NEW NORTH STAR

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Our Aims and Scope

The ***New North Star*** is an open-access online journal featuring new scholarship on the activities and ideas of nineteenth century African American abolitionist Frederick Douglass and the world with which he interacted. Articles also are desired that assess Douglass's impact on events following his lifetime, including current events. The journal is looking for articles in a broad range of disciplines, from history to literature, communications to anthropology. As in the spirit of its namesake, works of fiction and poetry on topics pertinent to Douglass also will be considered for publication. The *New North Star* will feature interviews with authors of new scholarship on Douglass as well as reviews of that recently published literature. The journal is intended for teachers and students as well as scholars, hoping to help bridge the gap between new scholarship and the classroom. Articles describing new techniques on teaching about Douglass and his world are welcomed. The *New North Star* will be maintained by the staff of the Frederick Douglass Papers at IUPUI and hosted on that project's website. Instructions for submitting articles to the *New North Star* can be found on the journal's website.

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"Those Deluded, Ill-Starred Men": Frederick Douglass, the *New National Era,* and the Paris Commune

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Abstract:

The Paris Commune was the apotheosis of what unfolded in the 1848 European Revolutions, the first time the working class actually took political power, although briefly. Frederick Douglass covered the events of the Paris Commune closely in his newspaper, the *New National Era*. Douglass's views on the Paris Commune, as of yet unexplored in detail by scholars, illuminate his relationship to democratic and social movements both abroad and in the United States. This essay examines in-depth the writings in Douglass's newspaper on the Paris Commune and argues Douglass's commitment to mass movements and oppositional politics did not necessarily extend to oppressed wage workers and was therefore situational, specifically as it related to class, labor, and republicanism. The Commune abroad and labor unrest at home motivated Douglass to examine the "labor question" for his readers. This brought to light his free labor prescription, with its assumption of a harmony of interests between capital and workers, to the problem of inequality and the exploitation of labor. Douglass supported, at key junctures, revolutionary movements and action both in Europe and at home, but his reaction to the Paris Commune exposes the limitations of his liberal political thought to take on an internationalist analysis of class conflict and labor struggles, especially when compared to contemporaries such as Benjamin Butler, Wendell Phillips, and Karl Marx. This study offers a unique contribution to Douglass scholarship while also building on research on Americans' views of the Paris Commune and the retreat from Reconstruction. Douglass's writings on the Paris Commune and the labor movement deserve more attention. They provide opportunities for historians, political theorists, and labor activists to augment our understanding of Douglass's post-war career.

Keywords:

Frederick Douglass, Paris Commune, Labor, Republicanism, Communism

Introduction

On 12 April 1871, Karl Marx wrote from London to a colleague in Germany, "What resilience, what historical initiative, what a capacity for sacrifice in these Parisians!" While the future of the Paris Commune was still in doubt and mistakes had been made, Marx believed that, "However that may be, the present rising in Paris—even if it be crushed by the wolves, swine and vile curs of the old society—is the most glorious deed of our Party since the June insurrection in Paris."[1] To conclude his May *Address of the General Council of the International Workingmen's Association*, Marx wrote, "Working men's Paris, with its Commune, will be for ever celebrated as

[1] Karl Marx and Frederick Engels, *Marx & Engels Collected Works: Vol. 44: Marx and Engels: 1870–1873* (London, Eng.: Lawrence & Wishart, 1989), 131–32.

the glorious harbinger of a new society. Its martyrs are enshrined in the great heart of the working class."[2]

On 6 April 1871, Frederick Douglass, "with feelings of deep regret," looked to Paris and saw "the spectacle of disastrous failure, and almost [felt] like despairing of the fitness of the French for self-government."[3] Less than a month later, in the 4 May 1871 edition of *The New National Era*, Douglass wrote, "The most distressing and heart-sickening spectacle in the world is the bloody drama that is being enacted in France just now."[4] Instead of glorious or heroic, to Douglass, the revolutionary workers of Paris, the Communards, were "deluded, ill-starred men."[5]

What led these two political activists—on the same page during the Civil War in the United States—to take such differing positions and come to such different conclusions on the Civil War in France?[6] While scholars have examined Douglass's thoughts and writings on the 1848 revolutions in Europe, his analysis of the working-class uprising in Paris in 1871 has not received the same scrutiny.[7]

The February Revolution of 1848 in France—which overthrew the monarchy, installed republican institutions, and emancipated slaves in the French colonies—initially inspired Douglass, convincing him that the "stupendous overturnings throughout the world, proclaim in the ear of American slaveholders…the downfall of slavery." These events deeply affected Douglass and assured him that united action against slavery was possible. "So I believe here," Douglass said before the American Anti-Slavery Society in May 1848, "after all we have said against the American people, there is yet an undercurrent pervading the mass of this country, uniting Democrat and Whig, and men of no party, taking hold in quarters we know not of, which shall one day rise up in one glorious fraternity for freedom, uniting into one mighty phalanx of freemen to bring down the haughty citadel of slavery with all its bloody towers and turrets."[8]

While Douglass expressed solidarity with revolutionaries in Europe and their aims, and even argued that their revolutions had inspired slaves at home, he denounced the Chartists in England who took inspiration from the events on the continent. After anti-tax riots broke out in March, the Chartists had called a mass demonstration for 10 April 1848. They hoped for hundreds of thousands of protestors but "fewer than 10,000 marchers materialized" after the government banned the protest, deployed troops, and restricted political space. Benjamin Fagan quotes Douglass's 5 May editorial as accusing the Chartists of attempting to "overawe the government" in a "wild and wicked measure." Douglass thought a resort to force and revolution in England was

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[2] Marx, *Collected Works: Vol. 22*, 355.
[3] "Adulterated Republicanism," *New National Era*, 6 April 1871.
[4] "Dark Prospects," *New National Era*, 4 May 1871.
[5] "Dark Prospects," *New National Era*, 8 June 1871.
[6] For details see August H. Nimtz and Kyle A. Edwards, *The Revolutionary Socialist and the Radical Liberal in the Second American Revolution: Comparing Karl Marx and Frederick Douglass in Real-Time* (Leiden, Neth.: Brill Publishers), forthcoming.
[7] See Benjamin Fagan, "The North Star and the Atlantic 1848," *African American Review* 85, no. 3 (September 2014): 447–73; David W. Blight, *Frederick Douglass: Prophet of Freedom* (New York, N.Y.: Simon & Schuster, 2018), 197, 240; Samuel Bernstein, "The Impact of the Paris Commune in the United States," *The Massachusetts Review* 12, no. 3 (Summer 1971): 436 has one mention of Douglass: his "weekly charged the Communards with mobocracy, vandalism and terrorism like that of 1792."; Phillip Katz, *From Appomattox to Montmartre: Americans and the Paris Commune* (Cambridge, MA: Harvard University Press, 1998), does not include an entry on Douglass in the index but does cite the *New National Era* when examining Benjamin Butler's reaction to the Commune.
[8] Philip Foner, *The Life and Writings of Frederick Douglass, Vol. 1: Early Years, 1817–1849* (New York, N.Y.: International Publishers, 1950), 308; John W. Blassingame et al., *The Frederick Douglass Papers,* Series 1: *Speeches, Debates, and Interviews,* 5 vols. (New Haven, Conn.: Yale University Press, 1979-1991), 4:119–20, 122, 127, see also 131–32.

inexcusable because of the political rights already won there. He wrote, "While the liberty of speech is allowed—while the freedom of the press is permitted, and the right of petition is respected, and while men are left free to originate reforms without, and Members are left free to propose and advocate them within the walls of Parliament, no excuse can be valid for resorting to the fearful use of brute force and bloodshed."[9]

After the events of June 1848, when the Parisian workers took to the streets in defense of the national workshops and were crushed by the new government, Douglass's praise faltered. Blaming "communists," Douglass detested the "*Blouses*" who "subjected the infant Republic in a horrid baptism of blood" during the June Days. He denounced the "toil worn laborer," whom he previously lauded, instead of criticizing the provisional French government and its response that led to the death of more than three thousand workers. Relying on the doctrine of moral suasion, Douglass argued that the actions of the workers, recently thrown into joblessness during an economic contraction, showed "the foolishness of relying upon the sword for that which can only be accomplished by preaching."[10]

Did the mass anti-slavery movement and the conflagration of 1861–1865 it produced cause Douglass to reexamine and alter his interpretation of events? Or did his judgment of the Paris Commune remain consistent compared to how he viewed European revolutionaries in 1848? This study will address what Douglass thought of the Commune abroad and the labor question at home via his writings and editorial choices in his newspaper, the *New National Era*. It strives to illuminate Douglass's relationship to the working-class movement, add complexity to his view on class, labor, and republicanism, and contemplate how these views, widespread among Northern liberals, may have played a role in the retreat from Reconstruction.

Frederick Douglass's Denunciations of the Paris Commune

Frederick Douglass relocated from Rochester, New York to Washington DC to assume the editor's role for the *New National Era*, a paper he purchased in 1870 that ran until 1874. Douglass hoped the paper, "a personal organ with large ambitions," would "be one of the most influential in America." The venue was to be "a national representative of one-eight part of the forty millions of the American people," that is, the Black population of the United States. The perspective of the paper would be in "unison with the best interests of all sections, this paper is the actual exponent of the views of all classes. Capital and labor meet and part as friends in these columns." The platform of the weekly would be, "Free men, free soil, free speech, a free press, everywhere in the land. The ballot for all, education for all, fair wages for all."[11]

Douglass began his paper's commentary on the Paris Commune in the 30 March 1871 edition of his newspaper. The completion of a transatlantic telegraph cable in 1866 gave news writers and consumers almost instantaneous access to events happening in Europe.[12] Douglass started by explaining what he saw as the progressive results of "the struggles which have been

[9]Fagan, "The North Star and the Atlantic 1848," 61.
[10] Foner, *Volume 1*, 304–305, 325. Philip Foner, *Life and Writings of Frederick Douglass: Supplementary Volume 1844–1860* (New York, N.Y.: International Publishers, 1975), 86. The doctrine of moral suasion was in line with the nonresistance philosophy espoused by Garrisonian abolitionists. For an informative and brief overview, see David W. Blight, "William Lloyd Garrison at Two Hundred: His Radicalism and His Legacy for Our Time." In *William Lloyd Garrison at Two Hundred: History, Legacy, and Memory,* ed. James Brewer Stewart (New Haven, Conn.: Yale University Press, 2008), 1–11, especially 5–8.
[11] "Position of the New National Era," *New National Era*, 30 March 1871; Blight, *Prophet of Freedom,* 521, 525.
[12] Katz, *From Appomattox to Montmartre,* 62–65.

convulsing Europe of late [the Franco-Prussian War]…the downfall of Louis Napoleon and of the Pope." Douglass did not give the French people credit for declaring the Republic, but instead claimed they had "been freed from an odious despotism by a beneficent enemy," the armies of Prussia. In April, he wrote the French people "made no sacrifice for it…the Germans had done the work as efficiently and radically as ever work of liberation was done, and to the French the easy task was left of driving away some helpless imperial officials, of decreeing the *déchéance* [the downfall], and of proclaiming the Republic." For Douglass, republican institutions were key, both as vehicles for self-rule and as an inspiration for other anti-monarchical fights. The task for France was "the higher glory of demonstrating to the world not only their own capability of self-government, but the excellence of republican institutions generally." Most importantly, France needed to become "a true republic, resting on a solid foundation."[13]

Douglass hoped to see the population of France united in creating a true republic, but instead he wrote, "we see them arrayed against each other before the German armies have evacuated the country." Most alarming, "Radicalism has again run mad. The *Commune*, the city of Paris, has risen against the country, the Provisional Government, the Constituent Assembly, in short against everything and everybody that is not emphatically and unconditionally committed to the Reds." On 18 March, the National Guard, described by August Nimtz as "a civic militia composed mainly of workers," in the Parisian neighborhood of Montmartre refused to be disarmed by forces of the French Army, who fraternized for a time with the protestors and refused to attack, marking the birth of the Paris Commune. Douglass denounced these events, writing, "Discipline and subordination are at an end, and mob-law is supreme." This, to Douglass, was an attack on the Republic. "The spectacle is the more disheartening and disappointing to all Republicans, here as well as in Europe, since they hailed the French republic most enthusiastically, and built great hopes on its example in Europe."[14]

In the paper's next issue, Douglass laid out his views on communists, true republicanism, and labor in the context of the young insurrection in Paris. In September 1870, in the midst of a disastrous military campaign by Emperor of France Louis Napoleon against the armies of Prussia, Parisians proclaimed the Republic, one that John Merriman describes as "a divided, fledgling republic." Douglass championed said republic, writing in early April, "When, last fall, the Republic was proclaimed in France, it was quite natural that their cry of *"Vive la Republique!"* should have been echoed with sympathetic thrill by all lovers of liberty from one end of the world to the other."[15]

The events of fall 1870 left Douglass hopeful that France would know "this time how to form a true Republic." The working-class movement in Paris shattered these hopes. "It is consequently with feelings of deep regret that we look on the spectacle of disastrous failure," Douglass explained, "and almost feel like despairing of the fitness of the French for self-government." Douglass sided with "the regular Government" in their attempt "to save the Republic from the attempts of those Reds who, while honestly professing and believing themselves true republicans, evince a spirit of lawlessness and intolerance which, among us, would be considered anything but republican." Douglass regarded the national elections that took place on 8 February

[13] "Aspects and Prospects in Europe," *New National Era*, 30 March 1871. "Adulterated Republicanism," *New National Era*, 6 April 1871.

