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Preamble

In the spring/summer 2019, Franklin & Marshall College (F&M) senior leadership and Board of Trustees began having conversations around the college’s history during the slavery era of the United States. Dr. Lisa Gasbarrone, Professor of French and Francophone Studies and Don of Brooks College House, Dr. Gretchen Hathaway, Vice President of Diversity, Equity and Inclusion, and Dr. Courtnee Jordan-Cox, Assistant Dean of Student Affairs and Roschel College House Dean, organized a series of campus events in March and April 2021 to continue this conversation. The group hosted a three-part critical examination of both Benjamin Franklin and John Marshall. The sessions discussed readings on both figures’ relationships with slavery. Additionally, Kathleen M. Brown, David Boles Professor of History at the University of Pennsylvania, and her student, VanJessica Gladney, were invited to speak at a virtual event about their groundbreaking "Penn & Slavery Project" with the F&M community.

Inspired by these projects, F&M felt prepared to take on a similar investigation. The college already had a group of faculty, staff and students, led by Professor Mary Levine, involved in looking at the history of the Indigenous peoples who lived on the lands prior to the existence of the college. As an anthropologist, Professor Levine’s own research on Indigenous peoples benefited the work of that study group. Therefore, the leadership of the Legacy of Slavery Study Group at F&M needed experts in the field of historical studies. The publication of Paul Finkelman’s Supreme Injustice: Slavery in the Nation’s Highest Court, which contained two chapters on John Marshall’s history as an enslaver and Supreme Court Justice, sparked this conversation on the college namesakes--Franklin and Marshall. The co-chairs of this Study Group included: Professor Louise Stevenson, Professor of History and American Studies; Anna Boutin-Cooper, Research and Visual Arts Librarian; Gretchen Hathaway, Vice President of Diversity, Equity, and Inclusion and Louise LoBello, Digital and Special Collections Librarian. An email to the entire faculty, professional staff (FPS) and student community asked for volunteers to serve on the Study Group. Those signatories were assigned to address different areas of research, which resulted in: Subgroups 1 & 2: A Review of Other College Investigations into Slavery and Recommendations for F&M; Subgroup 3: Historical Research on Slavery and F&M; Subgroup 4: Changing Scholarly Views on John Marshall; and Subgroup 5: Changing Scholarly Views on Benjamin Franklin.

Approximately 44 FPS and student volunteers signed up to be members and all of the members were placed in subgroups of the project. By the end of the 2020-2021 academic year
22 members of our community, FPS and students, were dedicated to this project. In September 2021, the full cohort began meeting and sorting out the topics that needed attention and that we wanted to focus on. We used the complete academic year to research the following areas: the history of the establishment of Franklin & Marshall College; the history of our namesakes Benjamin Franklin and John Marshall; and the work that other colleges were doing to identify, to provide resources, to acknowledge, and to share their histories during the slavery era. Through this research, Franklin & Marshall College became a member of the University of Virginia’s Universities Studying Slavery Consortium.

The authors of this study prepared it with an awareness of the polarization of opinion prevailing in the F&M College community and the larger society. Moral purity might demand that all connections to slavery be erased from the college as it presents itself today while recognition that slavery and the history of enslaved people played a part in both college history, the history of Lancaster, and the United States suggests that the college offer a respectful recognition of its complete history. The authors ask readers to evaluate the research and materials presented within their historical context, and judge the contents as you wish our descendants two hundred years from now to judge us. Just as we of the enlightened twenty-first century condemn human slavery as an abhorrent moral wrong, so too our even more enlightened descendants two hundred years from now may judge us in the same way for our responses to the global racial, cultural, and social justice issues of the present day.

Introduction

Many people know of Franklin & Marshall College, a small liberal arts college located in the city of Lancaster, Pennsylvania, which is in the midst of rolling hills of farmlands and factories. Established in 1852 with origins going back to 1787, like other colleges born in the same era, F&M namesakes and certain members of their board of trustees were enslavers and/or profited from the business of slavery. Both Benjamin Franklin and John Marshall were enslavers and benefited from the work of the Black people whom they enslaved. This report will focus on: the historical context of slavery in Pennsylvania in the eighteenth and nineteenth centuries and the connections between F&M and the institution of slavery; Benjamin Franklin’s history of owning and profiting from slavery and his views on the abolition of slavery in Pennsylvania and in the United States; John Marshall’s history as an enslaver and prominent law maker of this era; a look at what other colleges are doing to address their histories of slavery;
and suggested outcomes for what Franklin & Marshall College and our community can do to address and to educate the college community on the Legacy of Slavery on its campus and in college history.
Historical Research on Slavery and F&M

A few years after Franklin College’s founding in 1787, the first Federal census showed that Pennsylvania was home to more than 10,000 enslaved people. As of this writing, the Study Group has not found evidence that Franklin College relied directly upon enslaved labor in its limited operations. However, several people connected with the college, including its founders, were enslavers and enjoyed wealth that at least partially benefited from the forced labor of Black individuals.

Africans were first brought to Pennsylvania as early as 1639 in the early days of Dutch and Swedish settlements before the region’s founding as an English colony. Many early documents refer to servitude or slavery during this period. By 1702, Black residents were referred to as “numerous,” and the slave trade had become a major import business in ports along the east coast, of which Philadelphia was one of the largest depots. The earliest record of slavery in Lancaster County comes from Susannah Wright, whose family settled near Shawanah, a town near what is now Columbia, Pennsylvania. She recorded in her journal the names of two residents in the household of her neighbor Samuel Blumston, “Negro Peter and Negro Sal.” When Blumston died in 1745, his will granted freedom and an annuity to Sal.

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1 Much of the information below is summarized from the exhaustive 1912 survey of Pennsylvania’s early Black history by Edward Raymond Turner, which, it should be noted, includes few perspectives from the subjects of that work.
For both cultural and economic reasons, Pennsylvanians enslaved fewer people than did those in New York and New Jersey. Pennsylvania’s small farms, manufacturing, and commerce were less conducive to slave labor, although some iron “plantations” relied on large groups of enslaved Blacks. The number of enslaved people in Pennsylvania peaked in 1750 when enslaved Blacks numbered 6,000 of 120,000 total residents.

While colonial Pennsylvania’s legal structures never defined enslaved persons as “real estate” as southern colonies did, the laws of the colony gradually distinguished between indentured servants, or temporary servitude, and perpetual servitude, or slavery in the decades before the Revolution. A 1725-26 act of the Pennsylvania assembly enacted legal disabilities on all Black people, freed or enslaved, including a prohibition on marriage or intercourse with white people.

The vast majority of enslavers in Pennsylvania were English, Dutch, or Scotch-Irish. The German immigrants who arrived later were less inclined to participate in slavery because the region of Central Europe from which they came was not active in the slave trade. Germans also tended to create insular communities, at least initially, and preferred to rely on labor from people who spoke their language. Some scholars argue that this sectarianism played a role in anti-abolition sentiment among Pennsylvania’s Lutheran and Reformed Germans later in the eighteenth century.
German and Dutch Quakers first proposed an end to the slave trade business and the abolition of slavery in Pennsylvania at the Germantown Meeting in 1688. These sentiments became a strongly-debated issue among the Society of Friends over the next few decades. Philadelphia Quakers, mainly merchants and tradesmen, were among the wealthiest and most politically influential people in the colony. Many Quakers were enslavers and derived their wealth from slave trading. In 1693, George Keith, a dissenting Quaker, declared that “negroes were men, and that slavery was contrary to the religion of Christ; also that masters should set negroes at liberty after some reasonable time.” Quakers predominated in the colonial legislature and, as the century progressed, likely had much to do with influencing laws that limited the slave trade. In 1759, at their Yearly Meeting in Philadelphia, Quakers unanimously agreed that its members should not participate in the business of slave trading on penalty of disownment from the Philadelphia Meeting. In 1776, several months after the Continental Congress adopted the Declaration of Independence, the Philadelphia Quakers amended their rules. Owners of enslaved or indentured people would now incur disownment.3

On March 1, 1780, Pennsylvania was the first state to pass a gradual abolition bill. The “Act for the gradual Abolition of Slavery” provided that no child born after 1780 in Pennsylvania should be a slave but that such children, if negroes or mulattoes born of a slave mother, should be servants until they reached twenty-eight years of age, that all present slaves should be registered by their masters before November 1, 1780, and that enslaved people who were not registered should be free. Earlier discriminatory legislation regarding trials and punishments was repealed as the new law mandated, “that negroes whether slave or free should be tried and punished in the same manner as white people, except that a slave was not to be admitted to witness against a freeman.”

Because Pennsylvania had enacted gradual abolition, a few Black Pennsylvanians remained in bondage until 1850. Even more important, free Black individuals still faced discrimination under Pennsylvania laws. They had to endure the racist attitudes of the majority, violence from neighbors, and the threat of kidnapping from southern slave traders. In the decades before the Civil War, the threat of kidnapping lessened as increasing abolitionist sentiment in the state made enslavers less welcome. Because Pennsylvania bordered

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Maryland, a slave state, fugitives from enslavement who entered the state were still subject to detention and a return to the chains of slavery because the Constitution required that "persons held to labor" in one state should be returned to their owners – as the fugitive slave clause required. Nonetheless, after 1820, newspaper advertisements for runaways in Lancaster newspapers were rare.

![Clipping from The Lancaster Journal, February 11, 1818.](image)

Mercersburg, PA, where Marshall College was founded in 1836, was home to several small communities of free Blacks, and owing to its proximity to the Mason-Dixon Line, the scene of much tension between abolition and pro-slavery forces in the decades before the Civil War. Christiana, near the Maryland line in southern Lancaster County, was the site of an 1851 skirmish that led to the first legal test of the Fugitive Slave Act of 1850. Castner Hanway, a white man who refused to help a federal marshal pursuing his free Black neighbors with a group of enslavers, was defended by Thaddeus Stevens, of Lancaster, Pennsylvania, and acquitted of treason. Consequently, the indictments for treason against thirty-six African Americans and four other white men who also had been arrested, were dismissed.

