

The American paradox: Controversal motives between the practice of slavery and the claiming of independence

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Abstract

Slavery has been part and parcel of the contemporary history in general, and that of America in particular. Even though the practice of slavery cannot be accounted for, the odious working of blacks on the American plantations has been taken for normal for a long time. The American experience in fighting for independence, based on the assumption that all men are created equal, has finally drawn white Americans' attention on the inconsistency between their claim for independence and their practicing slavery; yet, this consciousness has not immediately been sufficient to change their mentality.

Keywords: esclavage – justifier – indépendance américaine – incohérence – changer les mentalités.

1. Introduction

If there has ever existed any activity conducted by the human kind, and that the entire world should be regretting, more than the two World Wars (which at least have led the world into a more structured and civilized organization), more than the invention of the atomic bomb (in spite its destructive effects on humans in Hiroshima and Nagasaki), it's undoubtedly Slavery, a three-century trading, working and humiliation of human beings. In the particular case of blacks in America, it consisted in kidnapping or buying valid men and women mainly from the West African coasts by Europeans, and selling them to the American plantation owners. The quick development of the explorations in the new colonies led to great demands of manpower. With the enormous amount of work in the plantations, the new landlords, the white Americans, found it difficult to plow the land themselves. They then referred first to indentured labor, and finally to slavery which was already a practice in Africa: African kings used to keep their war captives in a kind of bondage; selling those captives became a fruitful trade. Millions of captives or kidnapped Africans were then deported to the New World to work in the whites' household, and principally in the plantations. As such, those deported Africans have had a great share in what America stands to be today. Yet can the practice of slavery ever be explained or justified? For sure there will hardly be accurate motives for accounting for the fact that some people should have the right to subdue their fellow humans, who differ from the former just in complexion. But facing the unacceptable tax policies on them, Americans colonies, by rejecting the British domination, could now be imagined in the position of the black slaves vis-à-vis themselves. Progressively then, sympathizers of the slaves' case emerged, especially during the war for independence, with the creed that no group of people has the right to dominate other people. Yet, in practice, slavery continued for almost a century from then, and even the advent of the American Constitution stressing strongly that all men are equal, and that they all deserve life liberty and the pursue of happiness would not be sufficient to liberate blacks sooner. Such was the paradox on which the whole American society, republic and even democracy were born. Black slaves in short

experienced hard life sequences both as witnesses and actors of the different phases of the country's revolutions, from colonies to states and then to republic, a republic whose foundation is marked with liberty and the right to life and happiness, though the country had millions of people in bondage.

1.1 Blacks in the inconsistent slavery business

1.1.1 Reasons for slavery introduction into America

As soon as America was discovered and that the first colonies came into being set up, agriculture appeared as the principal activity to those new comers onto that "virgin" land; the white laborers whose physical constitutions were better adapted to the severe winters characterizing their countries of provenance as well as in the colonies, had for some time been referred to as indentured servants. But in those colonies where the winters were not only milder, and of shorter duration, and followed by an intense summer heat, the blacks who were said to be more resistant with hotter weather and harder working, soon became a good alternative. The paradox was that even those blacks were barely capable of performing labor more than the Europeans, or their descendants in those conditions, and this was perfectly known to the Europeans traders as well as the American colonists. Importation of growing numbers of slaves thus started as the solution to plow more lands, to create more settlements, and to develop the new world.

The purchaser of African slaves therefore calculated not upon the value of the labor only, but also the cheapness slavery represented; if a female slave, she was regarded as "the fruitful mother of a hundred more". Many of these unfortunate people have had to undergo very particular life experience, and their descendants even in the compass of two or more generations have gone near to realize the calculation and to perpetuate the system. The great increase of slavery in the South, in proportion to the northern states in the American union from the seventeenth to the nineteenth century, is therefore not attributable, solely, to the effect of sentiment but to natural causes (the weather in particular), as well as to those considerations of profit which have perhaps, an equal influence over the conduct of mankind in general, in whatever country, or under whatever climate their destiny has placed them. And

here it may be proper to make a short enquiry into the pagan origin and foundation of domestic slavery, previous to its fatal introduction into America and see if that sordid practice could ever be justified any way.

