

## **Poli & Humanities ep 7**

[00:00:00.06] TOM MERRILL: Hello, everybody. This is Tom Merrill. I'm here with my colleague Sarah Marsh, and this is the podcast Politics and the Humanities. This is a podcast from American University in which we talk about liberal education, books, and ideas. Sarah, why don't you say hi.

[00:00:14.61] SARAH MARSH: Hey, folks. Hope you all are doing well. Tom, how are you?

[00:00:19.14] TOM MERRILL: I'm fine. Enjoying the winter break such as it is.

[00:00:22.89] SARAH MARSH: Such as it is.

[00:00:24.33] TOM MERRILL: Yeah. So our topic today is what The 1619 Project got wrong and what it got right, and we want to talk about both those things. But Sarah, would you like to introduce The 1619 Project for listeners who might not be familiar with it?

[00:00:39.45] SARAH MARSH: Sure thing. So I think as many folks will know-- maybe some folks not-- but in the summer of 2019, The New York Times started a journalism project called The 1619 Project. And the purpose of that initiative was to place the history of slavery and racism at the center of the history of the United States. And one of the ways that The Times proposed doing this work was to suggest an alternative founding date for the country, in 1619, as opposed to the founding of 1776 and Thomas Jefferson the Declaration of Independence.

[00:01:32.58] And the 1619 date is important, The New York Times points out, because that is the year when the first African descended people were landed in the colony of Virginia, and the record seems to suggest sold into slavery. And historians agree that the labor condition of the Africans who were landed at Point Comfort was indeed of enslaved people. There's some disagreement, but most historians think that they were enslaved. And the point of The New York Times situating 1619 as this important date is to think about slavery as a significant part of the founding of the country.

[00:02:17.37] TOM MERRILL: Right. And I mean, just to review the state of events up until now, it was not met without controversy.

[00:02:28.65] SARAH MARSH: That's right. There were a number of historians who objected to the claims of the project. There were-- I think there were four big claims-- right, Tom-- that the project makes that have come under scrutiny from historians.

[00:02:44.40] TOM MERRILL: Right. And we should say, as we're-- read things in the media but we also work on these things, so that's one of the reasons why we thought it was worthwhile for us to take the time in the podcast to talk some of these things through. But the controversies, as I understand them-- and you correct me, Sarah, if I'm wrong-- one was just the most obvious one about is the country best understood in terms of 1619 or in terms of 1776? Another was controversy about the reasons why the colonists rebelled against Great Britain in 1776.

[00:03:24.84] And the claim of The 1619 Project was, contra to what many of us were taught in school, that many of us were taught that the colonists rebelled in order to affirm their own freedom. The 1619 Project claims that the colonists-- many of the colonists or some of the colonists-- rebelled in order to preserve slavery, and that's one that we're going to talk about more for the rest of the podcast. And the other two controversies-- one was a claim about the roots of capitalism in slavery, and then the fourth was a claim about Abraham Lincoln and about Abraham Lincoln's racial views. And in particular, his views about colonization.

[00:04:08.89] SARAH MARSH: That's right.

[00:04:09.42] TOM MERRILL: And I think we're going to try to shelve several of those. I mean, the big one about 1619 versus 1776, that's not really a historical debate, I think.

[00:04:22.89] SARAH MARSH: No. No, that's more of a question about the identity of the country and what we think the country is about. And certainly it's something we can discuss and debate with one another. And I think that conversation has been going on in the public sphere and also among historians. But I think the thing we're going to focus on today-- right, Tom-- is the claim about the American Revolution.

[00:04:52.59] TOM MERRILL: Yeah, and I guess we should-- I just want to say a little bit about overall estimate of The 1619 Project, and you have views on this as well. I guess my impression-- so there's a lot in The 1619 Project that I agree with-- there's a lot that's just undeniably true. And there's one thing that I want to single out as being important and worthy of praise in The 1619 Project, which is that the project is really trying to center what you might think of as Black moral agency. I think the contributions of Black people, and in particular formerly enslaved or descendants of formerly enslaved persons, to the history of the country. And that strikes me as such a profound point that it's really worth emphasizing and holding up as a kind of example of something that should be built on rather than criticized.

[00:05:50.79] SARAH MARSH: I agree that is the most important accomplishment of the project to date. And I should also say that as a person who studies the 18th century and the very tail end of the 17th century, it was really important for me to see the 1619 date in print and to see the public attention oriented toward that earlier frame for the founding of the country. I think a lot of the time when we try to understand race relations in the United States, we tend to look to the American Civil War, and it's not a mystery why people do that.

[00:06:31.45] But I do think that focusing on the earlier period, focusing on the period of the revolution, and focusing on the beginning of chattel slavery in the 17th century is absolutely vitally important to understanding contemporary racial politics. And so is a person who is engaged with that earlier frame, it's hard to it's hard to say. I was amazed, really, to see that earlier date in print and very excited that the conversation was finally turning in that way to reckon with that deep history.

[00:07:08.94] TOM MERRILL: And we should say that this is where a lot of your own scholarship is.

[00:07:14.73] SARAH MARSH: It is, yeah. And Tom and I decided that we wanted to talk about this because we each have done work in-- related work on this question. Tom's focus is on the founding itself. A lot of work on Thomas Jefferson's political thought. I tend to approach the question-- as a person who's trained in British literature, I tend to approach the question from the other side of the Atlantic Ocean, and I'm interested in the elements of British culture that made way for the transatlantic slave trade and that made the establishment of chattel slavery possible in the Western Atlantic colonies. So those are, I think, our various attitudes of approach here.

[00:08:03.57] TOM MERRILL: Right, right. So there are parts of The 1619 Project that are undeniably true and that are good and are contributions, but you know that sentence has a "but" coming, right?

[00:08:16.87] SARAH MARSH: Yeah, it does. It does.

[00:08:19.81] TOM MERRILL: There's been big controversy, and of course, we live in a very polarized time. And this is American's favorite activity is getting angry at each other about things that maybe one doesn't have to get angry with each other about. But so let's talk about this controversy over the claim about the American Revolution, because that's the one that I know the most about and that I have opinions about it. So do you want to review what the controversy was?