[14] "Prospects in Europe," *New National Era*; John Merriman, *Massacre: The Life and Death of the Paris Commune of 1871* (New Haven, Conn.: Yale University Press, 2014), 40–45; August Nimtz, *Marx and Engels: Their Contribution to the Democratic Breakthrough* (Albany, N.Y.: State University of New York Press, 2000), 211.

[15] Merriman, *Massacre*, 24–27; "Adulterated Republicanism," *New National Era*, 6 April 1871; Marx made the case that the Commune actually embodied a "true Republic." Marx and Engels, *Vol. 22*, 334.

1871 as legitimate. These elections, according to Merriman, "returned overwhelmingly conservative, monarchist deputies to the National Assembly" and later that month gave the conservative Adolphe Thiers, "the well-known and long-time anti-revolutionary," executive power. While he recognized the odiousness of such a possibility, Douglass predicted "it is quite probable that German assistance will be required for the suppression of the insurrection, since there appears to be no organized military force ready that could be trusted with the task," a consequence of troops fraternizing with the Communards.[16]

Douglass, a supporter of Radical Republicans at home, educated his readers about "the specific difference between radical republicanism among us and radical republicanism in France." Douglass described the American version as "the most rational, clear-sighted, and tolerant, while in France republicanism will but too easily degenerate into Jacobinism and fanaticism, and produce terror instead of liberty." Douglass then outlined what he took to be "true republicanism." In the US, "republicanism is founded on feelings of philanthropy, justice, and benevolence, just as well as on reason. The principle of bestowing equal rights on all, of offering to all the same facilities for the acquisition of knowledge, wealth, and influence is as human as it is just." In contrast, "French radicalism does not stop there. It is too intolerant, too mixed up with elements of hatred and resentment." Specifically, Douglass opposed class resentment and a war on property. One radical French journal, Douglass explained, "makes war on property by raising the cry, 'Death to the rich!' which finds a hearty response from the many thousands who think wealth and poverty merely the result of a perverse state of society."[17]

The problem with the social and democratic republic that many French workers were fighting for, in Douglass's eyes, was that "republicanism in France is tainted with communism, and communism means not only the old hatred of the poor against the rich, but hatred of the ignorant against the learned, of the mediocre against the gifted, against every kind of superiority, and against society in its present state." Parisian society—in its then present state—included poverty and divisions, with half a million people destitute. For Douglass, communism, with its "mania for leveling, wants to correct the inequality arising from these causes by ruminating labor not according to its intrinsic value to the world, or to the skill and intellect required for it, but according to the time spent over it." Leveling would hurt the artists, writers, and scientists who Douglass saw as providing more value than the industrial proletariat. While Communism should "be entitled to fair play," it is a "most dangerous error when it is made part of a political platform." The French Revolution of 1848 was tainted with communism "and it proved a most pernicious element in it." Communist influence in a republic would serve to destroy republican institutions, Douglass claimed: "Though communism is incompatible with the monarchical system, it is not truly republican in its spirit… It is rather a morbid excrescence, destructive of republican life, and it would not be surprising if communism and fanaticism combined should work the destruction of the present French Republic."[18]

Douglass attributed the current insurrection to the work of socialist agitators,

[16] "Adulterated Republicanism," *New National Era*, 6 April 1871; Merriman, *Massacre*, 1:32–33, 39; Nimtz, *Marx and Engels*, 211. Douglass thought the Thiers government was "not guilty of any treasonable or tyrannical acts." Marx, contra Douglass, laid out what he saw as the threats and actions from the Thiers government that forced Parisian workers to revolt. See Marx and Engels, *Vol. 22*, 319–20.

[17] "Adulterated Republicanism," *New National Era*.

[18] "Adulterated Republicanism," *New National Era*; Merriman, *Massacre*, 2, 5. Of the June 1848 events, Douglass wrote, "the communists of Paris are chiefly responsible for this last confused scene of human slaughter. They have been the agents, if not the principals in the concern, and to them must attach the glory or shame of the foul undertaking." Foner, *Supplementary Volume*, 86–87.

acknowledged that there were such agitators in the United States, and reprinted a story from the *Pall Mall Gazette* intended to characterize the ordinary supporters of the Commune as dim-witted. To obtain a "proper understanding of the Red movement in the French capital," Douglass wanted his readers to know that the Commune "is the work of the Socialist agitators, who obtain supporters among the more ignorant class of workingmen by promising them what no community and no Government on earth can give them—a division of property and a life of ease without labor." If anyone thought that only Europe contained radicals like this, Douglass assured his audience, "These agitators are not unknown among us, and they will be recognized by the ingeniously suggestive platitudes" mentioned in the story printed in the *Pall Mall Gazette.* Douglass then reproduced the article where a correspondent conversed with a National Guard member stationed at a barricade intending to show that the rebellious workers did not understand the doctrines for which they were fighting.[19]

In a 4 May 1871 article titled "Dark Prospects," a title used repeatedly while covering the events in Paris, Douglass showed that his unit of analysis was the nation-state and not opposing classes. Douglass related to his readers incredulously, "For weeks a struggle is carried on, in which the insurrectionists evince as much bitterness and animosity against the regular Government as they did against the victorious Germans." This sort of conflict within the nation led Douglass to characterize the events as the "most distressing and heart-sickening spectacle in the world." Douglass also put forward his theory of what led to this "heart-sickening spectacle," He pointed to "the state of demoralization, of corruption, and mutual distrust, which lead the unfortunate people to rage more furiously and destructively against each other than any foreign enemy could do." There was a "spirit of distrust pervading the minds of the people."[20]

As for the claims of the Communards—"The demand of the Commune to elect its own municipal officers is reasonable enough," Douglass wrote. Merriman reports that, "Unlike all the other 36,000 cities, towns and villages in France, Paris did not have the right to elect a mayor." In addition, Napoleon appointed the *arrondissement* municipal council. Nevertheless, Douglass deplored the means used by Parisian workers to achieve their ends. "There is, however, no cause in the world so good," Douglass wrote, "that would not become bad when pressed by such outrages and excesses as are the order of the day: when political assassinations are openly advocated and practiced, and a despotism is exercised in the name of liberty hardly less oppressive and odious than the yoke of the Emperor."[21] Douglass seemed to be reading news from sources friendly to the Thiers regime. Future scholarship would show the bourgeois government engaged in the slaughter of tens of thousands of prisoners from the beginning of hostilities, while only 66 or 68 hostages were killed by the Commune.[22]

Even though Douglass acknowledged that Thiers "always was a steadfast supporter of Louis Philippe," he thought "the accusation set forth by the Commune that the Government intends to turn traitor to the Republic and to erect another monarchy on its ruins," was unjustified. Instead, it was the communists who threatened the republic and opened the door to royal restoration: "The real danger to the Republic seems rather to threaten from the Reds, who, if successful, would establish a reign of terror, bring disgrace on the very name of the Republic, and republican institutions generally, and finally open the path for another line of monarchs, either 'by the grace

[19] "The Revolters Delusion," *New National Era*, 27 April 1871.
[20] "Dark Prospects," *New National Era*, 4 May 1871.
[21] "Dark Prospects," *New National Era*; Merriman, *Massacre*, 13–14.
[22] Merriman, *Massacre*, 118–22, 203–24.

of God' or by the right of usurpation."[23]

For the moment, Douglass saw both opportunity and threat, writing "there is little doubt that the Government will finally come out victorious, and that order will be restored for a while; yet the elements of trouble and discord are too powerful to hope that an era of quiet and prosperity is to follow." He instructed his readers and the French people that the only safeguard against monarchism on the one side, and the tyranny of political fanaticism and mobocracy on the other, is in that truly republican spirit which, while securing fair play, equal rights, and equal liberty, and protection to all, leaves everything else to free development, and abstains entirely from meddling with particular social and religious theories or systems, and from the attempt to force them on a people.[24]

Writing in the middle of May, Douglass cheered the Versailles government troops, disparaged communism in comparison with true republicanism, and contrasted class conflict in France with that in the United States. Douglass had been reading news "with promises of the speedy suppression of the insurrection," and concluded "that the insurrection is near its collapse." He did not believe meritorious generalship on the part of the government had led to their success but instead cited "the demoralization, the dessensions [sic], the general distrust, and the lack of discipline among the Reds," along with the fact that "the provinces have remained quiet, instead of echoing and following the actions of the Commune."[25]

Crushing the Commune would not necessarily lead to a successful French Republic, according to Douglass. The issues at stake were too fundamental. "The conflict between wealth and poverty, between capital and labor… and others of equal importance are at the bottom of it, besides distrust of the honesty of the government and its fidelity to the republican cause." These issues did not inevitably lead to violent conflict. "It is true," he argued, "the difficulties arising from these sources do not necessitate a bloody revolution; indeed, they agitate more or less the whole civilised world, our own country as well as others… there indeed be no apprehension that they will lead to violent uprising and bloodshed of a formidable character." In the United States, Douglass thought "[f]ull liberty" would act as a safety valve. Americans were free to agitate, discuss, and experiment "under the protection of republican institutions, taking away any need to resort to revolution."[26]

On the contrary, there was something about the French temperament that prevented them from acting on the same principles. They had "the insurmountable obstacle opposed by their own unfortunate disposition, their incapacity to comprehend the very rudiments of true republican liberty." French radicals had a "lawless spirit, that prompts them to achieve by revolution that which ought to be left to free development, the tyrannical disposition that assumes to lay down laws, to regulate and decree in matters which concern only the choice and convictions of the individual." This "knowledge of the French character," his own or via a European correspondent, impelled Douglass "to look on the future of the French republic with as much apprehension as sorrow over the delusions of a people, which even in its errors, inspires more pity than indignation, when we remember how for ages it has been the victim of misrule and despotism."[27]

It is possible that Ottilie Assing, Douglass's longtime intellectual companion, influenced

[23] "Dark Prospects," *New National Era.*
[24] "Dark Prospects," *New National Era.*
[25] "No Peace in France," *New National Era*, 18 May 1871.
[26] "No Peace," *New National Era*. Douglass wrote, "the mere suppression of the insurrection by military force will be succeeded by more than an outside restoration of order, and it would be vain to dream of an era of peace and republican prosperity."
[27] "No Peace," *New National Era.*

these pronouncements on the French temperament and character. Assing, a middle class liberal from Germany, immigrated to the United States in 1851 and first met Douglass in 1856 with plans to translate his second autobiography, *My Bondage and My Freedom*, into German.[28] Assing wrote to her sister in August 1872 claiming the editorials of the *New National Era* were joint projects between her and Douglass.[29] She began writing articles for the paper, signed "R.," in 1873.[30]

However, when it came to the 1848 revolution in her homeland, "she herself had not participated in the popular politics nor expressed more than a passing interest in the subject."[31] Douglass, while certainly collaborating with Assing as a member of the *New National Era* team,[32] maintained a consistent analysis of class, republicanism, and revolution when analyzing the events of 1848 and 1871. The extant evidence—Assing had her correspondence with Douglass burned after her death[33]—and modern scholarship do not reveal any specific documentation indicating Assing wrote articles on the Paris Commune or was anything more than a like-minded collaborator with Douglass on the topic. Further, modern scholars believe Assing had a habit of "[w]histling in the dark" and Douglass "figured much larger in her life, or in the life that she portrayed to her other correspondents, than she in his."[34] Because of the missing evidence, due to the destruction of letters after Assing's death and the fire that destroyed volumes of documents in Douglass's Rochester home in 1872, this characterization of Assing's influence can only be speculation and she may have had more influence on Douglass's views on the Paris Commune than allowed for here.

While Douglass deplored the slaughter of prisoners by Thiers's troops during the last days of the Commune, he mistakenly reported to his readers that the brutality came from each side in equal measure. Multiple articles in the 1 June 1871 issue focused on the property destruction that occurred in Paris during the last days of barricade fighting. "They are acts of vandalism," Douglass claimed, "prompted by a love of destruction peculiar to the most degenerate among human brutes… The demolition of the column of the Place Vendome, the monument of bygone French glory; the burning of the Tuileries, the Palais Royal, the Hotel de Ville…will tell heavily in history against this generation of the French people." Douglass did not examine the strategic importance of demolishing key buildings during street fighting or consider what monuments glorifying the French monarchy might mean to workers fighting for a social and democratic republic. It escaped his attention that while the Communards destroyed property as they retreated, Versailles troops carried out "the notorious slaughter… beyond anything that Paris had seen then or since."[35]

Douglass described the last stands of the Parisian workers in another 1 June 1871 article. "The insurgents in Paris have defended themselves bravely," Douglass reported, "and have held out for a long time, but must soon succumb." Putting the destruction of property and the slaughter

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[28] Maria Diedrich, *Love Across Color Lines: Ottilie Assing & Frederick Douglass* (New York, N.Y.: Hill and Wang, 1999), 142.