“Slaves, says Justinian, are either born such, or become so. They are born slaves when they are children of bond women; and they become slaves, either by the laws of nations, that is, by captivity”^[1]. History tells us that slavery had first been practice by the pagan army generals who used to preserve the lives of their war captives. But food and health care for the latter being too much costly, they would sell the captives to other people who put them to do hard work. But should a human being be purchased, exchanged or hired? For sure and for whites, blacks were less than human being, if not, not human beings at all. Justinian explains that “the conqueror, according to the civilians, had a right to the life of his captives; and having spared that, he has a right to deal with him as he pleases”^[2]. But it is an untrue position when taken generally, that by the law of nature or nations, a man may kill a man: he might have a right to kill him only in particular cases, such as absolute necessity for self-defense; and it is plain that this absolute necessity did not subsist in the case of slavery, since the victor (both the slave seller and buyer) did not actually have any self-defense situation with the men and women they captured, sold or bought. Therefore white Americans and Europeans slave traders had had no right over blacks when they decided to enslave them; much less do they have the right to kill, torture, abuse, plunder the blacks the way they did it, when there was no war between the two.

But slavery may also be hereditary; “*servi nascuntur*,” the children of acquired slaves are, *jure naturæ*, by a negative kind of birthright, slaves too. As such, slave masters allowed their slaves to form families, even very large ones (contrary to the masters themselves), not for the welfare of those blacks, but rather to greatly increase the number of their slaves. That also sounds a paradox: most whites had one or two children, and sometimes no child, although they were married. Such a situation did not occur just because they couldn’t have more or any; they knew the weight behind having children and caring for them. Yet, they encouraged their black slaves, though not openly all the time, to have large families, just because this increased the number of their slaves, and as consequence, their wealth. Yet, the same that captivity should not, by the law of nature and reason, reduce a man to slave, much must it not subdue their descendent.

Thus, this should be a reason to refute every claim upon which the practice of slavery is founded, or by which it has been alleged to be justified, at least, in modern times. It is true, there would probably never have existed any enslavement of the Africans without the collaboration of the Africans; as such, beyond the consideration of the slave traders, it is the practice itself which is to be blamed, and even instances have not been lacking where by the most shameful breach of faith, the sellers, like the merchandise, have been trepanned, deceived and made slaves.

1.1.2 From the development to the decline of American Slavery

The enslavement of Black Africans in what became the United States formally began during the 1630s. Let’s put it clearly again that in the colonies, there was a need of both whites and blacks to work for masters. But as blacks appeared to be

cheaper as manpower (or simply free of charge), they were treated differently from white servants. At that time there was a clear regulation about those blacks: they had to serve their masters for life (unlike white indentured servants), and their slave status would be inherited by their children. In fact, to better apprehend the progression of the Africans’ enslavement until their emancipation, it would be important to consider the two periods that better mark the history of African American slavery in the United States: from the birth of the early American colonies to the independence era in the one hand, and from independence to the Civil War in the other hand.

Before the American independence, slavery had existed and had been the basis for the development of the plantations, then the development of the colonies themselves. As such no debate over the fate of the slaves, their possible emancipation had taken place. But the efforts to independence, and mainly the motive put ahead to justify the rebellion against the mother country took many Americans to reconsider their view about the black slaves: the idea that all men are created equal and as such that England and the Crown had no natural and legal right to dominate Americans progressively took place in the mind of most Americans. So with the arrival of independence, the Northern states of New England, New York, Pennsylvania, and New Jersey, came to see slavery as contradictory to the ideals of the Revolution and instituted programs of gradual emancipation, to remain consistent with their ideal for the revolution. But the fact is that in the Northern states there were then very few slaves, about 3,000 as a whole, almost all working on large farms in New Jersey. Also in the North there were a lot of white men and women ready to do activities previously devoted to slaves, reducing then the overall role of black slaves in the economy of that region. But what effect could abolishing slavery in the North have on the overall American society? No doubt none, since the north had very few slaves, most of them working in the household and in the industries, doing the kind of job that most white people would be eager to do. It then became clear that abolishing slavery in the North would be an easy task, which was not the case in the Southern States where millions of slaves kept the colonies alive through their work on plantations mainly. Finally, it can be said that the idea of emancipation strongly developed in the North not because they found slavery morally wrong; the idea was to free blacks, to let them leave the area so that they would cease being rivals for job opportunities, and probably consciously or not, as a penalty on the southern states whose economy was flourishing and competing with the north. Such was the hypocrisy of the Northern whites who then pretended to be friends of blacks.

