CHAPTER

10

American Slavery

1619 – 1865

John Steuart Curry, Tragic Prelude, 1937. The original hangs in the Kansas State Capitol, Topeka.

"The crimes of this guilty land will never be purged away but with blood."

— John Brown, written on a note the morning of his execution, December 2, 1859 (whose body lies a-mouldering in the grave)

American slavery was not simply the ownership of people. It was a legal, economic, and social system that shaped every aspect of American life for over two hundred years — from the language of the Constitution, to the shape of Washington D.C., to the price of cotton, to the balance of power in Congress. Between 1619 and 1865, approximately four million human beings were held as property in the United States. Their labor built the American economy. Their suffering defined the American moral crisis.

Quote & Music for this Chapter

QUOTE *""These men are all talk; What is needed is action — action!""*
— John Brown

Brown spoke these words in frustration at the abolitionists who opposed slavery in speeches but refused to act. He believed the only way to end slavery was through force. Within two years of saying this, he had raided the federal arsenal at Harper's Ferry. He was hanged. He was right about the violence.

SONG *"John Brown's Body"* — Traditional American Civil War song, c. 1861
Written by Union soldiers marching to war, this song celebrated John Brown as a martyr. The same melody was later used for "The Battle Hymn of the Republic." It is one of the most famous marching songs in American history — a dead abolitionist became a symbol of the war his death helped cause.

Timeline: American Slavery, 1619–1865

Two and a half centuries separate the first slave ship from the Thirteenth Amendment — here is how the country got from one to the other.

AMERICAN HISTORY		JEWISH AMERICAN HISTORY
The first enslaved Africans arrive in Virginia, brought by an English privateer. Slavery begins in what will become the United States.	1619	

1676 — Bacon's Rebellion in Virginia: indentured servants, white and Black, unite against the colonial government. The aftermath hardens racial lines and transforms servitude into a specifically racial institution.

1787 — The U.S. Constitution is written. It contains three major slavery compromises without ever using the word "slavery."

1794 — Eli Whitney invents the cotton gin. Cotton becomes enormously profitable — and the demand for enslaved labor rises dramatically.

1808 — Congress bans the importation of enslaved people from Africa, as promised in the Constitution. Slaves become more valuable.

Jews typically lived in cities and few owned slaves, though Jews and non-Jews in the cities benefited from trading goods produced by slaves.

1820 — The Missouri Compromise: Missouri enters as a slave state, Maine as a free state; slavery prohibited north of 36°30′.

1831 — Nat Turner's Rebellion in Virginia: approximately 70 enslaved people kill 55 white people in the largest slave revolt in American history. Turner is captured and executed.

1850 — The Compromise of 1850: California enters as a free state; the Fugitive Slave Act is strengthened, requiring free states to return escaped enslaved people.

Isaac Leeser and American Jewish leaders navigate the national slavery debate from Philadelphia.

1854 — The Kansas-Nebraska Act repeals the Missouri Compromise and opens territories to popular sovereignty. "Bleeding Kansas" follows.

1857 — The Dred Scott Supreme Court decision: enslaved people are not citizens; Congress cannot prohibit slavery in any territory.

1859 — John Brown raids Harper's Ferry, Virginia, attempting to start a slave revolt. He is captured by Robert E. Lee and executed.

Abraham Lincoln elected president. South Carolina secedes.

1860

Rabbi Dr. M.J. Raphall delivers his "Bible View of Slavery" sermon on January 4. Michael Heilprin responds in the *New York Tribune* within days.

A Note About Slavery.

While I do my best to avoid making moral judgments about history, that is exceedingly hard to do when coming to this chapter. Discussing other slavery in the world, in an American history textbook, is already risky. Like all history books, what you include and what you do not include (lies by omission[1]) is a form of moral judgment — though as a preemptive statement, if you have read this book up to here, you know that I do not find myself constrained by the way American history is often taught in school textbooks.

Slavery is one of the oldest institutions in human history.[2] Every major civilization has practiced it: Romans, Greeks, Arabs, Egyptians, West Africans, Chinese dynasties, Aztecs, and virtually every other society in every era. Slavery in Africa existed without interruption from roughly ancient Egyptian times to 2007, when Mauritania became the last country to make slavery a crime[3] [4]. The question worth asking about American slavery is "was it unique?" A better question to ask is "what made it different from what came before and after?" which gives us a greater understanding about human interaction.

The Hebrew word (*eved*) appears in the Torah to refer to a servant or person in bondage. The Torah places specific legal limits on the treatment of an eved: they cannot be killed or permanently maimed; they must rest on Shabbat; they may be freed if mistreated; a Hebrew eved is freed after six years (Shemot 21). American slavery had none of these protections. Under American law, an enslaved person and all their children were 100% the property of the owner — *forever*, with no legal path to freedom and no legal limits on treatment.

[1] One of my former students said that when he's an adult he's going to publish a book called "Lies by Omission" and dedicate it to me.

[2] Largely taken from https://www.history.com/topics/black-history/slavery

[3] though in practice, it continues today there, in Pakistan, and elsewhere

[4] See https://www.cnn.com/interactive/2012/03/world/mauritania.slaverys.last.stronghold/index.html — and 10 to 20% of the population is still estimated to be slaves.

In world history there were two large slave trades running simultaneously in the 1500s–1800s. The White slave trade involved Ottoman pirates raiding European coastal villages[5] — they captured approximately one million Europeans over three centuries. The Black slave trade transported roughly 16 million Africans to the Occident[6] (the Americas). Between 1862 and 1920, about 12,000 freed American slaves emigrated to Liberia in Africa — and many of them enslaved the local African population[7]. Slavery is not necessarily a story of one race against another; it was a human institution practiced by nearly everyone. In this chapter, we're limiting our discussion to slavery in the United States . . . which is about race.

So why do we speak of American slavery so much more than that of other slavery throughout history? There are perhaps a couple reasons for this. First and foremost, the results surround Americans. We see millions of descendants of slaves who live with the pain of their past all around us. Are Americans affected by a slave in Mauritania today? Only on moral grounds — even if we can't find the country on a map. We also have no power to, and see no connection with the millions of Uighur slaves in China today, the starvation of millions in Sudan, and all the other things that go on in the world, let alone what happened in the past in other places. Who knows of the Jacobins and the Directory, and who cares in America? We hold no keys to power in these areas and what we can do, with no keys, is ... not much.

Another reason: slavery is an anathema — a standout — from the American ideas of liberty and justice for all. It is not as shocking to hear that someone who believes the world is flat[8] to say that New Zealand just fell off the edge as it is for someone who believes the world is pear-shaped.

Let's compare to the American Indians — to be quite honest, despite growing up learning about the American Indians in school, until I began serious reading as an adult to put together Chapter 13, I had no idea just how bad it was. It's cute to talk about longhouses, wigwams, and Thanksgiving, though culturally, Americans, and people in general, like to downplay their faults and have swept Indians aside to places we never visit unless there's a casino or racetrack.[9] In the North, which can proudly say "we fought the Civil War against slavery" (which has truth, though simplifications are never the full truth), our culture is to be proud — turning bad into good in the name of the ideals of John Locke (see Chapter 4) and what the country 'really' stands for. We are not proud of slavery. We are proud that we made a moral progression and a moral right to the wrong.

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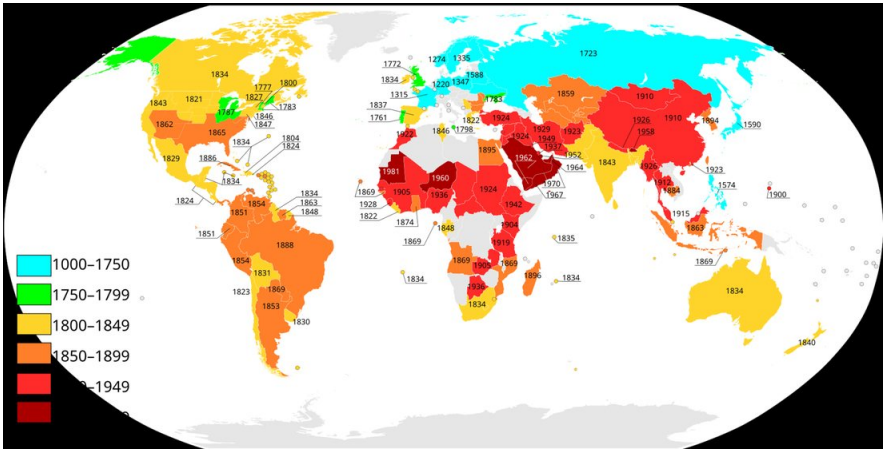
[5] https://en.wikipedia.org/wiki/Barbary_slave_trade

[6] The opposite, the Eastern world, is called the "Orient."

[7] https://www.theguardian.com/books/extracts/story/0,,493533,00.html and https://www.histclo.com/act/work/slave/cou/afr/lib/sc-lib.html

[8] It is, when approaching Earth at about 0.8 times the speed of light.

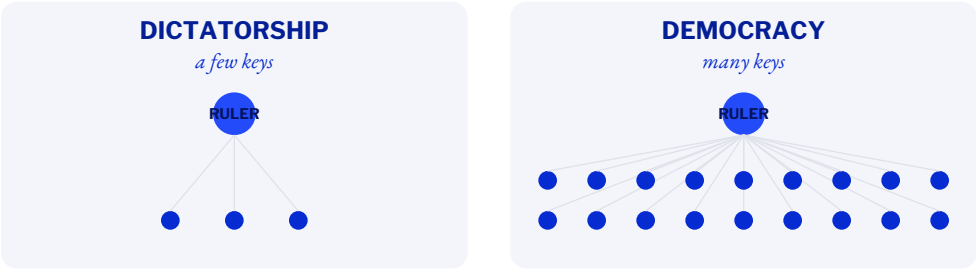
[9] In Chapter 13, we'll see that even those places often have little connection to the ordinary Indian living in poverty, swept far away from our consciousness.



World map showing the year in which slavery was formally abolished in each country. Darker reds indicate later abolition, in many cases well into the 20th century.