[29] Leigh Fought, *Women in the World of Frederick Douglass* (Oxford, Eng.: Oxford University Press, 2017), 212–13; Blight, *Prophet of Freedom*, 529–30.

[30] Diedrich, *Love Across Color Lines*, 294–95, 412–13n112.

[31] Fought, *Women in the World of Frederick Douglass*, 147.

[32] On Assing as a "team" member, see Blight, *Prophet of Freedom*, 525.

[33] Diedrich, *Love Across Color Lines*, 380.

[34] For "whistling in the dark," see Diedrich, *Love Across Color Lines,* 299. For "figured much larger…," see Fought, *Women in the World of Frederick Douglass*, 218–19.

[35] "The Last Act of the Insurrection," *New National Era*, 1 June 1871; Nimtz, *Marx and Engels*, 214. Douglass continued to omit any reports he may have received of mass executions carried out by the soldiers and officers of Versailles, but he did abhor the "murder of the Archbishop of Paris and over fifty other victims in Mazas prison." Marx more accurately described the violence of the Civil War in France. See Marx and Engels, *Vol. 22*, 323–24, 327.

of prisoners on the same plane, he wrote, "The slaughter in the streets has been fearful, and the destruction of valuable property and historic columns, buildings, and treasures of arts, immense and deplorable, but the government forces have been steadily gaining ground and now have the control," a positive development in Douglass's eyes. He even previewed the mass executions at what would come to be called The Communards' Wall. "Another body," he described to his readers, "had been driven into the cemetery of Pere la Chaise."[36]

Then he turned immediately, and spilled much more ink, to describe some of the beautiful buildings damaged or destroyed in the fighting. Douglass wanted to tell his readers about the history and magnificence of the Palace of the Tuileries, the column at the Place Vendome, and the Hotel de Ville. This destruction showed "the insanity of the Paris mob," not determination to defeat monarchism and establish a true republic. Douglass described, without self-reflection, how the monarchy confiscated the wealth of France to build an imperial palace that was "grand and imposing," "gorgeously decorated," "splendid," and "of unrivaled elegance."[37] To Douglass, only a frenzied mob of fanatical workers would want to wipe away such monuments.

Recognition of the Cruelty of the Versailles Government

Once the horrors of the suppression of the people of Paris by the Versailles politicians, generals, and troops became apparent for Douglass, he became a severe critic of the conservative bourgeois republican government while never converting to the cause of the Commune.
Beginning with the 8 June 1871 issue, Douglass shared information about what Merriman calls, "Thiers's bloody repression," and, "The Versailles killing machines." Douglass questioned the possibility of a true republic being built on such brutality.[38]

Douglass implied he had not heard of the mass executions the Versailles military had been carrying out since the start of the conflict. "For weeks the world has been the horrified spectator of the bloody deeds committed by the French insurgents, and to-day the weight of sympathy is almost reversed in consequence of the savage cruelty with which the government is wreaking its revenge on those deluded, ill-starred men"—Douglass's description that entitles this article. While he believed some of the acts could be waved off as carried out by individual soldiers, he also understood that "many, too, are the acts of cruelty by which a government calling itself republican is asserting its authority." He recognized now that monarchists and reactionaries headed the Versailles army. "Old politicians of the times of Louis Philippe," Douglass wrote, "and generals of the Empire never suspected of republicanism, much less of Red republicanism, have instituted a reign of terror reminding one of the first French revolution."[39]

Readers of the *New National Era* were given a glimpse at the criminality and barbarism that went into suppressing the Commune. While the guillotine of revolutions past was

[36] "Unfortunate Paris," *New National Era*, 1 June 1871.
[37] "Unfortunate Paris," *New National Era*. Marx seemed to speak directly to Douglass when he wrote, "no sooner do the working men anywhere take the subject into their own hands with a will, then uprises at once all the apologetic phraseology of the mouthpieces of present society… as if capitalist society was still in its purest state of virgin innocence, with its antagonisms still undeveloped, with its delusions still unexploded, with its prostitute realities not yet laid bare." Marx and Engels, *Vol. 22*, 335.
[38] "Prospects in Europe," *New National Era*, 8 June 1871. Merriman, *Massacre*, 189, 239.
[39] "Prospects in Europe," *New National Era*. As Merriman demonstrates, Thiers had expressed support for the restoration of the monarchy in the past and "three commanders of the army - Joseph Vinoy, Patrice de MacMahon, and Gaston Galliffet - were conservatives, Bonapartists to be sure, but who would prefer without question a monarchy to a republic." Merriman, *Massacre*, 34.

objectionable enough, "the victims sentenced now-a-days by drumhead court-martial are slaughtered by hundreds, by means of mitrailleuses or volleys fired by whole companies." This sort of indiscriminate firing into crowds of prisoners was not efficient, leading to "all stages of mutilation and agony, until after repeated volleys the merciful bullet will reach them that is to give them the final blow." Douglass admonished the "government calling itself republican" and advised leniency, if only because the rebels were under a "revolutionary spell." He thought, "it is safe to assume that by far the larger number, when looked upon from a higher stand-point, must be considered innocent, since in an insurrection of such dimensions the masses are always the blind and deluded tools of their leaders."[40]

Douglass compared the reaction of the victorious Versailles government unfavorably to the victorious Union government of the Civil War in the United States. Contrary to the "leniency and magnanimity on the side of the North," the government of France "seems determined to outdo the Commune in its persecutions, and it is by far more responsible for its acts, since its chiefs are not acting under the influence of fanaticism." Douglass specified what type of Communards deserved mercy—true republicans with "no sympathy for the communists."[41]Now doubting a true republic which would act as an effective symbol for anti-monarchical movements in Europe could be built in France, Douglass wrote, "what kind of a republic will it be that has been inaugurated by such hecatombs of blood on both sides? Has it any chance to stand and last among a nation that thus far has shown itself ignorant of its first principles? And is it worth, does it deserve to last, unless it is founded on true liberty and magnanimity?" There was a possibility that Bourbons and Orleanists would form an alliance, restoring the monarchy. If that were to occur, "[n]ew troubles, strifes, and revolutions would be the result, and new experiments," like the Commune, "might be tried, without giving to the country what it needs most—peace and liberty."[42]

In the 15 June edition, Douglass used a strike in Washington DC to compare the US reality to France, promote his free labor theory of labor relations, or from a working-class perspective, class collaborationism, and offer advice to American workers. Douglass saw the strike as a danger whose worst impacts were avoided: "A cloud no bigger than a man's hand…its bolts were withheld." In Douglass's opinion, this was thanks to the Territorial Governor of Washington DC, Republican Henry Cooke, appointed by Ulysses S. Grant in late February 1871, and other politicians.[43]

Douglass reported, using language at variance with his usually sympathetic treatment of workers,[44] that, "A large body of muscle and of untrained mind and heart was in a perilous condition running loose in our streets. It wanted higher wages and fewer hours of labor, and struck for both." Where "pride and fury" guided Thiers and his government, "temperance, forbearance, and wisdom" guided Cooke and the government in Washington DC. Class conflict evident in Paris was not limited to the Old World, "riot and bloodshed" was possible "in the streets of Washington."

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[40] "Prospects in Europe," *New National Era*.

[41] "Prospects in Europe," *New National Era.*

[42] "Prospects in Europe," *New National Era.*

[43] "Wisdom in the Counsels of Washington," *New National Era*, 15 June 1871. In this same issue, Douglass attacked the French government for planning to build "interior fortifications" as a means to prevent the next Commune. Arguably revealing why the Commune was necessary, Douglass now understood it was natural that members of the government "should be distrusted and accused as traitors." "Defenses Against the People," *New National Era*, 15 June 1871.

[44] For a blatantly anti-working-class perspective that deserves more scrutiny, which Douglass included in the *New National Era*, see the letter from Philadelphia correspondent RTG, likely Richard Theodore Greener, published on the front page of the October 19 edition: Frederick Douglass, "Communications. Letter from Philadelphia," *New National Era*, 19 October 1871.

Douglass warned some were "forgetful that we might have the same [the hell of horrors enacted in Paris] here on a smaller scale." Douglass recognized that, "There is a terrible gulf between capital and labor constantly liable to tempests and whirlwinds." But fortunately, "the strike is now ended, the men are at work, good sense on both sides has prevailed, the laborers get not all they demanded, but more than they formerly received, and all goes on peacefully again."[45]

Douglass then provided guidance to workers considering going on strike and those who would advise them to do so. Certainly influenced by racist White workers violently turning him away from work and his sons' denial of membership in an all-White printers' union, Douglass opposed blocking strikebreakers from crossing picket lines.[46] "It may be well and needful at times to strike," Douglass cautioned, "but it can never be well to take the law into your own hands and undertake to prevent other men from working." This would amount to "despotism and anarchy" which could not "be safely tolerated for an hour." Workers had attempted to engage in such action and Douglass wrote, "should the law be defied in this city by such conduct again, sterner measures of repression will doubtless be resorted to than were seen ten days ago." Douglass, after giving cover to stern measures of repression against strikers assured his readers his sympathy was with laborers, and he understood their plight as a freeman and former slave. Because he empathized with their suffering, "we are slow to favor strikes among laborers, for they almost in every instance get the worst of it."[47]

In one of the *New National Era's* last sustained treatments of the events in France, Douglass hoped for "truly prominent, distinguished men" to come forward to lead, while comparing the morals of the French people to the German Empire, continuing his criticism of monarchists and communists alike. Almost wishing for another Bonaparte, Douglass wrote, "not one man has yet appeared to relieve the darkness of the picture, none to give promise by his patriotism, his love of liberty, and his energy to pacify the conflicting elements, of vindicating the dignity of the nation, and of making a living reality of the present sham of a Republic." At the same time he searched for a great man to take the helm, he warned against Bonapartism.

When a population is demoralized, he argued, it is less likely that the "[m]ost honest man should obtain supreme influence, but rather the most adroit, the shrewdest plotter and intriguer… the one who will besides have the gift of flattering the vanity of the masses by empty promises of future glory." Another Napoleon would lead to another conflagration. "A man possessed of no higher abilities and worth than Napoleon might again succeed for a while," Douglass argued, "to be sent into exile by another revolution." He blamed the Second Empire of Napoleon which acted to "demoralize and corrupt the people more and more, yet it required the Commune and its insurrection, it required the unworthy Assembly, with all its intriguing, unscrupulous Orleanists, Bonapartists, and Legitimists, to reveal the whole depth of rottenness."[48]

To Douglass, the communists and monarchists were two sides of the same coin. The conservative assembly might have wanted to institute a terror, but if the communists were successful, an era of tyranny would follow their ascent. As Douglass put it:

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[45] "Wisdom in the Counsels of Washington," *New National Era*, 15 June 1871.

[46] Blight, *Prophet of Freedom*, 91, 504; Frederick Douglass, *My Bondage and My Freedom* (New Haven, Conn.: Yale University Press, 2014), 242–54, 277–280.

[47] "Wisdom of Washington," *New National Era*.

[48] "The Coming Man," *New National Era*, 22 June 1871. Marx agreed that "rottenness" had matured during the Second Empire, but his solution was the "revolutionary overthrow of the political and social conditions that had engendered" the Empire, which the Commune attempted as the "self-sacrificing champion of France." See Marx and Engels, *Vol. 22*, 322.

> If the Assembly consists largely of plotters and conspirators, watching the opportunity to betray the Republic and erect another reign of *white* terror, like the Restoration, on its ruins, the radical Republicans are contaminated with communism and red fanaticism, and their victory would mark the beginning of an era of the most odious despotism of the mob.[49]

Without an honest man to institute on his own a true republic, Douglass called for a pox on both houses of monarchists and the democratic mass action of the mob.

Defenses of the Commune and Communards Printed in the *New National Era*

In late June and early July, Douglass reprinted from other newspapers a profile of Henri, Count of Chambord, a favorite candidate for the Throne of France, an article from the Vicksburg *Herald* that described the Republican government of Ulysses S. Grant as "the Radical Commune in Washington," plus an article from the *New York Tribune* that compared lynch mobs to "the devilish spectacles of the Paris Commune," mentioning briefly that "[t]wenty-five hundred women, convicted of setting fire or attempting to set fire to buildings in Paris have been sentenced to transportation to New Caledonia," the French penal colony.[50] But Douglass did not examine the Commune in-depth himself.

