

The Jefferson-Hemings Controversy

Report of the Scholars Commission

Edited by
Robert F. Turner

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This book is dedicated to the memory of our beloved colleagues

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Preface

For more than two centuries there have been rumors and allegations that Thomas Jefferson had a long-term sexual relationship with an enslaved woman named Sally Hemings. They originated from the pen of a disreputable journalist named James Thomson Callender in October 1802 and were picked up by Federalist editors and abolitionists in the United States and abroad. Most serious Jefferson scholars and many of Jefferson's political enemies dismissed them, in part because the notorious Callender lacked credibility and in part because the charge seemed so out of character for Jefferson. But the story resurfaced with the 1974 publication of Fawn Brodie's *Thomas Jefferson: An Intimate Biography* and became more believable in the 1997 book by Annette Gordon-Reed, *Thomas Jefferson and Sally Hemings*.

Perhaps the most decisive development in the case was the publication in the prestigious British science journal *Nature* in November 1998 of results of a DNA study linking Sally Hemings' youngest son to a Jefferson father. In January 2000 the Thomas Jefferson Memorial Foundation—owner of Jefferson's home at Monticello and long a protector of the former president's reputation—issued its own report concluding that President Jefferson fathered at least one and perhaps all of Sally Hemings' children.

Still, not everyone was convinced, and a group of doubters came together and established the Thomas Jefferson Heritage Society. Their first act was to seek a blue-ribbon re-examination of all of the evidence for and against Thomas Jefferson's paternity of one or more of Sally Hemings' children. They approached a diverse group of senior scholars with a simple request: carefully examine all of the evidence, draw your own conclusions, and issue a public report. The Heritage Society played no role in the actual investigation, and no member of the Scholars Commission was compensated in any way for his or her efforts in this process. This volume is the final product of that "Scholars Commission" inquiry.

After a year-long investigation involving individual research and group meetings in a hotel near Dulles Airport outside of Washington, D.C., summary majority and minority reports were drafted and approved by group members. In addition, members of the Commission were invited to express their personal views with individual statements concurring or dissenting from the majority report. In the pages that follow, the official Majority Report—adhered to by twelve of the thirteen members of the Commission—appears first, followed by the Minority Report. It should be emphasized that the statements of individual views that follow the official summary report are attributable only to the members whose names appear at the front of each such statement.

In an effort to provide some historical context to the reception given the report and relevant subsequent developments, the editor has attached a Postscript at the end of the volume. The views expressed therein are his alone, and the Postscript is not a part of the

official Report of the Scholars Commission. Members of the Scholars Commission are listed with their academic institutions for purposes of identification only, and the views expressed herein are those of the individuals involved and should not be attributed to any university, organization, or other entity.

Copies of the majority and minority reports and supplemental statements of individual views were distributed at the National Press Club in Washington, D.C., on April 12, 2001. Members were then given additional time to expand and revise their individual statements, with the expectation that a book version of the Scholars Commission Report would appear the following year. Regrettably, publication was delayed because the professional duties of the chairman of the commission and editor of this volume involved the study of international terrorism and other aspects of national security law. As might be imagined, the demands on his time following the September 11, 2001, terrorist attacks left little time for extracurricular endeavors.

We are pleased finally to make this volume available. It does not pretend to be the final answer to the controversy, but we hope it will be useful in assisting interested readers to understand the relevant facts and issues and to identify points of disagreement between experts.

Robert F. Turner
Charlottesville, Virginia
February 14, 2011

Acknowledgments

Being asked to chair the Scholars Commission (SC), and to work with such a distinguished group of scholars, was among my most memorable and cherished professional activities. I want to thank the Thomas Jefferson Heritage Society (TJHS) and its members for giving me this opportunity, and all of my distinguished colleagues on the SC for their outstanding work in our shared search for the truth. I also owe each of them my profound apology for the long delay in finally getting this volume in print.

Sadly, because of my delay in getting the final manuscript ready for publication, two of the most active and distinguished members of the Scholars Commission passed away before the book was published. Professors Lance Banning and Alf Mapp attended all of our meetings and took an active part in bringing this work to fruition. Both were extraordinary human beings and superb Jefferson scholars. We have dedicated this volume to them, but I wanted to add a personal note to emphasize my own deep indebtedness to both of them. I like to think that although they are no longer among us, their contributions will live on for years to come through their writings and the work of their students. May they rest in peace with the knowledge that the world was a better place for their presence here.

I would be remiss if I did not thank several individuals who contributed to bringing this volume to fruition. Marilyn York provided the guidance of a professional editor, as did Becky Gildersleeve. Carolyn Andersen provided valuable research assistance at a critical time.

I am also most grateful to Dr. Keith Sipe, Linda Lacy, Tim Colton, and their colleagues at Carolina Academic Press—who provided encouragement and a variety of other assistance in transforming the manuscript into a finished book. They patiently tolerated the numerous delays in the process caused by the post-9/11 increased demands on my time. I have worked with them on several other volumes over more than two decades, and they have never failed to exceed all reasonable expectations.

Additional acknowledgments for assistance with my own personal contributions to this volume appear at the end of the Introduction to my Individual Views.¹

RFT

1. See pages 50–53.

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Professor Banning held the John Adams Chair in American History at the University of Groningen in the Netherlands and served as Leverhulme Visiting Professor at the University of Edinburgh. Two of his award-winning books (*The Jeffersonian Persuasion* and *Jefferson and Madison*) were nominated for the Pulitzer Prize in History.

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Professor Mapp is the author of *Thomas Jefferson: A Strange Case of Mistaken Identity* (a Book-of-the-Month Club featured selection), *Thomas Jefferson: Passionate Pilgrim*, and has authored or edited more than another dozen books. A reference source for *Encyclopedia Britannica* and *World Book*, his numerous awards include Commonwealth of Vir-

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Professor Mansfield has taught at Harvard for nearly four decades, chaired the Department of Government for several years, and is the author or editor of a dozen books, several of which address the era of the Founding Fathers. A former Guggenheim Fellow and National Endowment for the Humanities Fellow, he served as President of the New England Political Science Association and on the Council of the American Political Science Association.

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Professor Rahe was educated at Yale and Oxford, where he was a Rhodes Scholar. He served as Chair of the University of Tulsa Department of History for several years, has also taught at Yale and Cornell, and is the author of the highly-acclaimed, three-volume set, *Republics Ancient and Modern: Classical Republicanism and the American Revolution*. He has received numerous academic prizes and held fellowships from the National Endowment for the Humanities, the Woodrow Wilson International Center for Scholars, the Center for the History of Freedom, and the Institute of Current World Affairs.

Thomas Traut

Professor of Biochemistry & Biophysics
School of Medicine
University of North Carolina

Professor Traut is Director of Graduate Studies and a former Ford Foundation and National Institute of Health Fellow. He is the author or coauthor of more than seventy publications, and shares his interest in Jefferson with his playwright wife, Karyn, who researched the Jefferson-Hemings relationship for seven years in preparation for her play *Saturday's Children*.

