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***Jefferson's Crime: Not Mitigated by the Standards of the Time*
by Robert Jensen**

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One often hears that that we can't judge people of another era by the standards of our time. This is often asserted when one looks back in U.S. history to evaluate the actions of our founding fathers, for example. When one critiques people such as Thomas Jefferson, not only for owning slaves but for expressing ugly racist beliefs, the response is that he was simply expressing an idea prevalent in the world in which he lived, as if there was no way to think outside of racism. This approach avoids a simple question: "Were there any people expressing alternative ideas at the time?"

Of course there were. Among them was Thomas Paine, another major figure in the establishment of the United States, known for his best-selling 1776 pamphlet "Common Sense" that made the case for independence from England. What is less well known about Paine is that he was an opponent of slavery. He arrived in America in 1774 and quickly wrote an anti-slavery article that was published on March 8, 1775, in the *Pennsylvania Journal and the Weekly Advertiser*. A few weeks later an anti-slavery society was formed in Philadelphia, with Paine as a founding member. His article started with a clear condemnation of slavery and the Americans who supported it.

Certainly Jefferson was familiar with Paine and the arguments against slavery. Certainly Jefferson was aware of the existence of the idea that all humans had an equal claim to liberty and the argument that Africans should be considered human in these matters. Certainly there were many different ideas about the institution of slavery and racism in play at the time. So, we are not judging Jefferson by the standards of our time when we point out the way in which he employed racism to justify the barbarism of slavery. We are acknowledging that others in Jefferson's time – including such notable figures as Paine – articulated anti-slavery and anti-racist principles, at the same time that Jefferson was in 1781 writing in his "Notes on the State of Virginia" about the natural inferiority of blacks.

In that work, Jefferson explained that skin color was crucial, which led him to conclude, "Are not the fine mixtures of red and white, the expressions of every passion by greater or less suffusions of colour in the one, preferable to that eternal monotony, which reigns in the countenances, that immoveable veil of black which covers all the emotions of the other race?" Smell was an issue for Jefferson as well. Blacks "secrete less by the kidneys, and more by the glands of the skin, which gives them a very strong and disagreeable odour," he explained. Among his other "insights" into Africans:

The Black Commentator – Jefferson's Crime: Not Mitigated by the Standards of the Time

“They seem to require less sleep. A black, after hard labour through the day, will be induced by the slightest amusements to sit up till midnight, or later, though knowing he must be out with the first dawn of the morning.

“They are at least as brave, and more adventuresome. But this may perhaps proceed from a want of forethought, which prevents their seeing a danger till it be present. When present, they do not go through it with more coolness or steadiness than the whites.

“Comparing them by their faculties of memory, reason, and imagination, it appears to me, that in memory they are equal to the whites; in reason much inferior, as I think one could scarcely be found capable of tracing and comprehending the investigations of Euclid; and that in imagination they are dull, tasteless, and anomalous.”

And then there is the question of sex. Jefferson believed in the “superior beauty” of whites, noting “the preference of the Oranootan [orangutan] for the black women over those of his own species.” He also observed that black men “are more ardent after their female: but love seems with them to be more an eager desire, than a tender delicate mixture of sentiment and sensation.” It is unclear whether when Jefferson raped his slave Sally Hemings he was trying to provide a little tenderness in her life that black partners apparently could not. Nor is it clear whether Jefferson spent much time wondering whether his preference for a black woman meant he had something in common with the Oranootan.

Wait just a minute – Jefferson raped a slave? The author of the Declaration of Independence was not only a slave-owner but a rapist?

That description is not heresy but simple logic. The historical consensus is that Jefferson had sex with Sally Hemings, one of the 150 slaves at Monticello, the Jefferson plantation. Even the official guardian of the Jefferson legacy acknowledges this: “The DNA study, combined with multiple strands of currently available documentary and statistical evidence, indicates a high probability that Thomas Jefferson fathered Eston Hemings, and that he most likely was the father of all six of Sally Hemings’s children appearing in Jefferson’s records.”

Rape is defined as sex without consent. Slaves do not consent to their enslavement. To ask whether a slave consents to any particular order given by a master under such conditions is a meaningless question. Sally Hemings was a slave. Thomas Jefferson owned her. Jefferson had sex with Hemings. Therefore, Jefferson raped Hemings, who under conditions of enslavement could not give meaningful consent. That he raped her at least once we know with “high probability.” That he raped her five other times is “most likely.” That he raped her numerous other times is certainly plausible.

This is hardly surprising; white slave owners routinely raped their slaves. When stated generically – “white masters sometimes raped their African slaves” – the statement doesn’t spark controversy. What reason is there to assume Jefferson was different? Since he was willing to own other human beings and force them to work, why would we expect him to be unwilling to force at least one of them to have sex? Why should the same term applied to other slave owners not be used to describe Jefferson’s conduct? Yet Americans seem to have a strong need to tell a different story about Jefferson, even when acknowledging these unpleasant realities about his life.

I know of no history textbook in which there is an acknowledgement that Jefferson raped at least one of his slaves. Why? Because to acknowledge such things that bluntly is to take a step on the road to coming to terms with the three racist holocausts that have formed the United States of America. It’s to acknowledge that the story we tell ourselves about this country is as much myth as fact. It’s to face the ugly, brutal, violent racist history of the country; understand that our affluent society is the product of that history; and then recognize

The Black Commentator – Jefferson's Crime: Not Mitigated by the Standards of the Time

that such violence continues to protect our affluence and perpetuate racialized disparities in the worldwide distribution of wealth.

History matters. It matters whether we tell the truth about what happened centuries ago, and it matters whether we tell the truth about more recent history. It matters because if we can't, we will never be able to face the present, guaranteeing that our future will be doomed. That isn't meant hyperbolically: I mean doomed. I mean that a society with such inequality at so many levels is unsustainable. Martin Luther King, Jr. spoke to the sense of urgency in this struggle the night before he was assassinated. On April 3, 1968, in Memphis, TN, he warned that "if something isn't done, and in a hurry, to bring the colored peoples of the world out of their long years of poverty, their long years of hurt and neglect, the whole world is doomed."

This essay is excerpted from The Heart of Whiteness: Confronting Race, Racism and White Privilege ([City Lights](#), September 2005). Jensen is a professor of journalism at the University of Texas at Austin. He can be reached at rjensen@uts.cc.utexas.edu.