Keys to Power — how can few control many?

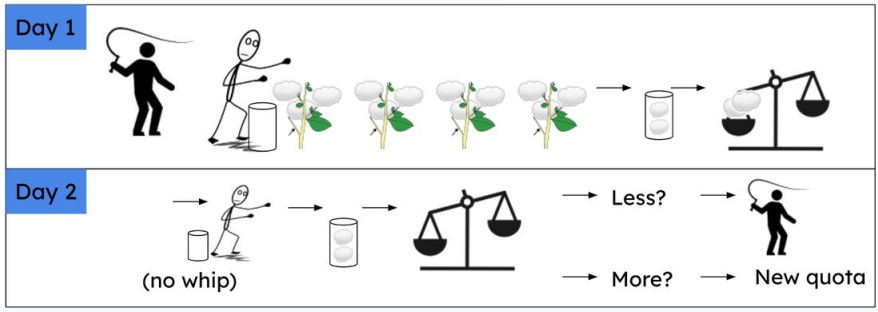
We're going to continue this chapter a bit differently than the rest. Rather than a chronology (going in order in time) we're going to discuss how slavery works. Then, in my opinion, it will be easier to comprehend what happened in the United States.



A useful model for understanding hierarchies is: **whoever holds the keys to the treasure** shares in it. Fewer key-holders means each person gets a larger share — but the person at the top is also less secure. More key-holders means each share is smaller, but the top has more

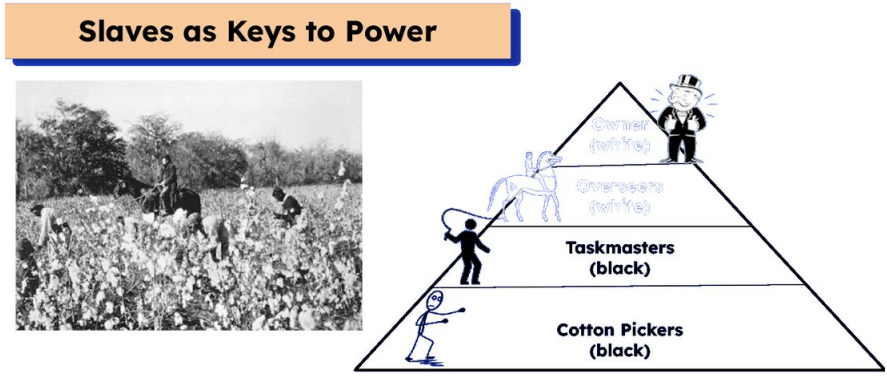
support.

Now consider slavery — as you will see on the map that follows, some counties had over 90% slaves! How could this be? How do you keep so many slaves? Can't they all just ... rebel? Well, sure, many tried and many succeeded though not nearly enough to have a dent in the system. Enslaved people were organized in layers: white **overseers** supervised Black **taskmasters**, who supervised the field workers. Taskmasters were given small privileges — better food, slightly better housing — in exchange for enforcing discipline on those below them. By giving some enslaved people a slightly larger share, the owner divided potential resistance. The people at the bottom fought the taskmasters, not the owner. If a taskmaster did not do his job, he would lose his privileges or his life — which was a 'privilege' as far as many slave owners saw it, keeping slaves alive because it was profitable to do so. None of these Black men had educations ... which are further keys to power held only by those in power. Below is a cartoon illustrating this. I once had a group of kids act it out — it worked great. After only about five or ten seconds, the "taskmaster" and "slave" were on the ground fighting it out.



The only way to win is not to play the game.

Or Day 2: become a "wimp" and do housework instead of fieldwork. You don't want to be called wimp, right?



Slaves as Keys to Power: the completed model. Owner at top, then overseers, then taskmasters, then the field workers (cotton pickers) at the bottom. The more layers, the more stable the system for those at the top — and the harder it is for those at the bottom to resist.

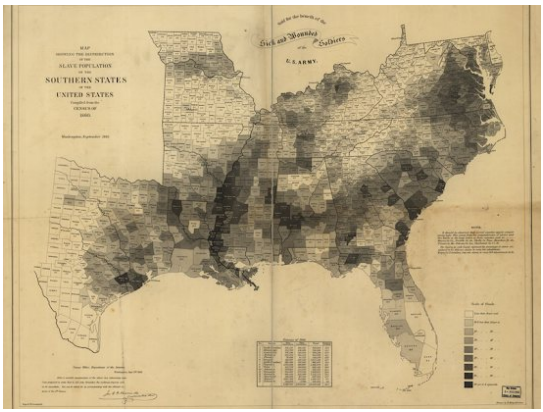
The 3/5 Compromise applied the same structure to Congress: fewer voters (only white men) held the "keys" to Congressional representation. By counting enslaved people as 3/5 of a person, Southern slaveholders got extra Congressional "keys" they hadn't earned by actual voters.

Map — Places to Know

The map below shows the percentage of the population that was enslaved in each county of the United States according to the 1790 Census. Even at that early date, the concentration was extreme in the Deep South. By 1860, in some counties of Mississippi and Louisiana, over 90% of the population was enslaved.

Notice how it is highest around the Mississippi River, where cotton could be shipped to Europe (and slaves shipped in from the Caribbean). Now imagine if you're a white person living in these areas of the South and a Northerner comes by and says, "You have to free all your slaves! It's not right!" Heck, you could completely agree with the man, but you probably weren't about to suddenly give up all your property (including physical property) and make a run for it. As the number of slaves grew, what might be profitable for some was becoming a situation that could not last. Slave owners reacted by becoming more ruthless with

their slaves; fights between those with keys (the ones who actually have power) grew stronger.



1790 Census: enslaved population as a percentage of total population by county. Darkest color = 70–100% enslaved. The pattern predicts the geography of the Civil War 70 years later.

Key Places in American Slavery History

VA **Virginia** — *The first colony to legalize slavery (1640). Site of Bacon's Rebellion (1676), Nat Turner's Rebellion (1831), and John Brown's raid at Harper's Ferry (1859). Robert E. Lee was a Virginian.*

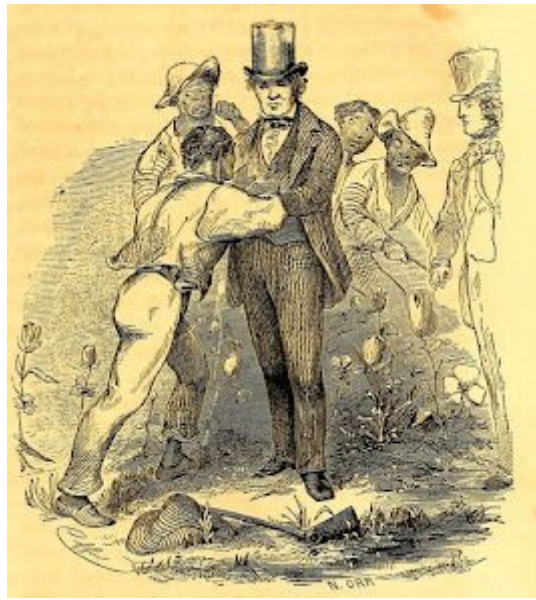
SC **South Carolina** — *Home of the largest slave market in North America (Charleston). First state to secede from the Union, December 20, 1860.*

MO **Missouri** — *A slave state and the origin of the Dred Scott case. "Bleeding Kansas" erupted on its western border after the Kansas-Nebraska Act (1854).*

KS **Kansas** — *Center of the pre-Civil War conflict: pro-slavery and anti-slavery settlers poured in after the Kansas-Nebraska Act, turning the territory into a battlefield.*

DC **Washington D.C.** — *The federal capital and a working slave market until 1850. The original diamond shape of D.C. was changed because of slavery (see the Shape of Washington D.C. section).*

NY **New York, New York** — *The financial capital of the North, deeply tied to the slave economy through cotton trading and finance. Solomon Northup was kidnapped here in 1841 (see Reading 2).*



A slave auction. Buyers inspect an enslaved man while dealers stand by. Scene typical of Charleston, New Orleans, and other major auction markets.

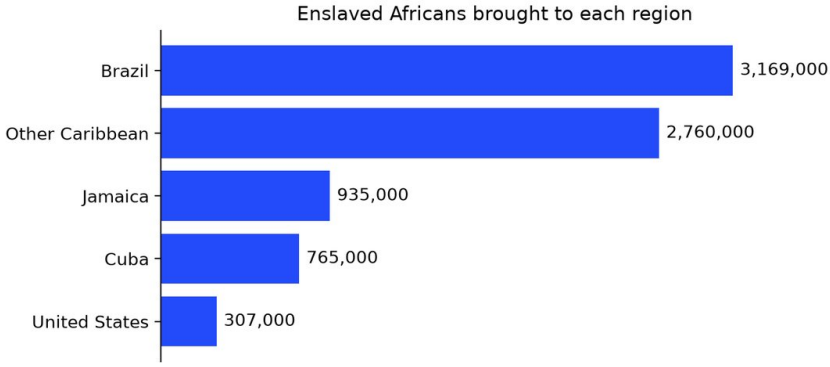
The First Middle Passage — 1490s to 1850s

The word **Middle Passage** refers to the middle leg of the Triangular Trade: the voyage from Africa to the Americas. It is called the "middle" of the world — the Atlantic Ocean — through which millions of enslaved Africans were transported.

The enslaved were taken primarily from West Africa and transported mostly to warm climates — the Caribbean, Brazil, and the American South — because the crops that required slave labor (sugar, cotton, tobacco) grew in warm places. Total deaths were enormous: of approximately 16 million Africans taken, about 4 million died in Africa itself[10] — hunted by another tribe or losing a war and being forced to march to the coast — and 1–2 million died on the ocean crossing. Of those who survived, only about 307,000[11] were brought to the United States — less than 2% of the total Atlantic slave trade.

[10] This is an estimate. No accurate numbers can be known.

[11] https://www.pbs.org/wnet/african-americans-many-rivers-to-cross/history/how-many-slaves-landed-in-the-us



Where did enslaved Africans go? The bars show the number who arrived in each region. Brazil received more than ten times as many as the United States.

