

African American Freedom and Community, 1780-1813

The existence of slavery challenged the promise of equality at the center of the American Revolution. Some Revolutionaries argued that American slavery and American freedom were incompatible. They disagreed about whether slavery should be ended immediately or gradually. Other Revolutionaries argued for the preservation of slavery based on the idea that the right to own private property—including **enslaved** people—should be protected.

At the same time, groups of enslaved people **petitioned** for their own freedom. Others asserted their **agency** by escaping from slavery, violently rebelling against their owners, breaking tools, and even harming themselves to slow production. Tens of thousands of Black people, free and enslaved, chose sides during the Revolutionary War—supporting either the British or the United States—with the hope of freedom or a chance at a better life. When the war ended in 1783, people of African descent were left questioning what the new nation had to offer them. Could the ideals stated in the Declaration of Independence be fulfilled?

The American Revolution made the future of slavery a core issue that would define the new United States. Many enslaved people and free people of African descent continued to fight for their rights and freedoms as the young nation grew, working hard to make their voices heard to promote change for themselves and their communities.

STRENGTHENING COMMUNITIES

After the Revolutionary War, communities of people of African descent, especially in the large cities of Boston, New York, and Philadelphia, continued to grow and strengthen. In James Forten's home of Philadelphia, about 2,000 people of African descent lived in the city. Nearly 300 of them were enslaved. Due to Pennsylvania's "An Act for the Gradual Abolition of Slavery" passed in 1780, Philadelphia had a growing population of free people of African descent who began to establish institutions to support their communities.

In 1787, Absalom Jones and Richard Allen, two formerly enslaved men, formed the Free African Society (FAS) of Philadelphia. This organization was established for several purposes: to serve as an African American religious institution, to be a place where free people of African descent could socialize and establish business relationships, and to provide aid to Philadelphians in need. In addition to providing assistance to the free community, the FAS also contributed to the city at large. When yellow fever struck in 1793, the Society provided aid to the sick and to those who had lost family members to the disease.

As Philadelphia's Black population expanded, churches became the hubs of the community. The first two "African" churches took root in Philadelphia: The African Episcopal Church of St. Thomas led by Absalom Jones, and Bethel African Methodist Episcopal (AME) Church led by Richard Allen. In addition to providing welcoming

spaces for worship and religious instruction, these churches — and others — served as safe places for sharing local news, sustaining mutual aid societies, studying, teaching and political organizing.

In other states, Black communities also established religious and educational organizations. New York City established its first school for children of African descent — the African Free School — in 1787. In New England, the largest community of free people of African descent was in Boston. Religious institutions like the First African Baptist Church on Beacon Hill were founded, built almost entirely on the labor and donations of Boston's free Black community. The church, and other organizations, circulated petitions opposing segregated facilities and promoting legal protections for fugitive slaves. In Rhode Island, several free Black leaders formed the African Union Society, a mutual aid organization dedicated to education and celebrating African culture.

LEGAL CHALLENGES OF SLAVERY AND INEQUALITY

During and after the Revolutionary War, enslaved people used the words in the Declaration of Independence and the new state constitutions to challenge the legality of slavery using legal methods. An enslaved woman named Bet, for example, was important in ending slavery in Massachusetts. When she heard her owner discussing the Massachusetts State Constitution (1780) echoing the words of the Declaration of Independence, “all men are born free and equal, and have certain natural, essential, and **unalienable** rights,” she believed these words included her. She found a lawyer to represent her in a court of law. In court cases between 1780 and 1781, Bet and an enslaved man named Brom won their right to be free. Afterwards, Bet changed her name to Elizabeth Freeman to celebrate her new freedom. In 1781 another enslaved person, Quock Walker, successfully won his freedom in a court of law. As a result of these cases, the State Court established that slavery was in direct conflict with the Massachusetts State Constitution of 1780, effectively abolishing slavery in Massachusetts in 1783.

Other people of African descent fought for specific rights, like being able to vote. Paul Cuffe was born a free man in Massachusetts to a Native American mother and a father of West African lineage. An entrepreneur and philanthropist, Cuffe gained wealth as an owner of an international shipping company. Despite his success, he was denied equal rights. As a taxpayer, Paul Cuffe petitioned the Massachusetts legislature in 1780 demanding his right to vote, claiming no taxation without representation. “If England had no right to tax the colonies without representation, what right did America have to tax citizens who were not allowed to vote?” Even though Cuffe's petition was denied by the legislature, it became part of the state records and may have influenced the Massachusetts State Constitution, adopted later in 1780, which granted all male citizens equal rights.

GRADUAL ABOLITION LAWS

During and after the Revolutionary War, every state in the North began the process of legally ending slavery. Four states passed gradual **abolition** laws. These laws did not end slavery but set up systems to slowly eliminate it. In 1777, Vermont wrote into its state constitution that no man or woman born in or brought from outside of the country could be held as a slave beyond the age of 21 or 18, respectively. Despite this, Vermont is often not considered the first state to have abolished slavery or enacted gradual abolition, because Vermont was not accepted into the United States until 1791.

In 1780, Pennsylvania became the first official state to enact a gradual abolition law, “An Act for the Gradual Abolition of Slavery.” The law stated that while enslaved people born before March 1, 1780, would remain enslaved their entire lives, people born enslaved after the law's passing would gain their freedom once they reached the age of 28. In addition, the act prohibited the importation of new enslaved people into the state

and allowed non-resident slaveholders to keep their enslaved people in Pennsylvania for no more than six months, at which point an enslaved individual was able to claim their freedom. Not everyone followed this law, including George Washington. While living at the President's House in Philadelphia during the 1790s, Washington deliberately and quietly rotated the enslaved people he owned in and out of Pennsylvania every six months.