[00:08:49.48] SARAH MARSH: Sure. So the claim of the opening essay of The 1619 Project by Nikole Hannah-Jones makes the claim that the American Revolution was fought in response-- in part in response to British abolitionism and the interest of American colonists in protecting the institution of slavery from anti-slavery politics in Britain. And I think that's the frame for what we're going to do today, Tom?

[00:09:19.02] TOM MERRILL: Yes. Yeah, Yeah. So we're going to talk about that claim. And I guess the historians-- and I'm thinking here of people like Gordon wood and Sean Wilentz, who have both criticized this in public. I mean, their basic response on this particular point is, well, that's just not true, or at least that's very much overreading some pieces of evidence that if you look at the entire context really looks like an overreading of evidence, rather than an honest accounting of what's there.

[00:09:58.36] SARAH MARSH: That's how I understand it too. I mean, the African-American historian Leslie M. Harris also has published in response to The 1619 Project. And Harris was recruited by The Times to fact check the opening essay and vigorously disputed the claim about the Revolution itself. And so one of the things that is hard is that her objections seem to have gotten lost somewhere in the editorial process.

[00:10:31.94] And for me, as a reader and as someone who cares about this history a lot, it's frustrating because it can tend to expose this project to dismissal, to claims of being illegitimate, revisionist history, which sadly, is what's happened in some quarters. So I think working through the nature of the objections is important-- and The Times responded after these historians publicly called into question that particular claim. The New York Times did respond, and we should go through the response, Tom, right?

[00:11:16.09] TOM MERRILL: Can I say something, just to give my reaction to this whole thing?

[00:11:18.88] SARAH MARSH: Sure.

[00:11:20.26] TOM MERRILL: So as somebody who spent a long time thinking about Jefferson and the Declaration of Independence and this time period, I mean this claim in particular, I mean, it made me angry. And the reason it made me angry was not that I disagree with the overall thrust of the project, but that it seemed like they had taken something that was sort of thinly sourced, and they blew it up into this big reveal. And it felt like it was meant to be provocative, like it was meant to be one of those things like everybody thinks that you know this about the world, but actually the opposite is true.

[00:11:57.25] SARAH MARSH: Opposite is true. Right.

[00:11:58.58] TOM MERRILL: In the context in which like there are literally 1,000 other things that you could have said that would have been equally troubling from the point of view of racial justice about the American founding. That would have been easy layups that nobody could have said, well, that's not true. And we'll talk about some of these things as we go. But it felt like this was designed to be a kind of provocation more than it was, let's try to be just frank about what actually happened. And that's the thing that-- and so now we're-- the whole conversation is sort of deadlocked in claim and counterclaim, and it feels sad and frustrating that we're not really able to of the conversation that we should have.

[00:12:45.66] SARAH MARSH: Well, that to me is that the tragedy of all of the way that claims made because it's vitally important for us to ask ourselves, what is important about 1619, and what is important about 1776, and how those dates are related to one another, because they are. And I think this like surface level controversy about this one claim has made it very hard for the public attention to be directed toward other questions about racial injustice that should absolutely concern thinking people.

[00:13:24.41] TOM MERRILL: Yeah, and so I have to confess that I have a little bit of a dog in this fight in the sense that I published-- I'm in print with a claim that is at least structurally similar to the--

[00:13:34.73] SARAH MARSH: Similar.

[00:13:35.07] TOM MERRILL: 1619 Project.

[00:13:36.67] SARAH MARSH: [INAUDIBLE] [? had read ?] your essay.

[00:13:38.83] TOM MERRILL: I don't want to be that guy who's like, well, if you'd only read my essay. But I think my essay was pretty good, and I think that I got closer to reality than The 1619 Project did. So that's partly why I wanted to talk about this.

[00:13:53.58] SARAH MARSH: And as a critical reader of The New York Times and of your work, Tom, I found the nuance of the claims that you're making about Jefferson to be unsettling and troubling and important in the way that I want The 1619 Project to also be unsettling and troubling and important. Because there's a very central question about the role of race and slavery that a lot of Americans don't engage with, and I think that it's important for us to start having the conversation, not just in academic circles but in public schools and in high school programs. And it seems incumbent upon the people who do this work at the university to be the engines of that conversation.

[00:14:49.47] TOM MERRILL: Right, and we just need to admit, America is a messed up place, and we need to talk about that.

[00:14:54.31] SARAH MARSH: We do.

[00:14:55.05] TOM MERRILL: We need to talk about all parts, warts and all, as we say. So we should say-- and we'll put this in the-- we'll put the links in the description for this episode. But when we're talking about, at least my work, since I'm tooting my horn here, there are two essays-- one that was published in an edited volume that I did with my friends and colleagues, Alan Levine and James Stoner, called "The Political Thought of the Civil War" that was published by Kansas University Press. And I have an essay on Jefferson there, and then I also published an essay in 2019 in a Journal called Political Science Reviewer, which is also about Jefferson, but a different angle on this the story. So if people are interested, they should look those things up. And of course, if people want to correspond over email or something, I'm happy to talk about things. But those are the things that we're referring to here.

[00:15:47.94] SARAH MARSH: And we're going to try to work our way as we talk here into a thorough unwinding of some of those arguments-- right, Tom-- we're going to get to go through those in detail with you now, right?

[00:16:00.08] TOM MERRILL: Yeah. Yeah, yeah. Maybe we should start with the things of The 1619-- or that The New York Times said in response to the historians. Because I think they pointed to things that were true facts that if a person is going to be critical that a person needs to acknowledge. So do you want to remind us of what those were?

[00:16:18.45] SARAH MARSH: Sure. And I think it's also worth saying that The New York Times has also modeled a certain kind of responsiveness that is central to the way that academics do work and the way they talk to one another. And academics get stuff wrong. And whenever we have the wrong ideas about the past, often our colleagues can help us understand better how we've gotten it wrong.

[00:16:48.55] And so I think part of the conversation today is modeling that sort of productive disagreement. Not just saying, that's bad and wrong, and we should never think about it again. Rather, to try to get to the better answer.

[00:17:02.83] And so the way that The New York Times responded to the critiques of the historians was to point out two important episodes that precede the Declaration of Independence in 1776. And the first is the Somerset case of 1772, and the second--

[00:17:24.75] TOM MERRILL: So The New York Times wants to say that the colonists were afraid of British abolitionism.