Robert F. Turner (Chairman)

Cofounder (1981), Center for National Security Law

University of Virginia School of Law

Professor Turner holds both professional and academic doctorates from the University of Virginia School of Law, and is a former Charles H. Stockton Professor of International Law at the U.S. Naval War College and a Distinguished Lecturer at West Point. He has taught both in Virginia's Department of Government and Foreign Affairs and the Law School, and is the author or editor of more than a dozen books. A former president of the congressionally established U.S. Institute of Peace, he has had a strong professional interest in Jefferson for more than four decades.

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The Jefferson-Hemings Controversy

Scholars Commission on The Jefferson-Hemings Matter

Report 12 April 2001

Summary

The question of whether Thomas Jefferson fathered one or more children by his slave Sally Hemings is an issue about which honorable people can and do disagree. After a careful review of all of the evidence, the commission agrees unanimously that the allegation is by no means proven; and we find it regrettable that public confusion about the 1998 DNA testing and other evidence has misled many people. With the exception of one member, whose views are set forth both below and in his more detailed appended dissent, our individual conclusions range from serious skepticism about the charge to a conviction that it is almost certainly false.

In an effort to provide further clarification of our thinking about these issues, several members have written statements of individual views, which are appended to this report. They are the views of the scholars whose names appear thereon, and do not necessarily reflect the opinions of other members of the group. Although academic or other affiliations of members are listed for purposes of identification, nothing in this report is intended to reflect the opinion of any college, university, foundation, or other entity with which members of the group may currently or in the past have been associated.

Our dissenting member believes that there is not sufficient evidence to state conclusively one way or the other whether Thomas Jefferson fathered any children by Sally Hemings. Based upon the totality of the evidence that does exist, he finds the argument for Jefferson's paternity in the case of Eston Hemings somewhat more persuasive than the case against. He regards the question of the paternity of Sally Hemings' other children as unsettled.

Report of the Scholars Commission on the Jefferson-Hemings Matter

Introduction

The release in November, 1998, of DNA evidence tying one of Sally Hemings' children to a Jefferson father, and the subsequent report by the Thomas Jefferson Memorial Foundation, have led to a widespread perception both within the academic community and among the public that science has conclusively proven that Thomas Jefferson had a sexual relationship with one of his slaves that produced one or more children. About a year ago, a number of Jefferson admirers formed the Thomas Jefferson Heritage Society (TJHS), and one of their first acts was to ask a group of Jefferson scholars to reexamine the issue carefully and issue a public report. This report is the result of that inquiry.

Background to the Controversy

On September 1, 1802, the Richmond *Recorder* published an article alleging that President Thomas Jefferson had fathered several children by his slave Sally Hemings. Its author was James Thomson Callender, a journalist who had fled Scotland for alleged sedition against the Crown and had briefly received financial support from Thomas Jefferson while Callender was supporting the Republican cause by attacking the incumbent Federalists. Callender was a talented writer with a proclivity for attacking those in power, and during his brief decade in America he vehemently attacked, among others, the first five men to serve as President of the United States. His skill with words exceeded his concern for the truth, and many of his allegations proved patently false. As President Jefferson learned more about the man's character, he rejected Callender's efforts to build a friendship and discouraged him from moving to the Charlottesville area, rebuffs which clearly stung the mercurial Callender. Callender's attack on Jefferson was prompted in part by President Jefferson's refusal to name him to the position of Postmaster for Richmond, Virginia, and was the fulfillment of a threat Callender had made to publish articles that would embarrass the President if the appointment was not forthcoming.

Callender had never visited Monticello, and he admitted that his charges were based upon conversations with people in the Charlottesville area who had noted the existence of light-skinned "mulatto" slaves on Jefferson's mountain. The story was picked up by the opposition Federalist press, but even some prominent Federalists dismissed it as untrue, recalling some of the falsehoods Callender had written about their own party leaders. Nevertheless, the story resurfaced from time to time over the decades and in 1873 was reinforced by allegations attributed to one of Sally Hemings' children and another former Monticello slave. Historians continued to discount it, but in 1974 Professor Fawn Brodie published *Thomas Jefferson: An Intimate History*, that gave the story new life and—while not well received by many historians—was a commercial success.

The story achieved attention again in 1997, with the publication by the University Press of Virginia of Professor Annette Gordon-Reed's *Thomas Jefferson and Sally Hemings*. Then, on November 5, 1998, *Nature* magazine published the results of DNA tests

that strongly suggested that Sally Hemings' youngest son, Eston, had been fathered by someone with the same Y chromosome as Thomas Jefferson. This was not the same kind of precise "99.99 percent accurate" DNA testing that Americans learned of during the 1994 murder trial of O.J. Simpson, but rather was designed primarily to disprove paternity. The test could not distinguish between the offspring of male-line ancestors, and thus pointed the finger at Thomas Jefferson no more than it did at any of the other roughly two dozen known male descendants of Jefferson's grandfather present in Virginia at the time. Because of the general nature of the test, although no DNA from Thomas Jefferson was available, it was possible to use DNA extracted from the blood of descendants of Jefferson's paternal cousins. The resulting match did not prove Thomas Jefferson fathered Eston Hemings, but it did place him within a group of approximately twenty-five known Virginia men believed to carry the Jefferson family Y chromosome.

Nevertheless, the story was presented in much of the press as a conclusive confirmation of Thomas Jefferson's paternity of Eston and presumably other children born to Sally Hemings as well. The issue seemed conclusively resolved in January, 2000, when the Thomas Jefferson Memorial Foundation (TJMF)—the organization that maintains Thomas Jefferson's home at Monticello and has long been a champion of his legacy—is-sued a research report concluding there was a "strong likelihood that Thomas Jefferson and Sally Hemings had a relationship over time that led to the birth of one, and perhaps all, of the known children of Sally Hemings."

The Scholars Commission

Not everyone was convinced, however, and shortly after the TJMF report was released a group of Jefferson admirers, led by a former President of the Jefferson family's Monticello Association (MA), decided to establish the Thomas Jefferson Heritage Society (TJHS) in order to promote public education and understanding about the man. Convinced that Jefferson had not received a fair hearing, they decided to assemble a "blue ribbon commission" of prominent scholars for the purpose of reexamining the entire issue. This report is the result of that initiative.

The ground rules of our inquiry were simple: We were to have complete intellectual freedom to pursue the truth, including authority to establish our own procedures, to add new members, and to carry on our work independent of the influence of the TJHS or any other group. To help assure our independence, a private citizen who favored the idea of such an inquiry, but was not associated with the TJHS, generously contributed \$20,000 to fund the work of the Scholars Commission—with the explicit understanding that she was funding scholarly research and would have neither influence on the outcome nor advanced knowledge of our conclusions prior to the public release of our report. Those funds have been used for travel, lodging, and publications costs. No member of the Scholars Commission has received compensation of any kind for their work on this project, and several have insisted on paying their own expenses to emphasize the independent nature of their involvement.

The Scholars Commission includes some of the nation's leading authorities on Thomas Jefferson and his era. Several members have written one or more books about Jefferson, and every member—even the lawyers in the group—holds a Ph.D. or other earned aca-

demic doctorate. Most of the members have either chaired their departments or held chaired professorships, and several serve or have served as “Eminent” or “Distinguished” professors. While our membership has fluctuated slightly over the months, the thirteen scholars who have persevered to the end come from prominent universities spread from southern California to Maine and then south as far as Alabama. They are trained in such diverse disciplines as history, political science, law, economics, and biochemistry. Most of us have studied Thomas Jefferson and his era for at least two decades, and we have held teaching or research appointments at Harvard, Yale, Stanford, Brown, Virginia, North Carolina, Kentucky, Indiana, Bowdoin, and many other respected institutions of higher learning.

