

## William Goodell, "Liberty and Slavery" (1853)

During the 1850s, more and more abolitionists came to favor immediate abolition. In this essay, abolitionist William Goodell proposed that in a system that allows slavery, no one (not even the master) is truly free. He also contrasted the free labor system emerging in the North with slavery in the South.

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THE usages of human chattelhood cannot be tolerated in any community without impairing the freedom and invading the rights of *every member of* that community, whether slaveholder or non-slaveholder. The fact of tolerated human chattelhood is the fact of constantly violated *natural law*, which lies at the basis of *all* law, the guardian of *every* man's rights. In the very act of claiming a slave, a man denies *all* rights of property, by denying the inherent right of self-ownership in all men, upon which right all other rights are based. All rights of *personal security* are denied by the same claim. Wherever "the innocent legal relation" of slave ownership is witnessed and is tolerated, there is witnessed the public and deliberate *denial* of all that which forms the basis of human laws, and upon which all legislative enactments for the protection of human rights must repose.

One necessary consequence must be, that in adjusting the legislation and the jurisprudence of a country to the public recognition of human chattelhood, the adjustment must inevitably trench upon the rights of all *other* men, as well as upon the rights of the enslaved. This may seem to some a mere abstract speculation, but a few familiar instances will make the case clear.

We will take, in the first place, the case of the slaveholder himself. Assuredly, it will be said, the slaveholder is sufficiently free! Let us examine. To be a despot is a very different thing from being free.

Here is a slaveholder who, as a thrifty manager of his own property, wishes to make the best and most economical use of his *slave* property, according to his own best discretion. Can he do so? Here is Tom, a shrewd, intelligent, trustworthy fellow, whom he would gladly make "overseer" of his plantation, as is indeed *sometimes* done. He wishes to send Tom to market frequently with his produce, and to buy goods. It would be very convenient to have Tom read, write, and "cipher," which "the law" will not allow! And here comes the *new* law, requiring each planter to keep "at least one" *white* man on the plantation, (under pretense that a white *witness* must be there.) This *one* white man must, of course, *do something* to pay his way. What can it be but to act as overseer, in which double capacity, if need be, he can bear witness against himself or his employer! So *Tom*, in whom his master reposes more confidence, must sink back into the station of a mere field hand.

Here is a waiting-maid, discreet and pious; or here is a nurse, whom all her owner's children call "Mammy." A little knowledge of letters would qualify one or both of them to teach the little white masters and misses their alphabet. Is it too much to suppose that there is, in all the slaveholding South, *one* "good Christian slaveholder" (so called) who has good sense and humanity enough to desire such an arrangement? [If there is *not*, let "the innocent legal relation"

be called to account for it.] If there *besuch* an one, where is the legal protection of his right to select a teacher of the alphabet to his own children? In Louisiana, he would be subject to one year's imprisonment for teaching such a slave to read! He enjoys *liberty*, does he?

But here is a master whose aspirations for freedom are less sublimated. He only wishes to make money by slaveholding. And the best way, he thinks--especially as he has not the land for them to cultivate, or does not choose the vexation of attending to that business--is to let them "hire out" in the neighboring borough, where their labor, at various jobs, is much wanted by the *white*citizens. A "peculium" of their earnings would greatly stimulate their exertions. But the Slave Code forbids it! And it forbids the white citizens of the borough, including slave owners, to employ them. This is *liberty for white* people! Forbidden to hire their work done for them! They will be likely, in *such* an exigency, to discover that there is "a *higher law*" than the Slave Code!

Look next at the enactments forbidding emancipation on the soil, or obstructing or forbidding it altogether. Those slaveholding Quakers in North Carolina that emancipated 134 slaves in 1776, only to see them reenslaved!--where were *their* rights? They forfeited them, perhaps, by turning abolitionists.