The *New National Era* did print defenses of the Paris Commune from allies of Douglass—radicals Benjamin Butler and Wendell Phillips, among others—mostly after the savagery of the suppression of the Parisian workers became apparent, but also as the Bloody Week was unfolding. Douglass thought that if Butler and Phillips led "the workingmens' movement" in the United States, it would be "a guarantee that the movement will not be an instrument of social destruction as in Paris." Enemies of Butler and Phillips pointed out they were both wealthy men in an effort to class-bait workers and divide them from these two potential leaders. Douglass accused such critics of "introducing a conflict between capital and labor such as has twice within a century made Paris run blood and the sky over her to redden with wrath and fire."[51]

Some Americans, unlike Douglass, "thought the Paris Commune was a natural extension of American republicanism, as exemplified in the Civil War." One of these Yankees was General and Congressman Benjamin Butler, who swung from the antebellum Massachusetts Democratic Party to Union General, advocated confiscation of and freedom for slaves during the Civil War, and finally to post-war radical supporter of the Commune. Some dismissed him as "politically unstable." Later in the decade, E.L. Godkin would decry him as "the greatest socialistic demagogue of our day."[52]

On 6 July 1871, Douglass featured a long article, taken from "a speech at the dedication of the new town hall in Gloucester," given by Benjamin Butler, which Phillip Katz describes as a "campaign speech." In this speech, Butler situated the Commune as of equal or greater importance in its effect on human liberty than the US Civil War, employing language often used to describe

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[49] "Coming Man," *New National Era.*

[50] "Profile of 'The Count De Chambord, The favorite Candidate for the Throne of France," *New National Era*, June 29, 1871; "Voice of the South," *New National Era,* 29 June 1871; "News Clippings," *New National Era,* 29 June 1871; "The Civilization of the Haiter," *New National Era,* July 6, 1871; "News Clippings," *New National Era*, 6 July 1871; Merriman, *Massacre*, 249.

[51] "Just and Unjust Criticism," *New National Era*, 20 July 1871.

[52] Katz, *From Appomattox to Montmartre*, 94, 165; Heather Cox Richardson, *The Death of Reconstruction: Race, Labor, and Politics in the Post-Civil War North, 1865–1901* (Cambridge Mass.: Harvard University Press, 2001), 117.

the struggle against slavery. He described the Commune as an attempt at self-government, while Douglass thought it showed the French incapacity for the same. Butler defended the tactics of the Communards; with the audience at a town hall in mind, he described their attempts to gain control over their own municipal government as laudable and a direct descendent of struggles for democracy in the United States.[53]

"Here we see a town hall built by the people, and for the people," Butler told his audience. And this reminded him of "the great event which has distinguished this year, and perhaps its effect on human liberty will distinguish this century, possibly overshadowing the great act of emancipation by which this country liberated four millions of people." For Butler, "The reason why liberty has never found a firm foothold in the Old World is a want of town or municipal organization." "What was that Commune?" Butler asked. "It was an endeavor of the people of the city of Paris to have a town government such as we enjoy here… that they should not be ruled against their consent by the general government of France." Obtaining this sort of liberty was as normal to Americans as the "air we breathe, or the water we drink."[54]

The Paris Commune, in Butler's mind, was an attempt at self-determination and a "struggle of the working man, the struggle of the laborer of the middle class for self government which should be the germ of a future republic." The brutal suppression of the workers struggling for liberty will have consequences throughout the Old World. "The crushing out of a people struggling for such a government has," Butler predicted, "rolled back the tide of republican liberty in Europe for years and years, if not forever."[55]

Butler seemed to reply directly to Douglass when he defended the destruction of property by the retreating Communards. He lamented the slander and misunderstanding facing the defeated Parisian workers. Of the structures built "by kings and princes" set aflame, Butler defended destroying property dedicated to the "great deeds of the first Napoleon...erected as an emblem of the military glory of a despot." He explained to his audience, "The first act of a free people was to tear it down and level it to the ground," and asked, "Was not that in accordance with the spirit of free institutions?"[56]

Echoing the phrase commonly known from Lincoln's second inaugural address to describe the wealth built up by the American slaves, Butler asked his audience, "Does it lie in the mouth of the lover of American liberty to say that the laboring men of Paris should not pull down the places of kings, raised by despotism and wrong, by unrequited labor, which never in any free government could have been made?" Butler wanted Americans to remember the Paris Commune as "the endeavor to obtain that which we enjoy—a municipal government…It was the affect of a wronged people arising in its wrath and its madness." As Douglass did, Butler condemned the butchery of the Thiers government, but he went further and asked his listeners to read about the struggle of the Commune, which would help with "strengthening your love for the institutions of your own Government."[57]

Katz describes Wendell Phillips as "the most prominent member" of "the Commune's middle-class sympathizers, who either endorsed the Commune's revolutionary program or insisted that Americans keep an open mind about the experiment in Paris." As the speeches reprinted in

[53] "General Butler on the French Situation," *New National Era*, 6 July 1871. On Butler and the Commune see Katz, *From Appomattox to Montmartre*, 94, 127, 139, 165, 183.
[54] "Butler French Situation," *New National Era*.
[55] "Butler French Situation," *New National Era.*
[56] "Butler French Situation," *New National Era*. Marx echoed Butler's descriptions of the property destruction in the Commune's last days, calling it a "heroic self-holocaust." See Marx and Engels, *Vol. 22*: 350.
[57] "Butler French Situation," *New National Era*.

Douglass's newspaper indicated, Phillips "was one of the few abolitionist ideologues to make the transition from antislavery to prolabor agitation, and he was always willing to link those reforms with the world-historical drive towards freedom."[58]

Douglass printed two addresses made by Phillips, given months apart, where Phillips expounded on the Commune and the labor question more generally. In May 1871, Phillips spoke before an anniversary meeting of the Reform League where he offered prescriptions on how to avoid the Commune at home while defending the radical republicans of Paris. One of the resolutions before the Reform League, presented by Phillips, claimed "no way exists to avert the Communism which now distresses society in France except for capital and labor to meet at once on equal terms." Phillips argued that capitalists and corporations commanded more power and wealth than working people and needed to be reined in in order to meet on equal terms with labor. He warned if you "scratch New York, and you will find Paris just below the surface." This discontent resulted from "impressing the laboring classes with the belief that there is no such thing as justice, and that law is not sacred." Frustration among the workers could develop into revolution. Referencing the New York City Draft Riots of 1863, Phillips said, "When July, 1863, comes again in 1873, perhaps they won't hang negroes to a lamp post—they will indulge in a millionaire."[59]

Douglass shared a speech by Phillips in the 2 November issue of his newspaper on "theories of labor." Phillips briefly addressed the Paris Commune in this lecture. "The moment you make a rich class and a poor class by the cunning of corporations," he argued, "there is no republic." The goal of the labor movement, in Phillips's mind, was to find where poverty and misery come from and solve the problem facing millions of people. There were different methods to solve this problem. "Paris wrote her indignation in fire and blood in opposition to wrong." Phillips did not prefer this method, continuing, "This is the Prussian and Italian method, and to some extent the German, but the English and American people do not take the sword into the council chamber." Phillips claimed, "Our weapon is the ballot." But unfortunately, "The great mass of this country is verging towards a European condition of affairs as regards capital." This is the consequence of rich men "making vassals of our institutions… in one half of the States there is no republic."[60] Phillips's remedy for these ills was discussion and voting, not the fire and blood of the Paris Commune.[61]

Before the end of 1871, Douglass wrote a defense of two other participants in the Paris Commune. He believed the government should spare the lives of Henri Rochefort and Louis Rossel. Rochefort was a "strident but erratic opponent of the imperial regime," who joined the provisional government in September 1870. Douglass described Rochefort as "pure and blameless in his life as any public man in France… made a victim solely on account of his uncompromising republicanism." Communism did not taint Rochefort like the other radicals and he "advocated pure, uncontaminated republicanism."[62]

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[58] Katz, *From Appomattox to Montmartre*, 80.

[59] "The May Anniversaries," *New National Era*, 18 May 1871. On Phillips and the Paris Commune see Katz, *From Appomattox to Montmartre*, 61, 80–81, 92–95, 112, 126–27, 142, 165, 167. Phillips connected the fight against racist terror with the struggle of laborers in America. "If you want Grant to sit in the White House, if you want secession to stay in its grave, if you want law and order to reign in the great commonwealth, we want to crush the Ku-Klux on the one hand and corporation tyranny on the other."

[60] "Wendell Phillips – Speech at Springfield-His Theories on Labor," *New National Era*, 2 November 1871.

[61] Douglass also shared defenses of the Paris Commune from Frederic Harrison and George Wilkes. Harrison wanted to defend Charles Delescluze, a veteran of June 1848 and elected member of the Commune. Wilkes wanted to counter the propaganda that painted Communards as incendiaries who torched their own city. See "A Defense of the Communists by Frederic Harrison," *New National Era*, 31 Aug. 1871. "Mr. George Wilkes," 28 September 1871.

[62] Merriman, *Massacre*, 25. "The Sentence of Rochefort," *New National Era*, 5 October 1871.

Louis Rossel served a short-lived stint as Delegate of War for the Commune in early May 1871, as Versailles troops entered the city. His execution in November 1871 led Douglass to write, "Outrage upon outrage, murder upon murder, are committed in France in the name of law, and, what is worse, the name and form of the Republic are used as in mockery for a rule which, for oppression and cruelty, bids fair to outdo even the defunct Empire." Douglass charged Rossel met the firing squad's bullets because of "his true republicanism." Providing a relativistic defense of rebellion and treason, Douglass wrote,

> He took part in the insurrection of the Commune, but not an act of wanton cruelty or destruction, no crime could be charged on him, save the problematic crime of rebellion and treason—a crime about as old as civilization itself, universally branded as something horrible, and yet most relative and varying according to individual and party convictions, political creeds, the tendencies of the period, and particularly determined by success or defeat.

Douglass remained convinced that the Republic of Moral Order "differs only in form from the Empire; but not in essence," and its members were the true heirs of Napoleon.[63]

A Brief Examination of Douglass "On the Labor Question"

The Paris Commune, along with labor unrest in the United States, compelled Douglass to address the labor question in multiple late summer and fall 1871 editions of the *New National Era.* "The labor question," Douglass wrote by way of introduction, "of which in this country the abolition of slavery, of property in man, was the first grand step—is not free from the evils of ignorance, passion, ambition, selfishness, and demagogism." It was natural, Douglass thought, that working people, Chinese, Irish, or Black, felt discontent when the "non-producers now receive the larger share of what those who labor produce."[64]

Douglass sounded radical when he wrote, "The civilization, then, looked at in its material aspect alone, which on the one hand constantly increases its wealth-creating capacities and on the other as steadily leaves out of the direct benefits thereof at least seven-tenths of all who live within its influence, cannot have realized the fundamental condition of its continuance." The number of workers joining the labor movement would compel a hearing, Douglass thought, and could not be ignored. "It is the duty of those who have been lifted up by this general movement, this attrition of classes, of which the coming struggle of the 'proletariat' (to use a word common in European discussion, though hardly yet generally applicable to our condition) is the final and natural consequence." Douglass's solution was to urge his readers to support a bill introduced in Congress that would set up a commission of three people to "investigate the subject of the wages and hours of labor, and of the division of the joint profits of labor and capital between the laborer and the capitalist."[65]

In examining two recent strikes where workers were demanding a reduction in the ten-hour day, Douglass saw the employers as reasonable. But he also conceded that it was "evident that ten

[63] "The Execution of Rossel," *New National Era*, 7 December 1871. On Rossell, see Merriman, *Massacre*, 123–27, 248–49.
[64] Philip Foner, *The Life and Writings of Frederick Douglass: Volume 4: Reconstruction and After* (New York, N.Y.: International Publishers, 1955), 264, 282.
[65] Foner, *Volume 4*, 283–84. It is certainly possible that Ottilie Assing or her German-American friends in Hoboken, N.J. brought Douglass's attention to the "proletariat."

hours' uninterrupted hard work, with the addition of the time required to commute to the factory and back, will, in the long run, reduce the laborer to the level of a beast of burden." Douglass was able to discern cracks in free labor ideology via the proletarianization of labor. He wrote, "the uniform, mechanical, and exhausting factory work, which keeps him busy uninterruptedly year after year, without offering him any prospect of ever becoming independent, nay, of ever achieving more than keeps starvation from his door, cannot fail either to make him desperate, or to smother all higher impulses and aspirations in him."[66]

However, Douglass's prescriptions are less convincing than his insights. He believed, "Those abuses we are outgrowing however, and not even the conservatism of monarchical Europe can stem the tide of modern ideas." If workers decided to strike, Douglass stated he would support them "always provided, however, that such results are achieved solely by moral persuasion, and neither violence nor intimidation are resorted to… such deeds only serve to reverse the balance of wrong, and would substitute one odious tyranny for another."[67] Douglass's liberal worldview[68] allowed him to argue that workers defending their picket lines were just as despicable as capitalists driving workers as beasts of burden.