The Numbers of the Atlantic Slave Trade

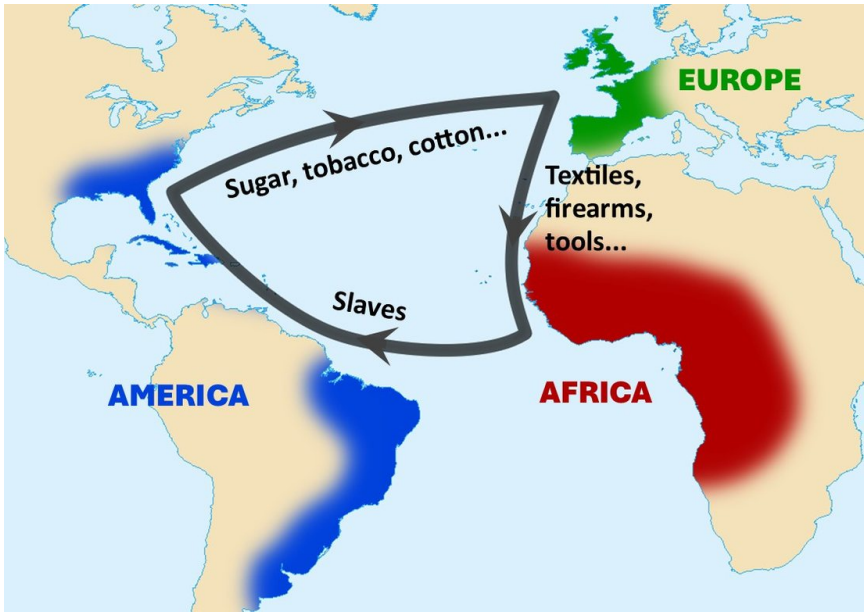
- **16 million** — total Africans taken into the Atlantic slave trade
- **4 million** — died in Africa, hunted by another tribe or forced-marched to the coast
- **1–2 million** — died during the ocean crossing (the Middle Passage)
- **3,169,000** — brought to Brazil (the largest destination by far)
- **935,000** — to Jamaica; **765,000** to Cuba; **2,760,000** to other Caribbean islands
- **307,000** — brought to the United States (fewer than 2% of the total)

Why so few to the United States? In tropical plantation climates (sugar and coffee in Brazil and the Caribbean[12]), work was so brutal and disease so severe that enslaved populations died faster than they reproduced. Plantation owners there had to constantly import new people. In the American South, the climate was less extreme, the food slightly more adequate, and the enslaved population grew naturally. This meant fewer had to be imported — and by 1800, most enslaved Americans had been born in America, not Africa.

[12] You know... that place where Alexander Hamilton was born — the Caribbean.

The Triangle Trade

The **Triangular Trade** was the 16th-to-19th-century economic system connecting three continents in a single loop. Each leg of the triangle was profitable for European and American traders.



The Triangular Trade. Africa to the Americas: enslaved people. The Americas to Europe: raw materials (cotton, sugar, tobacco). Europe to Africa: manufactured goods (cloth, guns, rum).

The three legs: (1) **Europe to Africa** — manufactured goods traded for enslaved people; (2) **Africa to the Americas** — the Middle Passage, carrying human cargo; (3) **the Americas to Europe** — raw materials produced by enslaved labor: cotton, sugar, tobacco, and rice. This was the backbone of the world economy from the 1600s through the 1800s. Cotton and sugar were the two largest commodities in world trade. Even if you never owned a slave and never traded in humans, if you wore cotton cloth or used sugar, you benefited from the system.

Bacon's Rebellion — 1676: Racial Slavery

Before slavery hardened into a specifically racial institution, **indentured servants** — both white and Black — worked side by side in Virginia. An indentured servant worked for a term of years for whoever paid their passage to America, then went free. The system included both races.

In 1676, Nathaniel Bacon led a rebellion against the Virginia colonial government. Virginia was allied with some Indian tribes but not others; the allied tribes were raiding frontier settlements and the government refused to act. Bacon organized poor white and Black servants and freedmen to fight back — against the Indians and then against the colonial government itself. The rebellion was eventually put down.

The aftermath: Virginia's colonial government decided the alliance of poor whites and poor Blacks was too dangerous. They ended the mixing of white and Black laborers, reducing the keys to power of the poor, and especially, the Blacks. White indentured servants would eventually go free; Black workers would be enslaved for life. Hardening these racial lines into law became the foundation of American slavery as a racial institution. The fear of multi-racial poor solidarity shaped American society for two centuries.

The Constitution and Slavery

The U.S. Constitution, written in 1787, never uses the word "slavery" — not once. It refers to "persons held to Service or Labour" and "other Persons." But it contains at least three major provisions negotiated as compromises between slave states and free states. Without these compromises, the Southern states would not have signed.

Thinking Like a Person in the 1780s. Almost no one in 1787 believed in racial equality. Don't confuse "abolitionists" — who wanted to end slavery — with believers in equal rights for all.[13] [14] Even most abolitionists did not believe Black people should have the same rights as white people; they believed slavery was wrong, yet racial equality was a fringe position held by almost no one. This matters for understanding the Constitution: the Founders were not hypocrites by the standards of their time — they were, in most cases, ordinary men of their era.

The Founders also generally expected slavery to die out on its own. Without importing new enslaved people from Africa, it was widely believed the institution would gradually fade. This is part of why the Constitution compromised on slavery rather than confronting it directly — many Founders expected the problem to resolve itself within a generation.

Even Abraham Lincoln, well into the Civil War, believed the solution to slavery was colonization[15] — sending freed enslaved people to Africa or Central America. He could not imagine a racially integrated United States. Colonization remained Lincoln's stated position until 1863, when Black leaders convinced him that they too were Americans, that this country was their home, and that they had as much right to it as anyone else.

Clause 1: The Slave Trade Clause — Article I, Section 9

> *"The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight."*
>
> **U.S. Constitution, Article I, Section 9**

Translation: Congress cannot ban the importation of enslaved people until 1808. The year 1808 was chosen because it was believed that by then, the natural growth of the existing enslaved population would make importing more unnecessary, and slavery would gradually die out. Congress did ban importation in 1808. Slavery did not die out. The domestic trade continued until 1865.

However, why would a slave owner agree to end importation of slaves? Where will he get new slaves from? Well, imagine the world is using a lot of gold and no more is coming in.

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[13] In the summer of 2021 I visited Mount Vernon, the home of George Washington. A man dressed like Tobias Lear, Washington's secretary, was trying to tell me about a politician in Vermont who was for equal rights — the politician would have been considered crazy by most everyone else. This was an attempt to "whitewash" history. Don't believe everything you hear, even if it's from me. You've been warned.

[14] Source: https://www.fakesource.this.isnot.real.notice.thissoIknowwhoreadsfootnotes.com

[15] Which ... kind of hasn't changed. The most "liberal" rich whites often still don't want too many Black people around. See https://www.cnn.com/2020/08/01/us/white-liberals-hypocrisy-race-blake/index.html

The gold you have goes up in value — thus, a plantation owner figured that he would make more money by cutting out the competition bringing in what he already had.

Clause 2: The Three-Fifths Compromise — Article I, Section 2

> *"Representatives and direct Taxes shall be apportioned among the several States... by adding to the whole Number of free Persons... three fifths of all other Persons."*
>
> **U.S. Constitution, Article I, Section 2**

Three-fifths of all enslaved people count toward a state's representation in Congress — even though enslaved people could not vote. This gave Southern states more Congressional seats than their voting population alone would justify.

The 3/5 Compromise — A Math Problem

- Suppose New Jersey has 100 free people and 0 enslaved people. NJ representation = 100.
- Suppose Virginia has 100 free people and 10 enslaved people. VA representation = 100 + (10 × 3/5) = 106.
- Virginia gets more votes in Congress even though the 10 enslaved people cannot vote and have no say in government.
- This gave the slave-holding South significantly more political power than its voting population justified — and that power was used to protect and expand slavery.

Clause 3: The Fugitive Slave Clause — Article IV, Section 2

> *"No Person held to Service or Labour in one State... shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due."*
>
> **U.S. Constitution, Article IV, Section 2**

Translation: if an enslaved person escapes to a free state, the free state must return them. The free state cannot free them. This clause was strengthened into law by the Fugitive Slave Act of 1850, which required every American citizen — even in free states — to assist in returning escaped enslaved people under penalty of federal prosecution.

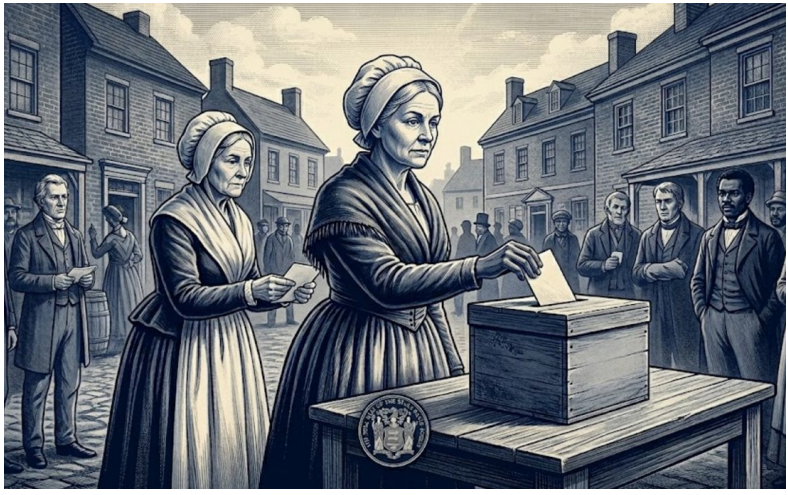
Women Could Vote in New Jersey

New Jersey has a complicated history with both slavery and women's voting rights — ahead of its time in some respects, behind in others.