Look then at the dying Thomas Jefferson, the penman of the declaration that "all men are created equal," now penning a clause of his last will and testament, conferring freedom (as common report says) on his own enslaved offspring, so far as the Slave Code permitted him to do it, supplying the lack of power by "*humbly*" *imploring* the Legislature of Virginia to confirm the bequests, "with permission to remain in the State, where their families and connections are"--then dying, under the uncertainty whether his requests would be granted or his children sold into the rice swamps! One of his daughters, it seems, *was* afterwards sold at auction in New-Orleans, at the *harem price*! And his granddaughter was colonized to Liberia--"coerced" perhaps by the "cart-whip!" A land of liberty for white people--for slaveholders, *is it*--where a *Jefferson* cannot bequeath liberty to his own children! In Georgia, had he lived and died there, the "*attempt*" would have been an "*offense*," for which his estate would have been subjected to a fine of a thousand dollars, and each of his executors, if accepting the trust, a thousand more!

The "Florida slaveholder" before mentioned, with his princely fortune, his educated and accomplished heirs, the children of his parental affection, HIS ONLY ones, but--under the "persecuting" ban of the "Colonization Society," "the pulpit," (Northern and Southern,) and the "legislation" approved by them--outcasts, unable to testify in a Court, against a white man; liable to be colonized to Liberia under force of "flagellations" and untold "enormities;" or even to be kidnapped and enslaved!--the Florida slaveholder, we say, with such a family around his board, presents *another* specimen of the liberty and human rights enjoyed by the slaveholder! By no means so rare a case as the Northern reader would, perhaps, imagine.

Nor is it on the plantation alone that such cases occur. We remember a thrifty mechanic in a Southern city, who acquired a comfortable estate, and lived more elegantly than mechanics in Southern cities commonly do. He owned several slaves. But his*family* was of the mixed race. He lived with a quadroon woman, without marriage, of course, for the laws would not permit it. His daughters were elegant, beautiful, and nearly white. They were free, as was also their mother; but

they were subject to the vexations that harass "*free* people of color." The father sought for them respectable connections in life, and nothing but the laws forbidding such marriages stood in the way; for they were much admired, members of the Methodist Episcopal Church, and *one* of them was loved and wooed by a *white* member of the *same* church, and a slaveholder; but the *law* stood in the way of their marriage! She might have become his *mistress* without fear of the law, and almost, perhaps, without scandal. Whether she afterwards did so, we cannot tell. We call attention to the legal rights, NOT of slaves, but of *slaveholders*, to the holy institution of marriage, and to the sanctities of the family relation.

Having broached the "delicate subject," we will venture one other illustration. A young man, a son of a slaveholder, a graduate of one of our Northern colleges, became enamored, on his return home, of a beautiful girl, *nearly* white, who was the property of his father. She had been piously educated, and had become a member of a church. The young man, too, had made a profession of religion at the North. They had played together in childhood, and were affectionately attached to each other. An illicit or secret connection was not to be contemplated. But she was a slave; and whether bond or free, she could not legally be married to a white man! What could be done? If they eloped without her owner's consent, the slave-catchers and their bloodhounds might be after them. If his consent and her flee papers could be obtained, where should they go? Not to the "free North," for the exquisite curl of her hair, so lovely in *his* eyes, would attract the attention and the obloquy of the children of the Puritans. The sequel we cannot tell, further than that the young man took an exploring voyage to the West Indies, and was said to have returned. Whether they emigrated and were married, or whether, remaining in this "free Christian country," they fell into the current of prevailing usages around them, we cannot tell. The imagination of a Mrs. Harriet Beecher Stowe may fill up the picture--a subject worthy of her pencil.