In the Southern states, the slave population was very important and Whites were convinced that freeing blacks would be a threat to whites’ survival. Slavery then appeared for Southerners not only as a means of race control (because the black man was seen as an everyday threat to the white man), but also as a safety and economic sustaining for whites. Such apprehension would necessarily appear contradictory to any critics: what use is it to have a threatening thing by your side? Did whites think that blacks were dangerous when they purchased them? If free blacks were really to be a threat for whites, why did those white Southerners still refrain from letting them free? Why should the whites advertise and look after run-away slaves? After emancipation why did the whites refrain from letting the freed blacks flee or migrate to the North

where they would be far away? As such, it can be deduced that those whites just imagined blacks' revenge on the treatment they received as slaves, which would mean that whites confessed their atrocious treatments on blacks. As a consequence of these factors, America in general and the Southern states in particular continued the practice slavery after independence, which appears as a questionable paradox with regard to the creed for that independence.

1.1.3 The slave case and the American independence

When the American war for independence broke out, all blacks in the American colonies were on bondage except for a very short number of freed slaves and free blacks. But when referring to 1776 and the American War for independence, what one could wonder about is the following: Have the then slaves played any part in the revolution and its success in anyway? As slaves, what part could they have played in such a strong and hard revolution? When we know that slave owners would never dare teach their slaves how to shoot guns, fearing that the latter might turn those guns on their masters, was it possible that slaves really take any active part in the war? In the American Revolution, what African Americans could really do was to intensify farming activities so as to feed the white warriors; yet, even if the fighting was left to the white men to do, it is reported that many slaves sided both antagonist troops: Great Britain and the thirteen American colonies. On both sides, there was the promise of freeing slaves who would contribute to the victory. But in fact, those slaves who thought in the war were forced to do so, as they had no will to decide. The independence conflict then impacted the lives of the slaves in countless ways; when they really happened to find themselves at a war scene, they were just put in front lines, but with no guns. How can it be conceived that people are sent on a battle field, in front position unarmed? Americans simply wanted the British to use all their bullets on the blacks, and then they would come with their guns and have advantage, which was a suicidal and criminal option. The American war for independence then did very little good to the black slaves; many of them were mistreated and killed for a cause that was in fact not theirs. For many of them, it gave the false hope that they would also be free. Now, let's analyze the slaves' case during the war for independence closely, with reference to the promise of freedom they got from both antagonists. Suppose Americans had won the war (which actually was the case); how could slaves imagine white Americans doing without slavery? Most white Americans born during slavery knew nothing about using their hands and their strength on plantations; who would farm if slavery ended, if the blacks could no longer be forced to farm? Who would care for the cattle, the household and even the white children? All that the white people could do was to use their mind. It was then illusory from the then slaves to think that Americans would easily part away with slavery just after the war. In the same, supposing that British had won the war, it is clear that the thirteen colonies would remain, and even more strongly, under domination and exploitation by the Crown. In such a situation, was it possible that slaves be freed in colonies where manpower need would be stronger than it had been? Would British authorities give the same rights and freedom, to their fellow whites (even under domination) as to black slaves? In short, slaves had no reason to confide neither the Americans nor the British. If with the victory of America, the debate about blacks' emancipation came into the minds,

and that some Americans reconsidered their views on blacks, it quickly revealed the hypocrisy of the white American at large with the blacks too.