Nicholas Buccola demonstrates, "Douglass was concerned about the fundamental unfairness and legitimate discontent of the burgeoning industrial capitalist system" and his "response to the labor question reveals that on this issue he was closer to the reform liberal view than he was to the libertarian view." While Buccola examines Douglass's commitment "to the institution of private property and the idea of free labor as pillars of individual liberty," and the tension between that commitment and the "gross inequalities" of postbellum America, he avoids treatment of Douglass's criticism of labor organizations and their defense of picket lines.
Douglass's defense of strikebreakers and his response to the Paris Commune provide more evidence of Douglass's position "as a member of the liberal family."[69]

Waldo E. Martin Jr. explains that Douglass evinced a "procapitalist spirit" and "criticized trade unions for excessive hostility toward their capitalist antagonists." As David Blight argues, Douglass did not turn to labor organizations "largely because of their discriminatory practices against black and Chinese workers." Labor unions, Douglass also believed, stood in the way of workers becoming capitalists themselves. As opposed to workers' self-organization, he looked to an enlightened Republican government, which had gained legitimacy in his eyes via the crusade to overthrow slavery and their proposed commissions on labor and capital. Unions, whether they were enforcing picket lines, limiting overtime, or excluding Black workers, were "utterly incompatible with true republican principles and institutions." Martin persuasively maintains that Douglass's contention that capital and labor were on more equal footing in the United States than in Europe "contradicted the increasing degradation of labor as well as the overwhelming

[66] "The Labor Question," *New National Era*, 26 October 1871.
[67] " Labor Question," *New National Era.*
[68] Studies that elucidate Douglass's liberal worldview include Peter C. Myers, *Frederick Douglass: Race and the Rebirth of American Liberalism* (Lawrence, Kans.: University of Kansas Press, 2008), see especially his discussion of Douglass's natural rights principles. For a discussion of Douglass and interpretations of his political philosophy as classical or reform liberalism, see Nicholas Buccola, *The Political Thought of Frederick Douglass: In Pursuit of American Liberty* (New York, N.Y.: New York University Press, 2012). For a critique of Douglass's liberalism that influences this study, see Waldo E. Martin, Jr., *The Mind of Frederick Douglass* (Chapel Hill, N.C.: The University of North Carolina Press, 1984), especially 70–72, 129–130. Douglass's liberal worldview included the defense of private property, a harmony of interests between capital and labor, the end of property in man, a defense of bourgeois republican institutions, and equality before the law.
[69] Buccola, *The Political Thought of Frederick Douglass*, 54. See also, 52–53, 135–36.

dominance of capital in the rapidly industrializing United States."[70]

The Commune and the End of Reconstruction

The Paris Commune demanded intense scrutiny from Americans, who were in the middle of the first nation-wide attempt at interracial democracy, that is, Reconstruction. This section places Douglass's views on the Commune in political context, especially amongst other liberals in the US. The reaction of many Americans to the Paris Commune—Republicans and abolitionists included—did not portend well for this first attempt at interracial democracy. As Katz illustrates, radicals like Lydia Maria Child attacking Phillips and others associating social change with anarchy was not a promising sign for the experiment in interracial democracy "whose end would be hastened by association with the Paris Commune." The Commune "became an excuse to assert a bolder elitism, or even to retreat from Reconstruction," Katz convincingly writes.[71]

Douglass never retreated from his vision of Reconstruction as a project to win equal citizenship for Black Americans, but he was unwilling to defend the only coalition that could have made it a reality—the multiracial working class, Caucasian wageworkers and farmers, immigrant and native born, along with the freedpeople—the eventual goal of instituting a state that not only represented the interests of the producing classes for the first time but also defended those interests. His platform of free men, free soil, free speech, a free press, the ballot for all, education for all, and fair wages for all was tenuous in the hands of northern and southern capitalists.

"The growing American tension over workers and the nature of the nation's political economy heightened dramatically with the establishment of the Paris Commune," explains Heather Cox Richardson. By this time, Douglass certainly counted himself among the propertied Americans terrified by the Commune and opposed what he saw as the turmoil of the mob in power. Douglass's commentary on the outbreak of strikes and the labor question seemed to indicate he was one of the many Americans Richardson describes who were more nervous about workers using force to defend their interests than willing to truly solidarize with them. Events after the Civil War fed Republican fears that workers would try to gain property through collective action. Republicans, liberals, and even radical abolitionists formed part of a group "that clung to the idea that the true American system depended on a harmony of interest between labor and capital." The prospectus of Douglass's *New National Era*, as well as his analysis of strikes and labor organizations, clearly placed him among this group. While Douglass expressed sympathy with striking workers, he opposed effective defenses of their picket lines and their drive to affect their working conditions through their own organizations.[72]

Conclusion

This article examines a side of Frederick Douglass ignored in the many studies and collections that have explored his life, political philosophy, speeches, and writings.[73] The Paris

[70] Martin, *Mind of Frederick Douglass*, 129. Blight, *Prophet of Freedom*, 560. "Labor Question," *New National Era*. "Labor in Iron–Manufactories and Workingmen," *New National Era*, 28 December. 1871.
[71] Katz, *From Appomattox to Montmartre*, 93, 117.
[72] Richardson, *Death of Reconstruction*, *xii*–xiii, 24, 44, 85–86, 89, 94.
[73] Examples of illuminating studies of Douglass that do not examine his views on the Paris Commune include Blight, *Prophet of Freedom*; William S. McFeely, *Frederick Douglass* (New York, N.Y.: W.W. Norton & Company, 1991); Peter Myers, *Frederick Douglass: Race and the Rebirth of American Liberalism*; Michaël Roy, Editor, *Frederick Douglass in Context* (Cambridge, Eng.: Cambridge University Press, 2021). For an examination of the the laissez-

Commune was the apotheosis of what unfolded in the 1848 European Revolutions, the first time the working class took political power, although briefly. Douglass devoted considerable amounts of time and energy analyzing the events in France and reporting them to the readers of the *New National Era.* He also printed commentary and opinions contrary to his own from his allies Benjamin Butler and Wendell Phillips.

Douglass was a liberal social reformer, maybe the best US liberalism had to offer. He supported revolutionary action and oppositional politics at key junctures, such as with the Liberty Party and Radical Abolitionists, the mass anti-slavery movement that began to develop in 1854, and John Brown. These movements led to the election of a president in 1860 committed to stopping the expansion of slavery, opening the road to immediate, uncompensated abolition, a revolutionary end. He fought for and helped recruit the Black liberation army that played a leading role in making that revolutionary end a reality. However, consistent with his analysis of the European Spring in 1848, Douglass denounced and criticized the attempt of workers in Paris to take history into their own hands after the institution of republican structures. He accepted the accounts of mob-rule and anarchy promoted by the Thiers government and printed in American newspapers. While he opposed the Second Empire of France, Douglass concluded that communism tainted French republicanism and formed just as much an antithesis to true republicanism as the restoration of the monarchy. Karl Marx believed a true republic required real democratic institutions in the hands of working people—what the Commune briefly realized, notwithstanding Douglass's less flattering portrait. His reaction to the Paris Commune exposes the limitations of Douglass's liberal political thought to take on an internationalist analysis of class conflict and labor struggles.

The Paris Commune and the labor upsurge coming out of the Civil War in the United States pressured Douglass to spend time and space in his newspaper analyzing the labor question. While he expressed sympathy with workers attempting to improve their lives, he advocated for conciliation between capital and workers while condemning labor organizations and their picket lines. Douglass relied on the newly consolidated capitalist government in the United States, led by Republicans, rightly credited with crushing the Confederacy and passing the Reconstruction Amendments to the Constitution, to mediate between workers and their bosses with the goal of finding a harmony of interests. Douglass apparently did not agree with the claim that only the working class, in all its skin colors and other identities, has a class interest in ridding the world of social inequality. It would be difficult to make a credible case that Douglass contributed to the eventual downfall of Reconstruction, the worst setback in the history of the American working class. However, the views he expressed on the Paris Commune, as of yet unexamined, and his opposition to effective labor organization after the Civil War dovetailed with the views of other northern liberals that historians have identified as playing a significant role in the retreat from Reconstruction.[74] As David Montgomery teaches, Radical Republicans' goal was equality before the law within a unified nation. "But beyond equality lay demands of wage earners to which the equalitarian formula provided no meaningful answer, but which rebounded to confound the efforts of equality's ardent advocates. Class conflict, in other words, was the submerged shoal on which Radical dreams foundered."[75]

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faire underpinnings of Douglass's thought, see Martin, *The Mind of Frederick Douglass*. For a brief treatment of Doulgass's opposition to socialism and communism with no mention of the Commune, see Buccola, *The Political Thought of Frederick Douglass*.

[74] On the defeat of Radical Reconstruction as "the worst setback" for the American working class in history, see Farrell Dobbs, *Revolutionary Continuity: The Early Years, 1848–1917* (New York, N.Y.: Pathfinder Press, 1980; 2009), 69.
[75] David Montgomery, *Beyond Equality: Labor and the Radical Republicans 1862–1872* (New York, N.Y.: Alfred A.

Marx would have been in accord with Douglass that the American labor movement's "first grand step" toward the emancipation of labor was "the abolition of slavery, of property in man," as Douglass put it in October 1871. In November 1864, Marx, on behalf of the International Working Men's Association, congratulated Lincoln on his reelection. He took the opportunity to remind the president that as long as

> the working men, the true political power of the North, allowed slavery to defile their own republic; while before the Negro, mastered and sold without his concurrence, they boasted it the highest prerogative of the white-skinned labourer to sell himself and choose his own master; they were unable to attain the true freedom of labour or to support their European brethren in their struggle for emancipation, but this barrier to progress has been swept off by the red sea of civil war.[76]

Three years later in *Capital*, published in 1867, he returned to his still so current insight. "In the United States of North America, every independent movement of the workers was paralysed so long as slavery disfigured a part of the Republic. Labour cannot emancipate itself in the white skin where in the black it is branded."[77] Both Marx and Douglass wholeheartedly backed emancipation, the abolition of slavery, and the Union cause in the Civil War, the "first grand step," but Marx saw the reconstructed bourgeois republic as an indispensable means to an end, power in the hands of the working class, and not the end in itself, as Douglass did.

Knopf, 1967), *x*.

[76] Karl Marx and Frederick Engels, *Marx & Engels Collected Works Vol. 20: Marx and Engels: 1864–1868* (London, Eng.: Lawrence & Wishart, 1985), 20.

[77] Karl Marx and Frederick Engels, *Marx & Engels Collected Works Vol. 35: Karl Marx Capital: Volume 1,* (London, Eng.: Lawrence & Wishart, 1996), 305.

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Frederick Douglass, Margaret Garner, and the Republican Party in 1856

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The Margaret Garner infanticide in Cincinnati in 1856 deeply affected Frederick Douglass as a former fugitive, newspaper editor, and political strategist in ways that have been unappreciated, in part because they have been difficult to research. Douglass experienced this event so intensely not only because he had been a fugitive slave, but because of his concern for the city of Cincinnati and the future of the nation.

Douglass had so many networking skills, such a strong emotional memory, and had traveled so widely from the time he escaped to the North in 1838 that some cities were important to him in ways untraced by most biographers or historians. Douglass made five significant visits to Cincinnati between 1850 and 1856, but these are unmentioned in the 888 pages of David Blight's comprehensive 2018 biography; they are also unknown to most Cincinnati historians. Douglass himself covered many of these visits very thoroughly in issues of his paper that have been largely unexamined, but the year 1856 presents special challenges to researchers.[1]

Figure 1. *Frederick Douglass*, photographer and city unknown, c.1850. Sixth plate daguerreotype. Copy of 1847 daguerreotype. National Portrait Gallery. Smithsonian Institution.

Douglass had arrived in Cincinnati for the first time on the Fourth of July 1850 (fig. 1). He gave eight talks in seven days before moving north to Columbus. He and the Garrisonians run out of New York City by a mob two months earlier, but he was warmly received by audiences of both races in Cincinnati. He wrote two letters for the *North Star* from Cincinnati and an essay about the Black citizens of the city on the way home. After returning to Rochester, he wrote in glowing terms

[1] Issues of his paper from 1856 are physically scarce. The Accessible Archives database, such a useful resource for studying both the *North Star* and *Frederick Douglass' Paper*, stops at 1855. My research for this essay has been possible only because the Frederick Douglass Papers Project at IUPUI has one roll of microfilm cobbled together from seven different sources that includes nearly every 1856 issue. These issues allow us to trace how the Margaret Garner infanticide on the Cincinnati side of the Ohio River in January influenced Douglass's response to the birth of the national Republican Party in February, leading eventually to his endorsements of its candidates in the Presidential Election in November.

about his meeting with the Black and White leaders of Cincinnati's antislavery community at a reception for him hosted by Sarah and Andrew Ernst.[2]

Sarah Ernst was head of the Ladies' Anti-Slavery Sewing Society in Cincinnati. Inspired by Douglass's visit, she held a bazaar every fall to raise funds for a three-day Anti-Slavery Convention every April. That soon became celebrated as the only national convention at which all elements of the antislavery community were free to speak. William Ringgold Ward was the featured speaker in 1851, Douglass in 1852, Garrison in 1853, Douglass and Lucy Stone in 1854, and William Wells Brown in 1855. Each featured speaker participated all three days along with a very impressive array of regional and local speakers diverse in race and gender.