Are we dealing in romance? Come, then, and we will introduce you to a Vice-President of the United States--a very singular man, to be sure, though *not* singular in being a slaveholder, nor singular in having beautiful colored daughters, to be sought after (in some sort) by white gentlemen; but singular in giving his colored daughters a good education, attending them in public as a father, and insisting that whoever admired and sought them should do so only in the way of honorable marriage! The singularity of Colonel Richard M. Johnson attracted the nation's attention. He was *so very* singular as to treat the mother of his colored daughters as though she were his wife, to give her the charge of his household, a seat by big side at his table, addressing her as "Mrs. Johnson"--to do all this, instead of selling her in the market, as some other great statesmen have sold the mothers of their colored children. When "Mrs. Johnson" became religious and wished to unite with the church, the good minister felt it his duty to tell her that there was an obstacle in the way--the scandal of her living as she did with Colonel Johnson. She immediately communicated the fact to the Colonel. "You know, my dear," said he, "I have always been ready to marry you, whenever it could be done. I am ready now, and will call on your minister about it." He did so, and requested the minister to marry them, after explaining the facts of the case. The good minister was now in a worse dilemma than before! What! marry Colonel Johnson to a *colored* woman! What could he say? He could only say that the law would not permit such a marriage. "Very well," retorted Colonel Johnson, (who was not a Christian,) "if your Christian law of marriage will not permit me to marry the woman of my choice, nor permit her to marry the man of her choice; it must even permit us to live together *without* marriage." So saying, he walked away, and that was the last that was said about the marriage. Whether the lady

was received into the church, we cannot tell.

Before the outbreak of the anti-abolition excitement, and the consequent clamor about amalgamation, an agent of the New-York State Temperance Society (Rev. Mr. Yale) was sent to New Orleans to promote the cause of temperance. He wrote from thence a letter, published in an Albany religious paper, containing a graphic picture of the state of morals and of society in that city. The cause of temperance could make little progress there without a reformation in other respects: the uprooting of habits of licentiousness, the restoration of the family institution; but *this* can never be, he continued, until the laws are repealed which forbid the intermarriage of the white and colored races. A large portion of the people are of the mixed blood. The women of this class are accounted elegant and beautiful. Many of the first gentlemen of New-Orleans will live with them, whether with or without marriage; the consequence [*sic*] of which is a general depravity of morals.

It is needless to say that the picture is truthful, and that its truthfulness is not confined to New-Orleans. One iron link in the chain of the slave is the denial to him of the rights of the family-relation, and of freedom of choice in marriage. But *this* badge of slavery we have found upon the neck of the *slaveholder*. In denying free marriage to his *colored* brother, the white man has denied the same right to himself!

We cannot dismiss this branch of the subject without a further remark. When we contemplate the vast and rapidly increasing extent of intermixture between the races; when we remember that "the noblest blood of Virginia" and of all the slave States "runs in the veins of slaves," and is still more widely diffused among the so-called "free people of color;" and when we remember the *legalized persecutions*, inflictions, and liabilities to which even this latter class are found subject--hunted back into slavery, or driven as exiles from the country of their birth--we are shut up to one of two conclusions: Either the Southern slaveholders must be *almost universally* the most heartless, barbarous, and brutal people on the face of the earth, or else there must be thousands of slaveholders whose hearts are wrung daily with anguish, at the thought of the murderous injustice done by the slave laws to their relations and kindred--to their children, to their sister, to their brothers, to their nephews, to their nieces, to their cousins--for of *such* are a large portion of the slaves and free colored people composed!

We take the most charitable supposition, and conclude that the same cruel laws that wear out the lives of the proscribed race, are oppressive likewise to a large class of slaveholders, who see their near kindred crushed and murdered continually by them.

If this *is not so*, then the pretense of "humane and Christian slaveholders" is all a delusion! If it is not so, then the slave system has extinguished human nature and religion at the South.

If slaveholders are not *themselves* oppressed by the Slave Code, it can only be because they have become monsters who have no sensibilities to be lacerated, no hearts capable of compassion, no unseared consciences to be outraged. We should be sorry to think thus of the majority of them.

The same may be said of the operation of those laws and usages of slavery that forbid the education, religious instruction, and free social worship of the slaves and so-called *free* people of

color. The pious *white* people of the South, the ministers of religion, churches, and church member, are *either* aggrieved and oppressed by these enactments and usages, or else *they are not*. On the latter supposition, we are presented with a Church and ministry disregarding of their high mission, and well-nigh apostate. On the former, we see a Church and ministry under the ban of persecution, and crippled in their operations by the strong arm of despotic power.