2. Slavery in the independent America

2.1 The Paradox in the Declaration of Independence

In April 1776, when representatives of the thirteen rebellious colonies met in the Continental Congress, they voted "to halt the slave trade" ^[3]. To better apprehend this act and the astonishing continuation of slavery later, let's reconsider the expression: 'to halt the slave trade', set the declaration of independence. This never means that they voted for stopping slavery. Now, the single idea of halting the practice of slavery is sufficient to reveal that there was a kind of consciousness about the paradox and atrocity in dealing with Blacks in that way. Yet, if any consciousness aroused, why not confess and stop it? In short, the answer to this is that, union of all the thirteen colonies was necessary for the fight against Britain, and stepping on the southern colonies' interest (slavery) would no doubt jeopardize the success of the revolution. Continuation of slavery was then the best compromise for the American independence. Research has revealed that in the proposed text of the Articles of Confederation before adoption, John Dickinson had openly mentioned the case of the black slaves, which in his mind had to be freed; but most representatives to the amendment of the articles of confederation rejected the idea, thus the passage was deleted. This shows how tricky the promise of liberation during the war was, and also that the promise was just a lie, a pretext to draw blacks into the war. Halting the slave trade then meant nothing but shut down the British part and interest in the trade. By "to halt the slave trade" Americans just meant to prevent the British from taking any further profit in the slave trade. They just stopped the importation on the American soil of new slaves by the British, but those slaves in the former colonies would continue being in bondage. The amazing thing in such a vote is that, this made of the British the sole beneficial of the slave trade. Didn't Americans take any profit in the slave trade? For a business, is the seller the only person who gets satisfaction? Isn't the buyer the greatest beneficiary? The Americans' voting against the British's importation of slaves on their land was then senseless and full of paradox and hypocrisy.

In the preamble to the declaration of independence, it clearly appears the main basis for justifying the American revolt against their mother country: "All men are created equal". It would necessarily be found disconcerting by anyone that a document in which white men were listing their grievances against an English king they saw as despotic, they at the same time could make such disparaging comments, forgetting about the almost genocidal relation they had with the indigenous population (the native Americans or the Indians) whose lands they now held. This is in fact the first understanding of the great American paradox of liberty and freedom. The declaration still goes as follows: "He (talking about the King of England) has excited domestic insurrection amongst us" ^[4]. Who had the king of England "excited to revolt?" And what "domestic" rebellion did Jefferson and the colonists feared in America? Probably, if there would be any insurrection, this could come only from the slaves. Which means that the war for independence was not solely to get rid of Britain; it was also to maintain the peculiar slavery practice.

Paradoxically, in the Articles of Confederation, the nation's first constitution, there is no mention of slavery. There was almost no reference to things such as "fugitive slaves" or "abolition" before the American war for independence, so there is no mention of these in the Articles, and even with the promise of freedom to those blacks who fought in the war for independence, the blacks' case was not to be a concern in the newly independent states. The fact that all men are created equal did not take into account the blacks. The word "All" probably referred to whites, unless blacks were no human being at all. Here, the paradox is evident as well.

2.2 American Republic and the slave case

2.2.1 The Founder Fathers global view on slavery

There was no great movement in America to abolish slavery in the 1780's, when the Constitutional Convention met at Philadelphia. It is true, there were opponents of slavery, but their ideas and actions were simply on a philosophical level; the abolition movement did not appear until the 1830's. Yet, prior to the Convention in 1787, many "Founding Fathers" expressed opinions that condemned slavery; yet as it can be seen below, all their opinions are full of contradictions, paradox and hypocrisy, since they all had slaves and for sure could never do without them.

John Jay, great supporter of the Constitution after its creation and one of the three authors of *The Federalist Papers*, wrote in 1786, "It is much to be wished that slavery may be abolished. The honour of the States, as well as justice and humanity, in my opinion, loudly call upon them to emancipate these unhappy people. To contend for our own liberty, and to deny that blessing to others, involves an inconsistency not to be excused." [1]. John Jay has here put it clearly that he has expressed just an opinion. In truth, it appears clearly that Jay never tried to convince anyone about the necessity of abolishing slavery, since he himself, like any true white American of his time, possessed many slaves. His here opinion could just sound like: 'I know that what I'm doing is bad, but I just can't stop'. And by naming slaves as unhappy people is an open condemning of the slavery practice.

