

The Legend of Sally Hemings

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The part played by Sally Hemings in the life of Thomas Jefferson has been regarded as provocatively dubious since political enemy James Callender claimed in 1802 that Jefferson was the father of several of Hemings's children. Historian Merrill Peterson, observing that paternity is hard to prove, wrote in 1960 that no concrete evidence was ever produced to support the accusation. Peterson also noted that Jefferson never issued a public denial of the charge. The legend of Sally Hemings has invited endless speculation while remaining apparently impervious to disproof. Perhaps most notably, the story has been periodically recycled to illustrate Jefferson's moral hypocrisy and white society's oppression of blacks.

In recent years Annette Gordon-Reed's 1997 study, *Thomas Jefferson and Sally Hemings: An American Controversy*, stands out as the most vigorous and determined effort to defend the legend.¹ Gordon-Reed, a professor of law at Harvard's Radcliffe Institute for Advanced Study, argued that historians treated the story as "too impossible to believe," on the assumption that Jefferson was "so high as to have been something more than human" and Hemings "so low as to have been something less than human."² Gordon-Reed wrote, "It is not my goal to prove that the story is true or that it is false. I suspect that if that is ever done, it will be the result of miracles of

¹Annette Gordon-Reed, *Thomas Jefferson and Sally Hemings: An American Controversy* (Charlottesville and London: University of Virginia Press, 1997).

²Ibid., xiv.

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modern science and all the wonders of DNA research, and not because of any interpretation of documents and statements.”³

Was Gordon-Reed prophetic? Did she know something no one else knew? One wonders, for a year later *Nature* published a DNA study purporting to authenticate the legend. Published under the title “Jefferson Fathered Slave’s Last Child,” the study concluded that a son of Sally Hemings was fathered by one of twenty-five genetically eligible Jefferson family males carrying the same chromosome as that of a descendant of Eston Hemings.⁴ The finding was accompanied by historian Joseph J. Ellis’s assertion that the DNA analysis showed Thomas Jefferson to be the father of at least one of Sally Hemings’s children. Although several scientists promptly objected that the test was inconclusive and the title inaccurate, the study group’s historical collaborators decided it was no time for scholarly caution. A rush to judgment followed in the media and the academy, abetted by the Thomas Jefferson Memorial Foundation, principal keeper of the Jefferson image. Foundation president Daniel P. Jordan, while pledging to consider the evidence and follow truth wherever it may lead, enthused, “Anything that encourages and raises the consciousness of the American people about history and race is a good thing.”⁵ Visitors to Monticello were in due course informed that although paternity could not be established with absolute certainty, the Thomas Jefferson Foundation “and most historians believe that, years after his wife’s death, Thomas Jefferson was the father of the six children of Sally Hemings mentioned in Jefferson’s records.”⁶

The *William and Mary Quarterly*, the leading journal in the field of early American history, accepted the Jefferson paternity thesis. Although some

³Ibid.

⁴Eugene A. Foster et al., “Jefferson Fathered Slave’s Last Child,” *Nature* 396 (November 5, 1998): 27–28. A separate study would be required to evaluate the DNA testing on which the *Nature* article was based. Pertinent facts would include the following: Because no Y-chromosome from a direct descendant of Thomas Jefferson was possible, samples derived from descendants of Field Jefferson, paternal uncle of Thomas Jefferson, were used. Randolph Jefferson, Jefferson’s brother, fathered slave children, and in the literature on Sally Hemings, as well as in the Eston Hemings family tradition, had long been suggested as the father of Eston Hemings. In 2000, Hemings descendants opposed scientific testing of genetic evidence that could be obtained from the gravesite of William Beverly Hemings, grandson of Sally Hemings, providing the first opportunity for a valid Y-chromosome DNA sample from an unbroken line of descendants. A useful introduction to the genealogical aspect of the controversy is Cynthia H. Burton, *Jefferson Vindicated: Fallacies, Omissions, and Contradictions in the Hemings Genealogical Search* (n.p., 2005).

⁵Robert F. Turner, ed., *The Jefferson-Hemings Controversy: Report of the Scholars Commission* (Durham, NC: Carolina Academic Press, 2001, 2010), 299.