Under laws by which *colored* Methodists, Baptists, and Presbyterians are forbidden the free exercise of religion and religious worship, we are warranted in assuming that *white* Methodists, Baptists, and Presbyterians feel themselves insulted and aggrieved; that when they see them dragged from the house of prayer (or on their return home) to the watch-house, or writhing under the lash awarded by law for the offense, *they sympathize with them under their persecutions*, and feel themselves, in the persons of their brethren and sisters, under the same ban. *Or else*, if it be not so, we are compelled to regard them as virtually consenting to the persecution of their brethren. We should be sorry to think thus of ALL the *white* Methodists, Baptists, and Presbyterians of the South. And consequently we are compelled to consider the better portion of them under persecution along with their colored brethren.

If there be any thing that Christianity enjoins on her disciples--if there be any thing in which they are engaged--if there be any thing from which they cannot, without the strong arm of persecution, be driven; it is the free assembling of themselves together for social worship and consultation, for mutual instruction and united prayer; and especially the communication of religious knowledge to others, and promoting the circulation and reading of the Holy Scriptures among them. If there are professors of the Christian religion who do not feel themselves aggrieved and persecuted under enactments or usages which restrain or forbid these, we need not be at any great doubt where to classify them.

Religious *white* people, at the South, are either in unity with persecutors, or else they are under persecution themselves.

Where were the religious liberties of that Methodist Home Mission Society whose missionaries among the colored people, Messrs. Wightman and Turpin, were driven from the missionary field in South Carolina, in 1838, as related in a previous chapter?

What were the religious liberties of those *white* Christians in Charleston, (S.C.,) in 1818, who established a Sabbath-school for the instruction of colored children, and then were forbidden (under penalty of fines, imprisonment, and the infliction of "twenty-nine lashes") from teaching them?

What is religious liberty in New-Orleans?

From the New-Orleans Picayune, Aug. 16, 1841:

"Chauncey B. Blake was brought before Recorder Baldwin, charged with tampering with slaves. It was proved that he was seen conversing with a number of them in the street; that he asked them if they could read and write, *and if they would like to have a Bible*. This was the amount of the testimony against him. In *palliation* of his conduct, it was shown that he was a regular

appointed agent of the Bible Society in New-Orleans, to distribute the Bible to such as would accept of it. *The Society, however, disclaimed, having the most distant intention of giving the Scriptures to slaves*, and it was said Blake had exceeded his commission in offering it. But as it appeared to be a misunderstanding on his part, and not intentional interference, he was discharged with a caution *not to repeat his offense*." (Furnished by Judge Jay.)

What is civil, religious, or political liberty; or where is the independence of the judiciary under enactments like the following?

Louisiana.--"If any person shall use any language from the BAR, BENCH, STAGE, PULPIT, or in any OTHER place, or hold any CONVERSATION having a TENDENCY to promote discontent among free colored people, or insubordination among slaves, he may be imprisoned at hard labor not less than three nor more than twenty-one years; or he may suffer death, at the discretion of the Court." (Child's Appeal, p. 71. See also Kent's Commentaries, Vol. II., part IV., p. 268, Note.)

The lawyer cannot effectively plead the cause of a negro claiming his liberty; the judge, in charging the jury, or in giving his judicial decision, cannot repeat the common law maxims of Blackstone, Littleton, Coke, and Fortescue, appropriate to the case; the actor of a drama cannot repeat the best passages in Shakespeare [*sic*]; the minister of the gospel cannot use the language of Bishop Porteus, of John Wesley, of Jonathan Edwards; nay, of St. James or Isaiah, without incurring the hazards of a condemnation under this statute! When one reads the labored "opinions" of Judge Ruffin and others, in Wheeler's Law of Slavery, where the *man* is seen struggling with the *judge*, and a strong sense of the wrong of slavery betrays itself amid forced apologies and decisions in its *favor*, it is difficult to resist the impression that the intelligent judge is *himself* under the yoke of bondage to such statutes as the preceding, or to the proscriptive temper that gave rise to them. The same may be said of such self-contradictory clergymen as Dr. Fuller and others, who, on the slave question, cannot conceal their *knowledge* of anti-slavery truth, nor their *fear* of giving it expression. There is no freedom of speech nor of the press on this subject in the slave States.