Early Quaker abolitionists felt strongly that freedmen should be supported by their former enslavers and society in general. Edward Raymond Turner notes, “It is probable that no

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5 Joan C. McCulloh, “The Abolition Riot in 1837-The Prologue,” Mercersburg Historical Society. [https://mercersburghistory.org/blog/10/](https://mercersburghistory.org/blog/10/)
body of free negroes ever began their economic rise with more assistance and better wishes than the negroes of Pennsylvania.”\(^6\) Blacks continued to face an uphill battle in gaining political rights and economic security. Turner describes relations between Blacks and whites as “largely the history of increasing race prejudice.” Increasing economic competition in urban areas, large numbers of people escaping slavery and fleeing to Pennsylvania and the growing acrimony aroused by abolitionists led to so-called race riots erupting in the decades prior to the Civil War. At the time, therefore, when the Civil War burst upon the country, pro-slavery advocates, Turner writes, “could with some reason point to the treatment of the negro in states like Pennsylvania, and could feel that de Tocqueville was right when he said twenty-five years before, that race prejudice was stronger in those states which had abolished slavery than in those states where it still remained.”\(^7\)

Research Procedure

With intent to start from the first year of Franklin College, this group compiled a robust list of the college founders to investigate. The starting point for researching the original trustees, subscribers, and petitioners was a search of Ancestry.com and the free genealogy website Familysearch.org. Through these resources, the researchers were able to access both United States and Pennsylvania census records and some local tax records. There are some challenges in working with 200 year-old digitized records. For example, while it was possible to identify a person’s name or an alternate spelling in a search, it was also possible for multiple people to share the same name in the same geographic area. With this complication in mind, it was attempted to validate the accuracy of the identities associated with the records to the extent possible, and there is certainly an opportunity remaining to conduct further research into these individuals.

For many of the Franklin College founders, additional searches were conducted across online newspaper archives—particularly the Lancaster newspaper archive available through LNP Online and Ancestry.com—to find any mention of these enslavers’ names in relationship to slavery. For example, it was not uncommon to find notices for runaway slaves with a person of contact listed.

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\(^7\) Turner, 149.
Inevitably, the initial searches in tax records and census records revealed the most direct and clear data. The findings through the tax and census records were supplemented by an extraordinary dataset created by Cory James Young for his Georgetown University doctoral dissertation. The dataset compiles the individual records contained within slave registries found in twelve Pennsylvania counties, including Lancaster County.

Findings

Of the list of 59 original Franklin College trustees, subscribers, and petitioners, the researchers flagged 20 individuals as potentially having been enslavers or having had a connection to the institution of slavery as evidenced through tax and census records.

- Charles Biddle, Esq.
- William Bingham, Esq.
- George Clymer, Esq.
- Christopher Crawford
- William Hamilton
- Edward Hand, Esq.
- Daniel Hiester, Esq.
- Joseph Hiester, Esq.
- Peter Hoofnagle, Esq.
- Adam Hubley, Esq.
- John Hubley, Esq.
- Jacob Krug
- Thomas McKean, Esq.
- Robert Morris, Esq.
- John Musser
- David Reddick, Esq.
- Adam Reigart, Sr.
- Jacob Van Buskirk, Rev.
- Jasper Yeates, Esq.
- Paul Zantzinger

As another layer of investigation, the researchers then cross-referenced the names of these twenty individuals with a list of the original Franklin College students and determined that there were eight common last names: Hamilton, Hubley, Hoofnagle, Yeates, Zantzinger,
Hand, Krug, and Reigart. This coincidence could suggest a possible familial connection between the first Franklin College students and the founders of the college.

Conclusions and Future Considerations

There is much potential for this research to continue in a number of directions. The research efforts in the fall of 2021 that resulted in the findings in this report were specifically focused on the original founders of Franklin College and their connection to the institution of slavery. Further research is needed for Marshall College trustees, early faculty members at both schools, and other campus figures.

Additionally, there is opportunity to expand the existing research on Franklin College trustees and students, for many of these individuals share last names. It would be of great benefit to dive deeper into these possible familial relationships so that multigenerational ties between the two years of Franklin College’s existence and the institution of slavery might be uncovered. Although brief biographies of these figures have been started, more robust research into their lives, work, and finances can reveal the full extent to which slavery affected their livelihoods and family histories. In essence, it could reveal the extent to which the wealth of these early figures were entangled in the institution of slavery, as well as in the early finances of Franklin College.

Other figures featured on campus such as members of the de Peyster family, are worth investigating at length. In the seventeenth and eighteenth centuries, the de Peyster family of New York City enslaved a number of people. Abraham de Peyster, mayor of New York City from 1692-94 and governor of the colony of New York, 1701, enslaved at least nine individuals. His descendant General John Watts de Peyster (1821-1907), a dedicated Republican and Union army veteran, donated in 1897 the first library building to the college and an extensive collection of books. He also gifted a statue of his ancestor, Colonel Abraham de Peyster, to the college, which now sits on Buchanan avenue. A replica of the statue also sits in Thomas Paine Park in Manhattan.

One of the most commonly asked questions about the early years of Franklin & Marshall College and the slavery era is if there was any slave labor used in the construction of the college’s first buildings. It is known that the contractor, Haden Patrick Smith, and the architects

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8 Franklin College, A list of scholars who have entered into the English school, Franklin College, 1787-1788, Manuscript, from Franklin & Marshall College Archives and Special Collections. https://digital.fandm.edu/object/scholars-square2624
Dixon, Balbirnie & Dixon of Baltimore, Maryland, worked on the construction of Old Main, the first building on Franklin & Marshall’s current campus, from 1854 to 1856. As of now, no evidence of slave labor has been found to be associated with this project, but additional research into these figures could be useful. Maryland did not abolish slavery until 1864, and we do not yet know enough about the labor practices of this firm during this time period. Nonetheless, discovery of slave labor from Pennsylvania is unlikely. According to the Pennsylvania Historical and Museum Commission, no enslaved people supposedly lived in Pennsylvania after 1850 although a few African American Pennsylvanians continued to be identified as "slaves." They would have been 70 years old or older.9

Bibliography for Slavery at Franklin & Marshall College


Franklin College, A list of scholars who have entered into the English school, Franklin College, 1787-1788, Manuscript, from Franklin & Marshall College Archives and Special Collections. https://digital.fandm.edu/object/scholars-square2624.


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Benjamin Franklin: Changing Scholarly Views

Introduction

The Study Group researchers investigating *Changing Views of Franklin* carefully and steadfastly assessed Benjamin Franklin’s nearly life-long and varied relationship to the institution of slavery. The researchers sought neither to utterly condemn nor entirely to exonerate Franklin’s attitudes and actions toward this pernicious institution. Instead, by drawing on Franklin’s own writings and scholars with a variety of points of view, the goal was to understand the man’s thinking and how it evolved while recognizing the divergence of opinions on his participation in the enslavement of people and then his condemnation of enslavement.

This study rejects both an absolute, universal stance on the evil of slavery as well as a relativist stance. An absolutist stance would not allow for excusing participation in human enslavement no matter what the social, legal, economic, political, or religious realities of the time in question. In contrast, a purely relativist stance would dismiss as retroactive hubris any attempt to impose judgements on someone who lived in a cultural and temporal milieu with different moral standards.

Rejecting these extremes, this study takes a more balanced approach. People are products of their times and contexts, and it is difficult for anyone to go sharply against the grain of their times. However, this study calls to account the lack of moral courage and insight that prevented Franklin from condemning the institution of slavery and his own participation in it much earlier and much more forthrightly as an enslaver and a printer who profitted from slavery through his business. These facts cannot be ignored or dismissed without the study being remiss in the task set for it within the Legacy of Slavery Study Group. Nonetheless, he also changed his opinions and actions over time with regard to slavery by becoming more vocal in his opposition to the institution, and at the time of his death, asking his family to free the last person enslaved by his family members. Yet, these points hardly exhaust the matters of fact and fact-based speculations that inform a more thorough picture of Franklin and slavery.

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10 Readers may want to consult *Benjamin Franklin: A Film by Ken Burns*, available at the F&M College Library with an account, on PBS, and soon through an accessible link for those without a library account, courtesy of the College Library.
Franklin’s involvement with slavery began at a relatively early age. After fleeing from an indentured apprenticeship in Boston with his older brother, a printer, Franklin arrived in Philadelphia in 1723 at age 17. By 1729, Franklin was co-owner of the Pennsylvania Gazette newspaper, and during the 1730s he profited from advertisements for runaway slaves and slave sales. Yet, he also printed condemnations of enslavement.\textsuperscript{11} By 1735, he owned a slave boy named Joseph, the first of about eight people that Franklin owned between the 1730s and 1770s.\textsuperscript{12}

In his early life, Franklin expressed racist stereotypes. In a 1747 pamphlet calling for the formation of a Philadelphia militia, he cautioned against the “wanton and unbridled rage, rapine and lust of Negroes, Molattoes, and others.”\textsuperscript{13} At one point, Franklin and his wife Deborah owned a married couple, Jemima and Peter, who resided with them until their deaths. One slave owned by Franklin, a man named King, traveled to England with him in 1757 and escaped. By 1775, and possibly as early as 1770, Franklin no longer personally owned slaves, although his daughter and son-in-law continued to do so.\textsuperscript{14} Franklin benefited from slavery from 1730 to 1770, and his son-in-law and daughter continued to own slaves until the elder Franklin’s death in 1790.

