George Anastaplo has lived a long life and made a noted career out of playing by his own rules, and that independent streak is on full display in this book. The work's open-ended, plural title (*Reflections on Slavery and the Constitution*) is appropriate: there is almost nothing in human history, literature, philosophy, or personal experience that Anastaplo cannot connect in some way to either slavery or the Constitution or both.

Some of the topics more obviously relevant to the book's title theme include slavery in Ancient Greece, slavery in the Bible, John Wesley and the sins of slavery, the Declaration of Independence and slavery, the Dred Scott case, Abraham Lincoln, Stephen Douglas, Frederick Douglass, *Uncle Tom's Cabin*, the Confederate Constitution, and contemporary Confederate-flag wavvers. Topics whose relevance to American slavery was less clear to this reviewer include the Constitution's prohibition against imposing religious tests on office holders (57), its provisions concerning financial compensation of presidents, judges, and members of Congress (53–54), the fact that the vice president cannot preside over the Senate when presidents are tried under impeachment proceedings (55), the author's own experience being barred from the practice of law in 1957 for refusing to take a loyalty oath (xiv), the precise numbers of major generals, brevet major generals, brigadier generals, and brevet brigadier generals serving in the Union Army (185–86), and a detailed transcription of the author's interviews with two survivors of the Nazi Holocaust (269–300). Some of the connections Anastaplo makes are fresh and insightful; many others are tangential at best. The Holocaust interviews are
fascinating but belong in a different work. If Tristram Shandy had written a book about slavery and the Constitution, this would be the book.

Insofar as this very diverse volume has a unifying argument, it is the following: that slavery is contrary to human nature; that this is tacitly acknowledged in the Constitution; that even the slaveholders recognized it (123); that nevertheless the overriding purpose of the Southern secessionists was to perpetuate slavery (179–84); and that modern-day defenders of the Lost Cause unwittingly damn their secessionist heroes and pay tribute to the unnaturalness of slavery when they claim, falsely, that defending slavery was not the purpose of secession (209–17). This last observation exemplifies how Anastaplo’s book, in its best moments, enables the reader to view familiar facts in new ways. The book’s better chapters include the ones on John Wesley’s powerful condemnation of slavery (37–46), the dissenting justices’ arguments in the Dred Scott case (137–44), and Stephen Douglas’s November 1860 campaign speech in Montgomery, Alabama (153–60).

Among the weakest chapters—ironically, given the book’s title—are those directly focused on the Constitution and its relation to slavery. Much of the analysis has little to do with slavery, except in the extremely general sense that everything in the Constitution has some relevance to human nature, and everything connected with human nature has some relevance to slavery’s denial of human nature. Thus the Constitution’s provision that officeholders be compensated for their service recognizes human nature in the same way that forcing someone to work without pay denies human nature. Anastaplo sometimes goes to absurd lengths in his attempt to make the Constitution into a consistently antislavery document. For example, he quotes the antebellum Constitution’s notorious clause: “No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall in Consequence of any Law or Regulation therein, be discharged from such Service or Labour.” He proceeds to argue that even this is an implicitly antislavery provision: “Is it not tacitly recognized by this provision that the slaves were the equals of whites, at least to the extent that they would prefer to do what their masters would do if given an opportunity—that is, to flee from lifelong servitude?” (61–62). By this logic, any slave owner who took measures to prevent slaves from escaping would be a racial egalitarian and closet abolitionist. The Constitution’s fugitive-slave clause does betray the inherent contradictions of slavery; in that sense the author makes his point. But this does not make the clause an antislavery provision.

Conspicuously lacking in Anastaplo’s discussion of the Constitution and slavery is any examination of what was actually said about slavery at the Federal Convention, even at points where his narrative cries out for evidence from those Records. “It has been said,” he writes (69), “that the slavery issue was fundamental to the divisions in the 1787 Constitutional Convention, even though slavery was not made much of explicitly in that assembly.” Yet Anastaplo—at least in this volume—neither examines what delegates to the
Convention had to say about slavery at the Convention, nor what constitutional historians have written on that subject.

Anastaplo’s treatment of the scholarship on slavery and the Federal Convention is the same as his treatment of the scholarship on the other topics examined in the book: he disregards all of it, old or new. Significant bodies of literature exist, for example, on Jefferson’s racial views, slavery in the American Revolution and the early republic, the economics of slavery, the Abolitionist movement, the Dred Scott case, and of course Lincoln. On all these points Anastaplo’s narrative would be enriched if he engaged with at least some of the scholarship, but he does not. He draws instead almost entirely from original documents, a handful of general reference works, and his own understanding. There is something oddly inspiring about his willingness to defy the rules about how scholarly books are written. But at the same time his unwillingness to engage other scholars in conversation comes at a cost.

On the whole this book delivers hits and misses. Reading it cover to cover demands a fair amount of patience. The experience can be compared to attending a long dinner party thrown by an amiable patriarch. All the guests understand that their host will hold forth on whatever topics he chooses, and it is best just to sit back and let him talk. At the end of the evening the guests head home, puzzled by much of what their host has told them, but all the same intrigued by the man himself.

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