⁶“Thomas Jefferson and Sally Hemings: A Brief Account,” Monticello.org, <http://www.monticello.org/site/plantation-and-slavery/thomas-jefferson-and-sally-hemings-brief-account>.

portion of the public always believed the Sally Hemings story, Prof. Jan Lewis explained in a forum on Jefferson and Hemings, “almost no one was willing to proceed as if it were true or to ask what it meant if it were.”⁷ After publication of the DNA evidence, however, “What was once rumor now seems to be, if not proven, at least sufficiently probable that virtually all professional historians will accept that Jefferson was the father of at least one of Sally Hemings’s children.” Asserting that serious doubt about the accusation “can no longer be reasonably sustained,” Lewis asked, “Does it make any difference if Thomas Jefferson was the father of Sally Hemings’s children?”⁸

Outside the Monticello establishment many people thought it did make a difference, and that it was important to determine whether the Sally Hemings story was fact or fable. Among them were Robert F. Turner, professor at the University of Virginia School of Law, and other members of the Scholars Commission on the Jefferson-Hemings Matter, appointed by the newly organized Thomas Jefferson Heritage Society.⁹ Charged with examining the evidence for and against Jefferson’s alleged paternity of Hemings’s children, the Scholars Commission issued a report in 2001.¹⁰ The report concluded that while the question of Jefferson’s paternity was “one about which honorable people can and do disagree,” it was the unanimous view of the commission that “the allegation is by no means proven.”¹¹

The Jefferson-Hemings Controversy: Report of the Scholars Commission consists of the formal report (21 pages), individual views of commission

⁷Jan Lewis, “Thomas Jefferson and Sally Hemings Redux: Introduction,” *William and Mary Quarterly* 57, no. 1 (January 2000): 121.

⁸Ibid.

⁹Prof. Turner was chairman of the Scholars Commission on the Jefferson-Hemings Matter and editor of the report. Other members were historians Lance Banning, Robert H. Ferrell, Alf J. Mapp, Jr., Forrest McDonald, Paul A. Rahe, and David N. Mayer; political scientists Charles R. Kesler, James Ceaser, Jean Yarbrough, and Harvey C. Mansfield; economist Walter E. Williams; and biochemist Thomas Traut.

¹⁰The report was available on the Internet until 2003. Publication in book form was delayed by the burden of professional duties assumed by Prof. Turner following the terrorist attacks of September 2001.

¹¹Turner, *Jefferson-Hemings Controversy*, 18. Paul Rahe wrote a minority report stating that while he agreed that the charge against Jefferson remained unproven, he thought it more likely than not that Jefferson was the father of Eston Hemings. Rahe noted that lies were told long ago and even with the DNA study it was not certain who told the truth. “What we do know, however, is damning enough,” he explained. Jefferson either abused his power as a slaveholder or tolerated it among members of his extended family. Rahe concluded: “In his private, as in his public, life, there was, for all his brilliance and sagacity, something dishonest, something of the self-serving and self-indulgent about the man” (ibid., 352). It is worth noting the judgment of Forrest McDonald in an addendum to the final report. McDonald indicated that as “an unreconstructed Hamiltonian Federalist,” he was always disposed to think the worst of Thomas Jefferson, and assumed the allegations about a Jefferson-Hemings relationship were founded in fact. As a result of reading the evidence, he wrote, “I have entirely abandoned my earlier assumption. Thomas Jefferson was simply not guilty of the charge” (ibid., 311).

members, the most substantial of which (234 pages) is written by Prof. Turner, and reactions to the report in an editor's postscript (46 pages). The book does not present itself as a historical account, but as a critical analysis of the evidence and arguments of defenders of the Jefferson-Hemings legend, principally as epitomized in the writing of Annette Gordon-Reed. Gordon-Reed's sensational book, the obvious ideological platform for the DNA study, shifted the burden of proof to Jefferson's defenders. To some extent, therefore, the Scholars Report adopts an adversarial posture. It does so, however, in a framework of intellectual inquiry that differs noticeably from the speculative, tendentious, and racially freighted pleading of Gordon-Reed's account. Suffice it to say that in negotiating the borderland between the domains of history and law, Gordon-Reed takes liberties with the principles of legal evidence in an adversarial forum to which she holds historians to account. Legal scholar and critic Eyler Robert Coates, Sr., was on solid ground in observing that many reputable Jefferson historians have meekly accepted Gordon-Reed's "distortion of historical research, which seeks to incorporate a kind of legal 'political correctness' into the methodology of research itself."¹²

The Scholars Commission examined seminal nineteenth-century materials, the oral tradition of Hemings's descendants, Jefferson's visitation patterns to Monticello and their correlation to when Hemings was likely to have conceived, and the DNA study. The principal ground on which the Jefferson paternity thesis rests is rumor and speculation. James Callender's 1802 accusation was based on the existence of several light-skinned slaves on the Monticello plantation. The charge was renewed by abolitionists in the Civil War era, and assumed a more literary form in the so-called "memoirs" of Madison Hemings. In a two thousand-word account published in a Republican newspaper in Ohio in 1873, Hemings claimed that Thomas Jefferson was his father. Authorship of the account is disputed, and it may have been written by Samuel Wetmore, a Republican party activist. After Reconstruction, with only Jefferson's own life and "the memories of a few Negroes to sustain it," the Jefferson-Hemings legend "faded into the obscure recesses of the Jefferson image."¹³

Thirty years into the civil rights revolution was a propitious time for exposing the hypocrisy and self-deception of Thomas Jefferson and racist America.