We began this inquiry with diverse opinions on various aspects of the issue. Some members of the commission were avid admirers of Thomas Jefferson, others were not. At least one of us had for decades assumed the allegations of a Jefferson-Hemings relationship were true, many held serious doubts. But we each approached this inquiry as a scholarly search for the truth. Our initial work was done individually, with extensive communications by e-mail, letter, and telephone. After we had each had an opportunity to review all of the basic evidence and to pursue additional avenues of research we felt might prove fruitful, we gathered for approximately fifteen hours of face-to-face meetings at a hotel near Dulles Airport. Not surprisingly, our views in the end are not identical; but we have all reached general agreement on the conclusions which follow (with the exceptions noted). In addition, each of us was invited to submit additional views without restriction on any aspect of the issue we wished. It should be emphasized that the individual views which follow this report are only those of the members whose names appear thereon and should not be attributed to the Scholars Commission as a whole. Several of us have also elected to add our names to the individual views of other members; however this reflects a general agreement with their analysis and conclusions only, and responsibility for specific arguments and accuracy of facts belongs in each case to the primary author.

Before turning to the substance of our inquiry and our conclusions, we would be remiss if we did not acknowledge the cooperation of both John Works and the Thomas Jefferson Heritage Society, Daniel Jordan and Lucia Stanton of the Thomas Jefferson [formerly Memorial] Foundation, and James J. Truscott of the Monticello Association. None of these organizations has taken part formally in our deliberations, but all three have provided encouragement and have been fully responsive to any requests we have made of them for information. All three organizations received advance copies of our draft report as soon as it was completed earlier this month, and we are grateful for the feedback we have received. None of them, obviously, is responsible for any of our views.

We are also grateful to Ms. Karyn Traut—the playwright spouse of one of our members who researched this issue carefully for seven years more than a decade ago in preparation for writing *Saturday's Children*, who joined us at our Dulles meeting—and to Dr. Michael Moffitt of the Thomas Jefferson Heritage Society who has handled our finances and provided other administrative support.

Assessing the Evidence

The Almost Total Absence of Information about Sally Hemings

This has been in many respects a very frustrating issue to investigate, because there is so little information about Sally Hemings from which to work. One could probably write everything that we really know about her on an index card. Excluding Jefferson's various listings of slaves he owned and distribution lists for blankets and other supplies (on which she was treated like all of her relatives at Monticello), a few brief references from others about Sally being "mighty near white" and "very handsome" or "decidedly good looking," and notations about spending money for clothes and a smallpox vaccination while Sally was in Paris, Thomas Jefferson appears to have made reference to Sally Hemings in but four of his tens of thousands of letters. There is no evidence that he ever wrote to her directly or received mail from her (nor that she could have read them had he written), and the references that do exist consist of a note that "Maria's maid" (which might not even have been Sally) had a baby, two letters suggesting that "If Bet or Sally's children" came down with the measles they should be sent off the mountain, and finally a "d.o. Sally" notation in the margin of a letter saying that Jefferson was sending the bedding of Sally's older brother James Hemings back to America.

Indeed, the only credible surviving descriptions of Sally Hemings' talents or abilities are found in two 1787 letters from the remarkable Abigail Adams, wife of U.S. Minister to Great Britain John Adams, who kept the fourteen-year-old Sally and Jefferson's daughter Polly for two weeks when they arrived from Virginia on the way to join Jefferson in Paris. She described Sally as being "quite a child" and said that she "wants more care than the child [Jefferson's eight-year-old Polly], and is wholly incapable of looking properly after her, without some superiour to direct her." Based upon the surviving records, Sally Hemings appears to have been a very minor figure in Thomas Jefferson's life.

Assessing the Arguments

We began our inquiry by trying to identify all of the arguments and evidence in support of the proposition that Thomas Jefferson fathered one or more of Sally Hemings' children. We then looked carefully at the facts surrounding each of these allegations, and reached general conclusions on each. We then looked at evidence suggesting that Thomas Jefferson was not the father of any of Sally's children, and, after a careful review of the totality of the known evidence, we drew our individual conclusions and took a vote.

The DNA Tests

We are in full accord that much of the public has been misled about the significance of the DNA tests performed by Dr. Eugene Foster and his colleagues and first reported in the journal *Nature* in November 1998. While the tests were professionally done by distinguished experts, they were never designed to prove, and in fact could not have proven, that Thomas Jefferson was the father of any of Sally Hemings' children. The tests merely

establish a strong probability that Sally Hemings' youngest son, Eston, was fathered by one of the more than two dozen Jefferson men in Virginia at the time, seven of whom there is documentary evidence to believe may well have been at Monticello when Eston was conceived.

Dr. Foster has cooperated fully in our inquiry and has readily acknowledged that the DNA tests do not suggest that Thomas Jefferson was Eston's father as opposed to someone like his younger brother Randolph or one of Randolph's sons. Indeed, every knowledgeable authority we have consulted, including other scientists who conducted the tests, has denied that these tests could possibly have distinguished among the male members of the Jefferson family in determining the paternity of Eston Hemings. These tests compared nineteen markers on the Y chromosomes of fourteen individuals: five living male-line descendants of two sons of Thomas Jefferson's paternal uncle, who was assumed to have the same Y chromosome as Jefferson's father and thus of Jefferson himself; three male-line descendants of three sons of the paternal grandfather of Peter and Samuel Carr;¹ five male-line descendants of two sons of Thomas Woodson; and one male-line descendant of Eston Hemings. The results showed a match between the haplotypes of the Jefferson descendants and the Eston Hemings descendant, but no other matches. In plain words, they showed that a descendant of one of Sally Hemings' children carries Jefferson genetic markers, not those of the Carr brothers, which effectively rules out the possible paternity of Sally Hemings' youngest child by any of the Carr brothers and points to some male Jefferson as his likely father. As we discuss below, the circumstantial case against some of Thomas Jefferson's relatives appears significantly stronger than the case against him.

The most important results from the DNA testing may well have been the determination that Thomas Woodson, long thought by many to be the "Tom" referred to by James Callender in 1802 as having been conceived by Sally Hemings in Paris and having a strong physical resemblance to the President, could *not* have been the son of Thomas Jefferson. Subsequent DNA testing of descendants of a third Woodson son confirmed the earlier results. Most of us believe this goes far towards undermining any remaining credibility of the original Callender allegations.

Madison Hemings' 1873 Statement

Nearly half a century after Thomas Jefferson's death a highly partisan newspaper editor in Pike County, Ohio, published an article alleged to be based upon an interview with Sally Hemings' second-youngest son, Madison. In the story, Madison is said to have claimed that Thomas Jefferson fathered all of his mother's children. This was followed shortly thereafter by an interview attributed to Israel Jefferson, another former Monticello slave, who corroborated Madison Hemings' story. There is no record that Sally Hemings or any of her other children ever alleged that Thomas Jefferson was their father.