\textsuperscript{12} Nash, 619-20.
\textsuperscript{13} Nash, 621.
\textsuperscript{14} Nash, 619-20.
Franklin’s relationship to slavery and race changed over time. A series of events in the late 1750s suggest a gradual evolution of his thought. His 1757 will called for the manumission of Jemima and Peter when he died. In 1758, he supported efforts to found a school for African American children in Philadelphia.\(^\text{15}\) That same year, his wife, Deborah, purchased a portrait of Benjamin Lay, a vocal abolitionist, and displayed the image prominently in their home.\(^\text{16}\) There is some evidence that Deborah played a key role in Franklin’s evolving attitude toward slavery, and that her purchase of the Lay portrait spoke to her engagement with the nascent abolitionist movement in Pennsylvania.\(^\text{17}\) Some change in attitude could be ascribed to the broader context, as well: 1758 marked the year that the Quaker Yearly Meeting in Philadelphia first renounced the business of slave trading, and Deborah belonged to that meeting.\(^\text{18}\)

In the years that followed, Franklin’s work with schooling for African American children continued, and he supported the creation of schools in a number of other cities. In a 1763 letter, he celebrated the quality of the students at the Philadelphia school and expressed regret regarding his earlier “Prejudices.”\(^\text{19}\) Another sign of his evolving racial attitudes was the change in language in *Observations Concerning the Increase of Mankind*. In the 1751 text, he argued that all slaves were thieves by “nature.” In a 1769 reprint, he changed the text to indicate that enslaved people became thieves as a result of “the nature of slavery.”\(^\text{20}\)
By the 1770s, Franklin began to engage in abolitionist activities, although historians dispute the sincerity and effectiveness of his efforts. First, in 1770, he published a criticism of the British role in the slave trade—hardly an abolitionist text, but one that did call attention to some of the evils of the institution. In 1772 while living in England, he published an anonymous letter in a London newspaper that criticized the slave trade especially in regard to sugar plantations and the life-long bondage suffered by slaves.\(^\text{21}\)

Historians disagree on the significance of this letter. Historian Gary Nash sees the letter as “among the most direct attacks on slavery by an American at this time and perhaps the most poignant from any colonial secular politician of high rank.” He also argues that Franklin’s correspondence with various abolitionists suggest that he was a changed man. Historian David Waldstreicher, in contrast, sees the letter as “damage control, finesse, or ‘spin’.\(^\text{22}\) The letter, he contends, shows Franklin trying to keep up with changing times: “Rather than leading the vanguard, Franklin scrambled to keep up with events...and the growing tendency for all political players in England to use both the slavery and American issues to their advantage.”\(^\text{23}\)

\(^{21}\) Nash, 630-31.
\(^{23}\) Waldstreicher, 202.
In this interpretation, Franklin’s personal correspondence with abolitionists becomes a case of his writing what he thought those correspondents wanted to hear.

Franklin gradually became more involved in abolitionist activities. In 1773, he met with Phillis Wheatley, the enslaved poet, who had traveled to England to publish and market her volume of poetry.\(^{24}\) Although Franklin offered “any Services I could do her,” some scholars dispute the sincerity of his efforts.\(^{25}\) When he left for France in 1776, where slavery had been abolished, to serve as an ambassador to the nascent United States, he did not travel with any slaves; he remained in France until 1785. In 1782, Franklin wrote “A Thought Concerning the Sugar Islands,” a letter critical of the slave trade, which he intended to send to a member of the British government. It remained unpublished until just before his death.\(^{26}\)

When Franklin returned to Philadelphia, he became more active in the abolitionist movement as he was named president of the Pennsylvania Society for Promoting the Abolition of Slavery in April 1787.\(^{27}\) Yet, his record remained uneven. At the Constitutional Convention in July 1787, he was a force for compromise, sacrificing his own antislavery beliefs in order to win the support of southern states for the new document. Although there is no direct evidence, he appeared to play a role in the creation of the compromise that affirmed the second-class status of people held to labor, meaning indentured servants and Black people who had been enslaved, in the nation’s founding document.\(^{28}\) As such, Waldstreicher argues that “Franklin’s antislavery credentials have been greatly exaggerated” in past histories and public appraisals of his life.\(^{29}\)

However, in Franklin’s role as president of the Pennsylvania Society, he wrote and signed a petition to the national Congress calling for an end to slavery in 1790, arguing that “all [are] formed by the same Almighty being, alike objects of his Care and equally designed for the Enjoyment of Happiness.” Slavery, he argued, was a violation of the ideal of “equal liberty” at the heart of “the Character of the American people.”\(^{30}\) One of his final writings, from March 1790, was a satire of slavery that called out people who argued that slavery’s economic benefits were too important to justify eliminating the institution.\(^{31}\) When Franklin

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\(^{24}\) Some time after her meeting with Franklin, her enslavers and Wheatley returned to Boston, and they emancipated her.

\(^{25}\) Waldstreicher, 202-03.

\(^{26}\) Nash, 632-33.

\(^{27}\) Nash, 635.

\(^{28}\) Waldstreicher, 233-35.

\(^{29}\) Waldstreicher, xii.

\(^{30}\) Pennsylvania Abolition Society, Feb. 3, 1790.

\(^{31}\) Nash, 635.
died in April 1790, his will called for the manumission of Bob, a slave owned by Franklin’s son-in-law and daughter.\textsuperscript{32}

Conclusion

In conclusion, this study presents a complicated, more human picture of Benjamin Franklin and his relation to slavery. Instead of the irreproachable genius and Founding Father one typically finds in much of the literature and grade-school lessons, the study describes a man who held racist views, who was able to recognize his prejudices, and who changed for the better in his later life. In his early adulthood, Franklin published antislavery pamphlets through his printing business at roughly the same time that he began owning enslaved people himself.\textsuperscript{33} He was willing to suppress his growing private misgivings concerning the institution of slavery for the sake of being politic, until those misgivings could no longer be suppressed for the sake of his own honor. Indeed, he was more willing to criticize slavery while on foreign soil. Only in the twilight of his years in the United States did he explicitly, and no longer anonymously, criticize the institution. To put Franklin’s experiences in a broader perspective: Pennsylvania abolished slavery in 1780, but the process of abolition was very gradual, not realized fully for another 70 years.

Thus, this study does not condemn or exonerate Franklin, but makes a serious and unblinking assessment of the life of a complicated man in complicated times. In recognizing how hard it is for any one of us to merit moral esteem at any time in history, Michele M. Moody-Adams explains: “the most estimable of human qualities will sometimes be revealed in the effort to forgive the wrongdoing of our cultural predecessors, rather than simply to ignore the ways in which their practice amounted to wrongdoing.”\textsuperscript{34} Although the way individuals choose to assess Franklin’s legacy with slavery is a personal decision, the study attempts to provide a more complete understanding of the man.

\textsuperscript{33} Nash, 619, 621.
\textsuperscript{34} Michele M. Moody-Adams, “Culture, Responsibility, and Affected Ignorance,” 303.
Benjamin Franklin Bibliography


John Marshall: Changing Scholarly Views

Introduction

Before publication of Paul Finkelman’s *Supreme Injustice: Slavery in the Nation’s Highest Court* in 2018, there was no debate that John Marshall was the most famous and most important Supreme Court Chief Justice. Unfortunately for the Chief Justice’s unsullied reputation, Finkelman contended in *Supreme Injustice* that Marshall deserved this reputation only if his slave holding, racism, and proslavery court decisions were excused. Finkelman accused him of owning at least 250 enslaved people during his lifetime who labored in his Richmond home and on his two Virginia plantations in Fauquier and Henrico counties. Analyzing Marshall as Chief Justice, Finkelman determined that most if not all of Marshall’s rulings that involved slavery and freedom were decided in favor of slavery. The author then took a summary of his findings to a larger audience by publishing "America’s ‘Great Chief Justice’ Was an Unrepentant Slaveholder" in the *Atlantic (June, 2018)*. This article motivated Franklin & Marshall College and its leaders to investigate further the complicity of the college with slaveholders and slavery at its foundings—in 1787 as Franklin College, and in 1853 as Franklin & Marshall College.

After explaining how the name John Marshall came to be linked to that of Franklin College in 1853, this study will summarize briefly Paul Finkelman’s indictment of Marshall. The researchers thought that an extensive presentation of his claims was unnecessary given his extensive and effective condemnation of Marshall, his slaveholding, and his Supreme Court decisions in the *Atlantic article* This report then presents the opinions of notable scholars who qualify Finkelman’s explosive charges. The researchers make no suggestions as to how the readers of this report should weigh these claims and counterclaims about Marshall, the man and the Chief Justice. His rulings often confirmed ownership in human property, and he enslaved Black people. During his lifetime, he participated in the slave economy and industry of the United States and left a considerable legacy to his heirs. Further, the slaveholding interests of Marshall, fellow members of the Court, and to a lesser extent, the American public influenced Supreme Court rulings during Marshall’s thirty-four-year service as Chief Justice.

The study does ask you to evaluate John Marshall as a man, enslaver, and jurist in the context of the early American republic in which he lived—a slaveholding and racist United States. In Richmond, Marshall’s hometown, two thirds of white households held enslaved
people. The 1790 census shows that Virginia held the largest population of enslaved people of any state. The percentage of Blacks in Virginia counties lying east of the Alleghenies often exceeded 60% of the entire population and in seven counties their population exceeded 78%. From the mid 1820s through the early 1830s, Marshall gifted farms in Fauquier County, Virginia, to his sons upon their marriage. Thirty to fifty enslaved people worked each farm and were included in the gifts.

Until ratification of the 13th Amendment in 1865, slavery was legal in the thirteen states where state constitutions or laws then established it (Maryland law freed enslaved people in 1864, and Missouri law in early 1865). Further, laws treating Black people as inferior in property rights, social privileges, and political rights existed in almost every state—whether slavery was established in that state or not—until ratification of the Fourteenth Amendment (1868) with its provision: no state may "deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." For example, the 1838 Pennsylvania state constitution denied the vote to free African Americans. The 1857 Oregon Constitution prohibited both slavery and African Americans from settling in the state.