¹²Eyler Robert Coates, Sr., "The Jefferson-Hemings Circumstantial Evidence," *The Jeffersonian Perspective*, accessed January 8, 2012, <http://eyler.freeservers.com/JeffPers/jefpnoth.htm>.

¹³Merrill D. Peterson, *The Jefferson Image in the American Mind* (Charlottesville and London: Thomas Jefferson Memorial Foundation and University Press of Virginia, 1998) 187.

Annette Gordon-Reed's strategy was simple and direct: accuse white historians as a class of "systematic dismissal of the words of the black people who spoke on this matter," and open people's minds to the potential truth in the Jefferson-Hemings story. For example, Gordon-Reed offered an alternative analysis of Madison Hemings's "memoir" based not on white historians' assumption that what he said was wrong, but that "it is possible to go through the statement and see if this human being—not this ex-slave, not this darky with delusions of grandeur—tells his story in a way that is believable."¹⁴ Gordon-Reed's method is aggressively legalistic in an intellectual setting that demands a more judicious and equitable mode of reasoning. At pains to present the Hemings legend in the best light, Gordon-Reed's interpretation depends on speculation and insinuation, as when she says the fact that James Callender was not trustworthy "does not mean that he always lied."¹⁵

Lack of concrete historical evidence has never deterred earnest and committed mythologizers. Still, it presents a problem for advocates of the Jefferson paternity thesis. One important piece of disputed evidence is a statement of Edmund Bacon, overseer at Monticello from 1806 to 1822. Bacon wrote a manuscript account of his relationship with Jefferson that was included in *Jefferson at Monticello: The Private Life of Thomas Jefferson*, a book published by Rev. Hamilton W. Pierson in 1862. Referring to Hemings's daughter Harriet, Bacon stated:

Mr. Jefferson freed a number of his servants in his will....He freed one girl some years before he died, and there was a great deal of talk about it. She was nearly as white as anybody and very beautiful. People said he freed her because she was his own daughter. She was not his daughter; she was _____'s daughter. I know that. I have seen him [a man other than Thomas Jefferson] come out of her mother's room many a morning when I went up to Monticello very early.¹⁶

Prof. Turner writes: "This may be the most single valuable piece of evidence about the paternity of Sally Hemings's children. He is a mature observer of

¹⁴Gordon-Reed, *Jefferson and Hemings*, 22–23.

¹⁵Ibid., 62.

¹⁶Hamilton Pierson presumably omitted the name of the father and other names, not wishing "to publish facts that would give pain to any that might now be living." Turner, *Jefferson-Hemings Controversy*, 201n13. Among Sally Hemings's children, Beverly Hemings (b. 1798) ran away or was permitted to leave Monticello at age twenty-four; Harriet Hemings (b. 1801) left the plantation at age twenty-one; and Madison Hemings (b. 1805) and Eston Hemings (b. 1808) were freed in Jefferson's will.

established good character, who was clearly in a position to observe what was happening at Monticello for nearly two decades.”¹⁷

In the absence of eye-witness testimony, the argument for a Jefferson-Hemings sexual relationship rests on observed patterns of behavior among the principals. An example is preferential treatment supposedly given by Jefferson to the children of Sally Hemings in token of his romantic attachment to her. It is alleged that when Jefferson, a widower since 1782, began the liaison with Hemings in 1789 when she would have been about sixteen years old and he forty-six, he promised to emancipate her children at age twenty-one. Disputing this contention, the Scholars Report presents evidence that Hemings’s children were not liberated by age twenty-one; asserts that it was the other children and grandchildren of Betty Hemings—mother of Sally Hemings—who received favorable treatment; and concludes that Jefferson’s failure to provide in his will for the emancipation of Sally Hemings casts doubt on the claim that they were “lovers” (Gordon-Reed’s term).¹⁸