There are many problems with Madison's story. He alleged that Thomas Jefferson became sexually involved with Sally Hemings in Paris, and when she refused to return to Virginia with him he promised to grant her special privileges and to free all of her children when they reached the age of twenty-one. Madison could not personally have known this information, and he provides no source for his alleged statements. Some sentences in his

1. Jefferson's sister, Martha, married his best friend, Dabney Carr, and they had three sons. Two of these, Peter and Samuel Carr, were alleged to have confessed to paternity of some of Sally's children, and were assumed by many to have been the father of all of her children.

account pertain to aspects of Jefferson's background that occurred long before Madison was born and that had been mentioned in published biographies of Jefferson. Several unusual words can be traced directly back to the 1802 Callender attacks on Jefferson, including the identical misspelling of a name.

Madison was also reported as saying that Dolley Madison was present at the time of his birth, and numerous reliable documents strongly suggest that this statement is false. Much of the information in the subsequent article attributed to Israel Jefferson is clearly false, and indeed he alleges recalling events that occurred before he was born. Thomas Jefferson's detailed records do not support Israel's claim to have held a position of great trust at Monticello, and Israel's allegation that his job included kindling Jefferson's fire each morning is expressly refuted by reliable sources published prior to his statement. On balance, the two alleged statements are clearly seriously flawed and do not outweigh the contradictory eyewitness accounts of others that exist on many of these issues.

The Correlation Between Thomas Jefferson's Visits to Monticello and Sally Hemings' Conceptions

Although Thomas Jefferson was absent from Monticello roughly half the time when Sally Hemings was having children, he appears to have been there when most and perhaps all of her children were conceived. (He was absent for most of the conception window for her son Beverly.) Several of us found this to be the most compelling evidence of a sexual relationship between Thomas Jefferson and Sally Hemings, and thus it received extensive consideration during our deliberations.

We believe that the simplest explanation for the long-known coincidence of Thomas Jefferson's return to Monticello and Sally Hemings' pregnancies is that Monticello was normally kept locked during Jefferson's absence, and thus his return would prompt visits to the mountain by numerous friends and relatives—including other candidates for the paternity of Sally Hemings' children such as the President's brother, nephews and cousins.

The Visitation-Conception Issue and the Monte Carlo Study

None of us was impressed by the "Monte Carlo" statistical study published in the *William & Mary Quarterly* and appended to the Monticello report, which for inexplicable reasons postulated both that there could only be a single father for all of Sally Hemings' children and that rival candidates to Thomas Jefferson would have had to arrive and depart on the exact same days as did the President. The assumption of random behavior by Jefferson's friends and relatives also makes little sense to us, as they would certainly have been far more likely to visit after he had returned from extended absences in Washington or elsewhere. Some of the data used in this study for the days Thomas Jefferson was at Monticello during the weeks before and after the conception of Eston Hemings were also inaccurate.

Our inquiry suggests not only that there is no serious evidence that Sally Hemings was monogamous, but there is very credible eyewitness testimony that she was often sexually involved with a man other than Thomas Jefferson. The Monte Carlo study and many other arguments on this issue are premised on the assumption that one man must have

fathered all of Sally Hemings' children. There is reasonably credible evidence based upon eyewitness testimony that Jefferson's nephews Samuel and Peter Carr admitted paternity of at least some of Sally Hemings' children, and the DNA tests show only that they could not have been the father of Eston. Even without considering Thomas Jefferson's advanced age (sixty-four) and health, if the question is changed from trying to place a single suspect at Monticello nine months prior the birth of all of Sally's children to simply trying to identify the Jefferson men who were likely to have been in the Monticello area when Eston Hemings was conceived, the statistical case for Thomas Jefferson's paternity of Eston, based upon DNA evidence alone, falls below fifteen percent.

The Allegation that Sally Hemings and Her Children Received “Special Treatment” at Monticello

At first glance, one of the most powerful arguments in favor of Jefferson's paternity is the claim that Sally and her children received “special treatment” from Thomas Jefferson at Monticello. This claim overlooks the fact that virtually all of the children and grandchildren of Betty Hemings (Sally's mother) received special treatment at Monticello; and, within that family, Sally and her children appear to have received less favorable treatment than many. The widespread belief that Thomas Jefferson freed all of Sally's children when they reached the age of twenty-one is also simply not true.

Indeed, other than appearing upon various lists of Monticello slaves recording such things as clothing and blanket distribution (where Sally was treated exactly like her siblings), Sally and her children receive less frequent mention in Jefferson's records than most of her siblings. Princeton University Press recently published two volumes totaling more than 1,400 pages of Jefferson's *Memorandum Books*, containing thousands of entries documenting his financial transactions and the like. Sally's sons Madison and Eston share a single listing, indicating that on December 11, 1824, they sold 100 cabbages to Thomas Jefferson for two dollars—the same rate he paid other members of the Hemings family at that time.

Except for a brief period in Paris, when Sally's two dollars a month salary was far less than her brother or any of Jefferson's other servants were receiving, neither Sally Hemings nor any of her children received either a salary or recorded gifts from Thomas Jefferson—unlike many of her relatives. One of the clear reasons for Madison Hemings' obvious bitterness in the 1873 story in the *Pike County Republican* was that his alleged “father” (Thomas Jefferson) had never given him or his siblings any special attention—in sharp contrast to the loving attention Jefferson displayed towards his grandchildren by his daughters.

Even had Jefferson given special consideration to Sally's children, this would not have been proof that he was their father. First of all, by blood they were legally “white” (and, along with Sally, appeared as free whites in the 1830 Albemarle County census following Jefferson's death), and they were also quite possibly Thomas Jefferson's relatives. Sally was alleged by some to be the half-sister of Jefferson's wife Martha, and her children would also have been President Jefferson's nieces and nephews if their fathers had been either one of the Carr brothers or a member of Randolph Jefferson's family.

One of the greatest myths of this controversy is the allegation that Jefferson freed Sally Hemings and all of her children in his will or when they reached the age of 21. In reality, Sally's first child to reach that age was Beverly Hemings, who finally ran away from

Monticello at age twenty-four. Her only daughter to reach twenty-one ran away that year, but reportedly returned and was later given money and put on a stage for Philadelphia by Jefferson's overseer at Thomas Jefferson's request. We have no evidence of how old Harriet was at the time, or why this was done, but she was probably well past her twenty-first birthday; and the explanation for facilitating her departure may well have been Jefferson's well-documented human compassion rather than fulfillment of a promise allegedly made in Paris to Sally Hemings.