New Jersey and Slavery

At the founding of the United States, slavery existed in *all thirteen states*. New Jersey was one of the last Northern states to abolish it. The Quakers[16] in western New Jersey were among the earliest opponents of slavery; around Bergen and Passaic counties, slavery was supported. The Gradual Abolition Act of July 4, 1804[17] stated that children born to enslaved women after that date would be free — after serving an "apprenticeship" of 21–25 years. New Jersey then renamed the status from "slave" to "apprentice for life" and the institution continued under that name until 1866[18] — one year after the 13th Amendment abolished slavery nationally.

New Jersey and Women's Right to Vote



New Jersey women exercising the vote under the 1776 Constitution. Women voted in some New Jersey counties before 1807, when the right was taken away.

[16] A religious group that believed in equal rights for men, women, and Blacks. They are pacifists, meaning that they will not fight in any wars. For good measure, they hate Jews because if you're going to hang on to some form of bigotry ... sure, let's go with that one. Haym Solomon (see Chapter 4) was once speaking up for a Jew opening a bank in Philadelphia. A Quaker decided to be anti-Semitic because ... why not? Solomon then pointed out that the Quaker had no business speaking as it was the Jews who paid for the war so the Quaker could have his religious freedom. (Quakers today are not anti-Semitic.)

[17] https://slavery.princeton.edu/stories/legislating-slavery-in-new-jersey

[18] See https://www.amrevmuseum.org/virtualexhibits/when-women-lost-the-vote-a-revolutionary-story/timeline

The New Jersey Constitution of 1776 gave the vote to "all inhabitants of this Colony, of full age, who are worth fifty pounds." Some counties interpreted this as including women — and some women voted in New Jersey. It is not known how many women took advantage of this, though recent reviews of names of voters suggest only about 7% did.[19]

Even when women could technically vote in New Jersey, only **unmarried women and widows** could do so in practice. The legal doctrine of **coverture** held that a married woman had no separate legal identity — her property, her contracts, and her vote were absorbed into her husband's identity at marriage.[20]

It is a mistake to think that such women felt oppressed and felt they were being denied rights. Take these two sisters of the time — Women did not necessarily want to vote or feel it right of them to do so. Abigail Adams, wife of the second president John Adams, known for her outspokenness, wrote a letter to her widowed sister Mary Cranch, of New Jersey. "Mary, you must vote," said Abigail, believing women should be leaders and in fact, was a leader in her own marriage. Mary replied that it was not for a woman to do, or something she wanted to do. It is perhaps impossible to know how many women believed they could or should vote, though it is also incorrect to say that all women were oppressed, or felt oppressed by staying out of politics and focusing on what the individual woman felt meaningful and just for her and her surroundings.[21]

Women's voting ended in 1807 because women were usually voting for the Democratic-Republican party in the pro-Federalist state of New Jersey. The state legislature then restricted the vote to "free, white, male citizens." While women gradually gained the right to vote in the Midwest throughout the 1800s — due to a shortage of women there, giving them considerable leverage.[22] In New Jersey, women could not vote again until 1920.

"Cotton is King"

[19] Mostly from https://www.amrevmuseum.org/virtualexhibits/when-women-lost-the-vote-a-revolutionary-story/pages/how-did-women-gain-the-vote-the-promise-of-1776-for-women

[20] In Jewish law, the kesubah is for the woman's support by the man who handles the money; however in Jewish law a woman can choose not to have the support and have her own property and keep her own, separate income. Talmud Bavli, Ketubot 58B.

[21] On the other hand, one could argue that just because a person believes they should act a certain way, does not mean they are not oppressed. Teaching a slave from birth that he is meant to be a slave makes him no less oppressed because he thinks he should be.

[22] It is left to you to figure out why a lack of women in the Midwest would allow them to gain voting rights earlier than others. Or ... search the internet. We're keeping this book as PG as possible.

Before the American Revolution, tobacco[23] was the crop driving the slave economy. Virginia[24] became the wealthiest colony in America on the backs of tobacco and slave labor. After the Revolution, Britain stopped buying American tobacco, prices fell, and the value of enslaved people fell. It seemed, briefly, that slavery might die out on its own.

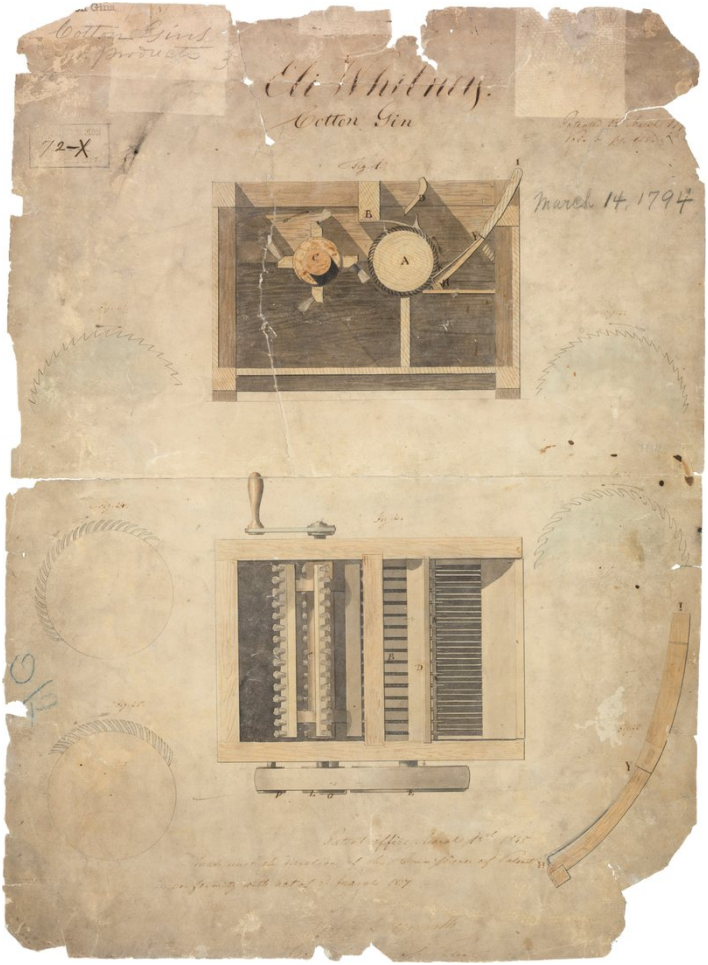
A European smoker — tobacco's journey from the Americas to the world made it one of the most profitable colonial crops.

Then came Eli Whitney's cotton gin (1794) and, more importantly, the Industrial Revolution's textile mills in England and New England.[25] The cotton gin separated seeds from cotton fiber — work that had previously required one person per pound per day. One machine could do the work of fifty people. But the machine only cleaned cotton; someone still had to pick it. And picking cotton required enormous amounts of hand labor. The result: cotton profits exploded, the demand for enslaved people exploded with them, and the brief window of hope for gradual abolition slammed shut.

[23] See https://www.nps.gov/jame/learn/historyculture/tobacco-the-early-history-of-a-new-world-crop.htm — there are some great quotes and descriptions here.

[24] The Northern colonies supported the war much more; Maryland wouldn't openly rebel against the British well into the war when the British troops went to take over the South because they had more support there.

[25] Technology is neither good nor bad. How people use new technology is what matters — says my bias.

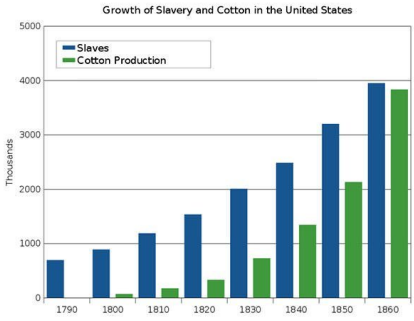


Eli Whitney's cotton gin: his 1794 patent drawing. The rotating cylinder with wire teeth pulled cotton fiber through slots too narrow for the seeds. One machine did the work of fifty hand-workers — and made enslaved labor more valuable, not less.

Whitney tried to obtain a monopoly on the cotton gin by getting a patent. Others made small improvements to his design that got around the patent, and patent law at the time was very weak. There is also an interesting footnote to patent history: when the British burned

Washington D.C. during the War of 1812, patent records from before that date were destroyed — we only have the patent certificates before 1812 from inventors who responded to a request to mail copies back to the patent office to preserve.

Enslaved workers picking cotton on a Southern plantation. The cotton harvest required intensive hand labor that no machine could replace.



Cotton production and slavery, 1790–1860.

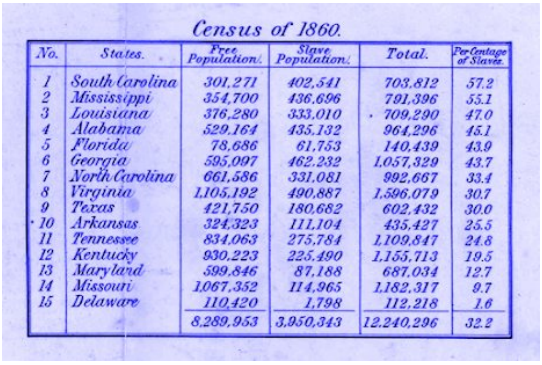
Growth of the enslaved population and cotton production, 1790–1860. Cotton and slavery rose together in lockstep.

U.S. cotton exports, 1815–1860.

Cotton exports from the United States, 1815–1860, redrawn approximately from North (1961). By 1860, cotton was more than half of all American exports.

How Big Was American Slavery?

By the time of the Civil War, approximately **one-third** of all people in the South were enslaved. In some counties of Mississippi and Louisiana, 90% of the population was enslaved. Cotton accounted for more than half of all American export revenue by value. The South's entire economy rested on this foundation.

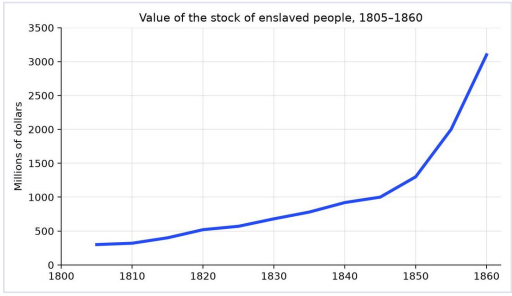


Census of 1860.