[00:17:32.42] SARAH MARSH: That's right.

[00:17:32.76] TOM MERRILL: And so they wanted to leave the British empire in order to preserve slavery.

[00:17:36.48] SARAH MARSH: Right, and the Revolution was necessary to basically insulate the colonies from that political movement. And so the two episodes The Times points to as these sort of abolitionist encroachments on the colonies from Great Britain are the Somerset decision of 1772 and Lord Dunmore's Proclamation of 1775.

[00:18:00.93] TOM MERRILL: And you actually work on the Somerset decision.

[00:18:02.89] SARAH MARSH: Yeah, so I know something about the Somerset case. And just really quickly, for folks who don't know what it is, James Somerset was an enslaved man who lived with his owner in colonial Virginia, and his owner was named Charles Stewart. And in the 1760s, Charles Stewart was leaving his post as a colonial customs officer and returning to London, and he took James Somerset with him to London when he went home.

[00:18:35.60] After the two had lived in London for a while, James Somerset ran away and he remained in London hiding for several weeks until he was found by slave catchers, whom Charles Stewart had employed to catch him. And those slave catchers put him on a ship that was bound for Jamaica. And Charles Stewart-- again, this is the enslaver of James Somerset-- Charles Stewart instructed the captain of that ship to sail James Somerset back into slavery in Jamaica.

[00:19:11.00] But the thing is, James Somerset had gotten baptized in London after he arrived there, and he had three godparents who filed for a writ of habeas corpus in the King's bench, which is a legal order that says you can't just hold somebody indefinitely. You have to make sure that their detention is lawful. And so Charles-- or, sorry, James Somerset's godparents filed this writ of habeas corpus, and a jurist named Lord Chief Justice Mansfield heard the case in early 1772 and decided that it was not lawful for Charles Stewart to hold James Somerset on this ship in order to sell him into slavery in Jamaica. And so the outcome of the case is that the British common law is not compatible, Mansfield says, with the transatlantic slave trade.

[00:20:10.51] TOM MERRILL: Wait, is that-- so I guess my understanding was that it's not-- the Mansfield decision says, you can't have a person in slavery on British soil.

[00:20:22.55] SARAH MARSH: So--

[00:20:23.24] TOM MERRILL: [INAUDIBLE] say that you can't buy and sell human beings?

[00:20:27.27] SARAH MARSH: So this is the really important wrinkle about Somerset, because the decision was extremely narrowly tailored. That a lot of abolitionists during the period responded to the case by saying, now all the slaves in England are free, but that's not actually what Mansfield said. Mansfield only made it illegal for a person to be sold out of the country or forcibly removed from the country, as I think how it's often written.

[00:20:53.82] So there were enslaved people who lived in England who were not just made free by this decision. It was extremely narrowly tailored, and it did not extend beyond England, which is I think one of the things The New York Times gets wrong when it points to Somerset as this evidence that British abolitionism was encroaching on the North American colonies.

[00:21:22.16] TOM MERRILL: I mean, Britain did not, for example, abolish slavery in its other colonies. So the colonies in North America are not the only British colonies.

[00:21:29.15] SARAH MARSH: Right. So Britain has colonies on the North American continent as well as in the Caribbean, and Somerset did not free all the slaves in England. Somerset did not free the slaves in North America, and Somerset did not free the slaves in the Caribbean. In fact, legal historians tend to think that the Somerset case actually made it easier for slavery to continue in the colonies because the effect was to sever the legal cultures and say that, well, you can't really buy and sell people in England but you still can buy and sell people in British North America and the British Caribbean. And so it sort of tended to throw fuel on the fire of chattel slavery in the Western Atlantic.

[00:22:13.79] TOM MERRILL: Right, and Britain actually doesn't even abolish the slave trade until quite a bit later.

[00:22:18.03] SARAH MARSH: No, it's much later. So the slave trade is not abolished until 1807, and the institution of chattel slavery itself is not abolished until the 1830s-- so a good long while after the American Revolution.

[00:22:33.77] TOM MERRILL: Now, I mean, it's possible that Americans did hear about the Somerset case, and it's possible they thought, well, maybe the wind is heading in that direction.

[00:22:42.98] SARAH MARSH: Of course.

[00:22:44.18] TOM MERRILL: But it doesn't seem like there's-- it seems like there's a lot more antislavery feeling in the colonies at that time, from what I understand from historians than it does in Great Britain.

[00:22:55.34] SARAH MARSH: Yeah, I mean it's not until the 1780s that the first society for the abolition of the slave trade is formed in London and there are anti-slavery societies in the North American colonies before that.

[00:23:07.63] TOM MERRILL: Yeah, yeah. And we should talk about the other piece of evidence in The New York Times brings, which is the Lord Dunmore's Proclamation of 1775.

[00:23:18.68] SARAH MARSH: Right. So Lord Dunmore-- I think people tend to know about this now because of The 1619 Project. But in 1775, issued a proclamation in Virginia that enslaved people who left the plantations of their enslavers and joined the British Army against the American rebellion would be freed. And there was a regiment that was formed of African descended people. They were, I think, they were called the Ethiopian Regiment, and they wore uniforms that were emblazoned with insignia that said "Freedom to slaves." And this was a real thing that happened in Virginia. And Tom, I don't know if it reached beyond Virginia, if other enslaved people would have known about this call. It seems likely that they might have.

[00:24:11.41] TOM MERRILL: I think that's probably true. And there are books on this that one could consult. There's one that I have on my shelf called Black Patriots and Loyalists. And it's useful to remember that life is not a story of good guys and bad guys and that enslaved persons at that time might well have had sympathies with the British, so there are moral ambiguities all over the place. But all that said, it would be false to say that Lord Dunmore was some kind of abolitionist or that there was a consistent and sustained plan to actually free enslaved persons.