It is true that Sally's two youngest children, Madison and Eston, were freed in Jefferson's will. But according to the alleged "treaty" negotiated in Paris, Madison should have been freed when he turned twenty-one, well before Jefferson even wrote his will. He was twenty-two before he was actually given his freedom. More importantly, three other male members of the Hemings family (most of the brothers and nephews of Sally Hemings remaining at Monticello when Jefferson died) were freed in that will, and each of them received far more favorable treatment (including such things as money, tools, and homes on Jefferson's land) than did Sally's sons—who received no additional benefits and were required to work for Sally's brother, John Hemings, for a year before receiving their freedom. Two of Betty Hemings' sons were legally manumitted by Thomas Jefferson in the 1790s. Of her seven male descendants known to have been at Monticello at the time of Jefferson's death, all but two of them were freed in his will and a sixth (Sally's brother Peter) turned up as a free citizen of Albemarle county shortly after apparently being purchased by a relative for one dollar. We don't know why Sally's nephew Wormley Hughes, brother to Jefferson's most trusted (and most rewarded in his will) slave, was not freed, but he remained a trusted slave in the family of Jefferson's daughter and was eventually freed by her. Sally Hemings was not freed by Thomas Jefferson; and we are skeptical both that Sally Hemings would not have bothered to demand her own eventual freedom while negotiating the freedom of children she would not start having for more than five years, and that Thomas Jefferson would have made no provision for her freedom had they really been lovers for decades. The freedom granted to Sally Hemings' sons in Jefferson's will is consistent with his treatment of most other male descendants of Betty Hemings, and might also be warranted by the fact that, once freed, they were probably legally white under existing Virginia law.

The Physical Resemblance of Some of Sally Hemings' Children to Thomas Jefferson

There are at least ten possible fathers for Sally Hemings' children who could have passed down genetic material that might produce children physically resembling Thomas Jefferson and who are thought to have visited Monticello regularly during the years Sally Hemings was having children. Historically, the most common suspects were Peter and Samuel Carr, sons of Thomas Jefferson's sister Martha and his best friend Dabney Carr. Subsequent to the DNA tests, the most probable candidate for paternity of Eston Hemings was likely Randolph Jefferson, Thomas Jefferson's much younger brother, or perhaps one of at least four of Randolph's five sons. A little more than two weeks before Sally is estimated to have conceived Eston, Thomas Jefferson wrote to Randolph and informed him that his twin sister, Anna Scott Marks, had just arrived for a visit and that "we shall be happy to see you also." It is reasonable to assume that Randolph, a widower, would have brought his five sons (four and perhaps five of whom were 17–27 years of age) for the visit, and any of them could have also passed along Jefferson DNA that would have

been consistent with Dr. Foster's DNA study and could have produced children resembling Thomas Jefferson.

The Original Accusations of James Thomson Callender

The 1802 allegations of a Jefferson-Hemings sexual relationship are highly unpersuasive. Callender was notorious for taking a small truth and multiplying it into a large falsehood. In this case, his "truth" was the existence of several light-skinned slaves at Monticello. This fact had been observed by European visitors as early as 1796, when Sally Hemings' first known child was an infant; and Sally and her siblings were presumably the basis of the stories. Callender was correct in noting that Sally had given birth to several light-skinned children, but his primary focus was on a ten- to twelve-year-old boy named "Tom," who was said to bear a "striking resemblance" to President Jefferson. For nearly two centuries, scholars who gave any credence at all to Callender's allegations assumed that "Tom" was Thomas Woodson, whose descendants have long asserted that this was the case. We have reached no conclusions on whether Thomas Woodson was the son of Sally Hemings. It would seem strange, if there was no "Tom" at Monticello fitting this description in 1802, that one of Jefferson's defenders would not have made the point—and at least one of them admitted there was such a child. There is no evidence of any other "Tom" who might fit this description, nor is there any evidence other than Woodson family oral history that Tom Woodson was ever at Monticello. The DNA tests have shown conclusively that Thomas Woodson could not have been Thomas Jefferson's child, but did not address his possible biological relationship with Sally Hemings.

The Oral History of Sally Hemings' Descendants

Part of the case for Thomas Jefferson's paternity of Sally Hemings' children is based upon oral history passed through many generations of three families. While oral history can be a useful, and is often a neglected, source of historical knowledge, in this case some of the family traditions are in conflict both with the DNA evidence and with each other.

For example, the assertion in the Research Committee report of the Thomas Jefferson Memorial Foundation that "The family history of Sally Hemings's descendants, transmitted orally over many generations, states that Hemings and Thomas Jefferson are their ancestors," is only partly accurate. In fact, these statements are believed to have been passed down by one known line of Sally's children, the descendants of Madison Hemings. Since we already know that Madison is alleged to have made this claim in 1873, we need not rely on oral history as authority. However, since Madison did not provide a source for his claim, it is difficult to establish whether it is true or not; and the fact that he presumably told his children as well as a newspaper editor obviously adds nothing to the credibility of his basic account.

Similarly, Thomas Woodson's descendants passed down this history, but since the recent DNA tests have ruled out Thomas Jefferson as Thomas Woodson's father, this oral history would seem clearly to be in error. We express no view on whether Thomas Woodson was Sally Hemings' son, although some members of our group believe that is not an unreasonable conclusion. No descendants of Harriet or Beverly Hemings have been located.

Most interestingly, until they were persuaded by Professor Fawn Brodie in the mid-1970s that Thomas Jefferson was their ancestor, the oral history of the descendants of Eston

Hemings was that his father was not Thomas Jefferson but an “uncle”—or perhaps a cousin. This would seem to be stronger evidence than most oral history, as it is essentially an “admission against interest.” Presumably, because of Thomas Jefferson’s great fame, most people would be honored to claim they were his descendants.

More importantly, this history is consistent with the theory that Thomas Jefferson’s younger brother, Randolph, was Eston’s father. This is consistent with the DNA tests. Thomas Jefferson’s last surviving uncle died three decades before Eston Hemings was born, but brother Randolph was often referred to as “Uncle Randolph” because of his relationship to Thomas Jefferson’s daughters, the eldest of whom was in general charge of Monticello during the entire period that Eston Hemings would have remembered.

Other Arguments

We considered as well a number of arguments that have been raised by supporters of the theory that Thomas Jefferson fathered children by Sally Hemings. For example, they quote several people who said they believed the story. But as we examined each of these, we found them unpersuasive. Georgia Federalist Thomas Gibbons did allege in an 1802 letter that the story was “as correct as truth itself,” but there is no evidence he ever went near Monticello (he admitted he had never seen any of Sally’s children) and he was a bitter political enemy of the President’s. Among other things, Gibbons was one of the famous “midnight judges” appointed by the outgoing President John Adams, and he was denied his life-tenure job by Thomas Jefferson.

We discovered that another of these “sources,” Vermont schoolteacher Elijah P. Fletcher, who claimed that while traveling through Charlottesville he encountered numerous people who confirmed the truth of the story, had shared a stagecoach from Washington, D.C., to Charlottesville with one of Thomas Jefferson’s bitterest enemies, John Kelly, who gave Fletcher the guided tour of Charlottesville that produced these anti-Jefferson remarks. Kelly had owned the land on which Jefferson originally hoped to build the University of Virginia; but when he learned the offer to purchase was indirectly for the benefit of Thomas Jefferson he remarked “I will see him at the devil before he shall have it at any price.” With Kelly as his tour guide, it is not surprising that Fletcher was exposed to many critics of the President.

We felt that the advocates of Thomas Jefferson’s paternity have dealt too summarily with a variety of pieces of evidence that warrant more serious consideration. For example, the only eyewitness account pertaining to Sally Hemings’ sexual behavior was made by Monticello overseer Edmund Bacon, who noted the rumors that Harriet Hemings was Thomas Jefferson’s child and remarked: “She was not his daughter; she was _____’s daughter. I know that. I have seen him come out of her mother’s room many a morning when I went up to Monticello very early.” Bacon appears to be a credible witness, and unlike both the Hemings and Jefferson descendants, does not have an obvious interest in the outcome. But the Thomas Jefferson Memorial Foundation report dismisses his statement as having “problems of chronology” and moves on—without the slightest evidence beyond her son’s assertion—to conclude that Sally must have been monogamous.