In 1852, Douglass spoke four times in three days to huge audiences after arriving early to draw up all Conference resolutions with William Brisbane. A former South Carolina slaveholder, Brisbane was now a leading Cincinnati abolitionist who coordinated the annual conventions with Ernst. The 1852 Convention helped Douglass become a political activist; in August, he joined Brisbane, Samuel Lewis, and George Julian from the Cincinnati Convention as officers at the national convention of the Free Democratic Party in Pittsburgh. Douglass endorsed the Free Democratic Presidential ticket of John Hale and George Julian and actively campaigned for them in the fall.[3]

In 1854, Douglass and Lucy Stone attracted even larger crowds and more excitement than he had alone. In addition to networking with his Free Democratic colleagues and other abolitionists during the three-day convention, Douglass stayed in town to give a "Self-Help" talk to the local Black community at Zion Baptist Church coordinated by John Gaines and Peter Clark; these Cincinnatians had each been trusted and influential figures at the Colored National Convention Douglass hosted in Rochester the year before. Before leaving town Douglass renewed his friendship with J. P. Ball, already one of the nation's leading Black photographers. A week after returning to Rochester, he published a front-page engraving of Ball's Daguerrean Gallery of the West, the first illustration ever to appear in his paper (fig. 2).


Frederick Douglass' Paper.

VOL. VII.—NO. 20. ROCHESTER, N. Y., FRIDAY, MAY 5, 1854. WHOLE NO. 332.

The Day of Dilberg.

Selections.

Congressional.

Figure 2. *Ball's Great Daguerrean Gallery of the West* (Thomas Wentworth Higginson's copy). *Frederick Douglass's Paper,* May 5, 1854. American Antiquarian Society.

[2] Frederick Douglass, "Our Western Anti-Slavery Tour." *North Star*, date unknown; rpr. Salem (Ohio), 24 August 1850. For a detailed account of Douglass's engagement with Cincinnati up through 1852, see Robert K. Wallace, "Finding His Voice on the Road, in the Lecture Hall, and in His Newspaper: Frederick Douglass in Cincinnati in 1852," *New North Star* 1 (2019) 18–33.

[3] Wallace, "Finding His Voice on the Road," 27–32.

Douglass returned to Cincinnati in late November 1854 to give an early version of the address on "The Anti-Slavery Movement" he published the next year. He was thrilled by the success with which antislavery candidates had mobilized voters in Northern states in the 1854 Congressional elections. But they had done so primarily by attacking the Kansas-Nebraska Act in the North, not by attacking slavery itself in the South. By the time Douglass published *My Bondage and My Freedom* in August 1855, he had become a founding member of the Radical Abolitionist Party. That party then seemed the only hope for true abolition. In September Salmon P. Chase was elected the first Republican governor of Ohio after pledging "not to touch slavery [in] the South."[4]

Douglass faced two major challenges early in 1856: keeping his paper alive and keeping abolition alive within the antislavery movement. He addressed his paper's desperate financial condition by delivering 42 talks during the first five weeks of the year, traveling through New England during an extremely frigid winter, soliciting subscribers and selling copies of *My Bondage and My Freedom* along the way. By mid-April he had given more than 100 lectures to more than 50,000 persons while traveling more than 4,000 miles between Bangor, Maine in the upper Northeast and Cincinnati, Ohio in the lower Midwest.[5]

Douglass's editorial challenges were as severe as the financial ones. Julia Griffiths, the assistant editor who had managed his paper and stabilized its finances, had returned to her home in England with an uncertain date of return. Douglass had therefore brought young Peter Clark from Cincinnati to assist young William Watkins in editing and managing his paper during his long absences. Clark's presence at the editorial desk made it possible for Douglass's paper to cover the Margaret Garner infanticide and its excruciating aftermath as thoroughly as it did while Douglass himself was away lecturing.

Margaret Garner, her four children, her common-law husband Robert Garner, and his parents escaped from adjacent farms in Richwood, Kentucky, on the night of 27 January 1856. They traveled sixteen miles over the frozen landscape to the edge of Ohio River before walking across the ice to Cincinnati. There they walked several miles to the home of Margaret's cousin, where Robert had already made plans for them to continue north on the Underground Railroad. When Margaret's owner Archibald Gaines and a federal marshal arrived before the abolitionists did, Margaret began trying to kill all her children to save them from returning to a life of slavery. She injured them all before slicing the throat of two-year old Mary. The entire surviving family was arrested as fugitives and endured a one-month trial that got national attention. Archibald Gaines and the federal government demanded the immediate return of his property under the Fugitive Slave Law. Abolitionist lawyer John Jolliffe argued that Margaret should be tried for murder in an Ohio criminal trial that should take precedence over a federal civil trial.

National papers such as the New York *Times* and the New York *Tribune* gave the story continuous coverage from the time of the capture and killing on 28 January all the way through the legal proceedings that finally sent all surviving Garner family members back to enslavement on 28 February. Six daily Cincinnati papers that Douglass knew well from his previous visits to the city covered the case in even greater detail. Any future adjudication of the petition for a murder trial in Ohio depended on the ability and willingness of Governor Chase to successfully appeal to the Governor of Kentucky to return Margaret to Cincinnati for that purpose.

As a weekly, *Frederick Douglass' Paper* could not of course keep up with the reporting of the national and local dailies. Its 1 February issue did include a short telegraphic report from the

[4] Frederick Douglass, "The Anti-Slavery Movement" (as delivered in Rochester)," *Frederick Douglass' Paper,* 23 March 1855.
[5] "Anti-Slavery Lecturing," *Frederick Douglass' Paper*, 18 April 1856.

New York Tribune about the tragic events in Cincinnati. Ironically, it also included a 21 January letter from its own Cincinnati correspondent Jabez (whose identity is currently unknown) declaring that the 1850 Fugitive Slave Law was "a dead letter" and that the freezing over of the Ohio was allowing more fugitives than ever to safely escape from Kentucky.[6]

Douglass set the tone for his coverage of the Garner case during the two weeks he spent in Rochester between his return from New England on 8 February and his departure for southwest Ohio on 20 February. From the 15 February issue through the middle of May, Douglass's weekly paper had continuous coverage of the Garner tragedy with multiple stories in issue after issue. In addition to generous extracts from national, regional, and Cincinnati dailies, Douglass's paper published its own original reporting from Jabez and John Gaines in Cincinnati, letters from loyal readers in Ohio and other states, and editorials expressing undying admiration for Margaret Garner as the "heroic slave mother" and for the lawyers who defended her.

In confronting Garner's horrific, courageous act, Douglass's emotional memory would have taken him directly to the letter from Cincinnati that his co-editor Martin Delaney had published in the *North Star* in June 1848. Delaney described the actions of two enslaved parents from northern Kentucky who were being held in the Covington jail before being sent down the river the next day. When they learned that they would have to leave their infant child behind, the mother killed the child, the father killed the mother, and tried to kill himself. Delaney's letter celebrated their heroism and humanity for confronting the unspeakable evil of slavery in the bravest possible way. John Gaines, John Jolliffe, and Douglass himself were to do the same for Garner herself in Douglass's paper in eight years later.[7]

At the same time that Douglass's emotional memory would have taken him into that Covington, Kentucky jail cell in 1848, his strategic political mind would have taken him to the deliberations of those antislavery Republicans from various states who were meeting in Pittsburgh on 22 February to decide whether, and how, to create a national Republican political party in time to field candidates in the November Presidential election. Those delegates *did* decide to hold a national convention in June, but they postponed the creation of a party platform for a later date.

Douglass spoke in nine different cities in southwest Ohio before speaking in Cincinnati on 3 March, four days after the Garners were returned to enslavement in Kentucky. Looking back on his four months of strenuous lecturing in April, Douglass regretted that he had had no time to write about any of his travel along the way. The best account we have of his immediate response to the trial, conviction, and subsequent fate of the Garner family is from the continuous coverage that appeared in his paper. I will present that response in the sequence in which readers of his paper would have encountered it from one issue to the next. The legal, moral, and political implications of this case were to test all levels of government—and all sides of the antislavery divide—in new ways. One thing was clear from the beginning—Margaret Garner's desperate act would help refocus national attention on the condition of the enslaved in the South.

I

Douglass's paper began its extensive coverage of "The Cincinnati Slave Case" on 15 February in a reprint from the Cincinnati *Enquirer* providing a detailed summary of the first week of the federal trial in forty paragraphs of text. Federal Commissioner John L. Pendery began the

[6] Jabez, "From our Cincinnati Correspondent" (for *Frederick Douglass' Paper*, 21 January), *Frederick Douglass' Paper*, 1 February 1856.
[7] M. D. R., "Letter from Cincinnati" (for the *North Star*, 20 May), *North Star*, 9 June 1848.

trial in a court room "jammed with eager spectators." After preliminary motions by lawyers on both sides, Pendery decided to hear the case presented on behalf of James Marshall for the return of Mary and Simon Garner and their son Robert before turning to the claim presented by Archibald Gaines for the return of Margaret and her three remaining children. John Jolliffe on behalf of the enslaved defendants attempted to forestall the entire trial by arguing that Mary Garner, Robert Garner, and Margaret Garner should each be considered free by the courts of Ohio because they had each previously been brought into the state with permission of their owners. At the end of the hearing on Saturday, when the court adjourned until Monday morning, the *Enquirer* reported that "a number of Kentuckians" had formed "a double line of men from the Court-room door to the prisoner's van" and had then "followed the omnibus to prevent a rescue," vowing that they themselves are "prepared to carry the fugitives back to Kentucky" should that become necessary. The *Enquirer* did not mention that one of the U. S. Marshals officially charged with maintaining custody over the fugitives during the trial was Hiram Robinson, co-owner of the paper.[8]

The 15 February issue of Douglass's paper also had two separate stories about Governor Chase of Ohio. His actions relating to the Garner case and its aftermath were to be carefully scrutinized for the rest of the year. One story reprinted Chase's message urging the Ohio State Assembly to support "the admission of Kansas as a Free State" by actively helping citizens of that state resist a threatened invasion from Missouri. The second feature was a letter from a Black citizen of Ohio deeply disappointed that Governor Chase in his inaugural address had not reaffirmed his commitment to eliminating "distinctions on account of color" from the State Constitution. The author feared that this might be an "ominous foreshadowing" of the new Governor's future policy on issues relating to race.[9]

The 22 February issue of Douglass's paper had two highly significant accounts of the Garner trial. The one dated 10 February is a "Description of the Noble Heroine" that has been absent from the voluminous literature on the Garner case today because it was written specifically for Douglass's now-difficult-to-find paper. Its author, "G," is almost certainly John Gaines. The author "saw yesterday for the first time, the slave mother who cut her child's throat from ear to ear…rather than see it returned to bondage…She is of medium height, hair short, complexion of a dark brown, nose flat, lips inclined to the heavy, cranium, and other peculiarities, of the pure negro type. So whatever of virtue, of intelligence, of a love of liberty, there may be in her...cannot...be attributed to a preponderance of Caucasian blood." In the courtroom, Margaret appeared "as cold as ice." As a witness from Kentucky testified against her, "she shook her head, as if to give a negative, and then her eye-brows fell, and a big tear was seen stealing down her cheek." As the trial continued, Archibald Gaines, the man who claimed this mother and her three surviving children as his property, "approached Margaret, and gave her babe, that was sucking at her breast, a bit of candy and a sugar cake." After this, he "took the tumbler which the Court was using, filled it with clear water, and helped each of his infant chattels. But when he proffered his hypocritical kindness to Margaret, she turned her head from him with contempt, and refused the sweetmeats of her oppressor."[10]

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[8] "The Cincinnati Slave Case" (from the *Cincinnati Enquirer*), *Frederick Douglass' Paper*, 15 February 1856; Steven Weisenburger, *Modern Medea: A Family Story of Slavery and Child-Murder in the Old South* (New York, N.Y.: Hill and Wang, 1998), 116–18.

[9] "Gov. Chase on Kansas" (from the *Ohio Statesman*) and "Gov. Chase's Inaugural Address" (Letter from A. J. A.), *Frederick Douglass' Paper,* 15 February 1856.

[10] G., "The Cincinnati Slave Case—Description of the Noble Heroine" (for *Frederick Douglass' Paper,* 10 February), *Frederick Douglass' Paper,* 22 February 1856.