Oliver Ellsworth, one of the signers of the Constitution wrote, a few months after the Convention adjourned, that "All good men wish the entire abolition of slavery, as soon as it can take place with safety to the public, and for the lasting good of the present wretched race of slaves." [5]. Here, one can understand that slavery is very bad for good men, but it can't just be stopped until people, the Americans can do without it. The idea here is marked with rather selfishness since Ellsworth was not viewing ending slavery for the slave's own good; it can be deduced that for him, as long as it is profitable to the white man, and as long as the idea of a freed black would be seen as a menace by the white man, slavery should continue.

In a letter to the Marquis de Lafayette, George Washington wrote, "Your late purchase of an estate in the colony of Cayenne, with a view to emancipating the slaves on it, is a generous and noble proof of your humanity. Would to God a like spirit would diffuse itself generally into the minds of the people of this country; but I despair of seeing it." [5] In truth, Washington and his wife Martha held over 300 slaves. He even wrote in his will that he'd wished to free his slaves, but that because of intermarriage between his and Martha's slaves, he feared the break-up of families should only his slaves be freed. He directed that his slaves be freed upon her death. His will

provided for the continued care of all slaves, paid for from his estate. In this regard, George Washington, who was said to be the most outstanding and respected man in America at that time, from his here words, has given the proof that he was, in fact not less hypocrite than his fellow people of his time, as far as the slaves' case was concerned. With reference to his view about his slaves' case, one will necessarily be shocked. For him, abolishing slavery would be a sign of generosity, which means that the practice, to him, was no injustice; at the same time, he was addressing his people as if he had not been concerned with slavery. In his life time, Washington was frequently referred to as a friend of the Blacks; he even proved that by inviting at home Phillis Wheatly, a young slave girl who had had to prove her being author of some poems before the court. By expressing his despair for slavery abolition, Washington was just admitting his hypocrisy. Being one of the most respected people in the country, he could just have played on his influence and convinced his people about the atrocity of slavery, if he really wanted an end for slavery. Worse, pretending on the inter-marriages between his slaves and those of his wife, and that this prevented him from freeing them had no logic. What influence did women have in the American society let alone in the household, in the time of Washington? Could Martha have had a word to put if her so respected husband had decided to free all slaves in the household? If such was that Washington was a friend of the blacks as they designed him in the union, why not free the slaves and let them still leave in his house? Why not even convince Martha and buy all her slaves so as to free them, if he really aimed at not scattering the slaves' families? Now that he willed to have all his slaves free once he died, what difference did it make? It has even been reported that later at the Philadelphia Constitutional Convention, when debates turned on the slaves' case, Washington suddenly kept silent on the subject till its end; such attitude shows how he lacked the courage to face the situation. If he was so much convinced that slavery was to be ended, he would have not only debated, but mainly opposed the perpetuation of slavery, and the three-fifth ratio. His silence on the debate was then nothing but guilt.

Other examples of anti-slavery messages abound from the late 1700's. They mostly illustrate the anti-slavery feelings of their authors, but those feelings could not show any real will for ending slavery, nor can they be seen in the product of their works at creating the American government. Despite the freedoms demanded in the Declaration of independence and the freedoms reserved in the Constitution and the Bill of Rights, slavery was not only tolerated in the Constitution, but it was codified as well.

2.2.2 Slavery through American Constitution

The American Constitution has often been called a living tribute to the art of compromise. In the slavery question, this can be seen more clearly. The Convention had representatives from every corner of the United States, including, of course, the South, where slavery was most pronounced. Slavery, in fact, was the backbone of the primary industry of the South, and it was accepted that agriculture in the South without slave labor was not possible. Though slaves were not cheap by any measure, they were cheaper than hiring someone to do the same work. The cultivation of rice, cotton, and tobacco required slaves to work the fields from dawn to dusk. If the nation did not guarantee the continuation of slavery to the

South, it was questioned whether they would stay in the nation. Despite this importance of slaves in the survival and development of the American nation, there is hardly clear mention of those slaves through the American Constitution.