No.	States.	Free Population.	Slave Population.	Total.	Per Centage of Slaves.
1	South Carolina	301,271	402,541	703,812	57.2
2	Mississippi	354,700	436,696	791,396	55.1
3	Louisiana	376,280	333,010	709,290	47.0
4	Alabama	529,164	435,132	964,296	45.1
5	Florida	78,686	61,753	140,439	43.9
6	Georgia	595,097	462,232	1,057,329	43.7
7	North Carolina	661,586	331,081	992,667	33.4
8	Virginia	1,105,192	490,887	1,596,079	30.7
9	Texas	421,750	180,682	602,432	30.0
10	Arkansas	324,323	111,104	435,427	25.5
11	Tennessee	834,063	275,784	1,109,847	24.8
12	Kentucky	930,223	225,490	1,155,713	19.5
13	Maryland	599,846	87,188	687,034	12.7
14	Missouri	1,067,352	114,965	1,182,317	9.7
15	Delaware	110,420	1,798	112,218	1.6
		8,289,953	3,950,343	12,240,296	32.2

Census of 1860: voting population and slave population by state. South Carolina: 57% enslaved. Mississippi: 55%. Louisiana: 47%. The numbers make clear why the South fought to preserve the institution.

The graph shows the total market value of enslaved people in the United States from 1805 to 1860. By 1860, enslaved people were valued at approximately **$3 billion** — more than the combined value of all American railroads and factories. Enslaved people were the single largest capital asset in the American economy.



Value of the stock of enslaved people in the United States, 1805–1860, redrawn approximately from Ransom and Sutch (1988), Table 3.

This is what made peaceful abolition so difficult: the South was being asked to give up assets worth billions of dollars. To the enslaved people, that number represented human beings — parents, children, spouses. To the Southern economy, it represented wealth.

The Second Middle Passage

During the **First Middle Passage**[26], approximately 388,000 enslaved people were transported from Africa to the United States (1619–1808). After Congress banned the importation of enslaved people from Africa in 1808, a **Second Middle Passage**[27] began: the forced internal migration of enslaved people from the Upper South (Virginia, Maryland, Kentucky) to the Deep South (Mississippi, Louisiana, Alabama), where the cotton plantations were expanding.

Between 1810 and 1860, approximately **one million** enslaved people were forcibly moved from their communities in the Upper South to the cotton and sugar fields of the Deep South — often walking in chains hundreds of miles, sold away from spouses and children. This internal trade was fully legal, enormously profitable, and broke up roughly one-third of all slave marriages and thousands of family units.

[26] It wasn't called the "first" one yet because it was the only one. This is the same with World War I — it wasn't called World War I until there was a second one.

[27] Source:
https://www.pbs.org/wnet/african-americans-many-rivers-to-cross/history/what-was-the-2nd-middle-passage/

"Sold to Tennessee": Lewis Miller's sketch of a slave trader driving people south. The Domestic Slave Trade, 1808–1865, was a forced migration from the Upper South to the Deep South; the Upper South's slave population shrank as the Deep South's grew.

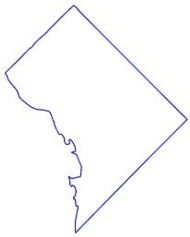
The Shape of Washington D.C.

Article I, Section 8, Clause 17[28] of the Constitution gives Congress the power to govern a federal district "not exceeding ten miles square, as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States." The original design was a perfect 10-mile diamond, with land donated by both Maryland and Virginia.

[28] Some things they don't teach you in school ... well ... that a normal school wouldn't teach, anyway.

Washington D.C., original 10-mile diamond shape, 1800.

The original Washington D.C.: a perfect 10-mile diamond with land from both Virginia and Maryland. Andrew Ellicott's survey map.



Washington D.C., current shape — Virginia retroceded 1846.

Current Washington D.C.: the Virginia portion (the lower-left of the diamond) was returned to Virginia in 1846. The city has been an incomplete diamond ever since.

Why did D.C. lose its diamond shape? In 1846, Virginia requested its portion back — and Congress agreed. The Virginia side of D.C. contained **Alexandria**, one of the largest slave markets in the United States. Pro-slavery Virginians feared that Congress might abolish slavery within the federal district. If Alexandria were part of D.C., that would affect their slave trade directly. The shape of the capital was literally changed by the politics of slavery.[29]

By having Virginia retake that portion of D.C., they protected the Alexandria slave market from Congressional oversight. Washington D.C. has been an incomplete diamond ever since.

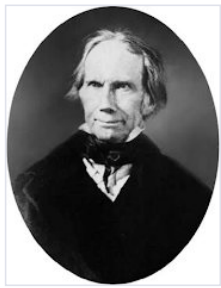
[29] I like to call this shape "nerkle"-shaped. Dr. Seuss wrote "a nerd or a nerkle" in *If I Ran A Zoo*, and it always bothered me that only "nerd" became a real English word. So consider "nerkle" my small attempt to fix that — and yes, I made it up.

1820 to 1854 — Compromise, Compromise

The story of American politics from 1820 to 1854 is a series of compromises, each one intended to hold the country together, each one lasting only a decade before the next crisis broke the peace. The fundamental problem was simple: every time a new state or territory joined the Union, the question arose — slave or free? And every answer threatened to upset the balance of power in Congress.

A. 1820: The Missouri Compromise

Henry Clay of Kentucky, called "The Great Compromiser," proposed most of the major pre-Civil War slavery compromises. He is credited with delaying the Civil War by approximately thirty years. He wasn't very pleasing to the eye so his opponents taunted him: "His face was made by a compromise in committee."



Henry Clay (1777–1852), U.S. Senator from Kentucky.

In 1820, the country had exactly 11 free states and 11 slave states. Missouri applied to enter as a slave state. The North objected. Henry Clay's compromise: admit Missouri as a slave state and Maine as a free state simultaneously. Ban slavery in all territories north of 36°30′ latitude. Balance: temporarily restored.[30][31]

Clay ran for president three times and almost didn't lose the third time — by 5,000 votes. He was devastated. (Unlike most other countries, if you lose a presidential election in the United States, you have no office at all. You were supposed to become the Vice President, though Jefferson wasn't having Burr and that was the end of that idea.)

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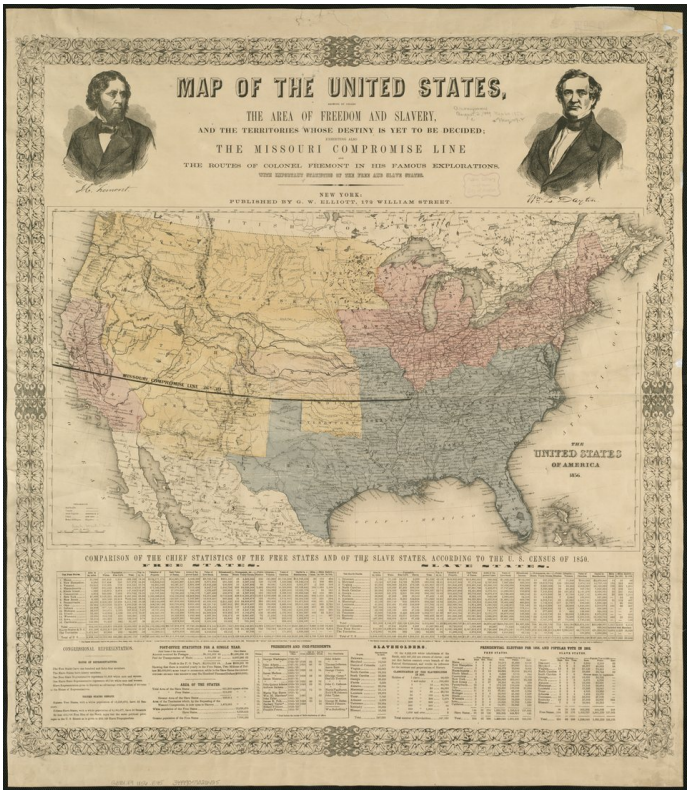
[30] Choosing what facts to teach is biased. This is a perfect example.

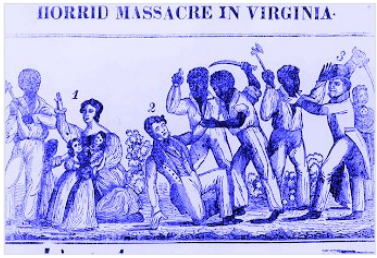
[31] There are historians that argue the Missouri Compromise made things worse in the long run because, you know, civil war. They couldn't have known that at the time.



An 1856 map coloring free and slave territory. The Missouri Compromise of 1820: the 36°30′ N line divided slave territory from free territory. Missouri entered as a slave state; Maine as a free state. The balance held for thirty-four years.

B. 1831: Nat Turner's Rebellion

In August 1831, enslaved preacher Nat Turner — who believed he had received divine visions — led approximately 70 enslaved people in Southampton County, Virginia, in the largest slave revolt in American history. Over two days they killed 55 white people before being suppressed. Turner was captured two months later and executed.



"Horrid Massacre in Virginia" — contemporary newspaper illustration of Nat Turner's Rebellion (1831), showing the violence that shocked the South and the North alike.

The aftermath was devastating: Virginia and other Southern states killed approximately 200 Black people (most innocent) in reprisals, passed laws making it illegal to teach enslaved people to read, and dramatically increased surveillance. The rebellion did not end slavery. It made slavery more brutal.

C. 1846: The Mexican-American War and New Territories

When the United States won the Mexican-American War[32], it acquired enormous new territories in the Southwest. Everyone celebrated — briefly. Then the question arose: will these territories be free or slave? The South said Texas was so large it should be split into several slave states. The North refused to allow slavery's expansion. The resulting crisis was temporarily patched by the Compromise of 1850.

As late as 1832, South Carolina tried to nullify[33] a federal law — a reminder that even after the Constitution was ratified, it was not certain the states would stay together.

