

Goodbye, Mr. Jefferson

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Personally speaking, it was with considerable sadness, and not a little embarrassment for our City, that I read in November 2021 of the removal of Thomas Jefferson's statue from the New York City Council Chamber. Jefferson owned slaves - end of story, said the Council in a unanimous vote. But is it the end of the story? Do we judge Jefferson by what he did within the context of his own times, or by what have evolved into today's standards, an evolution which Jefferson himself helped put into motion?



Certainly Jefferson conformed to the practices of his class and the social environment of which he was a product. He was born into the planter class and inherited a large plantation with human property. He married a planter's daughter and she inherited more property. He lived the life of a slave owner and died in such debt that even if he had wished to free his slaves, (which is unknown,) the laws of the State required that all his property, land and home belonged to his creditors. He conducted a life-long sexual relationship with Sally Hemings, the exact nature of which historians debate to this day.*

After gracing the chamber for 187 years, the Jefferson statue was crated up and moved to a museum.* Uriah Phillips Levy, who had suffered denied promotions and other anti-Semitic indignities during his career as a US naval officer, † had donated the statue in 1837 to honor Jefferson's stand on religious liberty as embodied in the Virginia Act Establishing Religious Freedom (1786.)* Indeed, Jefferson's University of Virginia admitted Jews who were barred from almost every other school.

Few people know that Jefferson attempted, but failed, to get a scathing indictment of slavery into the Declaration of Independence. In the listing of grievances against the king, Jefferson included this:

“He [King George III] has waged cruel war against human nature itself, violating its most sacred rights of life and liberty in the persons of a distant people who never offended him, captivating & carrying them into slavery in

* See “Thomas Jefferson an Intimate History” <https://www.amazon.com/Thomas-Jefferson-Intimate-Fawn-Brodie/dp/0393338339>

† The NY Historical Society, at least for now.

‡ <https://www.nytimes.com/2021/10/24/opinion/thomas-jefferson-statue-new-york.html>

§ <https://www.facinghistory.org/nobigotry/readings/thomas-jefferson-and-virginia-act-establishing-religious-freedom>

another hemisphere or to incur miserable death in their transportation thither. This piratical warfare, the opprobrium of infidel powers, is the warfare of the Christian King of Great Britain. Determined to keep open a market where Men should be bought & sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or restrain this execrable commerce.” ♥

The Southerners at the Congress took it out, but had it remained, we can imagine what a different place the document would have had in history.

Jefferson is best known, and only known by some, for his essential line in the Declaration of Independence:

“We hold these truths to be self-evident, that all men are created equal, that they are endowed, by their Creator, with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.”

Today, the concept of equality means racial (and gender) equality. In 1776 it didn't. The delegates to the Continental Congress were sending the strongest message to the King that they were every bit his equals, and had ended the colonial relationship in which they were treated as second-class citizens. Indeed, there is no evidence that the planter aristocracy, many of them direct descendants of British nobility, regarded the hardscrabble, poor and illiterate White Southern farmers as being their equals. The term “White trash” didn't enter the language until the early decades of the 1800's, but the idea had always been there.

In 1776, all White people (except the Quakers) took slavery for granted. The world back then was not divided between free and unfree labor; there were many intermediate stages including convict labor, voluntary indentured servitude, and involuntary indentured servitude as well as multi-year unpaid apprenticeships. Women, or course, were the legal property of men, and child labor was the rule. All of this was acceptable in the culture of that time. Jefferson, as we shall see, stood out by strongly espousing freedom, but his sense of equality was strictly 18th Century.

There had already been slave revolts, but the national struggle to end slavery was barely emerging on the scene when Jefferson penned those lines. Slavery would have to be abolished before racial equality could take center stage. Nonetheless, over the years Jefferson's words were gradually expanded in meaning.