[00:24:48.85] SARAH MARSH: No, no. I mean, Dunmore's Proclamation in 1775 seems to have been calculated to put pressure on slaveholders in the colonies who were part of the rebellion by threatening them with the loss of their human property and also amassing a larger military force against them. I mean, Lord Dunmore, as you said, Tom, is not an abolitionist. Lord Dunmore owned slaves. And so it's not as if this was a programmatic attempt on the part of the British empire to--

[00:25:25.36] TOM MERRILL: It's certainly not a moral crusade. It was--

[00:25:27.91] [INTERPOSING VOICES]

[00:25:29.35] SARAH MARSH: No, it was absolutely a shrewd political calculation to put pressure on slaveholders. And I think especially slaveholders in the American South because there's a demographics issue that we should talk about. There are larger numbers of enslaved people in the American South during this period because of the agricultural markets.

[00:25:52.39] TOM MERRILL: And at all periods.

[00:25:53.05] SARAH MARSH: And at all periods. Right, right. And because of the cash crops that are extremely labor intensive to cultivate. The same is true in the Caribbean with the sugar market. And so whenever Lord Dunmore issues his proclamation, he is, I think, playing on the well-founded fears that slaveholders had that their slaves would rise up against them and revolt.

[00:26:22.37] TOM MERRILL: Yes, right. Absolutely. So I guess just to think about the political question, so it may well have been the case that there were some slaveholders in 1775, in 1776 who said, this Dunmore guy is threatening to free our slaves. We absolutely have to get on the train of revolution right now, and we don't mean to deny that. But it is also true that like the impetus for revolution has been going on for many years by the time you get to 1775.

[00:26:53.00] SARAH MARSH: Right, it's been going on for many years, and it's also, I think, suggestive that independence is not declared in 1775. It takes them a few months more to get the argument together and to get broad support for the Declaration. And so the relationship between Dunmore in 1775 and the Declaration of Independence in 1776, I mean, there has to be some relationship there, but it's not necessarily the direct causal thing that perhaps The New York Times is suggesting. I think it's just much more complicated than that.

[00:27:37.41] TOM MERRILL: So we need to put another card on the table here, which is that it actually shows up, Lord Dunmore, in a way shows up in the Declaration of Independence, or at least Jefferson's draft of the Declaration of Independence.

[00:27:45.95] SARAH MARSH: That's right. That's right.

[00:27:46.97] TOM MERRILL: And so now we're getting to things that I've written about. So we turn to the Declaration of Independence. So there's an official version that everyone knows, that our listeners probably read in high school or at other times in their lives. But there's also what I like to call the track changes version that Jefferson preserved of his original draft. And so you can find it in various texts, where he has all the bits that were left out and then all the parts that were added. Because it's a committee document, it's not just Thomas Jefferson talking on his own.

[00:28:19.93] SARAH MARSH: Right.

[00:28:21.14] TOM MERRILL: Right. And so there is this paragraph that is about slave revolts that we should read and we should talk about. I'm going to ask you to read it, but maybe I can set it up before we get there. So you may remember-- I'm sure, Sarah, you remember, our listeners may remember-- that the Declaration has a structure of three parts. That the first part is what you might think of as the theoretical premises or the big claims about political theory and natural rights. All men are created equal. That's the part that most of us spend most of our time thinking about when we think about the Declaration of Independence.

[00:28:56.54] And then there's the long-- I think the only way to say this-- the long boring bit in the middle, where they go through the list of grievances against George III, and that seems very historically limited. It's only about the situation in 1776, and so we normally skip it. And then there's a final section, which they actually declare independence, which is the point of the whole document. We're talking now about the bit in the middle, the list of grievances.

[00:29:24.69] SARAH MARSH: That's right. And there was one that didn't make the final cut.

[00:29:28.16] TOM MERRILL: There's one that didn't make the final cut, and it's very interesting. So if you look at the list of grievances and you read it closely, you will see that it goes from the less dangerous, the less grievous grievances, all the way up to the most serious ones. And so there's a kind of crescendo where you're heading up towards the worst one. And as you get closer to the end, the grievances become things like, the British are impressing Americans on the high seas and forcing them to go to war against their countrymen, so that it's forcing people to harm people that are actually their kinsmen in some ways.

[00:30:08.60] SARAH MARSH: Right.

[00:30:09.62] TOM MERRILL: So it's that moral dilemma that I think is the crucial context.

[00:30:13.87] SARAH MARSH: And that sort of-- the rhetorical design of that part of the Declaration is to increase the seriousness of these offenses as we go on. Is that right, Tom?

[00:30:25.91] TOM MERRILL: Yes, that's right. And this one that you're about to read is the crown jewel in the grievances, at least in Jefferson's draft.

[00:30:33.89] SARAH MARSH: Right. So this is the most serious allegation Jefferson could think of to levy against King George III, right?

[00:30:43.04] TOM MERRILL: Right, so would you like to read it for us?

[00:30:45.14] SARAH MARSH: Sure. "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 and carrying them into slavery in 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.

[00:31:20.69] Determined to keep open a market where men should be bought and sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or restrain this execrable commerce. And that this assemblage of horrors might want no fact of distinguished die, he is now exciting those very people to rise in arms among us"-- that's the Dunmore proclamation-- "and to purchase that liberty of which he has deprived them by murdering the people on whom he has obtruded them. Thus paying off former crimes committed against the liberties of one people, with crimes which he urges them to commit against the lives of another."

[00:32:07.14] TOM MERRILL: OK, so I think there are two important points to be made about this passage. Number one is that there's no way that you can read this and not think that Jefferson believes that slavery is a crime against humanity. And I think that you would come to that view even without this paragraph. So I think that "all men are created equal" means that and that people at the time thought that it meant that. But I think that reading this paragraph, Jefferson is laying it on really thick, but slavery is a crime against humanity according to the doctor of the Declaration of Independence.

[00:32:45.30] SARAH MARSH: That's right. And African descended people are human.

[00:32:49.20] TOM MERRILL: And African-American descended-- African descended people are human, absolutely. Yeah, I think that-- and you can't understand the moral drama-- so I don't mean to-- when I say these things, I don't mean to defend Jefferson, but you can't understand the moral drama of the early Republic unless you understand that he thinks that both of those things are true-- slavery is a crime against humanity and African descended people are in fact human beings with natural rights.

[00:33:14.01] SARAH MARSH: That's right.