How Franklin College Became Franklin & Marshall College: A Summary

In History of Franklin and Marshall College (1903), Joseph Henry Dubbs describes a history of the merger of Marshall College with Franklin College in 1853.35 Marshall College had been founded in 1835 in Mercersburg, Pennsylvania, as an institution affiliated with the German Reformed Church. Because of the national importance of Chief Justice John Marshall and his death in 1835, the college founders chose to name their institution after him. Its charter said that it would be called Marshall College "in testimony of respect for the exalted character, great worth, and high mental attainments of the late John Marshall, Chief Justice of the United States." The founders of the college and the American public at that time thought that Marshall's slave holding had no relationship to his great accomplishments as chief justice.

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35 The most recent history is Sally Griffith's Liberalizing the Mind (University Park: Penn State University Press, 2010), which repeats Dubbs's account and offers little new information. For the basic history of F&M, Dubbs's work appears here because it is available free and online.
In the late 1830s, abolition was a hot topic due to the activism of antislavery societies. In 1837, an anti-abolitionist riot erupted in Mercersburg when an antislavery minister visited the town and proposed a talk on the evils of slavery. Situated just north of the Pennsylvania border with Maryland, a slave state, Mercersburg was on a route that enslaved people fleeing to refuge in a free state sometimes followed. The area had become home to some of these people who had fled enslavement. Two miles west of Mercersburg, there existed a community possibly dating from the eighteenth-century, Little Africa, where about 100 or so free Blacks lived. When Marshall College students from slaveholding states heard of the promised antislavery speech, they feared for disruption. Antislavery activity in the 1830s often divided communities, churches, and in this case a college, much as extreme political positions today politicize institutions and discourage dialogue. So, in 1837 Mercersburg, violence erupted when the antislavery speaker proceeded to the Methodist church. The southern students of Marshall College surrounded the speaker and pelted him with stones and eggs. Throughout the northeast in the 1830s, such riots were common and erupted in Boston, New York, and Philadelphia among other places.

Dubbs and then Griffith incorrectly blame the violence on the townspeople and not the students, although he is correct in saying that another Marshall College student helped to rescue the speaker from the mob (Dubbs, 223-25). For a more accurate account, see Samuel P. Bates, *History of Franklin County, Pennsylvania* (Chicago: Warner, Beers, 1887), 852; Theodore Appel, *Recollections of College Life, at Marshall College, Mercersburg, Pa., from 1839 to 1845: A Narrative, with Reflections* (Reading, PA: D. Miller, 1886), 109-10.
By the mid-1840s, the trustees and professors of Marshall College realized that the institution could not sustain itself economically. Tuition did not produce sufficient revenue, and the denomination with which the college was affiliated did not offer sufficient ongoing funding. In Lancaster, Franklin College had ceased to operate several years after its founding in 1787 due to a lack of students and community support. A pre-college academy for men continued, but no college. Nonetheless, the moribund institution had access to money. Its original charter had awarded the college over 10,000 acres in Venango, Lycoming, Bradford, and Tioga counties in the northcentral and northwestern parts of the state. While the lands would have sold for little in 1787, by 1853 they had appreciated significantly in value. Additionally, the college benefited from an endowment of $23,000 in 1853, about three quarters of a million dollars in today's money. To summarize, Marshall College had the students, and Franklin College had the money.

How Historians and Scholars Rated John Marshall Pre-2018

From 1970 to 2017, D. Grier Stephenson, Ph.D., taught Franklin & Marshall College students about John Marshall in his courses "Introduction to American Government" and "Constitutional Law." From Stephenson and his colleagues, they learned that John Marshall was responsible for making the Supreme Court an effective branch of American government. By initiating judicial review in Marbury v. Madison (1803) and establishing the supremacy of the Constitution and federal laws over state constitutions and laws in McCulloch v. Maryland (1819), Marshall made operational the principles that the Constitution had announced.

More recently, F&M Assistant Professor of Government Elspeth Wilson, who presently teaches the "Constitutional Law" course and "Introduction to American Government," related how excited she was to teach about John Marshall. Her students learn how he made the Court a vital branch of government. She reported, "They too seem to come away proud that Marshall is our college's namesake," and that Marshall's decisions give "them insight into the difference

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37 Dubbs, 90-92.
38 For information on debates concerning slavery at the in the antebellum period, see Dubbs, 259-62. At the college, Buchanan recommended the same policy that he would recommend as president—students and faculty should not debate the sectional and slavery issues of the day to preserve the unity of the institution, and the country. Such a policy obviously opposed all antislavery talk and action.
between legal and moral justice." Only in a utopia do moral justice and legal justice overlap exactly.

Finkelman’s Findings

The following summary is based on Finkelman’s Atlantic article, which gives the key points of his case against Marshall as a slaveholder and pro-slavery jurist. Readers who wish a fuller analysis should refer to chapters two and three in Supreme Injustice.

In the Atlantic article, Finkelman says that Marshall bought, sold, traded, or gifted at least 250 people during his lifetime. Although, he admits, we do not know how the overseers on his plantations treated the enslaved people, we do know that the buying and selling of Black people at all slave holding establishments often separated family members. During his lifetime, Marshall sold perhaps 100 slaves in various lots to his five sons and many sales

39 Akhil Reed Amar, Sterling Professor of Law and Political Science at Yale University, wrote an influential book about the Marshall Court in 2021. His evaluation of Marshall expands upon the views of Stephenson and Wilson. Seemingly unswayed by Finkelman’s publications, Amar holds that Marshall’s role in building the Court was crucial to establishing the Constitution as the Supreme Law of the Land. His decisions made judicial review a foundation stone for American democracy (The Words that Made Us).
occurred simultaneously with the gift of land. In 1830, Marshall himself owned 150 people. Of these people, probably six to a dozen people kept house for him and his wife in Richmond. No documented record reveals how Marshall treated those enslaved individuals, although his will stated that families should not be separated. He freed only one servant when he died, who had served him for over fifty years.

John Marshall’s father had gifted the enslaved person, Robin Spurlock, to his son upon his marriage. When Marshall died in 1835, Spurlock was between 70 and 80 years old. Marshall’s will offered Spurlock the choice of either $100 and freedom by emigrating to Liberia, or $50 and living the remainder of his life as an enslaved person in the household of one of Marshall’s children. Because of Virginia state law, a freed African American had to leave Virginia one year after their emancipation and, consequently, leave behind enslaved friends and relatives. The elderly Spurlock chose to remain in Richmond in the household of Marshall’s married daughter.

Analyzing Marshall’s votes and rulings on the Supreme Court, Finkelman argues that in cases concerning Black freedom, every time that Marshall wrote the opinion, the Court sided with the slaveholders in opposition to the person seeking freedom. Further, in Finkelman’s opinion, Marshall consistently ruled against African Americans seeking freedom when he decided cases arising from international law and the slave trade. Congress had prohibited American ships and shipowners from participating in the trade in 1794, although the Congress could not, according to the Constitution, ban the importation of enslaved people to the United States in foreign ships until after 1807. In the famous Antelope case (1825), Marshall ruled that the United States could not interfere with the status of enslaved Africans who arrived in the United States in foreign-flagged vessels if the laws of those countries permitted the slave trade. Consequently, the case did not free all the enslaved people that The Antelope was transporting.

Marshall Scholars Pre-2018

Finkelman contends that scholars up to 2018 had not portrayed the Chief Justice as a significant slaveholder because they had ignored the records of his landholdings and his holdings of enslaved people in Henrico and Fauquier counties. Thus, in books and articles pre-2018, the issue of slavery was not considered when evaluating Marshall’s major rulings.
A major example of this historiography is Jean Edward Smith’s *John Marshall: Definer of a Nation* (1996). The *New York Times* rated this 736-page tome, one of its Books of the Year. The review in the *American Journal of Legal History* lauded the book for refreshing our understanding of "the enormous importance of John Marshall."\(^{40}\) In this review and the positive one in the *Journal of American History*, Marshall receives praise, the biography generates little criticism, and the reviewer does not mention slavery or race.

In fact, Smith’s biography does discuss slavery and race. He mentions antislavery actions that Marshall took before becoming Chief Justice. In 1793, he signed a petition asking for a gubernatorial pardon for a Black woman convicted of murdering her rapist (the Virginia governor did pardon her), and in 1799 he won a case that gave freedom to over 400 enslaved people and awarded them compensation for the labor that they had performed after the death of their owner.

In 1817, the Chief Justice was a founding member of the American Colonization Society and helped found the Richmond-Manchester Chapter in 1823. Learning that the British Parliament had passed the Emancipation Act of 1833, which emancipated enslaved people in British Colonies and promised compensation to their owners, Marshall suggested that it offered the United States a model for future federal action. He also predicted that Parliament’s passage of the act presaged that American slavery would end. In short, while Smith does not deny that Marshall owned several farms staffed with enslaved people, he uses Marshall’s activities before 1801 and in the Colonization Society to form his conclusion that the Chief Justice opposed slaveholding even while being an enslaver who profited from enslavement.\(^{41}\)

To understand Marshall’s role in the American Colonization Society, two essays by legal scholars are helpful. Both articles recognize Marshall’s racism and the role of slavery in the Virginia economy. As an advocate of the Colonization Society, Marshall supported it with sizeable donations, advocacy for anti-slave trade legislation, and emancipation with compensation for slaveholders.

Frances Rudko, professor at the University of Massachusetts School of Law, argues that John Marshall was above all a nationalist who feared that slavery would divide the country. Thus, for the Chief Justice, slavery was a national problem that the federal government should


use its resources to terminate. She finds this sentiment expressed repeatedly in his private correspondence. For Marshall, national action implied the establishment of the African state of Liberia with assistance from the federal government. In 1819, the Colonization Society had successfully argued for an addition to a bill establishing an Africa Squadron of the US Navy to patrol for American slave ships on the African Coast. The Colonization Society-sponsored bill established that captured Africans being transported on US-flagged slave ships should be returned to Africa and required the federal government to appropriate $100,000 to establish a colony there. Later in Marshall’s career, he supported dedicating the funds obtained through sale of government-owned lands to secure the emancipation of enslaved people and their resettlement in Liberia. For Marshall, the Colonization Society was a means to secure emancipation although not to establish a free Black population in the United States.