Thanks to Jefferson, Lincoln could famously remark at Gettysburg that our country was, “conceived in liberty and dedicated to the proposition that all men are created equal.” Now, being dedicated to a proposition is far from making it a reality. Lincoln knew it, but his words foreshadowed racial equality. Certainly,

♥ <https://www.blackpast.org/african-american-history/declaration-independence-and-debate-over-slavery/>

Lincoln's vision in 1863 was narrower than ours. He meant legal equality; equally free, equal citizenship, equal protection under the laws and equal in the right to vote, presaging the 13th, 14th and 15th Amendments. Although the great abolitionist leader Frederick Douglass remarked of Lincoln, "I was impressed with his entire freedom from popular prejudice against the colored race," Lincoln was not speaking of social or economic equality, and we are still far from achieving even what he did envision. Yet, Jefferson's words were taking on still broader meaning.

The first national fight for equality in today's sense of the word, occurred during the Civil War when African American troops demanded and won equal pay with White troops.♥ The evolution of Jefferson's words continued until Dr. King would say of the Declaration,

“It doesn't say ‘all white men,’ it says ‘all men,’ which includes black men. It does not say ‘all Gentiles,’ it says ‘all men,’ which includes Jews. It doesn't say ‘all Protestants,’ it says ‘all men,’ which includes Catholics. It doesn't even say ‘all theists and believers,’ it says ‘all men,’ which includes humanists and agnostics.” *

Statues serve as aides to memory, good and bad. While some aspects of Jefferson's life may be better forgotten, these should not be:

The Virginia Legislature

In 1769, at age 26, Jefferson was elected to Virginia's colonial legislature when State policy was to prevent the development a free Black population. Before the Revolution, a slave could only be freed by an act of the Royal Governor and the State Legislature. Jefferson's first act was to introduce legislation giving slave owners the power to free slaves; although the bill did not pass, the law was later changed.

The Virginia Constitution

Following the Revolution, Jefferson was asked to draft a new constitution for the state of Virginia. He included a clause leading to the abolition of slavery. It was taken out.

The Northwest Ordinance

Jefferson wrote the first federal legislation banning slavery anywhere in North America: the Ordinance of 1784 governing the Northwest Territory. Again, he included a clause banning slavery. Although originally removed, it was included in the 1787 version, the Northwest Ordinance, which banned slavery in what became the states of Ohio, Indiana, Illinois, Wisconsin and Michigan.

♥ <https://www.militarytimes.com/military-honor/black-military-history/2018/02/12/black-union-soldiers-fought-a-costly-battle-for-equal-pay/>

♥ <https://americacomesalive.com/martin-luther-king-jr-on-the-declaration-of-independence/>

The Alien and Sedition Acts

In 1798 with the support of President John Adams, Congress passed the Alien and Sedition Acts making it illegal to criticize the government or the President. Twenty editors were jailed. These laws also made it easier to deport immigrants and raised the voting residency requirement from five to 14 years.* Vice President Jefferson and James Madison defied Adams and secretly, for fear of being arrested themselves, drafted resolutions passed by the Virginia and Kentucky legislatures declaring the Acts unconstitutional and unenforceable in those states. Jefferson's resistance legitimized protest not only when President Wilson signed the Espionage Act of 1917 leading to imprisonment of thousands of Americans for opposing the World War I and the draft, but also during the Red Scare when such legislation as the Subversive Activities Control Act of 1950 violated the First Amendment. ♦

Jefferson's statue is in the crate and off to the museum. Did the City Council intend that his ideas should go the museum as well? Is it not true that everyday people are as good and equal to the rich and powerful, even kings? Was slavery anything but a "cruel war against human nature itself?" Is America a Christian country, or are all religions welcome here as Jefferson believed? And what of the opposition Jefferson organized to the Alien and Sedition Acts, is that not a lesson we might soon need? These are invaluable ideas. How do we keep them in memory when the statues and monuments are gone? Sadly it appears that Shakespeare was right, "The evil that men do lives after them. The good is oft interred with their bones." †

¹ <https://www.ushistory.org/us/19e.asp>

² https://en.wikipedia.org/wiki/McCarran_Internal_Security_Act

³ <https://www.poetryfoundation.org/poems/56968/speech-friends-romans-countrymen-lend-me-your-ears>