The principal evidence cited in support of the paternity thesis is the fact that Sally Hemings’s babies were conceived only when Jefferson was at Monticello. Annette Gordon-Reed considers this fact to be “the most compelling evidence” of the Jefferson-Hemings relationship, and it forms the basis for positing the monogamy of Sally Hemings as an essential element in the legend.¹⁹ For many reasons, not least the nature of the activity in question, inquiry into Sally Hemings’s sex life is vexing and inconclusive. Assuming that Hemings’s children had the same father simplifies the issue and makes Jefferson “the prime suspect.” As the Thomas Jefferson Foundation expresses it, the fact that Jefferson lived at Monticello is “evidence of the sort of sustained presence necessary to have resulted in the creation of a family of six children.”²⁰ Prof. Turner, skeptical of the monogamy assumption, asks reasonably whether Sally

¹⁷Ibid., 201. Gordon-Reed remarks that the lack of a time frame for Bacon’s statement makes it “not useless but deficient as evidence that Jefferson was not Harriet’s father or the father of Sally Hemings’s other children. It may well be that even if there had been a relationship between them at some point Thomas Jefferson and Sally Hemings were done with one another sexually, and someone else could have been coming from her room.” *Jefferson and Hemings*, 28.

¹⁸Turner, *Jefferson-Hemings Controversy*, 138. Annette Gordon-Reed, “Engaging Jefferson: Blacks and the Founding Father,” *William and Mary Quarterly* 52, no. 1 (January 2000): 179–81.

¹⁹Gordon-Reed, *Jefferson and Hemings*, 195.

²⁰Turner, *Jefferson-Hemings Controversy*, 87.

Hemings was ever away from Monticello. In fact it has been determined that Hemings was away from the plantation at certain periods.²¹

It would be simplistic as well as intellectually ungenerous to say that one side in the Jefferson-Hemings controversy seeks to discover the truth and the other to obfuscate it. The question is, what historical fact and truth is each side trying to establish? In the view of the Scholars Commission, the issue is whether Thomas Jefferson fathered one or more children by his slave Sally Hemings.²² For Annette Gordon-Reed and the Thomas Jefferson Foundation, the main issue is the rightful place of black Americans in American history. Whether it can be proved with absolute certainty that Jefferson was the father of Hemings's children, they contend, seems less significant to them than the moral and symbolic meaning of the relationship between Jefferson and Hemings. It is not obvious, however, that the nature and meaning of the relationship depends in significant part on resolution of the paternity question in a historically legitimate manner?

The highest priority for Hemings partisans is to repudiate and expunge the "impossibility" assumption in order to vitiate previous historical writing on the subject by white scholars. This is the belief that Jefferson's personal character, gentlemanly virtue, and scrupulous regard for his own reputation precluded the possibility of a sexual relationship with Sally Hemings.²³ To put it in the vernacular, defenders of the legend dismiss this assumption and advise Jefferson scholars to "get real." Thus Gordon-Reed writes, "Being realistic about the possibilities in life is also important, and historians have a responsibility to be candid about the possibilities." It might turn out that Jefferson and Hemings did not have an affair, she observes, "but to have generations of people believing that it would have been impossible for him to have done so and that there is no good evidence that he did does no one any good, because those ideas have no basis in reality."²⁴

The William and Mary Quarterly similarly asserts that "the central issue at the heart of the new consensus" is recognition that "Jefferson's contemporaries said nothing about the affair because they, like ourselves, have been in a

²¹Kathryn Moore and D.M. Giangreco, "The Case of Jefferson and Hemings," a review of *The Hemingses of Monticello: An American Family*, by Annette Gordon-Reed and *In Defense of Thomas Jefferson: The Sally Hemings Sex Scandal*, by William G. Hyland, Jr., *Claremont Review of Books*, special edition (2009): 3, http://www.claremont.org/repository/doclib/20100420_EmailBlast2Giangreco.pdf.

²²Turner, *Jefferson-Hemings Controversy*, 3.

²³Gordon-Reed, *Jefferson and Hemings*, 107.

²⁴*Ibid.*, 227–28.

state of denial about America's long, tangled history of interracial sex, systematically avoiding discussion of that unsettling subject."²⁵

The concern of Hemings's defenders for improved race relations is surely admirable. To this end the Thomas Jefferson Foundation, in its "Getting Word" project begun in 1993, promotes knowledge of slave life based on oral histories with descendants of Monticello slaves, including twenty-two members of the Madison Hemings family. Gordon-Reed builds on this evidence in her recent book, *The Hemingses of Monticello* (W.W. Norton and Company, 2008), in which the possibility of a romantic relationship between slave master and slave mistress evolves into received historical fact.²⁶ It is not clear, however, what the Jefferson-Hemings legend—to whatever extent its historical veracity may be stipulated—contributes to an informed understanding of historical justice for blacks. The inference we are invited to draw is that the effort to authenticate the Jefferson-Hemings legend serves the cause of historical justice by depicting blacks' rightful place in American society. If Jefferson's paternity is denied, blacks are relegated to the victimhood of slavery. If the paternity thesis is validated, blacks are elevated into the family of Americans.²⁷