The intransigent opposition of the slaveholding states and most owners of enslaved people to federal action made Marshall fear that the United States would become disunited. Three years before his passing, he wrote to his colleague on the Court, Joseph Story, that leaders of the southern states "are determined to risk all the consequences of dismemberment." Marshall hoped that they would “pause at the Rubicon,” or not move forward with decisive action.42

Legal scholar Leslie Goldstein finds that the Supreme Court shifted its stand on slavery in 1816-1817, the year the American Colonization Society was founded. Goldstein explains that prior to 1817, the Court awarded priority “to firming up the property rights of slaveholders where laws applied in arguably ambiguous or debatable ways. From 1817 onward, the Marshall Court often gave priority to liberty, interpreting the laws in pro-liberty directions when the laws spoke ambiguously enough to make this feasible.”43

At the founding meeting of the Colonization Society, both Marshall and his fellow Virginian Justice Bushrod Washington, the former president’s nephew, took active roles. The Society worked for the voluntary return of emancipated enslaved people to Africa. Thus, the Society was based on the presumption that the United States should be a country of free white people with no free blacks. From our 2022 perspective, this position suggested that the proper place for African-Americans in the United States was as slaves and not as free people. For

43 Goldstein, "Slavery and the Marshall Court," 167. See especially the Table illustrating the changed position of the Court, 196-97.
Marshall, the Society was a means to effect emancipation and to settle the emancipated people in a land where they thought they could prosper.

Then consider that in 1817, no state in the United States offered equality under the law to Black people, and that Congress frequently made laws in violation of the Fifth Amendment’s stipulation that the federal government might not "deprive a person of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation." Thus, supporters of the Colonization Society definitely shared the racism of the American public. Nevertheless, considering the prejudices of nineteenth-century people and the options available for antislavery activity, membership in the Colonization Society was the most progressive option available in Virginia during Marshall’s lifetime. As happened in Mercersburg, even speaking against the evils of slavery would result in social upheaval and violence. In the 1750s, Franklin could support a school for African American children in Philadelphia with words and his pocketbook, while Marshall could not take similar action in Virginia in 1831 because he would have broken state law.

Reviews of Supreme Injustice

For this section, we checked for book reviews of Paul Finkelman’s *Supreme Injustice: Slavery in the Nation’s Highest Court* in scholarly historical journals and journals of legal history through JSTOR and Google Scholar. White men wrote all but two of these reviews. A Black woman scholar authored one review. The reviews in historical journals summarize quickly as the authors in these journals tended to emphasize similar points. Historians celebrated that Finkelman had revealed the extent of Marshall’s slave holdings. Because legal history journals offered a richer discussion of Finkelman’s contentions about Marshall’s holdings of African American and legal decisions, the following section will relate the key points of several noted scholars.

Franklin & Marshall College Professor Emeritus of Government, Donald Grier Stephenson, Jr., writes in the *Journal of Supreme Court History* that Finkelman produced a volume “that no subsequent writing on the nineteenth-century Court and its members can easily (or wisely) ignore.” Nonetheless, Stephenson found that Finkelman wrote with prosecutorial intent—"emphasizing the inculpatory and minimizing what might be the exculpatory." Indeed, many reviewers observe that Finkelman takes as his standard what

might have been instead of explaining in detail the reasons behind the Court’s decisions. For example, Finkelman does not point out that Marshall was but one member of a Court that numbered from six to nine justices during his tenure, and that about half of his fellow justices during his tenure originated from slaveholding states. George Washington appointed six justices, and not until 1869 did Congress establish nine as the standard number of justices. Since we know that all the justices deliberated cases and wrote opinions, it is doubtful that every decision that favored slavery represented Marshall’s individual opinion even when he composed the ruling of the Court.

Charles Hobson, the editor of the John Marshall papers at the University of Virginia, offers the most extensive and critical review of Supreme Injustice. Finkelman asked Hobson to read and comment upon his manuscript pre-publication, but the author did not accommodate Hobson’s reservations as the following summary will show. In his review essay, Hobson counters Finkelman’s account of Marshall’s slaveholding and decisions in freedom cases and slave trade cases.

Finkelman charges that Marshall actively traded slaves during his life. He writes that Marshall owned as many as 250 slaves in 1830. In fact, Marshall himself owned, Hobson shows, about 105 people who labored on his three properties, and his five sons owned the remainder of enslaved people who worked on the sons’ farmlands in Fauquier County. Finkelman thus does not distinguish between slave ownership in the Marshall family versus that of Marshall himself.

Conducting research in the Papers of John Marshall, Hobson, who edited both the twelve-volume paper version and the online versions of the papers, has found no evidence of Marshall buying enslaved people after 1790. He found evidence of Marshall selling them only when his profligate son, John, Jr., died in 1833. The records from this sale are the only extant records showing a sale between 1790 and 1833. In correspondence with another son, the estate executor, Marshall wrote that he wanted as many enslaved people as possible to be retained by the deceased son’s widow or other members of the Marshall family. Nonetheless, some enslaved people had to be sold to satisfy the creditors of the deceased profligate son if the widow and her children were to retain the family home. Finkelman condemns Marshall for prioritizing the welfare of his son’s family over that of the enslaved people included in the son’s

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debt encumbered estate. In contrast, Hobson argues that Marshall tried to minimize the number of sales even though he was a guarantor for his son’s debts. Additionally, Hobson concedes that Marshall probably traded enslaved people at other times during his lifetime although no written record shows these transactions. ⁴⁶

Neither was Marshall fabulously wealthy as Finkelman implies. Most scholars describe his house in Richmond as modest and his rural retreat in Chickahominy as a small farm. Marshall, Hobson argues, accumulated most of his family wealth from land sales in western Virginia. On his lands, the enslaved people generated sufficient income for their maintenance. Marshall wealth came from the sale of a portion of these lands and long-term leases on other properties. Evidently in the late 1790s, he had made a grand purchase of the lands of the Fairfax family and economized for the next ten years to pay off that debt. ⁴⁷

When Hobson considers the thirteen freedom cases that came before the Marshall Court, he repeats Finkelman’s point that the Court found against the enslaved person’s freedom in eight of the cases, of which four rulings sustained the decision of a lower court. Unlike Finkelman, Hobson asks if these cases furnish sufficient evidence “to reveal a consistent pattern of bias” from Marshall himself. Was the Marshall Court faithful to the state law establishing property in persons, or was it acting on its own prejudice, or did the two positions coincide? Finkelman does not ask how “we distinguish between the bias of the law and the bias of the judge,” given a state [Maryland or Virginia] “legal system that was so brutally weighted against the rights of black slaves?” Dinah Mayo agrees, she contends that Finkelman’s explanations have shortcomings as he “never fully explains how the justices, especially the slave owners, could have drawn antislavery conclusions from a proslavery Constitution.” ⁴⁸

When Hobson confronts Finkelman’s analysis of sixteen slave-trade cases, he suggests difficulty in detecting bias in favor of the traders unless the analyzer is “predisposed to see it.” Hobson does agree with Finkelman’s faulting of Marshall in deciding two cases appealing lower court rulings that demanded forfeiture of vessels for illegal trading. Both scholars think Marshall “too rigid and technical” when composing these opinions. ⁴⁹

Finally, Hobson rejects Finkelman's condemnation of the Marshall decision in the Antelope case (1825). Here, Finkelman shows his usual preference for a decision that might have been and condemnation of the law that was. The Antelope case involved a cargo of enslaved people that had been captured by a US revenue cutter in international waters off the Spanish colony of Florida. The captured ship bore a Venezuelan flag at the time of capture and carried captured Africans from Africa as well as others from a Portuguese ship that it had seized. At this time, Venezuelan, Spanish, and Portuguese laws upheld human slavery.

The ship and its cargo were then taken to Savannah, Georgia, where the case to resolve the future of the vessel and its cargo was to be decided. The Supreme Court received the case on appeal. When analyzing the case, Finkelman argues that the Marshall Court should have issued a ruling like the one of Justice Story in the circuit course case of La Jeune Eugenie (1822). In that case, Story had ruled against slave traders by citing natural law. Had Chief Justice Marshall and his fellow justices ruled according to natural law in the Antelope case, all the captured people would have been freed to Liberia according to the 1819 US law. Thus, Finkelman uses the Antelope case to charge Marshall with pro-slave trade bias.

As Hobson points out, Marshall's ruling starts with his firm statement that natural law undeniably condemned slave-trading. Yet, the Court's decision said that natural law ceased having application when a country made positive law establishing slaves as property. For example, the Declaration of Independence references “the laws of nature,” while the Constitution makes positive law. Thus, the Marshall Court ruled that the captured Africans aboard The Antelope owned by Spaniards and Portuguese did not fall within the jurisdiction of American national law as they were on a Venezuelan flagged ship over which the United States had no jurisdiction. Property on the ship followed the nationality of the flag over the ship. Because Venezuelan law established people as property, the US could not free people held as property on ships bearing the Venezuelan flag. As a consequence of the ruling, the enslaved people on the slave ship who had Spanish and Portuguese owners were returned to slavery, while the 130 Africans who did not have Spanish or Portuguese owners went free, and per the 1819 law, were conveyed to Liberia. Several months after the decision, Marshall as president of his chapter of the Colonization Society wrote the secretary of the Navy to determine if the US was making progress in providing for the transportation of the freed Africans to their home continent.