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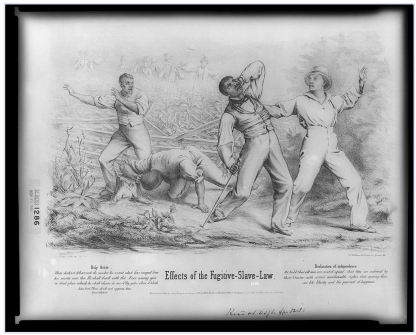
[32] ... because we're not Mexico.

[33] President Jackson sent in the army to make them follow U.S. laws.

D. 1850: Five Compromises to Restore Balance

The Compromise of 1850 temporarily restored balance — but at great cost. The most explosive provision was the strengthened Fugitive Slave Act, which required *all* Americans — even in free states — to assist in capturing and returning escaped enslaved people. Northerners who had been indifferent suddenly found themselves legally required to participate.



"Effects of the Fugitive-Slave-Law," an 1850 print.

The Compromise of 1850 — Five Parts

- 1. **California** enters as a free state, two years after the Gold Rush.
- 2. **Mexican Cession** (former Mexican territories in the Southwest) can have slavery — decided by popular sovereignty (local vote).
- 3. **Borders of Texas and New Mexico** settled.
- 4. **No more slave trade in Washington D.C.** — the buying and selling of enslaved people in the nation's capital ends.
- 5. **Fugitive Slave Act** strengthened: all Americans, even in free states, must return escaped enslaved people or face federal prosecution. This was the most explosive provision.

The Fugitive Slave Act transformed the Northern reaction to slavery. Previously, many Northerners were indifferent — slavery was a Southern problem. Now federal marshals could appear in any Northern city and demand that citizens assist in capturing and returning escaped enslaved people. Northerners who had been neutral suddenly found themselves legally required to participate. Opposition to the Fugitive Slave Act converted many previously indifferent Northerners into abolitionists.

1854 to 1860 — Bleed, Cane, Moulder

By 1854, every compromise had broken down within a decade. The period from 1854 to 1860 was different: the country stopped compromising and started fighting. (The title of this section refers to the song "John Brown's Body," which says his body "lies a-mouldering[34] in the grave.")

A. 1854: The Kansas-Nebraska Act

Senator Stephen Douglas of Illinois wanted to build a transcontinental railroad through the Kansas and Nebraska territories. To get Southern support, he agreed to repeal the Missouri Compromise: instead of banning slavery north of 36°30′, territories would decide for themselves by popular vote — "popular sovereignty."

What followed was a miniature civil war in Kansas. Pro-slavery settlers — many crossing illegally from Missouri (called "border ruffians") — poured in to vote for slavery. Anti-slavery settlers, armed by Northern abolitionists, fought back. Between 1854 and 1861, "Bleeding Kansas" produced raids, murders, and the burning of towns.

COME
TO THE
RESCUE!!

TO THE CITIZENS OF COOPER:

We have just arrived from Kansas, having been ordered to return home by Col. Reid, for the purpose of raising a Company, of at least SIXTY men, to join him at Westport on the 13th inst., and in order to effect this object, we propose to hold a meeting at the Court House in the city of Boonville, on

MONDAY NEXT.

Let every man attend, and give us his counsel and advice; we want men who can be relied upon, men with strong arms and patriotic hearts, to stand by the gallant REID, and those who are now with him, upon the border of our State, to resist the aggressions of the lawless bands of abolitionists in Kansas.

J. W. DRAFFIN, H. H. BRAND,
SAM. COLE, BOB. McCULLOCH,
JNO. HOWARD, JNO. SHANKLIN,
AND MANY OTHERS.

Boonville, Sept. 6, 1856.

"Come to the Rescue!!" — a pro-slavery recruitment flyer from Boonville, Missouri (Sept. 6, 1856), calling men to cross into Kansas and vote for slavery. Such organized efforts to stuff the ballot box led to two rival governments and open warfare.

B. 1856: The Caning of Senator Charles Sumner

[34] Decaying, rotting ...

Senator Charles Sumner of Massachusetts delivered a two-day speech titled "The Crime Against Kansas" that attacked slavery and mocked several Southern senators by name.[35] [36] Two days later, Congressman Preston Brooks[37] of South Carolina walked onto the Senate floor and beat Sumner over the head with a metal-tipped cane until the cane broke. Sumner was so severely injured that his Senate seat stood empty for three years.[38]

The North was horrified. The South cheered: Brooks received dozens of new canes from supporters, many engraved with congratulations. He resigned but was immediately reelected. The caning made compromise seem physically impossible: the two sides could no longer speak to each other without violence.

C. 1857: The Dred Scott Decision

Chief Justice Roger Taney wrote the Dred Scott decision in 1857. His ruling held that Black people — enslaved or free — had no constitutional rights, and that Congress had no power to prohibit slavery anywhere. The decision stunned the North and electrified the South.

Chief Justice Roger B. Taney (1777–1864), who wrote the Dred Scott decision.

Dred Scott was an enslaved man from Missouri who had lived in Wisconsin (a free territory) with his master. He sued for his freedom, arguing that residing in a free territory had made him free. The Supreme Court ruled 7–2 against him[39] — and then went far beyond the case.

Chief Justice Roger Taney's decision held: (1) Black people, enslaved or free, were not citizens and had no standing to sue in any court; (2) Congress had no power to prohibit slavery in any territory; (3) the Missouri Compromise had always been unconstitutional. Taney wrote that Black people "had no rights which the white man was bound to respect." The ruling meant slavery could not be legally excluded from *any* American territory.

D. 1859: John Brown's Raid on Harper's Ferry

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[35] The second worst thing to happen in the Capitol building. The first was the January 2021 riot where rioters overran security and came close to members of Congress who feared for their lives.

[36] Source: https://www.senate.gov/artandhistory/history/minute/The_Caning_of_Senator_Charles_Sumner.htm

[37] Brooks and Sumner were, in fact, second cousins — so were Jefferson and Marshall — remember them from Chapter 5?

[38] Brooks resigned but was immediately reelected — that tells you something about what the South thought of the caning.

[39] Most of this section comes from https://www.oyez.org/cases/1850-1900/60us393

John Brown, c. 1856.

John Brown in 1856 — the only known photograph taken during his lifetime. His intense gaze became the face of militant abolitionism.

The Last Moments of John Brown (Hovenden, 1884).

Thomas Hovenden, *The Last Moments of John Brown*, 1884. Brown is shown being led to his execution at Charles Town, Virginia. Legend holds he kissed an enslaved child on the way to the gallows.

John Brown believed God had called him to end slavery by force. He had already killed pro-slavery settlers in Kansas. On October 16, 1859, he led 18 men to seize the federal arsenal at Harper's Ferry, Virginia, hoping to start a general slave revolt. The raid lasted 36 hours. **Robert E. Lee**[40] — then a U.S. Army colonel, later the commander of the Confederate army — was sent to capture Brown. Brown was tried for treason and murder, convicted, and hanged[41] on December 2, 1859.

> *"I, John Brown, am now quite certain that the crimes of this guilty land will never be purged away but with blood."*
>
> **John Brown, written on a note the morning of his execution, December 2, 1859**

[40] ... on land later confiscated from Robert E. Lee, the Confederate general, the federal government built Arlington National Cemetery.

[41] Though it sounds English bad, when you're referring to killing a person it's not "hung" — it's "hanged."

The reaction split the country. The North mourned Brown while acknowledging he was dangerous — songs were written ("John Brown's Body"), portraits painted, sermons given. The South was outraged: how could the North honor a man who tried to murder slave owners and start a revolt? If the North considered such a man a **martyr**, Southern newspapers wrote, how could North and South continue to share a government?[42]

A **martyr** is someone killed for their beliefs and remembered afterward as a hero. Whether John Brown was a martyr or a terrorist depended entirely on who was answering the question — which is precisely what made his death so explosive.

The Election of 1860

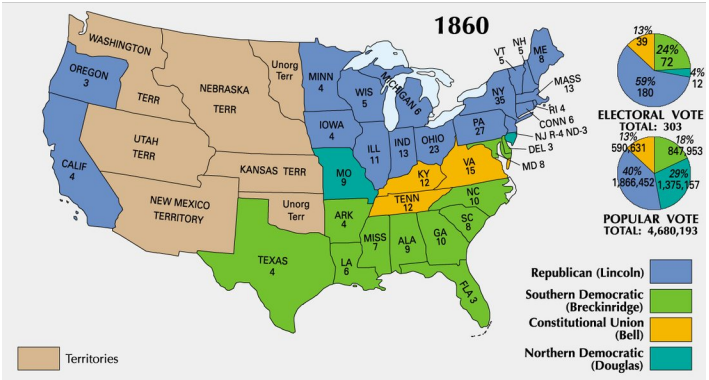
The Election of 1860 was not just an election. It was a trigger. The result ended the era of compromise and began the Civil War.

By 1860 the two major parties were the **Republicans** (a Northern party opposing the expansion of slavery) and the **Democrats**. The Democratic Party had cracked: Northern Democrats, led by Stephen Douglas, supported popular sovereignty; Southern Democrats demanded that slavery be guaranteed everywhere. The Democratic Party ran two separate candidates.

The 1860 Election — What Happened

- Democrats split: Stephen Douglas (Northern Democrat) and John Breckinridge (Southern Democrat) each ran separately.
- 47% of the popular vote went to Democrats (split between two candidates).
- 40% went to Republican Abraham Lincoln.
- **Lincoln was not even on the ballot in most Southern states.**
- Because the Democrats split their vote, Lincoln won the Electoral College without a single Southern electoral vote.
- South Carolina seceded before Lincoln was inaugurated. Six more Southern states followed within weeks.

[42] Kind of like some political divisions today ... where one side's hero is the other side's villain.



The Election of 1860 electoral map. Lincoln (blue, Republican) swept the North without a single Southern electoral vote. Breckinridge (green, Southern Democrat) took the Deep South. The Democratic split handed Lincoln the presidency.

The South's logic: a Northern abolitionist won the presidency entirely on Northern votes. We have no representation in this government. The Constitution was meant to protect our interests. A government we did not elect has no authority over us. We are leaving.