[00:33:16.87] TOM MERRILL: But the other point that that's also important-- and I wish that The 1619 Project had made had made this point-- the rhetorical thrust of this paragraph is to cast the blame for the institution of slavery in the American colonies back on the King of England. It's to say, well, he foisted this whole institution on us. He wouldn't let us stop-- he wouldn't allow us to stop the slave trade. Basically the moral agency here is back in England, not with the colonists in the United States.

[00:33:56.08] SARAH MARSH: Right, and so he says, Tom-- just going to reread this part because this is where I think it happens. "He is now exciting those very people"-- those enslaved people-- "to rise in arms among us"-- that's the Dunmore Proclamation-- "and to purchase that liberty of which he has deprived them by murdering the people on whom he has obtruded them." So what Jefferson is saying is that the king has foisted these enslaved people on the American colonists, and now they are--

[00:34:25.72] TOM MERRILL: On the poor, innocent white people, yes.

[00:34:27.23] SARAH MARSH: Yeah, and now there's this race war sort set up between--

[00:34:31.72] TOM MERRILL: A potential race war.

[00:34:33.14] SARAH MARSH: Right. That he's trying to foment by exciting those very people to rise in arms among us.

[00:34:41.29] TOM MERRILL: Right, and so this does look like it's heading in the direction of what The 1619 Project says.

[00:34:47.17] SARAH MARSH: Yeah, yeah.

[00:34:48.18] TOM MERRILL: In the sense that that's the claim is that the King of England is exciting these enslaved peoples to rise up against their slave owners.

[00:34:56.44] SARAH MARSH: Right.

[00:34:58.48] TOM MERRILL: So I mean, I guess the thing that's-- in the context of Jefferson thinking that slavery is a crime against humanity, the thing that's so striking is that all the moral responsibility lies in other people's hands.

[00:35:12.49] SARAH MARSH: Yes.

[00:35:13.87] TOM MERRILL: Right. And there's something that's strange about the way that this-- if you thought of this as something that was happening in a novel, there's been a reversal from the beginning of the document, where you get this beautiful moment that all men are created equal. And it looks like natural rights-- everyone's natural rights are compatible with each other. And this proud assertion of, we've got a right to a rebel. To hear, when if you think

through what's really being said, I mean, the criticism of George is that he's getting the slaves to treat us like we're treating George III. But there's this strange mirroring between Jefferson and white Americans and the person that they claim to be overthrowing.

[00:35:56.02] SARAH MARSH: Which is borne out in the rhetoric of the period. There's no shortage of American colonists declaiming that they are being enslaved to Great Britain or enslaved to the crown. This is a pervasive part of the way that the American-- the white American colonists thought about the political conflict with Great Britain.

[00:36:21.12] TOM MERRILL: Yes, that's absolutely for sure is that the rhetoric-- and people recognize that the rhetoric was hypocritical.

[00:36:27.54] SARAH MARSH: Famously, Samuel Johnson.

[00:36:29.66] TOM MERRILL: Right, the famous Samuel Johnson line that why do we hear the greatest yelps for liberty from the drivers of slaves. This was not a secret to anyone. And I also want to just notice one thing about the paragraph that you read. Jefferson writes, "thus paying off former crimes committed against the liberties of one people with crimes that he urges them to commit against the lives of another." He presents it as though, well, there's going to be a race war and both sides are going to be innocent.

[00:36:59.34] SARAH MARSH: Yeah.

[00:37:00.18] TOM MERRILL: That the slaves are fighting for their freedom, just like the doctrine of the Declaration of Independence says they should do. The slave owners are fighting for their lives. They also have natural rights. And I think from our point of view, you just want to shake him and say, like, wait a minute, don't you have any moral responsibility for the situation that you live in? Don't white people in America have responsibility for this institute-- I mean, it's just not plausible to say that the British somehow bear the main responsibility for something that was so fundamental a part of the American Society in 1776.

[00:37:35.97] SARAH MARSH: Right, and by this time, Thomas Jefferson has reached an age of majority and has inherited the slaves that he will own for the rest of his life and never manumit. Is that right, Tom?

[00:37:47.34] TOM MERRILL: Correct, that's right.

[00:37:48.84] SARAH MARSH: Which is about 180 people in the 1770s who live at Monticello. And so this rhetoric of slavery and the undetailed brush strokes of this paragraph of the Declaration are a lived reality for the man who is writing the words.

[00:38:13.04] TOM MERRILL: Yes, that's right. That he might well himself worry that some person reading-- some enslaved person reading the Declaration of Independence might put those words into action, and all of Jefferson's moral fury against George III would be turned against himself.

[00:38:29.73] SARAH MARSH: Right, and that's part of the critique of this paragraph is that the King of England has made the American colonists into tyrants, just like George III is.

[00:38:43.22] TOM MERRILL: I mean, it really is like a novel that somehow there's been this reversal. King George's worst crime-- he's hurt us economically, he's hurt us physically, but his worst crime is that he's made us into tyrants like himself. You can understand why like the other people on the committee are like, well, Thomas, maybe this isn't such a good idea to leave this in.

[00:39:05.39] SARAH MARSH: Right. Do we know that much, Tom, about why this paragraph didn't show up in the final copy?

[00:39:10.79] TOM MERRILL: So Jefferson says in his autobiography, which is written much later, in the 1820s, he says it's because of the representatives from South Carolina and Georgia who are completely invested in slavery and don't want to hear any criticism of it. But I suspect that there were also other people who were more on Jefferson's side and being antislavery who also thought that this was not such a good idea to put this in. That it looks-- it's defensive and it's not plausible. I think that's the--

[00:39:42.17] SARAH MARSH: Well, and the rhetorical purpose of the Declaration is to do what? I mean, this is we're looking at a propaganda document, right?

[00:39:50.96] TOM MERRILL: It's a propaganda document that articulates a principle that may well be true, but yes. It's rallying the troops.

[00:39:58.64] SARAH MARSH: Right, so thinking about it historically is to imagine Jefferson articulating this high moral principle, justifying it, and then asking people to stake their lives on the principle because the war is coming.