As had Delany in the Covington case eight years earlier, G compares this "noble hearted woman" favorably with the fabled heroines of antiquity. He then explains for his reader the "double indictment" under which, if the Commissioner "decides against the defendants," they might then be convicted under the murder charge from the State of Ohio, which would be "the only chance to save them from Southern Slavery, which, in itself, is worse than death." It has been rumored that "it is the intention of the U. S. Marshal, in case of a favorable decision, to run the fugitives over into Kentucky; but he will be foiled his object." G is confident that "the Sheriff will be on hand with a posse sufficiently strong to protect State sovereignty, and vindicate the laws of Ohio." He is "glad to see the people spit upon the Fugitive Act every where." G concluded by assuring readers that "the day is coming when it will be a moral impossibility to execute [that law] in Cincinnati."[11]

The second feature on "The Kentucky Slaves" in the 22 February issue was reprinted from the Cincinnati *Times* of 13 February. This was the "Fourth Day of the Trial of the Mother and her Children." Margaret appeared "rather neatly arrayed, having a plaid shawl around her shoulders, and her head adorned with a black bonnet and veil." Her children "played about the Court-room totally unconscious of the interest they excited in the breasts of spectators" (who were of "all colors and shades of colors"). After testimony that day, Commissioner Pendery said he would take as much time as necessary to "consider the whole case," so he adjourned the court until 12 March.[12]

Immediately after the adjournment, Lucy Stone was allowed to reply to courtroom testimony that she had "provided a knife" to Margaret Garner in the course of a private interview. The deep sympathy she expressed for Margaret, reprinted in Douglass's paper and many others, spread throughout the nation. No, Stone had not given Garner a knife, but she did defend Margaret's right to take her own life as a way out of slavery. Lucy would herself without hesitation "point the slave to Freedom either through the gate of death or the highway over to Canada."[13]

The 22 February issue of Douglass's paper published a third substantial contribution addressing slavery and the State of Ohio, the letter that Gerrit Smith had written to Governor Chase on 30 January in response to Chase's inaugural address. Smith presented at great length the critique that he, Douglass, and other Radical Abolitionists were now leveling at Chase and other Republicans who were willing to leave slavery untouched in the South while fighting it in Kansas and Nebraska. The cynical repeal of the Missouri Compromise had "prepared the masses for...a downright abolition party," but the current result "was nothing better than the Republican party." As embodied by Chase, this party "stipulates in advance, that from fifteen States liberty may be entirely banished, and that over the whole of the remainder of our guilty and cursed country slavery may forever hunt its victims" (as it was doing in Chase's city of Cincinnati and state of Ohio during the week in which Smith wrote this letter and the month in which Douglass published it). Douglass wrote to Smith on the day before he left for southwest Ohio to thank him for having delivered "the true *word* in the true *time*" in the letter to Chase.[14]

The 29 February issue of Douglass's paper was rich in responses to both the Cincinnati Fugitive Slave Case and the Organizing Convention for a National Republican Party held in Pittsburgh the week before. The primary feature from Cincinnati was an extremely detailed account of Jolliffe's closing argument in defense of the Garners on the last day of the trial. A

[11] "Cincinnati Slave Case," *Frederick Douglass' Paper*.
[12] "The Kentucky Slaves" (from the *Cincinnati Times*, 13 February), *Frederick Douglass' Paper,* 22 February 1856.
[13] "Kentucky Slaves," *Frederick Douglass' Paper*.
[14] "Gerrit Smith to Gov. Chase" (from Peterboro, New York, 30 January), *Frederick Douglass' Paper*, 22 February 1856; Letter from Douglass to Smith from Rochester, 20 February 1856, John R. McKivigan, ed., *The Frederick Douglass Papers,* Series 3: *Correspondence*, 2 vols. (New Haven, Conn.: Yale University Press, 2009–), 2:174.

separate editorial in Douglass's paper recommended that "our readers should not only read, but 'mark, and inwardly digest' the wholesome truths so forcibly and eloquently enunciated in the masterly *Christian* argument of Mr. Jolliffe." Jolliffe's motto was "NO LAW FOR SLAVERY." The basis of his argument was that "Every man on earth has the right to do everything that God has made it his duty to do." In making this argument, "the Bible was his text book, and no wonder the counsel for the kidnappers manifested their surprise at the novel and extraordinary course of his argument." It appeared to have made a "decided impression...upon the heart of the Commissioner, who refused to avail himself of the 'SUMMARY' feature of the Fugitive Bill" by which he could have turned the fugitives directly over to their claimants. The editorial concluded by declaring that "he who could listen to such an argument unmoved, must have a heart of steel." Douglass's paper was following the legalities of the Garner case, yes, but it was also trying to engage the sympathies of its audience as Stowe had done in *Uncle Tom's Cabin*. It had already done so by relating the direct impression Margaret had made on both "G" and Lucy Stone. It now did so here by reprinting an extremely detailed account of the highly humanistic speech with which Jolliffe concluded his defense of the Garners.[15]

Pointing to Robert's father, Jolliffe tells Pendery "you have a right to love that old man... as you love yourself, and to do to him as you would have him do to you, and it is your duty, sitting here in the temple of Justice, to exercise that right." Turning to the legalities of the case, Jolliffe reminds Pendery that his "oath to support the CONSTITUTION imposes an obligation" to support the entire document, not only a single article. Now putting his hand on young Robert's head, Jolliffe presents him as "a prisoner, guilty of no crime, his wife in jail in a delicate situation, needing her husband's aid...His three children, one an infant at the breast, demand his care, and you are asked to tear him from both wife and children that this man may take him into Kentucky, to sell his flesh, blood and bones, and soul, on the auction block. Do your duties as a Christian interfere with that? Can you do it and keep your conscience void of offense?"[16]

Pivoting again from humanity to the law, Jolliffe declares that the trouble with the Fugitive Slave Law is that "the Congress of the United States have endeavored to pass a law declaring that wrong was right." Now "putting his hand on old Mary's head," he applies Christ's injunction that "Whatsoever ye do to the least of these ye do it unto me" to Mary herself: "If you send her to slavery, you send the Savior—if you send her to the auction block you send Christ there." Jolliffe closed his argument by declaring to Pendery that "I now leave the religious liberty of the U. S. in your hands. Such a case has never before arisen, and if you separate these people it will be such a judgment as has never been given since Pontius Pilate sat upon the judgment seat."[17]

The religious element of Jolliffe's closing argument spoke directly to the third contribution about the Garner case in the 29 February issue of Douglass's paper, Mary A. Livermore's poem "The Slave Tragedy at Cincinnati." The speaker's "soul is sick and saddened with that fearful tale of woe." She praises the daughter's mother who could "thy precious soul set free: / Better for thee death and Heaven, than a life of slavery!"[18]

This same 29 February issue of Douglass's paper also had three separate features on the "Republican Convention" in Pittsburgh the week before. The first report was dated 22 February, the day the Convention began. Horace Greeley of the *New York Tribune* recommended "extreme

[15] "Argument of Mr. Jolliffe," *Frederick Douglass' Paper,* 29 February 1856.
[16] "The Cincinnati Fugitive Slave Case: Speech of Mr. Jolliffe," *Frederick Douglass' Paper,* 29 February 1856.
[17] "Fugitive Slave Case," *Frederick Douglass' Paper.*
[18] Mary A. Livermore, "The Slave Tragedy at Cincinnati" (from the *New York Tribune*), *Frederick Douglass' Paper,* 29 February 1856.

caution in our movements," but Joshua Giddings of Ohio and Owen Lovejoy of Illinois urged a more assertive course. Giddings and Lovejoy had taken prominent roles in the Free Democratic Convention in Pittsburgh in 1852. Two other Free Democratic leaders from 1852, George Julian of Indiana and Rufus Spalding of Ohio, were elected Vice Presidents on the opening day. Governor Chase of Ohio had been active behind the scenes in pushing for the creation of a National Republican Party, but the prominence of such men as Giddings, Lovejoy, Julian, and Spalding on the first day of the Convention suggested that this new party might be more willing than he to stand up to the Slavocracy of the South. On the second day, the Pittsburgh delegates authorized a National Convention to select a Presidential candidate to be held in Pennsylvania in June. A policy committee presented a detailed "history of the Slavery question," much of which was "devoted to Kansas, and the conduct of the present Administration." The question of whether, or how strongly, this party might declare itself opposed to Slavery itself—rather than its extension into the Territories—would have to wait for future developments.[19]

The editorial on "The Republican Convention" in the 29 February issue of Douglass's paper is unsigned. Douglass was then lecturing in Ohio, so it may have been contributed by Watkins or Clark or both. A short preamble contrasted the "dignified proceedings" of the Republicans in Pittsburgh with the "tumult and discord" of the Know Nothings in Philadelphia. Greely was happy to see "the inauguration of a National party based on the principles of Freedom." He had seldom seen such "unity of feeling" in a "political assemblage of this magnitude." Giddings of Ohio made "a most brilliant speech" of a more personal nature. After having been "called a fanatic" for the last twenty years, he now feels that "years are condensed into hours" by the rapid progress in the cause of freedom. By the time the Convention was over, delegates from sixteen Free States were joined by those from eight Slave States (Missouri, Texas, Kentucky, Delaware, Maryland, Virginia, South Carolina, and Tennessee). One of the Vice Presidents of the Convention was W. S. Bailey, an antislavery newspaper editor from Newport, Kentucky, next to Covington across the river from Cincinnati.[20]

II

Events in Cincinnati had leaped far ahead of the publishing schedule of Douglass's paper by the time he arrived in the city to speak in Smith & Nixon's Hall on the evening of Monday, 3 March. By the time the above stories had come out in the 29 February issue, the trial of the Garners was decided in favor of the Kentucky slaveholders; Margaret and her surviving children were already back in the Covington jail as the property of Archibald Gaines in Richwood. Commissioner Pendery had decided the case well in advance of the 12 March date he had set for the resumption of the trial. He had acted in part owing to new initiatives by the defense team to keep the Garners in Ohio on the murder charge after all testimony in the federal case was heard. Various legal machinations were continuing up through Friday, 22 February, when the city of Cincinnati held a huge patriotic celebration to celebrate the birthday of George Washington. Governor Chase had come down from Columbus to head a parade that included members of the Ohio State Legislature, a regiment of the U. S. Calvary, and armed local militia. When the parade stopped near Fifth Street Market Place, Governor Chase gave a long patriotic oration which included "neither a single mention nor even the most oblique reference to the Garner case" (even though the parade had passed right by the jail in which the Garners were still being held). Apparently, Chase did meet

[19] "Republican Convention" and "The Republican Convention," *Frederick Douglass' Paper,* 29 February 1856.
[20] "Republican Convention" (editorial), *Frederick Douglass' Paper,* 29 February 1856.

sometime during the day with Sheriff Brashears and Joseph Cox, the city prosecutor who was leading the local effort to represent the rights of the State of Ohio in the case, promising that he would provide Sheriff Brashears "with all the force needed" in defending the rights of the state against any incursion by the forces under the control of the federal marshal.[21]

The standoff between the rival forces broke the following Tuesday, 26 February, when U. S. District Judge Humphrey Leavitt convened a hearing whose purpose was to resolve the conflicting claims of the federal and the state authorities. Outside of the court room before the hearing began, "angry crowds once again thronged the streets and traded threats with each other." Levi Coffin and Lucy Stone were among the abolitionists inside the court room. Judge Leavitt said he would render his decision the next morning. That same afternoon Commissioner Pendery delivered his long-awaited decision on the federal case. He rejected claims made against the fugitives by the state of Ohio. He remanded the fugitives belonging to Marshall as well as those belonging to Gaines. But this decision could not take effect until Judge Leavitt ruled on the criminal request from Ohio. That request was further complicated the next morning when Jolliffe filed a new habeas request challenging the authority of Commissioner Pendery and the legality of the 1850 Fugitive Slave Law itself.[22]

On Thursday, 28 February, Judge Leavitt announced his decision, rejecting the argument that the criminal case in Ohio took precedence over the civil case in the federal fugitive hearing. He released the fugitives to Marshal Robinson, and Sheriff Brashears had to comply because the federal order took precedence over the local request. Moreover, Marshal Robinson's armed force of four hundred vastly outnumbered the sheriff's own staff, and the Ohio state militia support that Governor Chase had offered, if needed, a week before, had not materialized. The Sheriff had no choice but to allow Marshal Robinson's forces to march all the Garner fugitives down to the ferry and across the river into the Covington jail. Now any attempt to try them under Ohio law would depend on the ability of Governor Chase to successfully petition Governor Morehead of Kentucky for their return from the custody of Marshall and Gaines that had now been restored.[23]

While all the legal maneuvering, leading to this sudden denouement, was taking place in late February, Frederick Douglass was beginning his two-week speaking tour of Ohio, most of which was anchored in the southwest corner of the state. Current records indicate that he was lecturing in Ohio from 21 February through 6 March. He is known to have spoken in Columbus on 24 February and in Cincinnati, Columbus, and Cleveland, respectively, on 3, 4, and 5 of March. Other speaking stops during this period were in Xenia, Bellbrook, Cedarville, Springfield, Dayton, Hamilton, and Painesville. Painesville is on Lake Erie east of Cleveland in Giddings's district on the way back home to Rochester. The other six towns are in southwest Ohio along either the Miami or Little Miami Rivers. When Douglass passed through Springfield and Xenia on the Little Miami Railroad on his first visit to Cincinnati on 4 July 1850, he had realized that this lovely river valley was an actual "hunting ground" for fugitives escaping slavery in Kentucky. As he spoke in these and other nearby towns in late February 1856, the courtrooms of Cincinnati had become the official hunting ground for Margaret Garner and her surviving family, who were all sent from the Hamilton County jail back over into enslavement in Kentucky on 28 February, four days after Douglass had spoken in Columbus and four days before he spoke in Cincinnati. Wherever he was in southwest Ohio the week before he was to speak in Cincinnati, he would have heard daily about the latest developments in the Garner trial, about their being returned to their claimants in Kentucky, and

[21] Weisenburger, 182–86.
[22] Weisenburger, 188–92.
[23] Weisenburger, 193–200.

about legal, political, and journalistic aftermath that was to continue after the trial itself, much of it in his own paper.