The North's response: the Constitution does not permit secession. A state cannot leave the Union because it lost an election. What followed was four years of the bloodiest war in American history — 620,000 deaths, more than all other American wars combined.

Source: Jewish Views on Slavery: 1860

An Eved in the Torah vs. American Slavery

- **Eved (Torah):** A person who enters service, sometimes voluntarily (to pay a debt) or through capture in war. Specific Torah protections — **Shemot 21:2:** a Hebrew *eved* goes free after six years; **Shemot 21:26–27:** if the master knocks out even one tooth, the *eved* goes free immediately; **Devarim 5:14:** the *eved* must rest on Shabbat; **Devarim 21:14:** freed if mistreated. **Vayikra 25:39–46** distinguishes between a Hebrew *eved* (who may not be treated harshly and goes free in the Jubilee year) and a non-Hebrew *eved* (who may be held longer, but still has legal protections). The Torah calls an owner who violates these laws a transgressor.
- **American slave:** A person who is 100% property of the owner — he and his children forever. No path to freedom. No education. Usually no legal consequence for abuse of the slave for even the worst offenses — and such offenses were frequent.

In the United States, Jews and non-Jews held roughly similar views on slavery: in the South, where non-Jews owned slaves, Southern Jews also tended to own slaves and support the institution; in the North, Jews were roughly as likely to oppose slavery as their non-Jewish neighbors. There were some prominent Jewish abolitionists and some prominent Jewish pro-slavery voices. What makes this particular debate unusual is its specifically Jewish dimension: Rabbi Raphall used the Torah to argue that slavery was not a sin, and Heilprin used Jewish learning to rebut him.

Background: Abraham Lincoln called for a Day of Prayer[43] as the Civil War was beginning. Rabbi Raphall, the Rav of Congregation B'nai Jeshurun in New York City, spoke on that day. According to Dean Harry Ballan[44] of Touro Law School, Rabbi Raphall's essay would not have come as any shock to non-Jews because it was the general Jewish opinion of the time.

Disclaimers[45]: (1) The wording has been simplified for easier reading and excerpted for length. (2) These texts are for historical purposes and do not necessarily represent anyone's opinion today. Consult a Rabbi regarding current opinions.

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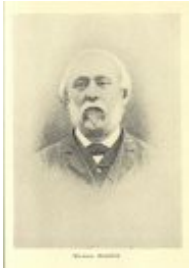
43 https://www.presidency.ucsb.edu/documents/proclamation-85-proclaiming-day-national-humiliation-prayer-and-fasting

44 I had the pleasure of a two-hour conversation with the former Dean of Touro Law School to prepare for this lesson. It was amazing.

45 This is what lawyers write for people to avoid being responsible for anything. This is not legal advice.

Rabbi Dr. M.J. Raphall, Congregation B'nai Jeshurun, New York.

Rabbi Dr. Morris Jacob Raphall (1798–1868), Rabbi of Congregation B'nai Jeshurun, New York City. He gave his "Bible View of Slavery" sermon on January 4, 1861 — the first Jewish sermon reprinted in full by newspapers nationwide.



Michael Heilprin, scholar and abolitionist.

Michael Heilprin (1823–1888), Polish-born Jewish scholar, encyclopedist, and abolitionist. His response to Raphall appeared in the *New York Tribune* within days of the sermon and was published internationally.

Reading 1, Part 1: Rabbi Dr. M.J. Raphall — "The Bible's View on Slavery" (1861)

Background: Rabbi Raphall delivered this sermon at B'nai Jeshurun in New York City on January 4, 1861, as a Fast Day proclaimed by President Buchanan. It was the first Jewish sermon reprinted in full by major secular newspapers. The wording has been simplified from the original; the arguments are his.

How Far Back Does Slavery Go?

"If we consult the Torah — the oldest and most truthful collection of records now or at any time ever — we find the word *eved* ('slave') first used by Noach, who in Bereishis curses the children of his son Cham, by saying they should be *Eved Avadim* — the meanest of slaves, or the servant of servants. How did Noah know this expression? How can he know anything of slavery? Slavery therefore must have existed before the Flood and before the crime of Cham. I arrive at the conclusion that, next to the relations of husband and wife, and parents and children, the oldest relation of society is that of master and slave." — Rabbi M.J. Raphall, January 4, 1861

Is Slaveholding a Sin According to Torah?

"How this question can at all arise in the mind of any man that knows the history of the Bible, is something I can't understand. The property in slaves is placed under the same protection as any other species of lawful property: 'You shall not covet your neighbor's house, or his field, or his male slave, or his female slave.' How dare you — in the face of these words in the Ten Commandments — how dare you denounce slaveholding as a sin?"

And if you answer: "In their time slaveholding was lawful, but now it has become a sin" — I respond: "When and by what authority do you draw that line? Tell us the precise time when slaveholding became a sin. Inventing a new sin — how much it hurts the feelings of the South! What right do you have to insult and hurt thousands of G-d-fearing, law-abiding citizens?"[46]

The Torah Demands that Slaves Be Treated Properly

The right to own a slave in Torah was limited. Slaves had to be set free if they were mistreated (Devarim 21:14). If the master hurt his slave in any way — even to knock a single tooth out of his head — the slave became free (Shemot 21:26–27). The law of G-d requires slaves to have rest on Shabbos. It does not allow any slave-owner to assign harder work than he could do himself, or to feed them worse than his neighbors did. *This* is the great distinction between the Torah view of slavery and what is found in the South. In Torah, the slave is a person with the dignity of human nature and is to be respected; he has rights. Whereas the institution in the South reduces the slave to a *thing* — and a thing can have no rights.[47]

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[46] He is writing at a time when the North and South are about to go to war and, as you'll see soon, seems to seek compromise to prevent war.

[47] The Rabbi doesn't discuss Esav which I found interesting. I think he left out Esav because we're living among the descendants of Esau and he didn't want to anger the goyim who would be reading this in the New York Times.

Conclusion and Call for Compromise

The result of the Torah view of slavery is: **First**, slavery has existed since the earliest time. **Second**, slaveholding is no sin — slave-owning is expressly protected in the Ten Commandments. **Third**, a slave is a person and has rights, which is not in conflict with the rights of his owner.

Our Northern fellow-citizens should not see slavery as a sin, because the Torah does not see it as a sin. If our Southern fellow-citizens would adopt the Torah view of slavery and stop allowing a few bad men to abuse their slaves, there could also be peace. If both North and South would do what is right, then G-d would see their works and that they turned from the evil of their ways — and, as with the people of Nineveh, would mercifully avert the impending evil. Therefore let us pray.

Reading 1, Part 2: Michael Heilprin Responds — "Strongly Attacks Rabbi Raphall's Nonsense" (1861)

Michael Heilprin was a Polish-born Jewish scholar, a contributor to encyclopedias and newspapers, and a committed abolitionist. His response appeared in the New York Tribune *within days of Raphall's sermon.*

"I had read similar nonsense hundreds of times before. But being a Jew myself, I felt outraged by the words of the Rabbi. Have we not had enough of being slaves in Mitzrayim? Must the terrible things of Mitzrayim be said by the people of Israel?" — Michael Heilprin, *New York Tribune*, January 1861

Heilprin: Raphall Is Wrong About Noah and Cham

Now, by my Jewish brothers, I must say that the first planter of the grape vine — Noach — has never been regarded as a tzaddik. Rabbis have been bold enough to explain the word *b'doro* (in his generation), showing that he was only good compared to others in his time when the earth was all corrupt and full of violence. Our learned Rabbi knows this well enough, but he prefers to magnify Noach because of his curse on Cham.

"Third son of Noah, the cursed one, the darling of pro-slavery religious people — Cham, the black figure in the Torah! 'There are three predictions,' says our Rabbi, 'for all times, in force to this present day. The first of these is the doom of Cham's descendants, the African race, stated four thousand years ago.' A few words, but full of falsehood, nonsense, and blasphemy!" — Michael Heilprin

Cham's fourth son, Canaan, alone is mentioned in the curse — not the other children of Cham. Noach, waking up after being drunk, could doom a nation for all time?! Our

law, the law of Moses, does not allow giving punishment to a son for the crime even of a father. How could you, as a Jew — whose very race until recently was believed to be cursed forever for one ancient crime[48] — say such a thing! Open your book. Where is there a word confirming your absurd statements? Noach cursed, but G-d did not.

Heilprin: Cham Also Has Great Descendants

Cham, the "meanest of slaves in history"? No — Cham is great! Among his descendants: Cush, the Ethiopians, who many scholars believe were founders of great ancient civilizations; Mitzrayim, the Egyptians, whose wisdom and power fill the Scriptures — the teachers of Greece, the builders of the greatest ancient works, the enslavers of our ancestors, the people whose plagues we recall at every Passover seder; Nimrod, the founder of Babylon; the Assyrians of Nineveh, who conquered and scattered ten of the twelve tribes of Israel. To say these people are the "meanest of slaves" in history is simply false.

Heilprin: Raphall Is Wrong About Who Is an Eved

The Rabbi makes Abraham, Isaac, Jacob, and Job into "slaveholders" in the American sense. But the Torah's *eved* had rights, could be freed, and was protected by law. American slavery has none of those features. They are completely different institutions. Furthermore, the Torah permits buying slaves from those near to the land of Israel (Vayikra 25:44). No Negroes[49] lived there. Some of the neighbors of the Hebrews were Semites[50] — such as the Syrians of Damascus, which includes Abraham's servant Eliezer — and even descendants of Abraham himself, as the Edomites and Ishmaelites.

"Reverend Rabbi Raphall — make your Bible, through honest reasoning, to be pure, just, and humane, if you want it regarded as a holy book from Hashem. Or reject it as full of human mistakes, if you dare! Shalom!" — Michael Heilprin

Heilprin also notes that Raphall refers to "these[51] United States" rather than "the United States," and uses the British spelling "practised[52]" — small clues about his perspective. On a day of national prayer and humiliation meant to prevent a horrible war, says Heilprin, Raphall was "guilty of something very little short of being against God."

Heilprin does not address the fact that the Aseres haDibros (Ten Commandments) explicitly mentions a manservant and maidservant. In debates, people often focus only on the points they can rebut.