A 2015 article in the Harvard Law Review compares the outcome of the La Jeune Eugenie case with that of the Antelope case. Although Justice Story had decided as a circuit
court judge, the earlier *La Jeune Eugenie* (1822) case on the basis of natural law and therefore found for freedom, the outcome of the case did not result in freedom for the enslaved people on the French-flagged vessel. Citing the demands of international comity, Story consigned all the enslaved people aboard the vessel to the care of the French king, in other words unfreedom. Meanwhile, although recognizing that natural law did not apply in the *Antelope* case, the ruling of the Marshall Court three years later returned between 120 and 130 of captured people aboard *The Antelope* to freedom in Liberia.50

Both Finkelman and Hobson express horror at the racist comments that Marshall made during his lifetime. Both scholars show that the Chief Justice detested free African Americans in Virginia and that Marshall thought a free African American was a "pest" who might "when transported to a seat where his industry may have excitement and object, [become] the active, thriving and happy Colonist of Liberia." In referencing Marshall's racist words about free African Americans, Finkelman stops short, Hobson thinks, because he leaves Marshall's words to carry an unmitigated racist meaning. While Hobson admits that Marshall's words about free African Americans in Virginia were "shocking," he contextualizes them with comparison to the similar racist language in dozens of petitions sent to the Virginia state legislature by whites in support of emancipation. To show that Marshall's racism was typical of almost all white people at that time, Hobson cites social reformer Frances Wright, who founded Nashoba, a short-lived utopian community dedicated to slave emancipation and colonization. Wright also described free Blacks as "vicious" and "wretched" as they were condemned to "degradation." Marshall and Wright thought that wretchedness and vicious nature were not innate to Black people. White public sentiment created and supported these views. As President James Madison, a member of the Colonization Society, explained, "public sentiment inflict[ed] that degradation] on them."51

Hobson concludes his review article with this admonition: we can reevaluate John Marshall as a Virginian of his time and Chief Justice if we do the scholar's job "by assessing his actions within multiple layers of context."52 To paraphrase Grier Stephenson, no matter Finkelman's intent, studies of John Marshall must deal with his contentions.

51 Hobson, 377.
52 Hobson, 379.
John Marshall Bibliography


A Review of Other College Investigations into Slavery and Recommendations for F&M

Introduction

The members of this subgroup were charged with how to contextualize and memorialize the intersection between slavery and F&M’s history and/or role in the institution. To explore this topic further, the group has been researching what other similar institutions of higher education have done to educate and engage their communities around the topic of slavery and their institution’s participation in it. In particular, we sought out other institutions of higher education (IHE) that were either in our geographic region, and/or were of comparable size and demographic makeup to F&M. This is what led us to explore six institutions more in depth:

- **College of William & Mary** (Williamsburg, VA; pop. 8,600)
- **Davidson College** (Davidson, NC; pop. 2,000)
- **Princeton University** (Princeton, NJ; pop. 8,400)
- **Roanoke College** (Salem, VA; pop. 2,000)
- **Trinity College** (Hartford, CT; pop. 2,300)
- **University of Pennsylvania** (Philadelphia, PA; pop. 22,400)
- **Dickinson College** (Carlisle, PA; pop. 2,300)

An important distinction to make about the seven institutions named above: with the exception of Princeton, Trinity, and Dickinson, all the colleges are located in states that did not abolish slavery by 1800. For instance, in Virginia and North Carolina, where four of the colleges above are located, slavery existed, and the colleges located there profited from the labor of enslaved people until the end of 1865. It also should be noted that Princeton, Penn, and William & Mary are very large institutions, with smaller colleges located within them. Because of the institutions’ sizes, their endowments are much larger than a free-standing liberal arts college such as F&M. These facts are important to remember for context as F&M considers steps that it can take to address its relationship to slavery.
Findings

The range of activities undertaken by the seven comparison institutions was wide and varied. Additionally, some initiatives were rather straightforward and less comprehensive in nature, while others were more extensive. Some efforts have been in progress for several years and benefit from adequate and/or generous financial backing.

Each of the seven campuses undertook its own approach to designing and funding projects related to how it would approach the project of educating and engaging their communities around the topic of slavery and their institution’s participation in it. Therefore, each institution must be treated separately. This report outlines what these institutions have instituted on their campuses, the timeframes of these initiatives, and their costs if they are available.

College of William and Mary

Initiatives

The College of William and Mary, a public research university that comprises five schools, sponsors a long-standing project and has taken a comprehensive approach to its role in the enslavement of African-Americans. The overall project, titled “The Lemon Project,” began in 2009. The name is taken after that of an enslaved man with a complex and long-standing relationship with the college. The Lemon Project Committee comprises 20-30 members at any given time and includes faculty, present students and alumni, and community members. Their efforts cover much ground and due to the longevity of the project are well-embedded into the college’s programming and structure. Specifically, they include:

- A formal apology was made by the college’s president to descendants of the previously enslaved people in their community;
- An annual 3-Day Symposium hosted by the School of Education that focuses on the lived experience of African-Americans in the current context. The topics vary year-to-year. For instance, this year the theme will be “The Lives of Black Men." Volunteers for the symposium are faculty members and students who also belong to the Lemon Project Committee;
- The project hosts yearly “Porch Talks” for the community in which faculty and students report updates on current research findings. These talks also allow the community to be
a part of their project and to provide input to the various projects undertaken by Lemon Project Fellowship recipients and their faculty;

- **Fellowships** are available for students who want to undertake research on the college’s connection to slavery;
- **Regular courses** are offered on the memorialization of African Americans’ contributions to America;
- Commencement celebration for African American students, called the **Donning of the Kente**;
- **Free genealogy** research assistance and workshops for the community;
- **Memorial** on campus ($1 million raised so far towards $2 million goal).

**Time Frame & Costs**

For the first eight years (2009-2018), the project conducted research and scholarship, developed seven new courses, mentored independent and summer student study work, launched an annual symposium, and implemented a commencement ceremony. Financial expenses seem to be related primarily to employee salary and benefits (nine people as of February 2022). There are likely other operational and program expenses although it is not clear from the public information what that range may be. The College of William and Mary has an endowment of $1.8 billion.

**Initiatives**

In 2017, Davidson College appointed a **Commission on Race and Slavery** to examine the college’s history. The Commission was chaired by the Honorable Anthony R. Foxx ’93 and included a distinguished group of students, alumni, faculty, staff, trustees, and members of the **Town of Davidson community**. The Commission worked for over two years, it seems, and outcomes included: (a) a thorough report on the Commission’s work and suggestions, (b) **specific initial steps** for the college to take, including (c) a **formal public apology** for the college’s role in perpetuating slavery and systemic racism and (d) two special committees created by the Board of Trustees. Post-Commission initiatives and progress are also being made public and visible. Davidson College is a member of the **Universities Studying Slavery**
Consortium (USS) but does not emphasize that connection, at least not on public-facing websites.

**Time Frame & Costs**

It should be noted that Davidson’s endowment is $1.3 billion.

*Commission: two years- $50,000.* The Commission on Race and Slavery was a two-year project with members announced in 2018 and a final report published in 2020. The President’s Office allocated $25,000 per year and for the first two years an academic department managed the funds. The goal of the two-year project was to “establish a framework and process by which the college and its larger community can best conduct this inquiry.” The two-year study was the beginning of additional research, exhibits, curriculum or other programs that were not yet determined. The college received $250,000 from The Andrew W. Mellon Foundation in response to a proposal from President Carol Quillen. These funds are being used as of 2019 for course development, exhibitions, digital resources, and performances or events.

**Post-Commission: Initial actions.**

A. Committed $50,000 in 2020-2021 for student-initiated efforts related to building an antiracist community.

B. Created an annual $10,000 Diversity, Equity, and Inclusion honoraria to recognize faculty members working to create an equitable and inclusive campus.

C. Committed to hiring four tenure-track professors over the next four years (starting in 2020). The college has just hired Hilary Green, PhD (F&M '99, as the Van Professor of Ethics in Society.

D. Community collaborative programs were listed. However the associated costs, if any, are unknown.

E. The college committed to ensure all regular employees make at least a living wage for Mecklenburg County, location of the college, based on the MIT living-wage calculator.

**Ongoing efforts:** In 2021, Davidson followed through on goals outlined in the commission’s report. They include:
A. Receiving funds from the Duke Endowment to create an endowed professorship in the department that oversaw the initial work of the Commission on Race and Slavery—this position is one of the four tenure-track professorships.

B. A Trustees Special Committee on Commemoration was formed to recommend a visible and appropriate commemoration. The related cost to conduct the work of this special committee is unknown, but likely incurred expenses related to the creation of a Request for Qualifications and community conversation events.

C. The fiscal impact to the annual budget revised the vacation accrual for hourly employees to match that of salaried employees.

D. Eight Davidson faculty and staff participated in Liberal Arts Colleges Racial Equity Leadership Alliance. Associated costs are likely attendance fees and perhaps travel.

E. Hosted a virtual forum in partnership with a local civic engagement organization on issues impacting Mecklenburg residents. A college employee participated.

Princeton University

Initiatives

Princeton University’s investigation into its role in slavery started as an undergraduate research project in 2013, the Princeton & Slavery Project, and seems to be funded primarily through internal grants. The project explores the enslavement practices of Princeton’s early trustees and faculty members, considers the impact of donations derived from the profits of the labor of the enslaved, and looks at the broader culture of slavery in the state of New Jersey, which did not fully abolish slavery until 1865. It also documents the southern origins of Princeton students, of which there are many, during the ante-bellum period and considers how the presence of these southern students shaped campus conversations about politics and race. Another important fact for context: the university was also Presbyterian and did not commit to saying that the Bible opposed slavery before the Civil War. The Princeton School of Theology never condemned slavery before the war as it was trying to keep the denomination united.

The Princeton & Slavery Project was led by history professor Martha Sandweiss. A public website with their main findings was released in Fall 2017. It contained over 80 articles, video documentaries, interactive maps, and several hundred primary source documents. The Princeton & Slavery Project is described as an ongoing investigation, with a current focus on
delving into Princeton in the post-Civil War era, how people were talking about race in the aftermath of the Civil War, and how people wrote the history about what the war meant.

