Institution: The Geography, Economy and Ideology of Slavery in Post-Revolutionary Virginia." Ph.D. diss., University of Maryland, 1976.
- Berlin, Ira. *Generations of Captivity: A History of African-American Slaves*. Cambridge, MA: The Belknap Press of Harvard University Press, 2003.
- Berlin, Ira. *Slaves Without Masters: The Free Negro in the Antebellum South*. New York: Pantheon Books, 1974.
- Bruns, Roger. *Am I Not a Man and a Brother?: The Anti-Slavery Crusade of Revolutionary America: 1688-1788*. New York: Chelsea House Publishers in association with the R. R. Bowker Company, 1977.
- Cohen, Ronald D. "Church and State in Revolutionary Virginia, 1776-1787 (Book Review)." *Journal of Church and State* 21, no. 1 (1979): 125-127.
- Davis, David Brion. *The Problem of Slavery in the Age of Revolution 1770-1823*. Oxford, UK: Oxford University Press, 1999.
- Decatur, Stephen. *Private Affairs of George Washington*. Cambridge, MA: The Riverside Press, 1933.
- Foner, Eric. *Give Me Liberty! An American History, Volume 1: To 1877*. New York: W.W. Norton & Company, Inc., 2007.
- Gerster, Patrick and Nicholas Cords. *Myth and Southern History Volume 1: The Old South*. Urbana: University of Illinois Press, 1989.
- Hardin, William Fernandez. "Robert Pleasants (1723-1801)." *Encyclopedia Virginia*. Virginia Humanities: 2019. [https://www.encyclopediavirginia.org/Pleasants\\_Robert\\_1723-1801](https://www.encyclopediavirginia.org/Pleasants_Robert_1723-1801)
- Hening, William Waller. *The statutes at large: being a collection of all the laws of Virginia, from the first session of the legislature, in the year 1619: Volume [I-XIII]*. New York: R. & W. & G. Bartow, 1823.
- Hill, Joseph. "Deed of Manumission by Joseph Hill." Isle of Wight County Deed Book 15: 1782-1786: March 6, 1783. [http://libguides.usu.edu/ld.php?content\\_id=1893829](http://libguides.usu.edu/ld.php?content_id=1893829)

- Holton, Woody. "Rebel against Rebel: Enslaved Virginians and the Coming of the American Revolution." *Virginia Magazine of History and Biography* 105, no 2 (1997): 157-192.
- Marcus W. Jernegan, "Slavery and Conversion in the American Colonies," *The American Historical Review* 21, no. 3 (1916): 504-527.
- Jefferson, Thomas. *Declaration of Independence*. July 4, 1776
- Jefferson, Thomas. *Notes on the State of Virginia*. Philadelphia: Prichard and Hall, 1787.
- Jefferson, Thomas. *Thomas Jefferson to Edward Coles*. August 25, 1814.
- Jefferson, Thomas. *Thomas Jefferson to Mrs. Sigourney*. July 18, 1824.
- Jordan, Winthrop D. *White over Black: American Attitudes toward the Negro, 1550-1812*. Chapel Hill, NC: University of North Carolina Press, 1968.
- Journals of the House of Burgesses of Virginia 1770-1772 vol. 12*. Edited by John Pendleton Kennedy. Richmond, VA: The Colonial Press, E. Waddey Co., 1907.
- Kolchin, Peter. *American Slavery*. London: Penguin, 1995.
- Kulikoff, Allan. *Tobacco & Slaves: The Development of Southern Cultures in the Chesapeake, 1680-1800*. Chapel Hill, NC: University of North Carolina Press, 1986.
- Levy, Andrew. *The First Emancipator, The Forgotten Story of Robert Carter, the Founding Father Who Freed His Slaves*. New York: Random House, 2005.
- Manisha, Sinha. *The Slave's Cause: A History of Abolition*. New Haven, CT: Yale University Press, 2016.
- McColley, Robert. *Slavery and Jeffersonian Virginia*. Urbana, IL: University of Illinois Press, 1964.
- McDonnell, Michael A. *The Politics of War: Race, Class, and Conflict in Revolutionary Virginia*. Chapel Hill: University of North Carolina Press for the Omohundro Institute of Early American History and Culture: 2007.
- Morgan, Philip D. *Slave Counterpoint: Black Culture in Eighteenth-Century Chesapeake & Lowcountry*. Chapel Hill NC: University of North Carolina Press, 1998.
- Mullin, Gerald W. *Flight and Rebellion: Slave Resistance in Eighteenth-Century Virginia*. New York: Oxford University Press, 1972.
- Murray, John, earl of Dunmore. *Proclamation*. November 7, 1775.  
[https://edu.lva.virginia.gov/online\\_classroom/shaping\\_the\\_constitution/doc/dunmores\\_proclamation](https://edu.lva.virginia.gov/online_classroom/shaping_the_constitution/doc/dunmores_proclamation)
- Nichols, Michael L. "Pre-1820 Virginia Manumissions: Deed Books." March 23, 2020.  
<http://libguides.usu.edu/virginia-manumissions>.