Slavery is seen in the Constitution just in a few key places. The first is in the Enumeration Clause, where representatives are apportioned. Each state is given a number of representatives based on its population; in that population, slaves, called "other persons," are counted as three-fifths of a whole person. This compromise was hard-fought, with Northerners wishing that slaves, legally property, be uncounted, much as mules and horses are uncounted. Here, one could clearly apprehend the astuteness: Northerners, who then pretended to be in favor of liberating the blacks because they had finally sensed in this the atrocity and the contradiction with their principles of natural rights (on which they based to demand independence) and because they finally got consciousness about the fact that those blacks were human beings as themselves, now were denying themselves. Just because if considering the numbers of people in the states to determine the number of state representatives should include slaves, there would necessarily be more representatives from the southern states; and knowing that those representatives would meet at instances to decide for the whole country, and also basing on the premise that the rule of the majority will always be imposed, northerners were now putting the slaves on the rank of mules, which would then make of them less than what they had been until then. It is then clear that in that American society, every decision and consideration on blacks were made on purpose, depending on whether it was profitable or not. Southerners, however, well aware of the high proportion of slaves to the total population in their states, wanted them counted as whole persons despite their legal status, a paradox as well. If, as southerners tried to impose it, the slave should be counted as full person, this would imply equality with white man; then how would the setting up of that whole industry of exploitation of the blacks be explained and justified? Simply, the here apprehension for anyone studying closely the case of those blacks should be the following: if in those conditions and circumstances, ignoring the black slave as part of the American population should appear as a paradox, counting him as a full person should appear a paradox as well, with consideration of the environment. But unfortunately for the then slaves, America was equal to compromise, and as such, bargaining the case of the black led to the three-fifth ratio used by the Congress in contemporary legislation and was agreed upon with little debate.

In Article 1, Section 9, Congress is limited, expressly, from prohibiting the "Importation" of slaves, before 1808. The slave trade was a bone of contention for many, with some who supported slavery abhorring the slave trade. The year 1808 would just date a compromise of 20 years allowing the slave trade to continue, placing then a date-certain on its survival. Here again, slavers from the south, by demanding a twenty-year for continuing with the slave trade, just wanted to make sure that they had the maximum of slaves, females in particular to perpetuate the slavery at home, while increasing naturally the number of their slaves. Such a compromise for twenty-year assurance on carrying on with the slave trade could be equated with getting a twenty-year license for committing crimes. And when Congress eventually passed a law outlawing the slave

trade that became effective on January 1, 1808, it astonishingly did not stop slavery.

The Fugitive Slave Clause is the last but clear mention about the slaves in the American constitution. In it, a problem that slave states had with extradition of escaped slaves was resolved. The laws of one state, the clause says, cannot excuse a person from "Service or Labour" in another state. The clause expressly requires that the state in which an escapee is found should deliver the slave to the state he escaped from "on Claim of the Party." Such constitutional disposition imposed by the southerners was to force the non-slave states to be concerned with the practice in another way; if a run-away slave was apprehended, he should be sent back on claim of his owner. This implies that in case there was no claim, the fugitive should still be kept in bondage, by the one who apprehended him, which was a paradox with the idea of liberty within the white community and the constitution itself.

3. Conclusion

After depriving blacks from liberty for long, the Americans' asserting that all men are created equal as expressed in the declaration of independence could have taken many to think of an immediate end of slavery. Americans justified their brutal independence by the grandeur and the universality of a revolutionary message which, adding to the concept of equality, stresses that the Creator has endowed its creatures with unalienable rights such as life, liberty and pursue of happiness. But this credo for the American independence remained much contradicted with regard to their continuous treatment on the blacks, who almost a century after American independence, were said to deserve none of such rights

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