"In Mississippi, a white man who prints or circulates *doctrines*, sentiments, advice, or *inuendoes*, LIKELY to produce discontent among the colored class, is fined from one hundred to a thousand dollars, and imprisoned from three to twelve months." (Child's Appeal, p. 71.)

"In North Carolina, 'for publishing or circulating any pamphlet or paper having an evident *tendency* to excite slaves or free persons of color to insurrection or resistance,' the law provides imprisonment not less than one year, *and* standing in the pillory *and* whipping, at the discretion of the Court, for the first offense, and DEATH for the second." (Ib., p. 67.)" In Georgia, the same without any reservation."

"In Virginia, the first offense is punished with thirty-nine lashes, and the second with death." (Ib.)

Mr. Preston, Senator in Congress, declared, in his place in that body, that any person uttering abolition sentiments at the South would be hanged.

What liberty, then, is there for *white* people at the South? And who knows how much would be said there against slavery if the people dared to speak their thoughts? Let us not rashly and too severely condemn the entire South. The *white* people there do not enjoy freedom. They share deeply in the bondage of the *blacks!*

"Abolition editors, in slave States, will not dare avow their opinions." (*Missouri Argus.*)

Perhaps the editor of the Argus dares not avow his. Perhaps he penned this very sentence to allay suspicions, and save his own life.

A Southern member of Congress was not restrained by manly independence, or by any sense of shame for the lack of it, to avow his fears of punishment under such laws as have been quoted. An editor of a Northern paper, "*The Friend of Man,*" at Utica, N.Y., published Mr. Pinckney's Report in the House of Representatives, on a subject involving the slave question, and to the Report he appended a review of its positions. He sent some spare copies to members of Congress at Washington City, among whom was Hon. Adam Huntsman, of Tennessee, who soon after wrote a letter to the editor, requesting him not to send him any such paper (opposed to slavery) *after he should have returned to Tennessee*, lest the bare *reception and use* of it should subject him to "an infamous punishment--a penitentiary offense of five years' confinement!" The request was of course complied with, and the legislator remained unharmed.

Where are the liberties of the citizens of the slave States, when forbidden to "trade, barter, or commerce" with one third, one half, or two thirds of the inhabitants--forbidden to obey God by hiding the outcasts--forbidden to "entertain strangers," to "give food to the hungry"--forbidden to convey their persecuted neighbors to a home of security--forbidden to ease their tortures by striking off their pronged iron collars from their necks? Who will slander the South by saying that none of its white citizens *feel themselves* injured, crushed, persecuted, and wronged by enactments like these? Or can a people be said to enjoy liberty and security who live under such a code as this?

There can be no liberty where there is no security, no protection, no law. And in the presence of such despotic power as that of the slaveholder, there can remain very little of these. A general spirit of lawlessness pervades the slave States.

As to the non-slaveholding whites in the slave States, they are, as a class, and with few exceptions, in an abject and degraded condition. A large portion of them are uneducated and poor. In the presence of slave labor, and with the soil in the hands of slaveholders, there is little of lucrative labor within their reach. And labor is *there* a badge of disgrace, assimilating them with the slaves. It is not strange that large numbers of them become improvident and idle. Mechanics, including some from the North, constitute, to a considerable extent, an exception to these remarks. Even these are looked down upon by the slaveholding planters, who have contrived to monopolize and wield nearly all the political power.

On the whole, it cannot with propriety be said that civil, religious, and political liberty exist in the slaveholding States. Nor can they exist there, so long as "the legal relation of owner and

slave" remains. *That* relation blights and destroys all the natural and heaven-established relations of life.