Gordon-Reed asks, "What is the symbolic value to blacks of viewing Jefferson and Hemings as lovers?" She observes, "Love and sex are great levelers. Lovers are vulnerable to one another. If affection existed between Jefferson and Hemings, Hemings would necessarily have gained some measure of power over Jefferson, in the same way that women typically exert power over heterosexual males."²⁸ Gordon-Reed asserts:

In this scenario, the familiar responses between males and females are more elemental than the legal relationship that was imposed on them. In a small but important way, the humanity of Hemings is reemphasized. Jefferson's humanity comes back into focus too. She is raised. He is cut

²⁵Alexander O. Boulton, "The Monticello Mystery-Case Continued," *William and Mary Quarterly* 58, no. 4 (November 2001):1043, <http://oieahc.wm.edu/wmq/Oct01/boulton.pdf>.

²⁶D.M. Giangreco, "Annette Gordon-Reed and the Jefferson DNA Myth," *History News Network*, July 6, 2009, <http://hnn.us/articles/89499.html>; Moore and Giangreco, "Case of Jefferson and Hemings."

²⁷Thomas Lipscomb, a journalist and member of the National Society of Washington Family Descendants, notes ironically that genealogical societies "are delighted to find eligible members that are black." The good news for American blacks coming out of the Jefferson-Hemings controversy is "that they have been finally accepted as members of the American family. Now they can join everyone else in the traditional genealogical illusions of the striving middle class." "The Selling of Sally Hemings," *Oregon Magazine* September 14, 2003, <http://oregonmag.com/HemmingsLipscomb.htm>.

²⁸Gordon-Reed, "Engaging Jefferson," 179.

down to size. Thus two of the major requirements for black progress (restoration of black humanity and obliteration of the cult of the godlike white person) are fulfilled.²⁹

The legend of Sally Hemings becomes a parable of moral and social enlightenment. Gordon-Reed notes that the Jefferson-Hemings story “has been an article of faith among black Americans.” The contradictions that make Jefferson a mystery to some whites make him more accessible to blacks, “who find his conflicted nature a perfect reflection of the America they know: a place where high-minded ideals clash with the reality of racial ambivalence.”³⁰

When the *Report of the Scholars Commission* was written it held the line against a veritable campaign to reclassify the legend of Thomas Jefferson and Sally Hemings as historical fact. The commission’s painstaking analysis of the controversy focused attention on commitment to truth and intellectual honesty against falsehood and error as the indispensable requirement of professional academic responsibility. Multicultural revisionists, appealing to constructively useful truths and hoping “never [to] leave their stories to be told by people whose primary interests lie elsewhere,” distort historical fact and reality.³¹ In essence they argue that if Jefferson and Hemings did not actually have a sexual relationship, they might as well have. Drs. Eugene Foster and Peter Donnelly of the DNA study group explain the rationale, claiming that “the simplest and most probable” conclusion was that Thomas Jefferson had fathered Eston Hemings.³² To put it another way, inconclusive DNA evidence, combined with inconclusive circumstantial evidence, adds up to a historical probability that is tantamount to a proved fact.

At a public forum on the Jefferson-Hemings affair, Gordon-Reed and historians on the staff of the Thomas Jefferson Foundation were asked whether anyone from the other side would be present on the panel. Their response was, “If you are planning a trip around the world, you would not invite someone from the Flat Earth Society.” A clever retort, to be sure. But as Eyler Robert Coates, Sr., observed, “A careful review of the evidence

²⁹Ibid., 179–80.

³⁰Ibid., 173–74.

³¹Gordon-Reed, *Jefferson and Hemings*, 235.

³²Foster et al., “Jefferson Fathered Slave’s Last Child,” 27.

shows that such a level of certainty is entirely uncalled for. Rather it is a purposeful attempt to suppress information that any disinterested investigator would diligently seek.”³³ In his postscript to *The Jefferson-Hemings Controversy*, Prof. Turner further testifies to the unwillingness of senior scholars, who once championed the Hemings cause, “to engage us on the merits of the controversy.”³⁴ *The Report of the Scholars Commission* confirms the mythic character of the story of Thomas Jefferson and Sally Hemings.

³³Eyler Robert Coates, Sr., “Jefferson’s DNA and Sally Hemings,” *The Jeffersonian Perspective*, accessed January 8, 2012, <http://eyler.freesevers.com/JeffPers/jefpnotg.htm>.

³⁴Turner, *Jefferson-Hemings Controversy*, 396.