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48 Most Christian groups until the 1960s blamed Jews for killing their deity. My Jewish grandmother who was born in 1926 and grew up in Passaic told me her non-Jewish friends started kicking dirt at her after school one day saying, "You dirty Jew!" She asked why — they said they just learned in church that "Jews killed their deity!" She said she had no idea who their deity was!

49 Black people

50 Descendants of Shem ... such as the Jews and Arabs

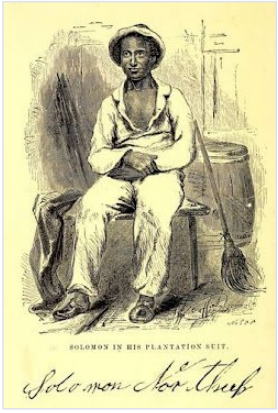
51 Notice that he says "these United States" instead of "the United States." Remember from the Revolutionary War unit — "the United States" was plural.

52 Webster's dictionary was only written in 1806. Before that, you could spell things how you wanted. This is why in England they spell things differently — they had the "Oxford" dictionary.

Source: Twelve Years a Slave

Solomon Northup[53] [54]was a free Black man — a violin player and farmer from Saratoga Springs[55], New York, with a wife and three children. In March 1841, he was invited by two strangers to play violin for a circus in Washington D.C. He was drugged, kidnapped, and sold into slavery. He spent twelve years enslaved on plantations in Louisiana before being freed in 1853. He then wrote a memoir, published the same year, that became one of the most important documents of the American slavery era.

The illustration at right is from the 1853 first edition of *Twelve Years a Slave*. It shows Solomon Northup "in his plantation suit." The original caption reads: *Solomon Northup, Citizen of New-York, Kidnapped in Washington City in 1841, and Rescued in 1853 in Louisiana.*



Solomon Northup, from the 1853 first edition of Twelve Years a Slave.

Historical Bias: Contemporary sources are often our best evidence for what was happening. But we must ask: whose story gets told? Northup's story survives because he was freed, was literate, had a Northern lawyer, and lived near a major media hub. Most enslaved people had none of these advantages. Northup's story is the exception — which is precisely why it is so valuable.

[53] Select pages so you don't have to read the whole book. Also, anything published before 1926 and counting no longer has copyright protection.

[54] With help, probably a lot of help, from abolitionists, in writing this story.

[55] A town in upstate New York. Today it's known for horse racing.

Page 28 — Capture

"I had no suspicion of anything wrong. I was without apprehension, and in high spirits. In the course of the afternoon... I drank the wine they offered... I awoke and found myself alone, in utter darkness, and in chains."

One morning towards the latter part of March 1841, having no particular business, I was walking about the village of Saratoga Springs, thinking to myself where I might find some present employment. On the corner of Congress Street and Broadway, near a tavern then kept by Mr. Moon, I was met by two gentlemen of respectable appearance, entirely unknown to me. They proposed to engage my services for a short period, stating I was just such a person as their business required.

They were connected, as they informed me, with a circus company then in the city of Washington. They seemed kind and paid generously. They took him to dinner, then to Washington D.C. — and there they gave him wine. He did not know it was drugged. He woke up in chains in a slave pen in Washington D.C.

Page 33 — Waking Up

The pain in my head had subsided in a measure, but I was very faint and weak. I was sitting upon a low bench made of rough boards, without coat or hat. I was handcuffed. Around my ankles also were a pair of heavy fetters. One end of a chain was fastened to a large ring in the floor, the other to the fetters on my ankles. I tried in vain to stand upon my feet. Waking from such a painful trance, it was some time before I could collect my thoughts. Where was I? What was the meaning of these chains?

Pages 40–42 — Sold

"He answered that I was his slave — that he had bought me, and that he was about to send me to New-Orleans. I asserted, aloud and boldly, that I was a free man — a resident of Saratoga, where I had a wife and children, who were also free, and that my name was Northup. He told me, with an oath, that if I mentioned my freedom again, I would receive a flogging. I never spoke of it again."

A key rattled in the lock — a strong door swung back upon its hinges, admitting a flood of light, and two men entered and stood before me. One of them was a large, powerful man, perhaps forty years of age — a man whose whole appearance was sinister and repugnant. His name was James H. Burch, as I learned afterwards — a well-known slave-dealer in Washington.

The building to which the yard was attached was two stories high, fronting on one of the public streets of Washington. Its outside presented only the appearance of a quiet private residence. A stranger looking at it would never have dreamed of its execrable uses. Within plain sight of this same house, looking down from its commanding height, was the Capitol. The voices of patriotic representatives boasting of freedom and equality, and the rattling of the poor slave's chains, almost commingled. A slave pen[56] within the very shadow of the Capitol!

Page 48 — Eliza and Her Children

Eliza had been brought from the estate into the city under the pretense that the time had come when her free papers were to be signed, in fulfillment of her master's promise. Elated at the prospect of immediate liberty, she dressed herself and little Emmy in their best apparel, and accompanied him with a joyful heart.

On their arrival in the city, instead of being baptized into the family of freemen, she was delivered to the trader Burch. The paper that was executed was a bill of sale. The hope of nine years was blasted in a moment. From the height of the most exulting happiness to the utmost depths of wretchedness, she had that day descended.

Eliza and her children — from the 1853 first edition of Twelve Years a Slave.

Page 81 — The Separation of Eliza and Her Children

"Don't cry, mama. I will be a good boy. Don't cry." And then he was gone. — *Randall, age approximately 10, being sold away from his mother Eliza*

Randall, Eliza's son, was made to jump, and run across the floor, and perform many other feats, exhibiting his activity and condition. All the time the trade was going on, Eliza was crying aloud and wringing her hands. She besought the man not to buy him unless he also bought herself and Emily. She promised, in that case, to be the most faithful slave

[56] A holding place for slaves, the same as is used for animals.

that ever lived. The man answered that he could not afford it, and then Eliza burst into sudden grief, weeping uncontrollably.

Over and over again she told them how she loved her boy. A great many times she repeated her former promises — how faithful and obedient she would be; how hard she would labor day and night to the last moment of her life, if he would only buy them all together. But it was of no avail. Then Eliza ran to him, embraced him passionately, kissed him again and again, told him to remember her — all the while her tears falling in the boy's face like rain.

"What has become of the lad, God knows. It was a mournful scene indeed. I would have cried myself if I had dared." — Solomon Northup

Pages 165–166 — Cotton Picking Season

In the latter part of August begins the cotton picking season. At this time each slave is presented with a sack. A strap is fastened to it, which goes over the neck, holding the mouth of the sack breast-high while the bottom reaches nearly to the ground. Each one is also presented with a large basket that will hold about two barrels.

Slave quarters and cotton gin operation in Louisiana. Center for Louisiana Studies.

"When a new hand is sent for the first time into the field, he is whipped up smartly, and made for that day to pick as fast as he can possibly. At night it is weighed, so that his capability in cotton picking is known. He must bring in the same weight each night

following. If it falls short, it is considered evidence that he has been laggard, and a greater or less number of lashes is the penalty."

An ordinary day's work is two hundred pounds. There is a great difference among them as regards this kind of labor. Some seem to have a natural knack which enables them to pick with great speed and with both hands. Patsey, of whom I shall have more to say, was known as the most remarkable cotton picker on Bayou Boeuf. She picked with both hands and with such surprising rapidity that five hundred pounds a day was not unusual for her.

Each one is tasked, therefore, according to his picking abilities — none, however, to come short of two hundred weight. I, being unskilled always in that business, would have satisfied my master by bringing in the latter quantity, while on the other hand, Patsey would surely have been beaten if she failed to produce twice as much.

The word "whip" appears 87 times in Northup's book. "Pain" appears 47 times. This is what the charts on the previous pages represent in human terms. I could have quoted them all — just use your imagination. It's worse than that.

Page 194 — Work Every Day Except Sunday (Sometimes)

It is the custom in Louisiana to allow the slave to retain whatever compensation[57] he may obtain for services performed on Sundays. In this way only are they able to provide themselves with any luxury or convenience whatever. When a slave is transported to a cabin on Bayou Boeuf, he is furnished with neither knife, nor fork, nor dish, nor kettle, nor any other thing. He is furnished with a blanket before he reaches there, and wrapping that around him, he can either stand up, or lie down upon the ground, or on a board, if his master has no use for it. Whatever necessary article is found in a cabin has been purchased with Sunday money.

On cane plantations in sugar time, there is no distinction as to the days of the week. It is well understood that all hands must labor on the Sabbath. On cotton plantations during picking season, extra Sunday labor is also required. From this source, slaves are afforded an opportunity to earn enough to purchase a knife, a kettle, tobacco, and so forth.

Page 301 — Freedom

"Henry B. Northup! Thank God — thank God!" — Solomon Northup, January 3, 1853

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[57] Money

After twelve years, a man from the North arrived at the plantation asking for "the boy they call Platt." Northup had managed to send a letter through an abolitionist he trusted, and help had come. As he looked across several rods[58] at the man, twelve years of memories flooded back.

The man asked verification questions: his wife's name? Children's names? Who married them? Northup answered each one correctly. Then he pushed past the sheriff and seized his old acquaintance by both hands. The other enslaved people on the plantation stood confounded — open mouths and wide eyes — in utter astonishment. For ten years Northup had shared their joys and hardships, yet none of them had known his true name or his real history.

"Throw down that sack. Your cotton-picking days are over. Come with us to the man you live with." — Henry B. Northup, January 3, 1853

Northup's story is the exception. He was freed because he was literate, had free relatives who could hire a lawyer, and met a sympathetic Northerner by chance. The vast majority of enslaved people had none of these advantages. Their stories were never told — not because they didn't happen, but because no one wrote them down. We remember Northup's story precisely because it ended differently from most.

Image Credits

World map of abolition: "Slavery abolition" by Borysk5, CC BY-SA 4.0, https://commons.wikimedia.org/wiki/File:Slavery_abolition.svg

[58] A measure of length — roughly 5 meters.