Additional outcomes include:

- Naming one of the university’s most prominent buildings for Toni Morrison and one of its most heavily scheduled auditoriums for Nobel laureate Sir Arthur Lewis;
- Commissioning up to 10 new portraits to begin to expand and diversify the university’s campus portrait collection;
- Creating new walking tours to tell some of the lesser-known stories of Princeton’s history and establishing historical markers on campus;
- Identifying opportunities to express the university’s commitment to diversity and inclusion in a range of public spaces on campus;
- Creating lesson plans for high school students in collaboration with Princeton-area public schools.

**Time Frame & Costs**

It should be noted that Princeton University has an endowment of $37.7 billion.

Initial work was conducted as part of an undergraduate research seminar first taught in the spring of 2013. Two generous grants for postdoctoral fellows from the *Princeton University Humanities Council* (no amounts disclosed) allowed the creation of two experimental classes and from 2013 to 2017 developed the initial effort into a broader project far more ambitious in scale and scope. In collaboration with the Princeton Center for Digital Humanities, this initiative aided development of the website platform, which disseminated the project’s results.

More recently, additional support came from Princeton’s *Histories Fund* (no amounts disclosed), which provides funding to explore “aspects of Princeton’s history that have been forgotten, overlooked, subordinated or suppressed.” The creation of the Histories Fund was one of the recommendations of the April 2016 report of the trustee committee that reviewed Woodrow Wilson’s legacy at Princeton. The Princeton Histories Fund supports public programming, as well as ongoing scholarship about Princeton and slavery that will be updated on the project’s website.
Roanoke College

Initiatives

In June 2020, Roanoke’s first public acknowledgment of Juneteenth was coordinated with the opening of the Center for Studying the Structures of Race, based in a renovated enslavement quarters that adjoins the college campus. The Center “emphasizes the necessity of examining forms of structural racism in local, national, and international contexts. As such, the Center will form a nationally distinctive and intellectually rigorous venue for teaching, research, and community engagement about structural racism. The Center will expand opportunities for student instruction, provide space for collaborative research projects between faculty and students, and further develop community connections in the Roanoke Valley and the state of Virginia.”

In April 2021, Roanoke had a weeklong celebration of Emancipation Day, including a ceremony honoring enslaved laborers who helped build college structures, erecting plaques in commemoration. Over the next five years, this sustained inquiry will culminate in the construction of a public monument to honor the historical contributions of enslaved persons in southwest Virginia. (See Other schools that have erected monuments.) Roanoke is a member of the Universities Studying Slavery Consortium (USS).

Time Frame & Costs

It should be noted that Roanoke College has an endowment of $142.3 million.

Roanoke College is a founding member of the USS. Its founding idea was to create a central place to ground research and activities. An associate professor is the current director. Sixteen affiliated faculty are also a part of the effort, as well as an advisory board made up of one trustee and several faculty members. The bulk of the financial costs seem to be connected to employee salaries and benefits plus related operational costs to run a center of study.

Programmatic costs would require further discussion with the director of the Center. Current known programmatic expenses include a two-year postdoctoral fellowship focused on an annual theme. Fellows teach three courses per academic year and conduct original research, as well as facilitate an annual conference that hosts visiting scholars and related public engagement activities.
Trinity College

Initiatives

With an enrollment of approximately 2100 students, Trinity's College’s project is named The Primus Project after Rebecca Primus (1836-1932). She was descended from an African who had been stolen from his homeland, transported to slavery in British North America, and freed due to his military service in the Revolution. Born to a free Black family in Hartford, Rebecca Primus’s family lived near Trinity’s original campus and had no access to the higher education the college offered because the college did not admit African Americans. Moving to Maryland after the Civil War, she participated in Reconstruction efforts there and taught in a school for freed people. She was so beloved and influential that the local community named her schoolhouse “The Primus Institute.” She later returned to Hartford to live within sight of Trinity College, which still did not permit her to attend or to contribute to its educational community. She was buried near Primus relatives in the graveyard across from Trinity’s campus that may have been segregated.

As a whole, the project does a lot of work explaining who she was and why she is the project’s namesake. The effort appears to be smaller than other institutions’ efforts, yet it still powerfully makes visible the relationship between Trinity and the institution of slavery. Important historical and cultural contextual information about Trinity includes the fact that the college itself was founded after enslavement was abolished in Connecticut, as well as the fact that Connecticut was a tobacco state and its fields were mainly cultivated by African American farm laborers.

Initially, Trinity approached the study of its institutional relationship with slavery through a course that centered on student research. In early 2019, members of the American Studies Program, authorized by the then Dean of the Faculty Timothy Cresswell, initiated Trinity College’s membership in the USS. The first iteration of their work as an institution took place in a Spring 2019 course titled, “The History and Memory of Slavery at Trinity,” taught by then-Visiting Assistant Professor of American Studies Alexander Manevitz ’09. Students in that course conducted research, wrote papers, and developed a website to begin raising awareness and provoking discussion of the complex ways in which slavery is entangled in Trinity’s history and encoded in its campus. A new phase of research is now underway, and a second iteration of the course was taught in Spring 2021, by an Associate Professor of History and American Studies.
Time Frame & Costs

It should be noted that Trinity College has an endowment of $783 million. The Primus project started as a faculty group and the profile of the work was raised after incidents surrounding the renaming of a building, whereby the president was accused of rushing to rename two campus buildings while allegedly not having the correct historical facts. The first round of funding came from the president's office and totaled $30,000. Subsequent funding consists of joining with work that was already happening on campus and searching for humanities grants from the state. Project members tried to establish a Center with a broader social justice focus but that has not yet come to fruition. As of now, the project is solely curricular in focus and faculty-driven with student participation, mostly in the form of research. A collaboration with the Hartford Public Library has also begun, called the Hartford Public History Project. Associate Professor of History and American Studies Scott Gac has put forth a recommendation to join the USS. He also noted that the funding disparities within the USS institutions is wide. For instance, Trinity's endowment is relatively small compared to some others on the initial list our group studied. Gac strongly recommended connecting with the surrounding community by supporting and connecting meaningfully to other organizations in the community that are researching or already have Black History programs or projects. The city of Hartford benefits from the presence of the state historical society and the Harriet Beecher Stowe Center, which is well-endowed and has continuing programs related to Black History. This is a huge resource for the college.

University of Pennsylvania

Initiatives

The University of Pennsylvania has established a student/research-based acknowledgment of slavery. The Penn and Slavery Project began in 2017, with five undergraduate students and one faculty advisor. Over the subsequent semesters, the membership has more than doubled in size and the breadth of research has expanded dramatically. The Penn & Slavery Project has just completed its fourth year of research into the early university's support and involvement in slavery. The undergraduate researchers have conducted archival research to expand on previous research and to uncover new connections between the university and the institution of slavery. This initiative consists of storytelling
presented by students who are part of the research group. Recent findings and presentations include: the participation of Penn Medical Students in the anti-Black and anti-abolition riots of the 1830s and 1840s; an individualized narrative about the worlds of Caesar, the enslaved man who worked on Penn’s first campus during the 1760s; a presentation on James Henry Wilson, who became a valued medical practitioner in Philadelphia’s Seventh Ward during the 1850s.

While the University of Pennsylvania has additional resources that may not be available to the F&M community, their example of integrating student-led research into their project seems to be a viable option for any school that does not have a lot of funding available.

Time Frame & Costs

It should be noted that the University of Pennsylvania has an endowment of $37.7 billion.

The Penn and Slavery Project is run by student researchers in collaboration with faculty, PhD candidates, postdoctoral fellows, visiting faculty, and some staff. The project is organized as a membership, or working group, with members cycling in and out on a given year or years.

How the program is funded beyond staff wages and benefits is unclear. Programmatic expenses are also unclear. It seems to include public presentations each semester, a symposium, an augmented reality application (APP) and related launch and maintenance activities. The development of the AR App seems to have included the hiring of a technology company that developed the app.

Dickinson College

Initiatives

The Dickinson College initiative began out of a class that met in the fall of 2017 (History 311, “American Slavery” with Prof. Matthew Pinsker, Brian Pohanka Chair for Civil War History) and accelerated in academic year 2018-19 under the direction of the House Divided Project with the launching of a website, the opening of a permanent exhibit in spring 2019 at the House Divided studio and a series of public events. The final report for the Dickinson & Slavery initiative was published in December 2019. The 35-page report recommended “a deliberative process” for improving the commemoration of the college’s ties to slavery and antislavery, including a call to rename buildings on campus currently named after slaveholders. The college held a public renaming ceremony in November 2021 in honor of four formerly enslaved figures
associated with it. The Dickinson & Slavery website remains active with various sections: on research (College Founding, 1780s-1830s, Sectional Crisis, 1840s-1860s, Freedom’s Legacy, 1870s-1890s); Studying Slavery (web guide); Events & Exhibits; Publications; the Report; Discussion Roundtables; Lesson Plans. Research was conducted by a mix of students, faculty and staff. Matthew Pinsker is the editor of both the Dickinson & Slavery report and website.

**Time Frame & Costs**

It should be noted that Dickinson has an endowment of $634 million.

Dickinson College with an enrollment of 2300 students and sponsors The Dickinson & Slavery project, an initiative of the College’s House Divided Project. The project is described as the college’s Civil War Research Engine and is administered by an interdisciplinary team of professors, staff, and students. Professor Pinsker emailed that the House Divided Project has its own funding from various grants and alumni contributions. House Divided did receive some special funds from the provost whenever it needed them for the Dickinson & Slavery initiative for events, special exhibits, wayside markers, etc. He stated that the internal grants amounted to over $10,000 over a few years.