- Otis, James. *Rights of the British Colonies*. Boston: 1764.
- Petition for Looser Regulation on Manumission nr. 11678004*. Race & Slavery Petitions Project, 1780. <https://library.uncg.edu/slavery/petitions/index.aspx>
- Petition Against Religious Freedom nr. 11677901*. Race & Slavery Petitions Project, 1779. <https://library.uncg.edu/slavery/petitions/index.aspx>
- Personal Slavery Established, by the Suffrages of Custom and Right Reason. Being a Full Answer to the Gloomy and Visionary Reveries, of All the Fanatical and Enthusiastical writers on that Subject*. Philadelphia: John Dunlap, 1773.
- Peterson, Merrill D. *Thomas Jefferson and the New Nation: A Biography*. Oxford: Oxford University Press, 1970.
- Pleasants, Robert. *To George Washington from Robert Pleasants*. December 11, 1785.
- Pleasants, Robert. *To Jefferson from Robert Pleasants*. June 1, 1796.
- Population of the United States in 1860* Washington D.C: 1864.
- Schmidt, Fredrika Teute, and Barbara Ripel Wilhelm. "Early Proslavery Petitions in Virginia." *William and Mary Quarterly* 30, no.1 (1973): 133-146.
- Schoepf, Johann David. *Travels in the Confederation (1783-1784)*. Edited by Alfred James Morrison. Philadelphia: W.J. Campbell, 1911.
- Selby, John. *The Revolution in Virginia, 1775-1783*. Charlottesville, VA: University of Virginia Press, 1988.
- Sheridan, Richard B. "The British Credit Crisis of 1772 and the American Colonies." *The Journal of Economic History* 20, no. 2 (1960): 161-186
- Spies-Gans, Paris Amanda. "James Madison." Slavery Princeton. Princeton. 13-04-2020. [https://owl.purdue.edu/owl/research\\_and\\_citation/chicago\\_manual\\_17th\\_edition/cmof\\_formatting\\_and\\_style\\_guide/web\\_sources.html](https://owl.purdue.edu/owl/research_and_citation/chicago_manual_17th_edition/cmof_formatting_and_style_guide/web_sources.html).
- "The Somerset Case." *Howell's State Trials Volume 20 Collection* 82. June 20, 1772. [https://www.nationalarchives.gov.uk/pathways/blackhistory/rights/transcripts/somerset\\_case.htm](https://www.nationalarchives.gov.uk/pathways/blackhistory/rights/transcripts/somerset_case.htm)
- Williamson, Chilton. "Review of *Virginia 1705-1786: Democracy or Aristocracy?*." By Robert E. Brown and B. Katherine Brown. *The Journal of Southern History* 31, No.1 (1965): 98-99.
- Williams, Joseph. "Will of Joseph Williams." Prince George County Deed Book: 1787-1792: June 9, 1787. [http://libguides.usu.edu/ld.php?content\\_id=1893831](http://libguides.usu.edu/ld.php?content_id=1893831)



## Declaration of originality

By submitting this paper/MA thesis/premaster thesis, I certify that:

- ✓ this work has been drafted by me without any assistance from others (not applicable to group work);
- ✓ I have not discussed, shared, or copied submitted work from/with other students
- ✓ I have not used sources that are not explicitly allowed by the course instructors and I have clearly referenced all sources (either from a printed source, internet or any other source) used in the work in accordance with the course requirements and the indications of the course instructors;
- ✓ this work has not been previously used for other courses in the programme or for course of another programme or university unless explicitly allowed by the course instructors.

I understand that any false claim in respect to this work will result in disciplinary action in accordance with university regulations and the programme regulations, and that any false claim will be reported to the Board of Examiners. Disciplinary measures can result in exclusion from the course and/or the programme.

I understand that my work may be checked for plagiarism, by the use of plagiarism detection software as well as through other measures taken by the university to prevent and check on fraud and plagiarism.

I understand and endorse the significance of the prevention of fraud and I acknowledge that in case of (gross) fraud the Board of Examiners could declare the examination invalid, which may have consequences for all students.

Name: Philip Voorn

Date: 11/05/2020