It is true that Harriet Hemings was conceived in 1800, and Bacon did not begin his service as overseer until six years later (although he worked at least some at Monticello prior to that). But if he saw another man repeatedly leaving Sally’s room in the early morning hours, that strongly refutes the assumption that Sally Hemings was involved in a monog-

amous sexual relationship with Thomas Jefferson; and if his observations occurred after he became overseer they become tremendously more important in our search for the father of Eston Hemings, who was conceived around August 1807. Indeed, Bacon's statement may be the single most important piece of evidence in the case, given the general lack of reliable information.

We have as well a variety of surviving statements by, or attributed to, Jefferson's descendants, including his daughter Martha, grandson Thomas Jefferson Randolph, and granddaughter Ellen Randolph Coolidge. Some of these statements seem credible, either because the witness was writing in confidence to a loved one or because they included "admissions against interest" that one would not normally expect to find in a "coverup." Several of them also reinforce each other on various points, suggesting that if the information was not believed to be accurate there must have been a conspiracy to conceal the truth. There are various accounts attributed to Thomas Jefferson Randolph, for example, asserting that he claimed to have overheard Samuel and Peter Carr admitting paternity for at least some of Sally's children.

Ellen Randolph Coolidge's letters seem particularly credible, in part because she seems to have been willing to make public embarrassing family secrets (including the erratic behavior of a father she dearly loved). We discovered that a key sentence in one of her most important letters about this issue had been mistranscribed so as to reverse her clear meaning in the appendix to one scholar's book on this controversy, and the transcription error has unfortunately clearly influenced the scholarship of others.

We also looked at the fact that certain types of evidence that one would normally expect to find had this relationship existed do not appear to exist. Both in Paris and at Monticello, Thomas Jefferson was surrounded by visitors, with as many as fifty unannounced guests showing up at one time at his home. His children, grandchildren, and overseer allegedly had regular access to his room day or night, and no one could have entered without being subject to observation by others. And yet, throughout all the years with hundreds and hundreds of visitors, there is not a single record of anyone ever observing the slightest hint of behavior linking Thomas Jefferson and Sally Hemings romantically. No one reported seeing so much as a glance between them that suggested Callender may have been right.

Nor is there any clear evidence that Sally Hemings or any of her children ever alleged that Thomas Jefferson was her lover or their father, save for the statement attributed to an aging and clearly bitter Madison Hemings nearly five decades after Thomas Jefferson's death. Surely, if they believed the famous President to be their father, they would have found it to their benefit to make this fact known to others before 1873.

Among the strongest arguments against Thomas Jefferson's paternity of any of Sally's children are the things that one must accept as true to believe the story. Whatever one thinks of Thomas Jefferson's actual character, there can be little doubt that he was deeply concerned about his reputation. Nowhere was this more clear than in his desire for the love and respect of his daughters and other family members. While Jefferson presumably could have had his pick of a large number of beautiful and talented women in Paris, and he wrote flirtatious letters to several women after the death of his wife, it is not clear that any of these well-documented flirtations led to sexual "affairs." Yet we are asked to believe that Jefferson would have entrusted his reputation to the discretion of a fifteen- or sixteen-year-old child, who in the judgment of the respected Abigail Adams required more "care" than Jefferson's eight-year-old daughter, and who was presumably in daily contact with his young daughters.

Had Thomas Jefferson had such a sexual relationship, we find it very difficult to believe that he would have selected as his companion the teenaged maid to his young daugh-

ters. Many scholars who believe the allegations acknowledge that it would have been very difficult to keep the relationship secret from his daughters. We share that view, and we think it highly unlikely that Thomas Jefferson would have placed at risk the love and respect of his young children in this manner. Further, a prominent scholar who now embraces the story of a Jefferson-Hemings sexual liaison—and who has also studied the unpublished papers of Jefferson's daughter Martha—concluded that she must have been “in denial,” as there is no indication that she was intentionally covering up her father's relationship with Sally Hemings. We believe a simpler explanation is that she honestly did not believe the relationship existed.

To accept the allegations, we must believe that Thomas Jefferson—whose deep love and open displays of affection for his daughters and grandchildren was so evident—to-tally rejected the sons born to him by a woman some would have us believe he dearly loved. We must believe as well that, in his final days, as he prepared his will, he freed the two sons he had always ignored—presumably knowing that freeing Sally's remaining children would be viewed by his critics as evidence of his guilt—yet made absolutely no provision for Sally Hemings' future.

Only a single one of Thomas Jefferson's known friends, University of Virginia co-founder John Hartwell Cocke, has been identified as believing the Callender allegations; but General Cocke did not become close to Jefferson until long after all of Sally Hemings' children were born. Nor does he provide any hint that his belief was based upon more than speculation and rumors. Other disparaging comments that he made about Thomas Jefferson suggest that his feelings about his famous associate in the founding of the University of Virginia may have been a bit cooler than believed by some, and indeed may have been affected by a measure of jealousy. In contrast to this single voice (one can not even characterize him as a “witness,” since his observations of Thomas Jefferson occurred long after the events at issue occurred), the people who lived with Thomas Jefferson and worked with him most closely uniformly rejected the allegations, as did many of his most bitter political enemies.

And finally, to accept the allegation that Thomas Jefferson was the father of Eston Hemings, we must accept the allegations of Jefferson's personal enemies like scandal-monger James Callender and Georgia Federalist Thomas Gibbons—neither of whom had apparently ever even been to Monticello, and both of whom wrote about Sally Hemings in the most racist and defamatory manner—over the family traditions of Eston Hemings' own descendants, who passed down the oral history that he was *not* Thomas Jefferson's child but rather the son of an “uncle.” (Could this have been “Uncle Randolph?”) Since this account is essentially an “admission against interest” (assuming that most Americans would take pride in being descendants of the famous President), surely it warrants more respect than this.

Other Candidates for the Paternity of Eston Hemings

If Thomas Jefferson was not the father of Eston Hemings, the obvious question arises: “Who was?” Jefferson scholars for nearly two centuries have until very recently dismissed the Callender allegations, and without a great deal of apparent thought sim-ply accepted the various reports that Thomas Jefferson Randolph had overheard Peter and Samuel Carr confessing to the paternity of Sally Hemings' children. But the 1998 DNA tests clearly ruled out any member of the Carr family as a possible father of Eston Hemings.

Candidly, we don't know who fathered Eston Hemings. The DNA tests narrowed the possible fathers down to a group of about two dozen known Jefferson males in Virginia at the time, and there is at least a theoretical possibility that there may have been illegitimate sons carrying the Jefferson Y chromosome among the slaves passed down from Thomas Jefferson's grandfather, through his father, to the President. But when we consider things like the geographic location of many of these Jefferson men, the list of "most likely suspects" narrows quickly to Thomas Jefferson and perhaps a half dozen of his relatives. We know almost nothing about many of them.

