

LETTERS
OF THE LATE
BISHOP ENGLAND
TO
THE HON. JOHN FORSYTH.
ON THE
SUBJECT OF DOMESTIC SLAVERY:
TO WHICH ARE PREFIXED
COPIES, IN LATIN AND ENGLISH,
OF THE
POPE'S APOSTOLIC LETTER,
CONCERNING
The African Slave Trade,
WITH SOME INTRODUCTORY REMARKS, ETC.

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the kindness and affection of many of the Spanish proprietors to their slaves in the eastern part of Hayti, previous to the revolution.

This, sir, is the fate of the Catholics of the United States; they are the shuttle cock for the parties of the republics,—threatened by the myrmidons of General Harrison's party to day, and placed in a false position by Mr. Van Buren's secretary of state the next moment. There is, however, sir, one at least of that body who will not submit to the infliction from either one party or the other, from friend or from foe, without endeavoring, however humble his place in the republic, and however powerless his pen, at least to demand more just conduct towards the body to which he has the honor to belong, even though he may not succeed in obtaining what he seeks.

In my next, sir, I shall give additional reasons to show that our holy father, Pope Gregory XVI, is not the associate of the abolitionists, and that the Catholics of the south should not be rendered objects of suspicion to their fellow citizens.

I have the honor to be, sir,

Respectfully,

† JOHN, *Bishop of Charleston.*

LETTER II.

TO THE HON. JOHN FORSYTH, SECRETARY OF STATE, U. S.

SIR—I proceed to give additional reasons to show that the letter of our holy Father, Pope Gregory XVI, regarded only the “slave trade.” At the late council in Baltimore, that document was formally read and accepted by the prelates of the United States. Did it contain any thing contrary to their judgment, respecting faith or morals, it would have been their duty to have respectfully sent their statement of such difference to the holy see, together with their reasons for such dissent. Did they believe it contained the correct exposition of Christian morality, and were aware that in the ecclesiastical province of the United States under their charge there existed practices in opposition to that exposition, it would have been their duty to use their best efforts to have such practices discontinued, and to refuse sacraments to those who would persevere in the immoral conduct which it denounced.

Thus, if this document condemned our domestic slavery as an unlawful

and consequently immoral practice, the bishops could not have accepted it without being bound to refuse the sacraments to all who were slaveholders unless they manumitted their slaves : yet, if you look to the prelates who accepted the document, for the acceptation was immediate and unanimous : you will find, 1st, the Archbishop of Batimore who is also the administrator of Richmond, having charge of the slave-holding territory of the states of Maryland and Virginia, and the District of Columbia ; 2d, the Bishop of Bardstown having charge of the slave-holding state of Kentucky ; 3d, the Bishop of Charleston having charge of the slave-holding states of North Carolina, South Carolina, and Georgia ; 4th, the Bishop of St. Louis having charge of the slave-holding states of Missouri and Arkansas ; 5th, the Bishop of Mobile having charge of the slave-holding state of Alabama and the Territory of Florida ; 6th, the Bishop of New Orleans having charge of the slave-holding states of Louisiana and Mississippi ; and, 7th, the Bishop of Nashville having charge of the slave-holding state of Tennessee. They formed a majority of the council, and were in charge of all the slave-holding portion of the Union. Amongst the most pious and religious of their flocks, are large slave-holders, who are most exact in performing all their Christian duties, and who frequently receive the sacraments. The prelates under whose charge they are, have never, since the day on which they accepted this letter, indicated to them the necessity of, in any manner, adopting any new rule of conduct respecting their slaves. Nor did the other six prelates, under whose charge neither slaves nor slave-holders are found, express to their brethren any new views upon the subject, because they all regarded the letter as treating of the “ slave trade,” and not as touching “ domestic slavery.”

I believe, sir, we may consider this to be pretty conclusive evidence as to the light in which that document is viewed by the Roman Catholic church.

Since the issuing of this document, the holy see has been in treaty with Portugal, which has, first and last, been most deeply engaged in this cruel traffic, and I have good reason to believe that one of the stipulations without which the holy see will not conclude the treaty is, that the Portuguese government will act as ours did upwards of thirty years since, and prohibit this desolating, criminal, and inhuman system of murder, ruin and desolation. What southern planter would deliberately sanction a system of which the following passage of a letter, from a highly creditable person, is but the description of a trifling appendage ?