The Pennsylvania act did not free any enslaved people the day it was signed, and slavery persisted in the state until the 1840s. But after the act was signed, Philadelphia's community of free people of African descent made sure it was enforced moving forward. This act, along with the rebirth of the Pennsylvania Abolition Society in 1784, created a hostile environment for slave owners in Philadelphia and throughout the state. The Pennsylvania Abolition Society became a watchdog organization that ensured thousands of enslaved people were set free under the new law.

Less than a year after the peace treaty ending the Revolutionary War was signed in 1783, Connecticut and Rhode Island passed gradual abolition laws. The Connecticut act stated that no child would be held to service after the age of 25. Rhode Island declared that all children born of enslaved mothers after March 1785 would be free. In 1788, New York's legislature passed a law that permitted owners to set free any enslaved people under fifty years of age. Other states were not as successful. The movement for gradual abolition in Delaware failed despite the work of the work of abolitionist groups.

Some states passed laws that made it easier to set enslaved people free. In 1782, the state of Virginia passed legislation permitting slave owners to free enslaved people without a special act of the General Assembly. Delaware did the same in 1787 and Maryland followed in 1790.

FIGHTING AGAINST THE FUGITIVE SLAVE ACT

A new obstacle in the movement to end slavery came in 1793 when President Washington signed into law the Fugitive Slave Act. The act set up the legal process for slave owners to reclaim their enslaved property. The result was the rise of the slave-catching industry and many people of African descent were captured and returned to their former owners or sold back into slavery. There were also many instances of people who were legally free and had never been enslaved being captured and brought to the south to be sold into slavery.

The Fugitive Slave Act gave power to kidnappers who only needed to give a vague description of people they were "returning." Therefore, no free person of African descent was safe. And in larger northern cities like James Forten's Philadelphia, a rapidly growing population became a popular spot for slave catchers. To combat the Fugitive Slave Act, some northern states passed laws specifically to protect free people of African descent called personal liberty laws. Leaders of the African American communities also began to take action by providing legal support to those that were unjustly captured.

JAMES FORTEN AND PHILADELPHIANS DEMAND CHANGE

After the Fugitive Slave Act was passed in 1793, James Forten and other leaders of Philadelphia's free African descent community took action. With the support of the Pennsylvania Abolition Society, they petitioned for the repeal of the law, the freeing of the remaining enslaved people in the state, and to outlaw slavery permanently. They argued that only when slavery was illegal, could people of African descent feel safe. The State Legislature and Congress received many petitions in the years after the Fugitive Slave Act was passed but all were ignored. However, increasing abolitionist activity and the growing influence of the Pennsylvania Abolition Society made the law difficult to enforce in the state. Many members of the society were lawyers who helped people of African descent defend themselves in court to prove their free status.

In 1799, with the support of the Pennsylvania Abolition Society, Absalom Jones and 70 other men of African descent made a bold movement to assert their rights as freemen and push for improvement in the lives of people of African descent, both enslaved and free. They petitioned the United States Congress for a redress of their grievances. “The Petition of the People of Colour, Freeman within the City and Suburbs of Philadelphia” pushed to stop the kidnapping of free people under the Fugitive Slave Act. They argued that only when all people of African descent were not considered property would the kidnapping of free people stop. Only one Congressman, George Thacher of Massachusetts, voted in favor of considering the petition. James Forten wrote a letter to Thacher thanking him for his support. Widely published, this letter was a thoughtful and reasoned appeal to many people who feared slave rebellions and racial unrest if the Fugitive Slave Act was repealed.

The defeat of the petition did not stop James Forten. He continued to fight for the end of slavery and equal rights for people of African descent. As a business owner, he refused to rig sails for ships that were used in the slave trade. As a prominent member of the free Black community, he argued for advances in education and establishing more schools and facilities for people of African descent. Forten’s church, the African Episcopal Church of St. Thomas opened a school and he became one of the trustees. He supported the Pennsylvania Abolition Society in their work to end slavery. During the War of 1812, when British troops threatened to take over Philadelphia, James Forten enlisted over 2,000 men of African descent to improve the city’s defenses, proving to many that people of African descent were both capable and brave supporters of their country.

James Forten’s next big opportunity to make his voice heard came in 1813 when the Pennsylvania Legislature considered a bill to require all **migrants** of African descent to register with the state. This was a result of the many white Pennsylvanians who were unhappy with the number of people of African descent migrating into the state. In 1813, James Forten wrote a series of **anonymous** letters published as one pamphlet, entitled *Letters From A Man of Colour* to the state legislature. Even though it did not have his name attached, most people knew James Forten was the author. The pamphlet denounced the bill and refuted the complaints and concerns over the number of formerly enslaved people moving up from southern states. Forten saw the bill as a great step backward for people of African descent.

In *Letters from A Man of Colour*, Forten argued that the Declaration of Independence meant that people of African descent had the same unalienable rights as others, and that these rights were protected by the Constitution. He argued that the proposed bill would enforce the idea that African Americans were not equal to white Americans. The bill was not passed, thanks in part to the passionate pleas of James Forten. In the coming years, James Forten continued to be an influential member of the Philadelphia community. He became more involved in the movement to end slavery and improve the lives of people of African descent through education and equal opportunities.

The work of ending the institution of slavery, advanced by men and women such as Elizabeth Freeman and James Forten, was mostly realized at the end of the Civil War with the 13th Amendment in 1865, although involuntary servitude still remained legal as punishment for a crime. Today, we celebrate “Juneteenth” to mark the end of chattel slavery in the United States and are reminded of the people who dedicated their lives to ending it. The passionate efforts of James Forten and many others helped achieve this milestone. What issues are you passionate about? What actions can you take to support your cause?