Emphasizing again that we are not reaching a finding that Randolph Jefferson was Eston's father, it does appear that the circumstantial case that Eston Hemings was fathered by the President's younger brother is many times stronger than the case against the President himself. Among the considerations which might point to Randolph are:

- In *Memoirs of a Monticello Slave*, former slave Isaac Jefferson asserts that when Randolph Jefferson visited Monticello, he "used to come out among black people, play the fiddle and dance half the night...." In contrast, we have not a single account of Thomas Jefferson spending his nights socializing with the slaves in such a manner.
- As already noted, we have Jefferson's letter inviting Randolph (and presumably his sons as well) to come to Monticello shortly before Sally became pregnant with Eston. It was common for such visits to last for weeks.
- Pearl Graham, who did original research among the Hemings descendants in the 1940s and believed the story that Thomas Jefferson fathered Sally Hemings' children, wrote in a 1958 letter to a leading Jefferson scholar at Princeton University that a granddaughter of one of Sally Hemings' children had told her that Randolph Jefferson "had colored children" of his own.
- Until Professor Fawn Brodie persuaded the descendants of Eston Hemings that President Jefferson was his father, their family oral history had passed down that Eston was fathered by "Thomas Jefferson's uncle." That is not possible, as both of his paternal uncles died decades before Eston was conceived. But to Martha Jefferson Randolph, who was generally in charge of Monticello during Eston Hemings' entire memory there, her father's younger brother was "Uncle Randolph"—and he was referred to as such in family letters.
- We don't know exactly when Randolph's first wife died, but we do know that he remarried—to a very controlling woman—shortly after Eston Hemings was born. About the same time, Thomas Jefferson retired from public office and spent the rest of his life at Monticello, where he could presumably have had access to Sally Hemings any night he wished. But Sally, although only in her mid-thirties, gave birth to no known children after Eston was born in 1808. Even the Thomas Jefferson Memorial Foundation report acknowledges that Sally's childbearing years may have corresponded to the years in which Randolph Jefferson was a widower.

Randolph Jefferson had at least four sons between the ages of seventeen and twenty-seven when Eston was conceived, and if one accepts the data relied upon in the Monticello report the number was five. One might expect the sex drives of young men in this age bracket to be greater than that of the sixty-four-year-old President, and with their father's reported example there is no reason to assume they were under strong social pressure at home to refrain from sexual relations with female slaves. Again, we have not the slightest bit of direct evidence that any of them ever fathered a child by Sally Hemings; but that puts them in essentially the same category as Thomas Jefferson as possible suspects.

A review of Thomas Jefferson's visitation patterns to Monticello does, indeed, show a remarkable correlation between his arrivals and Sally Hemings' pregnancies—some of the time. Indeed, she seems to have become pregnant remarkably quickly (in less than a month for three of her children) after he returned home; with the caveat, again, of *some* of the time. But between the years of her first conception and the birth of her last child, Thomas Jefferson came to Monticello more than twenty times, and Sally Hemings is believed to have become pregnant only about five or six times. Why did she become pregnant within days of his arrival on some occasions, and not become pregnant when on other occasions he returned and stayed months at a time? Why, if the alleged relationship began in Paris, did it take her more than five years to conceive a second child? Why did Sally stop having children when Thomas Jefferson returned permanently to Monticello?

The answer to all of these questions is *we don't know*; but it is not difficult to realize that there may have been another variable in the equation. When Thomas Jefferson returned home, his friends and relatives often came to Monticello to welcome him home; and some of those times Sally Hemings very quickly became pregnant. (Recent scientific studies strongly suggest that fecundity—a man's ability to father a child within a given period of time—decreases significantly as he ages.) Could the explanation for Sally getting pregnant in a matter of days on some of Thomas Jefferson's visits, and her not becoming pregnant on numerous other occasions when he remained at Monticello for many months at a time, be that her lover was one of his relatives who did not make it to Monticello every time the President returned home? We don't know, but it is among the simpler explanations—and it has the further virtue of being consistent with the eyewitness testimony of Edmund Bacon that while arriving for work early in the morning he often saw a man who was not Thomas Jefferson leaving Sally Hemings' room.

We were not tasked with the job of identifying the father(s) of Sally Hemings' children, and that has not been a primary focus of our inquiry. Our mandate was to examine the case against Thomas Jefferson. Trying to prove a negative is usually difficult. But we have found most of the arguments used to point suspicion toward Thomas Jefferson to be unpersuasive and often factually erroneous. Not a single member of our group, after an investigation lasting roughly one year, finds the case against Thomas Jefferson to be highly compelling, and the overwhelming majority of us believe it is very unlikely that he fathered any children by Sally Hemings. Certainly, there were far more likely suspects, including brother Randolph and his sons, for the paternity of Eston and perhaps other Hemings children. The evidence that the Carr brothers might have fathered some of Sally's older children remains unchallenged by the DNA tests, and may be true. Given Edmund Bacon's eyewitness account, making an assumption that Sally Hemings could not have had more than one father to her children makes no sense unless one is prepared to exclude Thomas Jefferson as a possible father. We make no finding that Sally was not monogamous (with someone other than Thomas Jefferson), because the evidence is simply not there to resolve that issue either way. Madison asserts that Sally's mother had at least four different fathers to her children, and the Bacon testimony makes it very illogical to assume that Sally was both monogamous and sexually involved with Thomas Jefferson.

Conclusions

We do not pretend that this is the final word on the issue, and it is possible that future developments in science or newly discovered evidence will warrant a reconsideration of our

conclusions. We understand that DNA might be obtained from the grave of William Beverly Hemings, son of Madison Hemings, which could provide new information of relevance to this inquiry. If his Y chromosome did not match that of Eston Hemings and the descendants of Field Jefferson, that would confirm that Sally Hemings could not have been monogamous. A match with the Carr family would also be significant. A match with Eston might strengthen the case for Sally's monogamy, but would not conclusively establish even which Jefferson male was the father of either child. Our thoughts here are further tempered by our concerns about the ethical propriety of disturbing the remains of the dead in the interest of historical curiosity. It may also prove useful to search for evidence concerning the whereabouts of Sally Hemings over the years. This could prove decisive, but we are not optimistic about the existence of additional records of this nature at this point in history.

In the end, after roughly one year of examining the issues, we find the question of whether Thomas Jefferson fathered one or more children by his slave Sally Hemings to be one about which honorable people can and do disagree. However, it is our unanimous view that the allegation is by no means proven; and we find it regrettable that public confusion about the 1998 DNA testing and other evidence has misled many people into believing that the issue is closed. With the exception of one member, whose views are set forth both below and in the more detailed appended dissent, our individual conclusions range from serious skepticism about the charge to a conviction that it is almost certainly untrue.

For the Majority

Lance Banning

Professor of History
University of Kentucky

Professor Banning formerly held the John Adams Chair in American History at the University of Groningen in the Netherlands and this fall will serve as Leverhulme Visiting Professor at the University of Edinburgh. Two of his award-winning books (*The Jeffersonian Persuasion* and *Jefferson and Madison*) were nominated for the Pulitzer Prize in History.

James Ceaser

Professor of Government and Foreign Affairs
University of Virginia

Professor Ceaser is the author of *Reconstructing America* and has taught at Harvard University, the University of Montesquieu, the University of Basel, and Marquette University.