“ *Sierra Leone, June 18, 1840.*—The slave-trade is by no means extinguished upon this coast; it is, however, more covertly conducted. From the most accurate sources of information, I can fairly state that not one out

of seven slave-ships is caught by the British cruisers. There is more secrecy, but the trade is nearly as frequent as before, but more profitable, and for that reason more alluring. A few days ago I visited a captured slaver. In a space which a moderate sized French bedstead would occupy, I have seen forty-five unhappy wretches packed, without regard to age or constitution, like herrings in a barrel. I saw them fed after they had been captured. On a shell about the size of a half crown piece, was deposited a pinch of salt, for which a father and four children contended, each endeavoring to scramble a portion to eat with his rice. I have seen four children packed in a cask I thought it impossible to contain one."

It is against this desperate traffic, in which Portugal and Spain have had so enormous a share, that the Pope's letter is directed, and not against domestic slavery, the existence of which he is conscious, but respecting which he uses no action, and which rests upon a totally different basis, as it is perfectly unconnected with cruelty such as is above described.

If you will permit myself, sir, to be a witness in this case, I can inform you, that in different audiences which I had of his Holiness upon the subject of religion in Hayti, I urged, amongst other topics, to induce him to make a selection of a different person as his envoy, my peculiar position; I stated that my being a bishop of the diocese within the limits of which was contained the most numerous negro slave population that is to be found in any diocese in the world, would render me unacceptable to the Haytian government, and that being engaged to transact the ecclesiastical organization of that island would probably render me unacceptable in my own diocese; his Holiness met me by stating the very distinction to which I have been drawing your attention. "Though the southern states of your union have had domestic slavery as an heir-loom, whether they would or not, they are not engaged in the *Negro traffic*," that is, the "slave trade."

Thus, sir, I trust I have succeeded in showing that this letter of his Holiness which you described to be "an Apostolic letter on Slavery"—does in fact regard only that "slave trade" which the United States condemn, and not that domestic slavery which exists in our southern states.

But, sir, I regard this subject as one of great moment at the present time, and likely to become much more troublesome before many years shall elapse; I shall therefore enter more deeply upon its elucidation.

Respecting domestic slavery, we distinguish it from the compulsory slavery of an invaded people in its several degrees. I shall touch upon the varieties separately. The first is "voluntary;" that which exists amongst us is not of that description, though I know very many instances where I have found it to be so; but I regard not the cases of individuals, I look to the class. In examining the lawfulness of voluntary slavery, we shall test a principle against which abolitionists contend. They assert generally, that

slavery is contrary to the natural law. The soundness of their position will be tried by enquiring into the lawfulness of holding in slavery a person, who has voluntarily sold himself. Our theological authors lay down a principle, that man in his natural state is master of his own liberty, and may dispose of it as he sees proper; as in the case of a Hebrew, *Exod.* xxi, 5, who preferred remaining with his wife and children as a slave, to going into that freedom to which he had a right; and, as in the case of the Hebrew, *Levit.* xxv, 47, who, by reason of his poverty, would sell himself to a sojourner or to a stranger. Life and its preservation are more valuable than liberty, and hence when Esther addresses Assuerus, vii, 4, she lays down the principle very plainly and naturally. "*For we are sold, I and my people to be destroyed and slain, and to perish. But if we had been sold for bondsmen and bondswomen, I had held my tongue.*" The natural law then does not prohibit a man from bartering his liberty and his services to save his life, to provide for his sustenance, to secure other enjoyments which he prefers to that freedom and to that right to his own labor, which he gives in exchange for life and protection. Nor does the natural law prohibit another man from procuring and bestowing upon him those advantages in return for which he has agreed to bind himself to that other man's service, provided he takes no unjust advantage in the bargain. Thus a state of voluntary slavery is not prohibited by the law of nature; that is, a state in which one man has the dominion over the labor and the ingenuity of another to the end of his life, and consequently in which that labour and ingenuity are the property of him who has the dominion, and are justly applicable to the benefit of the master and not of the slave. All our theologians have from the earliest epoch sustained, that though in a state of pure nature all men are equal, yet the natural law does not prohibit one man from having dominion over the useful action of another as his slave; provided this dominion be obtained by a just title. That one man may voluntarily give this title to another, is plain from the principle exhibited, and from the divine sanction to which I have alluded.

In one point of view, indeed, we may say that the natural law does not establish slavery,—but it does not forbid it, and I doubt how far any of the advocates of abolition would consent to take up for refutation, the following passage of St. Thomas of Aquin,—1, 2, q. 94, a. 5, ad. 2.

"The common possession of all things is said to be of the natural law; because the distinction of possessions and slavery were not introduced by nature, but by the reason of man, for the benefit of human life: and thus the law of nature is not changed by their introduction, but an addition is made thereto."

As well may the wealthy merchant then assert, that it is against the law of nature that one man should possess a larger share of the common fund

belonging to the human family for his exclusive benefit, as that it is against the law of nature for one man to be the slave of another. The existence of slavery is considered by our theologians to be as little incompatible with the natural law as is the existence of property. The sole question will be in each case, whether the title on which the dominion is claimed be valid.