[00:40:16.88] TOM MERRILL: Correct. Yeah, so it's not just the work of political theory in the abstract. And any time that you act politically, you have to make concessions, not to your enemies but to your allies. And sometimes your allies are pretty creepy people, and that's true in the American Revolution as it is anywhere else. But the key that I would emphasize is that Jefferson has this moral drama that's happening in the 1770s and 1780s, and it's more complicated.

[00:40:49.37] So you might think from the controversy over 1619 that the founders were either just bad guys or just good guys, but they're clearly both. And Jefferson, he says in many places, in many public places that slavery is what we would call a crime against humanity. And that part, you just shouldn't let go. That's part of our history. Our history is a lot of horrible things, but that's part of our history too. Go ahead.

[00:41:20.96] SARAH MARSH: And the thing about Jefferson too is that his thinking about slavery changes over the course of his life. And well--

[00:41:30.59] TOM MERRILL: Can I just add a wrinkle to Jefferson so that-- I argue in my article that there are three stages. It's not my observation, it's somebody else-- other scholars have made that. So we're talking about Jefferson called phase one in the 1770s and 1780s. So he writes this book, Notes on the State of Virginia. It's his only book, and he says some very bad things about slavery. He says, the famous passage, "I tremble when I reflect that God is just." And that he can't take our side, like we are doing a crime when we keep people in slavery.

[00:42:08.78] But there's context there. So he's against slavery, but he's also what we would call a racist. You could be antislavery person and also be a racist. And the way that comes up is when he thinks about what it would mean to end slavery, he can only imagine it as, well, we would free the descendants of Africans who are currently kept in slavery but they all have to leave immediately.

[00:42:39.18] SARAH MARSH: Right, and these are the colonization schemes that Jefferson and Madison and a lot of--

[00:42:45.97] TOM MERRILL: Other people, yes, yes.

[00:42:48.37] SARAH MARSH: And the idea there is that enslaved Africans descended people would be freed, and then they would be recolonised either somewhere further West on the North American continent or somewhere in Africa. Is that the idea?

[00:43:04.54] TOM MERRILL: Yeah, yeah, that's the idea. And I think it's just important for us as Americans to say the full truth here. Thomas Jefferson could not imagine a world in which African descended people were full equals in a common endeavor.

[00:43:22.03] SARAH MARSH: Right, Right.

[00:43:23.86] TOM MERRILL: That's just a fact about who he was. And it's right alongside his opposition to slavery and his desire to end slavery. But he, for whatever reason, his imagination didn't go that far.

[00:43:42.07] SARAH MARSH: Yeah, and it's, I think, important to add that Jefferson is not alone among early antislavery sentiment in his racism. There are no shortage of British antislavery thinkers and even abolitionist thinkers who were purveyors of racist ideas about African descended people and could not imagine a society where different races of human beings could live together and form a polity. And so whenever we think about this history, which is tied up pretty deeply in the history of scientific racism, it's important to think about how those pseudoscientific ideas and the political ideas were intermingled with one another.

[00:44:34.71] TOM MERRILL: And it's important to say, some of our listeners may be thinking, well, those liberal academics, they tend to shade everything in a certain way. Jefferson's, what we call sometimes his scientific racism is not like an ambiguous thing. It's not a matter of interpretation. Like he is saying that he thinks that for biological reasons, Africans, African descended people are inferior to white people, and that-- it's there on the page. There is no way around that, and there's no accounting for Thomas Jefferson that doesn't acknowledge that.

[00:45:08.62] SARAH MARSH: Right, and it was absolutely understood during the time that Jefferson believed these things about African descended people. So the free Black scientist, polymath Benjamin Banneker writes to Jefferson explicitly in the 1790s after reading Notes on the State of Virginia trying to convince him otherwise, trying to convince him out of his white supremacist ideas. And Banneker doesn't seem to have been successful with Jefferson, but it's clear that people understood Jefferson at the time as having these ideas as well.

[00:45:43.97] TOM MERRILL: Yes, that's right. And I think that-- so The 1619 Project people, they got the claim about the Revolution wrong, and they got it wrong in a way that revealed that they think that they were trying to go for provocation or something that was a mistake. But in a deeper way, there are things that are just true that are deeply problematic about Jefferson and about many of the founders. So how to articulate both that he was antislavery and that he was racist, that would be the trick.

[00:46:20.50] SARAH MARSH: Right, and that's, I think, the idea that may be unfamiliar to people who don't-- maybe who don't study the 18th century or who don't know Jefferson's writings very intimately. Because we think that antislavery and anti-racism would necessarily have a one-to-one correspondence with one another, and that's not the state of things on the ground at the--

[00:46:48.97] TOM MERRILL: And I guess I should say, when I teach this to students, and students always-- I think that it does them credit that they are they're hurt by the hypocrisy. They're angry at the man who wrote the Declaration of Independence because he says the things that they want to believe as true, that all men are created equal. And that it's sort of like when you're let down by somebody that you loved and look up, to it's harder than when you're let down by just some common criminal.

[00:47:17.02] SARAH MARSH: Yeah, well, and that I take to be one of the other virtues of The 1619 Project, which is that it wants to take up inquiry about the founding that does not resort to celebratory stories about the rights of all humankind, because that just wasn't the state of things. And the world we live in now is a result of the fact that was not the state of things, and people need to have ways of reckoning, not just with the past, but was reckoning with what's happening right now and the ongoing presence of racial injustice and racism in the country. And I don't think we can understand it unless we think about this history in a more critical and complicated way.

[00:48:11.25] TOM MERRILL: Yeah, so in the interest of time, I think that we also, when we think about Jefferson or the other founders, we tend to assume that they had all the power in the world to make the world into what they thought it should be. But I think that we really misunderstand that they're one voice but in a much larger world. And I just think that most people in 1776 were not on board with ending slavery immediately or maybe ever. That there is a kind of nascent racism that was present in the country. And that even if Jefferson had made it his one thing, there would have been lots of opposition.

[00:48:57.75] And I also want-- this an important thing that we're not going to have time to talk about, but there's not-- the Declaration of Independence is a single moment in a complicated

history. So Jefferson has a long period of time after the Declaration of Independence, and we don't have time to go into the whole thing here. I do think if Jefferson had died in-- if he'd been struck by lightning in 1790, we would look back and say, look, this guy was this amazing-- there were some really problematic things about scientific racism, but he was saying, a lot of things about slavery that we still think are true. And that the problem with the deeper objection to Jefferson has to do with what he does or what he doesn't do in the time period after that.