Where Do We Go From Here: Concluding Thoughts and Suggestions

**Summary of Initiatives**

After looking into a wide variety of institutions’ efforts into examining their relationship to slavery, there seem to be several categories into which the bulk of these efforts fall into:

- Course development and student-led research, overseen by faculty
- Public exhibits and features (virtual, walking tours, and in physical spaces on campus)
- Websites
- Symposia
- Building renamings
- Public apologies
- Endowed professorships & fellowships for students specific to the institution’s involvement in slavery
- Creating curricula for local schools
- Partnerships and collaborations on and off campus
Most of these efforts are undertaken by specially-formed committees comprising faculty members, students, and community members.

A Deeper Dive into Student-Led/Faculty-Supported Research & Funding Sources

The consensus approach taken by the institutions examined in this report relied on an initial seed fund established from internal sources (often, presidential funds), followed by a combination of (i) additional funds from internal funds; (ii) external funds and community collaborations; and (iii) curricular connections. Many of the institutions that we looked into followed up their initial inquiries by establishing funding for student-led research projects and fellowships, and/or course development, on the local history of slavery and its connection to their institutions. The resulting research often led to website development on the topic, walking tours for the community, permanent exhibitions, and even lesson plans for local students at the elementary and secondary levels. It might make sense to explore this possibility with the appropriate departments on our campus as well as beyond our campus.

Even more concretely, it is possible that there could be several ways to fund this initiative: grants from foundations, repurposing a portion of the faculty-student research funds to this endeavor for one to two years, and external grants. While asking individual faculty members to take on additional teaching overloads in support of this project would make significant progress less likely, given the pressures that faculty currently face, we could instead encourage faculty to develop and pilot new courses related to F&M’s historical relationships with enslavement and enslavers that also serve their departments and students; the potential for integration with our general education curricular structures (currently in the process of reconfiguration) should be considered.

In terms of specific suggestions for funding sources, Summer Scholar funds like the David Schuyler Urban Studies Fellowship, the Humanities and Social Sciences Student Exploration Fund, and the Decision Science, Decision Theory, and Distributive Justice Fund could facilitate related faculty-student collaborations in areas that are of direct connection to the goals of the project. In addition, active request of funds within the DEI priority through individual philanthropy as well as external grants from foundations and Presidential
discretionary funds would establish the necessary support for communication, dissemination, and outreach once the initial phase of curricular research and development is completed.

Community Engagement

There are already organizations in the Lancaster area researching this history with which F&M can collaborate. The African American Historical Society of South Central Pennsylvania was originally founded in 2005 as an affiliate of the Crispus Attucks Center of Lancaster, and their mission is to “collect, analyze, and interpret basic information about the life of African Americans in the South Central region of the Commonwealth.”53 The Society offers workshops, genealogical services, and local African American history tours, among other events and conferences, and would be a natural partner for F&M in this important work.

Additionally, F&M could reach out to LancasterHistory, a community-based, not-for-profit organization established to educate the public on the history of Lancaster and its place in the history of Pennsylvania and the United States. Located close to campus, LancasterHistory “exists to engage and educate the public about the people, places, and events that shaped Lancaster County within the broader context of the history of the Commonwealth of Pennsylvania and the United States of America.” As such, we could imagine fruitful discussions and collaborations about our campus’s history, especially given that it began its history and still remains part of the City of Lancaster. Further, Lancaster City is already involved in projects related to its own history of engagement with enslavement and enslaved people: LancasterHistory offers tours focused on the Underground Railroad in Lancaster County while maintaining the Thaddeus Stevens & Lydia Hamilton Smith Historic Site.

About the Universities Studying Slavery Consortium

Universities Studying Slavery (USS) emerged from the University of Virginia’s President’s Commission on the Age of Segregation, which has been charged with continuing the research, atonement, and community engagement of its earlier Slavery Commission. Part of that work includes USS and continuing the multi-institutional conversation about institutions of higher education and their historical ties to slavery and racism. The Consortium exists to support

institutions of higher education as they conduct and share their own projects, ask questions, and seek support from others who are doing this work across the United States, Canada, and the United Kingdom.

There is no membership/participation fee—the costs to join have remained intentionally flat because UVA's Commission on the Age of Segregation wanted to create a space in which it was safe for schools considering this work to figure out how to approach it, see that other schools were working through similar problems, and then dare to start. According to the project's director, USS has functioned for the past three years as a form of a support group but she expects that in the next year, as the new Commission at UVA ramps up and provides USS with actual staff support, the project will begin a new phase involving multi-institution collaboration on a number of pilot projects.

With approval from President Barbara Altmann, F&M has officially joined the USS. Our team members will now be added to UVA Collab, a password-protected course management and collaboration platform that hosts a USS site, as well as a listserv for email updates. As a result, members receive all communications as well as access to a resources page where relevant news stories and links are housed. The Legacy of Slavery Study Group would be asked to send a person or a team to each of two yearly meetings and to consider hosting a meeting in the future.
Approaches for the Future

At the Legacy of Slavery Study Group’s last meeting of the spring 2022 semester, discussions were held about ideas for steps to move this important work forward. The Study Group shares these ideas here, for consideration and further discussion. It is critical to note that the success of any future endeavors resulting from this work will depend upon the commitment of both permanent funding from the institution and the time of committed professional staff, faculty, and especially students.

Sharing Our Knowledge

There was unanimous agreement among Study Group members to publicly share our findings alongside action items, although the best way of doing so is certainly up for discussion. As detailed in the previous section, other colleges have acknowledged their connections to slavery in manifold ways, and the Study Group recommends that F&M take an approach that works for the college. Some of the suggestions from the Study Group to this effect are: creating a website specifically for this project; sharing a public version and/or executive summary of this report with the community; partnering with community organizations to share knowledge and to create events; and creating an accurate timeline of the college’s involvement with and legacy of slavery.

Thoughtful Engagement with the Curriculum

Much of the feedback from Study Group members centered around the educational experience, and what can be done to foster meaningful discussions around the legacy of slavery at F&M. Suggestions in this arena include: the creation of a campus center for engagement with racism and slavery; establishing a course to further explore the legacy of slavery at F&M; installing a yearly speaker series on racism and slavery; and sponsoring research by interested faculty, professional staff, and students.

Memorializing the Legacy of Slavery at F&M

The Study Group’s suggestions strongly favored actions that the College can take in order to publicly acknowledge and memorialize the legacy of slavery at the institution, as demonstrative actions and signs of the College’s intention to move forward with regard for its past. Efforts to this end include: the installation of a new campus monument; creation of an
endowment to publicly and permanently commit funds to this effort; partner with the Lancaster community for social justice initiatives; and the installation of plaques acknowledging histories of racism and slavery on relevant campus statues and buildings.

Short and Long-term Priorities

With all of these approaches in mind, the Study Group also suggests prioritizing certain actions as a first response with an intentional, long-lasting program of action in the future. Of utmost importance is first making the findings of this report public and known to the entirety of the campus community and to publicly acknowledge the connection between F&M and the institution of slavery. In the next two years, it would be viable to do so in the form of a dynamic website and presentation revealing this report’s findings. Additionally, there is opportunity to reconsider the physical statuary and naming of buildings on campus. Specifically, the statues of Benjamin Franklin and John Marshall in front of Old Main could be better contextualized with the addition of another form of memorial plaque, a plaque with description of actual history, and/or creative public artwork. Buchanan House is another building on campus that could be considered for a renaming. Although this report mentioned James Buchanan only briefly, his politics opposed the abolitionist movement, supported the Dred Scott decision, and considered enslaved people as property.

The Study Group also proposes inviting Dr. Hilary N. Green (F&M, '99) as a consultant for the Legacy of Slavery Study Group during the academic year 2022-23. Dr. Green has agreed to visit the campus during the winter or spring of 2023 for a few days as a guest of the Study Group and several academic departments. As a consultant Dr. Green will assist the Study Group in moving forward with the college’s recognition of slavery in its past and the legacy of slavery and racism in its present.

Dr. Green received her doctorate from the University of North Carolina, and has been an associate professor of gender and race studies at the University of Alabama. In 2020-21, she served as the Vann Professor of Ethics in Society at Davidson College, where she is now assuming a full professorship. Her vita may be found here: https://hgreen.people.ua.edu/vita.html. At the University of Alabama, she developed the “Hallowed Ground Project” to recognize and commemorate the role of enslaved and free Blacks in its history. At Davidson, she developed courses and a web project for students that explored the history of the campus, the lives of enslaved and free Black people on campus. See
some of her students’ work here:
https://twitter.com/hilarygreen77/status/1320395987052056577

In the next two to five years, the work of this group could be realized through the thoughtful development of curricular advancements in the form of student research positions, class development, and the establishment of a space for this work to continue as an integral part of the academic experience and college life.
Conclusions

The purpose of the Legacy of Slavery Study Group at Franklin & Marshall College was to investigate the connection between F&M and the institution of slavery. As a result, this group’s efforts have illuminated the complicated pasts of F&M’s namesakes, Benjamin Franklin and John Marshall, both of whom were enslavers throughout their lives. This report identifies at least twenty individuals directly involved in the founding of Franklin College (1787) that at some point, had been associated with owning an enslaved person in Pennsylvania. These troubling histories reveal a part of the College’s history that until now, has not been sufficiently addressed. It is a practice of relative judgment as we contextualize the lives of these men in the social milieu of the Revolutionary period and the Early Republic of the United States, while still acknowledging the role that they played in perpetuating a system of oppression. The Study Group also reviewed six other institutions of higher education that have all developed projects around investigating a legacy of slavery on their own campuses. This step illuminated actionable project outcomes due to differences in institution size, funding, and resources.

It is important to emphasize that the findings of this report are not stagnant pieces of data, but rather a foundation for actionable change on campus. The members of the Legacy of Slavery Study Group at F&M have presented a number of proposals for future action.

Respectfully submitted by the CoChairs of the Legacy of Slavery Study Group at F&M on behalf of its members,

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