I know many slaves who would not accept their freedom; I know some who have refused it; and though our domestic slavery must upon the whole be regarded as involuntary, still the exceptions are not so few as are imagined by strangers.

It may be asked why any one should prefer slavery to freedom. I know many instances where the advantages to the individual are very great; and so, sir, I am confident do you, yet I am not in love with the existence of slavery. I would never aid in establishing it where it did not exist. St. Thomas gives very briefly one of the principles upon which the answer may rest, and Aristotle sustains him (*in 1 Polit. c. 3. circa fn. T. 5.*) in his view. St. Thomas is proving that the law of nations is distinct from the natural law, and answering an assertion that slavery is of the natural law because some men are naturally fitted for slavery.

“This man is a slave, absolutely speaking, rather a son, not by any natural cause, but by reason of the benefits which are produced, for it is more beneficial to this one to be governed by one who has more wisdom, and to the other to be helped by the labor of the former. Hence the state of slavery belongs principally to the law of nations, and to the natural law only in the second degree, not in the first. 2. 2. q. 57. a. 3. ad. 2.”

The situation of a slave, under a humane master, insures to him, food, raiment and dwelling, together with a variety of little comforts; it relieves him from the apprehensions of neglect in sickness, from all solicitude for the support of his family, and in return, all that is required is fidelity and moderate labor. I do not deny that slavery has its evils, but the above are no despicable benefits. Hence I have known many freedmen who regretted their manumission.

In examining the case of the voluntary slave, sir, we have then discovered some of the grounds upon which Catholic divines, however they may deprecate its existence, teach that slavery is perfectly compatible with the natural law, and that it has been introduced by the law of nations.

It will be useful to draw your attention, sir, to another distinction made by our divines, and which many of our speculative philosophers disregard. The natural state of man in the day of his innocence was very different from that in which he is placed since his fall; and the good gentlemen, in their abstractions, appear to forget the consequences of that original transgression. Death, sickness and a large train of what are now called natural evils, are by Roman Catholics considered to be the consequences of sin. Slavery is an evil and is also a consequence of sin. Thus St. Augustin, bishop of Hippo,

A.D. 425, in his book "Of the city of God," lib. xix, c. 15, informs us that slavery is the consequence of sin. "The condition of slavery is justly regarded as imposed upon the sinner. Hence we never read *slave* in the Scriptures before the just Noe, by this word, punished the sin of his son. Sin, not nature, thus introduced the word."

St. Ambrose, bishop of Milan, A.D. 390, in his book "On Elias and Fasting," c. v. "There would be no slavery to-day, had there not been drunkenness." And St. John Chrysostom, bishop of Constantinople, A.D. 400, Hom. xxix, in Gen. "Behold brethren born of the same mother; sin makes one of them a servant, and taking away his liberty lays him under subjection." I could multiply quotations, but it is not requisite. Catholic divines are agreed in the principle that the origin of slavery, as of all our infirmities and afflictions, is to be found in sin. Hence it is overlooking one of the essential ingredients in our present condition, for a person who believes in the fall of man, as every Catholic must, to reason upon abstract speculations without taking this important fact into consideration. And besides looking generally at this fact and its results, he should also consider the full force of the sentence, Gen. ix, 25: "Cursed be Canaan, a servant of servants shall he be unto his brethren." Let him add to this the two succeeding verses, in which Sem and Japeth are promised the service of Canaan. It certainly was not then against the divine law for Sem and Japeth to use the service of Canaan.

Pope Gelasius I, A.D. 491, in his letter to the bishops of the Picene territory, the present march of Ancona, in Italy, writing against the Pelagian heresy, states slavery to have been a consequence of sin, and to have been established by human law. Labbe IV, col. 1176—E. And in the book xix, "On the city of God," chap. 16, St. Augustin argues at length to show that the peace and good order of society, as well as religious duty, demand that the wholesome laws of the state regulating the conduct of slaves, should be conscientiously observed.

Slavery then, sir, is regarded by that church of which the Pope is the presiding officer, not to be incompatible with the natural law, to be the result of sin by Divine dispensation, to have been established by human legislation, and, when the dominion of the slave is justly acquired by the master to be lawful, not only in the sight of the human tribunal, but also in the eye of Heaven: but not so the "slave trade," or the reducing into slavery the African and Indian in the manner that Portugal and Spain sanctioned, which they continue in many instances still to perpetrate, and which the Apostolic letters have justly censured as unlawful.

The distinction will, I trust, be rendered more obvious as I proceed.

I am, sir, respectfully, &c. † JOHN, *Bishop of Charleston.*

CHARLESTON, S. C., October 7th, 1840.