[00:49:47.13] SARAH MARSH: Right.

[00:49:48.48] TOM MERRILL: And in 1790, he joins the new federal government, like the Washington administration. And around this time, he goes silent on the issue of slavery. So this was something he talked about a lot in the 1770s and the 1780s-- he's talking someone in the 1780s.

[00:50:06.66] And I think for political reasons, because he's part of a political coalition and he always thinks that he's engaged in this titanic fight with people that we would think of as fascist or that he thinks of as in the way that we would think of as fascist. And so he thinks he's fighting for the trying to save the American Republic, and slavery gets put on the back burner because of that. And we shouldn't try to open up that can of worms right now, and then the story ends, and to me, it's an extremely disappointing way that Jefferson's-- so that's phase two of Jefferson's career is his public silence for about 30 years, which are, I think, are really the critical 30 years for the future of the Republic, at least on this issue.

[00:50:59.97] SARAH MARSH: Because the theory in the 1790s, or that some folks subscribe to, was that the institution of slavery would simply die out.

[00:51:08.55] TOM MERRILL: Right. And it was wishful thinking. Look, they were there were progressives. They believe in progress. They think progress is going to happen automatically, that it will this problem will take care of itself.

[00:51:19.86] SARAH MARSH: Right and--

[00:51:20.28] TOM MERRILL: We know that problems don't take care of themselves.

[00:51:22.47] SARAH MARSH: Right, right. And there were some early state governments that did pass abolition statutes. So for example, in Pennsylvania-- that was heavily influenced by Quaker abolitionism. You see these acts of legislation that are designed to gradually abolish slavery, but that is not what happened in the southern states.

[00:51:50.67] TOM MERRILL: Right, that's right. So in Virginia and points further South-- so there is a real antislavery movement that is fueled by the ideas that you get in the Declaration of Independence, but it's mostly in the North, where there are not very big populations of enslaved persons, and it peters out. And just to tell the story very quickly, by 1820 and the time of the Missouri Crisis, I think that the public opinion has shifted without anyone exactly realizing it. That people who realize, look, these colonization ideas are crazy, they're not going to happen, but we're also not going to get rid of slavery. So people in the South say, we're going to affirm it.

And Jefferson, he's part of that story. And maybe in another podcast, we'll talk about how that story plays out.

[00:52:42.36] SARAH MARSH: Right, because the Confederate States of America are formed and express repudiation to the Equal Rights Doctrine of the Declaration.

[00:52:53.67] TOM MERRILL: Right, that's right. So I guess the right way to think about-- so I think Jefferson and I think the other founders messed up big time, and I think they left the country with this tremendous contradiction. And one obvious way of solving that was for the South to become the pro-slavery, positively white supremacist. There are no other words that you can use for these things. That was a response to the mess that Jefferson left.

[00:53:20.55] SARAH MARSH: Right, and because the problem of slavery had not been resolved by the Declaration or by the Constitution--

[00:53:31.77] TOM MERRILL: Or by the political deeds. Let's not forget-- it's not-- I mean, the Constitution is not responsible for everything in American life.

[00:53:37.86] SARAH MARSH: Well, part of the story is that the Constitution was silent on these very questions.

[00:53:45.72] TOM MERRILL: That's another whole kettle of fish.

[00:53:47.05] SARAH MARSH: It's a whole other podcast.

[00:53:48.54] TOM MERRILL: It's a whole other podcast. But we should say-- and I think this is, in a way, an ironic and sad judgment on Jefferson that his political coalition is the political coalition that's going to become that the South, the white supremacist South. States' rights plus slavery, that's the antebellum South.

[00:54:12.30] In the antebellum period, the people who pick up the Declaration of Independence and talk about it, on the one hand, it's going to be people like Frederick Douglass, who say, look, guys made this promise, you articulated these principles. And you know full well that they mean that slaves should be free.

[00:54:33.69] SARAH MARSH: That slaves should be free--

[00:54:34.17] TOM MERRILL: No human being--

[00:54:35.40] SARAH MARSH: And that, at this point, now African-Americans are human and are [? inheritors ?] of the natural rights that Jefferson described.

[00:54:44.76] TOM MERRILL: Yeah, and so you've got people like Douglass, and in a different way, Lincoln, using the Declaration as a battering ram against slavery. On the other hand-- and this happens-- starts to happen in the 1820s-- but you get people who are the great spokesman for the South. They realize that they've got to get rid of the Declaration of Independence if they're

ever going to be able to have the kind of society they want. And so you get people like Calhoun-- John Calhoun, the great politician from South Carolina, or Alexander Stephens who becomes the vice president of the Confederacy.

[00:55:30.17] And they say explicitly, Thomas Jefferson got this wrong. The Declaration of Independence was wrong. And in a way, that's kind of like the best thing that you could say about the Declaration. They realized that it was a threat to what they believed in.

[00:55:45.51] SARAH MARSH: So while at the same time leaving open the possibility that something like the Confederate States of America could come into being, a polity based on the human hierarchies implied by white supremacy. That government can come into being, and at the same time, the Declaration holds the doctrine that repudiates that particular way of organizing a polity.

[00:56:16.55] TOM MERRILL: Right. I mean, I think about the role of the Declaration in-- this is very schematic, but if you remember that famous line by Chekhov that if you-- the playwright puts a loaded pistol on the table in the first act of a play, it has to go off by the last act of the play.

[00:56:34.62] SARAH MARSH: Yeah.

[00:56:35.63] TOM MERRILL: Right. And I think that loaded pistol was the words of the Declaration. That's not to say that the Declaration by itself could have done it. I mean, it's with the question of the courage and sacrifice and the suffering of many, many human beings. But it was a kind of flag that was able to be flown to say, this is our cause.

[00:57:00.57] SARAH MARSH: Yeah, yeah. And so when I think about what the Declaration incites us to do, I think a lot about Danielle Allen's book on the Declaration-- it's called Our Declaration. And for folks who are listening, if you haven't read this book-- maybe, Tom, we should put the biographical details--

[00:57:22.51] TOM MERRILL: Yeah, we'll put a link in the [INAUDIBLE] description.