Robert H. Ferrell

Distinguished Professor of History, Emeritus
Indiana University

Professor Ferrell was educated and has also taught at Yale University. He is the author or editor of more than forty books and was described as "the dean of American presidential historians" by the *Chicago Sun-Times*.

Charles R. Kesler

Dengler-Dykema Distinguished Professor of Government
Claremont McKenna College

Professor Kesler is Director of the Henry Salvatori Center at Claremont McKenna College and former chairman of its Department of Government. He has written exten-

sively on the American founding and American political thought, and is co-editor of a widely-used edition of *The Federalist Papers*. He is the editor of *The Claremont Review of Books*.

Harvey C. Mansfield

William R. Kenan, Jr. Professor of Government
Harvard University

Professor Mansfield has taught at Harvard for nearly four decades, chaired the Department of Government for several years, and is the author or editor of a dozen books, several of which address the era of the Founding Fathers. A former Guggenheim Fellow and National Endowment for the Humanities Fellow, he served as President of the New England Political Science Association and on the Council of the American Political Science Association.

Alf J. Mapp, Jr.

Eminent Scholar, Emeritus and Louis I. Jaffe Professor of History, Emeritus
Old Dominion University

Professor Mapp is the author of *Thomas Jefferson: A Strange Case of Mistaken Identity* (a Book-of-the-Month Club featured selection), *Thomas Jefferson: Passionate Pilgrim*, and has authored or edited more than another dozen books. A reference source for *Encyclopædia Britannica* and *World Book*, his numerous awards include Commonwealth of Virginia Cultural Laureate and a medal from the Republic of France's *Comité Français du Bicentenaire de l'Indépendance des Etats-Unis*.

David N. Mayer

Professor of Law and History
Capital University

Professor Mayer holds both a law degree and a Ph.D. in History, and is the author of *The Constitutional Thought of Thomas Jefferson* and numerous book chapters and articles concerning Thomas Jefferson. He earned his Ph.D. under the supervision of Professor Merrill Peterson.

Forrest McDonald

Distinguished Research Professor of History, Emeritus
University of Alabama

Professor McDonald has also taught at Brown and was the James Pinckney Harrison Professor of History at the College of William & Mary. A former Guggenheim Fellow, he is the author of *The Presidency of Thomas Jefferson* and numerous other books, and his many awards and prizes include Thomas Jefferson Lecturer with the National Endowment for the Humanities.

Thomas Traut

Professor of Biochemistry & Biophysics
School of Medicine
University of North Carolina

Professor Traut is Director of Graduate Studies and a former Ford Foundation and National Institute of Health Fellow. He is the author or coauthor of more than seventy publications, and shares his interest in Jefferson with his playwright wife, Karyn, who researched the Jefferson-Hemings relationship for seven years in preparation for her play *Saturday's Children*.

Robert F. Turner (Chairman)

University of Virginia

Professor Turner holds both professional and academic doctorates from the University of Virginia School of Law, and is a former Charles H. Stockton Professor of International Law at the U.S. Naval War College and a Distinguished Lecturer at West Point. He has taught both in Virginia's Department of Government and Foreign Affairs and the Law School, and is the author or editor of more than a dozen books. A former president of the congressionally established U.S. Institute of Peace, he has had a strong professional interest in Jefferson for nearly four decades.

Walter E. Williams

John M. Olin Distinguished Professor of Economics
George Mason University

Professor Williams is Chairman of the Department of Economics at George Mason University and the author of six books. He is a nationally syndicated columnist.

Jean Yarbrough

Gary M. Pendi Professor of Social Sciences
Chair, Department of Government
Bowdoin College

Professor Yarbrough is a former National Endowment for the Humanities Bicentennial Fellow. She has lectured at the International Center for Jefferson Studies, is a consultant to the *Jefferson Papers* project, and serves on the editorial board of both the *Review of Politics* and *Polity*. Her numerous publications include *American Virtues: Thomas Jefferson on the Character of a Free People* and "Race and the Moral Foundation of the American Republic: Another Look at the Declaration and the Notes on Virginia," in the *Journal of Politics*.

Minority Report

With the report of the majority, I am in general agreement. I dissent only in believing it somewhat more likely than not that Thomas Jefferson was the father of Eston Hemings.

I am particularly impressed by two pieces of evidence—the DNA tests showing that Eston Hemings is very likely to have been a direct lineal male descendant of Thomas Jefferson's grandfather, and the fact that all of Sally Hemings's known children were conceived at a time when Thomas Jefferson was in the place where she almost certainly was as well. This suggests the possibility that Thomas Jefferson fathered all of her known children, but it does not prove that he fathered even one. What it does establish is a strong probability that her pregnancies during the period when she appears to have resided at Monticello were occasioned by his sojourns there.

It is, this fact notwithstanding, a mistake to jump to the conclusion that Jefferson must have been the father of Sally Hemings's children—for there were other events that normally coincided with his visits to Monticello, and among these one is pertinent to this inquiry: the presence of visitors whose offspring are tolerably likely to have looked like Thomas Jefferson—visitors such as Thomas Jefferson's younger brother Randolph, Randolph's four or five sons, and Peter and Samuel Carr, sons of his sister.

As is made clear in the majority report, Randolph or any one of his sons could have been the father of Eston Hemings, and there is reason to believe that Randolph and quite possibly his entire family were at Monticello on the occasion of a visit by his twin sister at the very time when Sally Hemings became pregnant with her son Eston. On the available evidence, it is impossible to be certain which Jefferson fathered Eston Hemings. Randolph Jefferson's known pattern of behavior makes him a likely suspect, but Thomas Jefferson is known to have been present and, in Randolph's case, his presence is only a likelihood.

I am also impressed by the testimony of Thomas Jefferson's grandchildren, by that of Edmund Bacon, and by that of Madison Hemings. It is obvious that someone lied but it is by no means clear who did so. I am not especially impressed by the argument that it would have been out of character for Thomas Jefferson to have abused his position as a slaveholder, for, in my judgment, in his public life he was a highly devious man. On the available evidence, I think the case open. Only with regard to Eston Hemings do I think it more likely than not that Thomas Jefferson was the father. I remain agnostic as to the paternity of Sally Hemings's other children.

There is, however, one thing that we do know, and it is damning enough. Despite the distaste that he expressed for the propensity of slaveholders and their relatives to abuse their power, Jefferson either engaged in such abuse himself or tolerated it on the part of one or more members of his extended family. In his private, as in his public, life, there was, for all his brilliance and sagacity, something dishonest, something self-serving and self indulgent about the man.

For the Minority

Paul A. Rahe

Charles O. Lee and Louise K. Lee Professor in Western Heritage
Hillsdale College

Professor Rahe was educated at Yale and Oxford, where he was a Rhodes Scholar. He served as Chair of the University of Tulsa Department of History for several years, has also taught at Yale and Cornell, and is the author of the highly acclaimed three-volume set, *Republics Ancient and Modern: Classical Republicanism and the American Revolution*. He has received numerous academic prizes and held fellowships from the National Endowment for the Humanities, the Woodrow Wilson International Center for Scholars, the Center for the History of Freedom, and the Institute of Current World Affairs.