[00:57:25.97] SARAH MARSH: It's really an important reading for our times, probably for all times, but for our times of the Declaration and what we owe to one another. And Allen talks a lot about this notion of responsiveness and trying to use the Declaration as a model for listening to the political concerns of other people in an effort to establish a shared sense of what the political reality actually is. And in this era of deep polarization, accusations of fake news, social media, the whole deal, her reading of the Declaration is really powerful. I would even go so far as to say I found it comforting to think that there's still something we could use to talk to one another.

[00:58:21.51] TOM MERRILL: Right, Right. Of course, she's running for office in [? government. ?] I think [INAUDIBLE] to be governor of Massachusetts.

[00:58:27.16] SARAH MARSH: She is, yeah, that's right.

[00:58:29.50] TOM MERRILL: I mean, the way that I think about this is the Declaration, for whatever it was, and there were a lot of messy things that are problematic, but it articulated principles. And when you articulate a principle, you do it in order to justify whatever it is want to do at the moment. That's why we use principles.

[00:58:51.21] But the thing about principles is that you don't get to say where they stop. You don't get to put it on a shelf and say, it only goes this far and no farther. That it has a kind of a life of its own, and it may lead you in places that you're not prepared to go. I think the American founders were not prepared-- honestly, I don't think they were prepared to go where the Declaration wanted to take them.

[00:59:15.28] SARAH MARSH: Right, right, which in that moment is the categorical application of the Rights Doctrine only to white people. And probably more specifically to white landowning men. I mean, the franchise would be expanded over the years, again, through the struggles of a lot of human beings who dedicated their lives to trying to make the promises of the Declaration true. But even at the time, I mean, they're not thinking about universal human rights.

[00:59:54.80] TOM MERRILL: Well, I mean, they are and they aren't. They're not thinking it's a practical political thing, but they sort of lay the marker down, and the marker is there. Just to go back to Jefferson for a moment, I mean, I guess-- and I say this in admiration of the founders, or partial admiration, but there's some deep way that they messed up.

[01:00:22.43] They left a problem that they couldn't solve and that they didn't-- they were blind. They didn't realize what they were doing. And I think that's just like a chastening lesson for us that needs to be remembered. Both [INAUDIBLE] but also the, as it were, the tragedy of the way that they undermined their own project.

[01:00:46.25] SARAH MARSH: And Tom, whenever you teach the Declaration to students and you sort of hand them this big idea and all of its problems, how do you encourage them to take hold of it? And what should we do with this text as educators?

[01:01:09.01] TOM MERRILL: So I guess the way that I think about this is-- it might sound like a paradox, but to criticize somebody is an expression of respect for their dignity as human beings. And to criticize Thomas Jefferson or to criticize the founders for things that they did that were either mistakes or that turned into mistakes, I think that's the model for-- that's the best that we can do. And that you are-- even when you're trying to overthrow the Declaration, in a way, you're reenacting it. That's how I think about it.

[01:01:46.84] SARAH MARSH: Yeah. Well, in a sense too, I mean, that takes us up all the way to the current moment, where maybe there's not a widespread critique of the Declaration or that's not really what schoolchildren are doing. But The 1619 Project is trying to mount those kinds of critiques and create those kinds of conversations. And in turn, critiquing The 1619 Project is also part of the work.

[01:02:14.79] TOM MERRILL: Yeah, I think that's right. I think it's-- and so I guess we should wrap this up by just saying, The 1619 Project that it was doing something like in a way like the

American founding was trying to do something that was good. And obviously these things are not parallel really in any way, but they messed up in certain ways, and that's the condition of human life, and we all move on. But our job is to somehow try to say the truth about both the founding but also about what's happening in front of us.

[01:02:49.92] SARAH MARSH: Right, and the importance of talking to one another and listening to each other when we try to find that true thing is something that the Declaration underscores. It's, I think, something that the ongoing conversation now about The 1619 Project can help us to take part in and to keep asking the questions.

[01:03:15.69] TOM MERRILL: Yeah, absolutely. And I think especially on this topic, I think it's just-- this is the hardest thing in a way for us to talk about.

[01:03:24.49] SARAH MARSH: And because it's been so hard historically, because it hasn't been talked about, the necessity is overwhelming. I think it's pretty clear that we've reached some kind of crisis point in the national consciousness on the question of race, and we've got to come to the question.

[01:03:46.35] TOM MERRILL: Right, well, so I suspect there are two or three other podcasts that we could have--

[01:03:51.66] SARAH MARSH: I think-- yeah, I think so. I think so. I mean, we haven't really gotten to talk a lot about the particular interventions that Jefferson made with regard to the Missouri Crisis. And I think it's really important for folks to think about the relationship between the Declaration, the founding of the United States, and the political tensions that built toward the Civil War. So perhaps we can do that as a later conversation.

[01:04:21.26] TOM MERRILL: Yeah, and I would even say that how the slavocracy, like the regime of white supremacy, came out of the failures of the American founding.

[01:04:31.85] SARAH MARSH: Right, right.

[01:04:34.13] TOM MERRILL: So that's maybe a topic for another day. I hope that's provocative enough [INAUDIBLE].

[01:04:38.81] SARAH MARSH: I think so. I think that's something folks will want to listen to.

[01:04:42.17] TOM MERRILL: Yeah. OK, Sarah, we're going to call it quits here, but thanks for talking to me about this, and we look forward to hearing from our listeners. If you have questions, then you can send them to us at [politicsandthehumanities@gmail.com](mailto:politicsandthehumanities@gmail.com). And if you send us questions, we'll read them on the air, so if that's an incentive. I hope so.

[01:05:01.37] SARAH MARSH: Yeah. Please let us know if you want to join the conversation. We can get your words themselves right here in the mix.

[01:05:10.58] TOM MERRILL: All for our listeners, [INAUDIBLE].

[01:05:12.69] SARAH MARSH: A robust conversation.

[01:05:15.07] TOM MERRILL: That's right. OK, Sarah. It's been fun. I'll see you next time.

[01:05:17.73] SARAH MARSH: Thanks, Tom. Bye, y'all.