Given Douglass's many connections in Cincinnati, it seems likely that he would have stayed in the city, if his schedule allowed it, a night or two before the March 3 date of his evening lecture at Smith & Nixon's Hall. The *Daily Gazette* reported that the topic of the lecture was "The Unity of the Human Race" and that it was "well attended, a good portion of the audience being colored." As reported by the *Gazette*, this talk closely resembled the address on the "The Claims of the Negro Ethnologically Considered" that Douglass had given in northern Ohio two years earlier. Douglass debunked those men of "more than common learning" who had "studied negro physiology, negro phrenology, and negro anatomy, even to the very kinks in their hair, and concluded that he was of a different race than the white man." The short report in the *Gazette* did not indicate whether or not Douglass had alluded to the recent rendition of the Garners, though it seems likely he would have.[24]

In terms of Douglass's own intellectual trajectory, the "ethnological" emphasis in this speech might seem like a regression to a subject he had previously addressed, but the question of the Negro's relation to the rest of the human family had strong valence in Cincinnati owing to the failure of the State Legislature in Columbus to honor the fervent request, led by Jonathan Gaines and Peter Clark at the State Convention of Colored Men in January, to remove the word "white" from the clause granting voting rights in the Ohio State Constitution. In addition, the fluidity of ethnological distinctions between the black- and the white-classified had recently been highlighted in the "faded faces" of Margaret Garner's daughters Mary and Silla, each of whose whitish skin tones were much closer to those of Archibald Gaines, their likely father, than to those of their mother, as not only Lucy Stone but local newspapers had pointed out during the trial.[25]

In Cincinnati, Douglass is almost certain to have met up with John Gaines and "Jabez," the Cincinnati correspondents for his paper. He is also likely to have met with such long-time associates as Willian Watson and J. P. Ball in the Black community and, if time allowed, with John Jolliffe, Levi Coffin, and Lucy Stone among White abolitionists. From any of these individuals he could have gotten good first-hand local accounts of the capture, trial, and return to Kentucky of the Margaret Garner family—along with informed thoughts about the future ramifications of this case legally, politically, and socially. The 7 March issue of Douglass's paper, published as he was presumably on the way home from Cleveland to Rochester, contained six separate features about the Garner case and related events in Cincinnati. Two of those contributions were written in Cincinnati before Douglass had arrived in town.

The feature "Washington's Birthday in Cincinnati" by "G" in the 7 March issue of the paper was dated 25 February, three days day after the celebration itself. This essay addressed the current condition of the Black community in the city in a way that showed there was still a need for Douglass to renew his "Claims for the Negro Ethnologically Considered." The Governor and

[24] "Fred. Douglass's lecture last evening at Smith & Nixon's Hall," Cincinnati *Daily Gazette*, March 4, 1856. This is so far the only review I have seen of Douglass's lecture. For "The Claims of the Negro Ethnologically Considered," see *Frederick Douglass' Paper*, 12 January 1855.

[25] The light complexion of Margaret's two daughters is unrepresented in the best-known image of the Garner tragedy, Thomas Satterwaite Noble's painting *The Modern Medea* (1867), which falsely depicted Margaret's husband Robert rather than her daughter Mary dead upon the floor. Those light complexions are also unrepresented in the mural of the Garner Family crossing the river painted by Robert Dafford on the floodwall on the Covington side of the Ohio in 2008. Archibald Gaines's likely paternity is discussed at length in Weisenburger, *Modern Medea*, 47–48, 88–89, and in Nikki M. Taylor, *Driven Toward Madness: The Fugitive Slave Margaret Garner and Tragedy on the Ohio* (Athens, Ohio: Ohio University Press, 2016), ch. 4.

other dignitaries in "fifty or sixty carriages" led "a grand union demonstration" featuring "the Irish, the Dutch, the Italian, the Frenchman, the Jew, the Saxon, the Anglo-American—men of all climes, and kingdoms, and tongues, and nations, except 'niggers and dogs.' What a country! what a people!" A sequence of armed militia included the Continentals from the state of Maryland and companies from Cleveland and Cincinnati in Ohio, but the request the Attuck Blues, Cincinnati's black militia, to participate in the parade had not even been answered. Gaines deeply regrets that he currently lives in a city in which "any scape gallows from Europe, any convict from Van Dieman's Land, if his skin be white, is placed in advance of genuine natives of the soil." And this was written only a few days before the Garners were sent back over the river to Kentucky. [26]

"Jabez" dated his letter on "Surrender of the Fugitive Slaves" the day after the Garners were returned to Kentucky. This "surrender of the seven fugitives back to hopeless bondage" was received with "amazement and outbursting indignation...The delivery was so sudden and entirely unlooked for, the mass of people knew nothing about it until too late." Although "words fail to describe the deep heart-burning of this city, that their rights and those of our beloved State should be stricken down by that despotic tyranny, which has so long ruled the North," Jabez is hopeful. He does feel that "the Slave Power is doomed to be overthrown." If the Northern states can be "united in [their] efforts, we may place a faithful man in the Presidential chair." Jabez is happy to report that "during the trial of the seven fugitives, over fifty slaves have passed through here *en route* to Canada!" And Benjamin Wade, Ohio's incumbent anti-slavery Senator, "was re-elected today by our Legislature...This we regard as a noble triumph of Freedom."[27]

The letter from Jabez was accompanied on the same page of Douglass's paper by a detailed rehearsal of the legal arguments relating to "The Fugitive Case" reprinted from the pages of the Cincinnati *Gazette* and the Cincinnati *Commercial*. Two shorter articles emphasized that slavery is worse than death. "A Slave Mother" revisited Lucy Stone's powerful intervention on behalf of Margaret Garner. "The Cincinnati Fugitives" addressed the custody battle over "the Slave woman who killed her child to secure it from life-long slavery."[28]

The editorial on the "Rendition of the Heroic Garner Family" in the 7 March issue set the tone for the continuing coverage in Douglass's paper for the next two months. By returning "the noble and heroic Garner family to their alleged owners," Commissioner Pendery has ruled, in effect, that "freedom...is a something which is to be worn by one portion of Humanity...as a loose garment" to be thrown off "upon their return to Kentucky." The entire situation "presents the State of Ohio, with a Free Soil Governor, before the world in a must humiliating aspect." It returns "the noble and heroic Garner family to their alleged owners, who will have an opportunity of glutting their vengeance upon them, prior to their transportation to Vicksburg, Mississippi." Douglass and his editors in Rochester were already aware of Gaines's plan to send his slaves to the deep South even though he had promised to hold them in the event of a requisition from Governor Chase on the criminal charge. Yes, the Governor may "*demand*" them, and "be welcome" to them "*if* he can *find*" them. The ultimate fate of the Garners, and the complicity of Governor Chase in whatever that turned out to be, was to be an open and distressing question for some time to come.[29]

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[26] G, "Washington's Birthday in Cincinnati" (for *Frederick Douglass' Paper*, Cincinnati, 29 February), *Frederick Douglass' Paper*, 7 March 1856.
[27] Jabez, "From our Cincinnati Correspondent" (February 29), *Frederick Douglass' Paper,* 7 March 1856.
[28] "The Fugitive Slave Case: Before U. S. Commissioner Pendery: The Fugitives Remanded back to Slavery" (from the *Cincinnati Gazette* and the *Cincinnati Commercial*), "The Cincinnati Fugitives," and "A Slave Mother," *Frederick Douglass' Paper,* 7 March 1856.
[29] "Rendition of the Heroic Garner Family," *Frederick Douglass' Paper*, 7 March 1856.

Whoever Douglass talked to for whatever time he spent in Cincinnati, he must have come away deeply troubled knowing that the entire Garner family, after making their courageous escape, were now back in the possession of their Kentucky enslavers. No longer could his correspondents Gaines and Jabez believe that the Fugitive Slave Law was dead. The overwhelming force of the local Democrat authorities, robustly supported by the federal administration of Franklin Pierce, unchallenged by the Ohio's newly inaugurated Republican Governor, had delivered the convicted fugitives back across the river without any significant resistance beyond that made by the city's legal community. John Jolliffe had defined the situation clearly in his 29 February letter published the next day in the *Daily Gazette*. Writing in response to a letter from Black Cincinnatians honoring him for his principled defense of the Garners, Jolliffe had asked "whether the people of Ohio will arise as one man and assert their rights, or tamely submit to outrages upon them that would drive many other people to the very verge of madness."[30]

In the short term, the answer to this question would depend on whether Governor Chase would successfully petition the Governor of Kentucky to return Margaret Garner to Ohio to face the murder charge in Cincinnati. In a broader sense the rendition of the Garner family challenged the antislavery element of the city of Cincinnati. Could the city redeem itself? And could the newly formed national Republican Party bring itself to address the plight of the enslaved population in the South to which the Garners had now been returned? Douglass had much to think about as lectured in Columbus and Cleveland on the way home to Rochester and again had a chance to catch up with the weekly rhythm of his own newspaper. The one photograph of Douglass corresponding most closely to how he might have been feeling when leaving Cincinnati in early March 1856 is thought to have been taken in 1856, city and photographer currently unknown (fig. 3). [31]

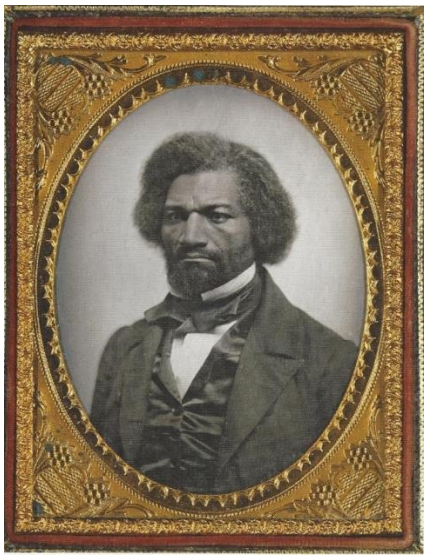

Figure 3. *Frederick Douglass*, photographer and city unknown, c. 1856. Quarter-plate ambrotype. daguerreotype. National Portrait Gallery. Smithsonian Institution.

[30] "Presentation to John Jolliffe Esq." (Cincinnati, 28 and 29 February), *Daily Gazette*, 1 March 1856.

[31] This c. 1856 image of Douglass is plate 11, cat. 11, in John Stauffer, Zoe Trodd, and Celeste-Marie Bernier, *Picturing Frederick Douglass* (New York, N.Y.: W. W. Norton, 2015). One wonders if J. P. Ball might have taken it during the 1856 visit to Cincinnati; Douglass had already visited Ball's studio in 1850 and depicted his gallery in 1854.

III

The first issue of Douglass's paper to be published after his return from Ohio included an editorial column that articulated in the clearest possible way the question that would challenge Douglass, his paper, and the nation for the rest of the year. Its argument began by announcing a "Mass Convention of Radical Abolitionists" to be held in Syracuse in late May. The circular proposing this event is attributed to Gerrit Smith, Lewis Tappan, James McCune Smith, and others, but it also speaks directly for Frederick Douglass as a founder of the Radical Abolitionist Party in 1855 and its most persuasive and visible advocate early in 1856. The circular states directly that the purpose of the Syracuse Convention is "to nominate candidates for President and Vice President of the United States, not merely Anti-Slavery candidates, but thorough Abolition candidates."[32]

The editorial commentary, probably by Douglass himself, pivots on the declaration that "there exists no Political party in the country, save that of the 'Radical Abolitionists,' which proposes to *abolish* slavery." The Democratic party is "the supporter, defender, and protector of Slavery." The Know-Nothing party is "intensely pro-slavery," and those in its Northern wing "who profess to hate slavery...agree to 'let it alone 'where it now exists.'" The Republican Party offers as its motto "No more Slavery outside the Slave States." But it "does not propose to *abolish* Slavery." One of its most visible leaders (the unnamed Chase) has declared that "we will not interfere with Slavery in the Slave States." The Republican Party "*does well*, as far as it goes, but, unfortunately, it does not go far enough in the right direction," the result being that "it leaves the slave in his chains, to escape as best he can." For this reason, "the *present* generation of slaves...have nothing to expect from the non-extension policy of the Republican Party" (as was seen by the rendition of the Garners to Kentucky).[33]

How then does the Radical Abolitionist Party intend to address situation? By placing the right men "in our Legislative Councils, and on the Judicial Bench, and in the Executive Chair." This argument challenges the Republicans to go all the way to Abolition, not to be satisfied with half-way measures. Douglass would himself continue to press that challenge all the way through to the Presidential election in November.[34]

That same 14 March issue of Douglass's paper included a review of *My Bondage and My Freedom* by Harriet Beecher Stowe. She praised Douglass as a "writer and speaker" of unparalleled force who "stands now as a light-house to show the boiling shoals and eddies, the fearful yawning caverns of this great Maelstrom from which he scarcely escaped." Throughout 1856 Douglass continued to shed light as an editor by the articles he published as well as by the words he wrote and spoke. His 21 March issue did this with five separate stories relating to the Margaret Garner tragedy. Two of them were very long features direct from Cincinnati: "Presentation to John Jolliffe" reprinted from the 1 March issue of the *Daily Gazette* and P. C. Bassett's "A Visit to the Slave Mother who Killed her Child," reprinted from the *American Baptist,* a publication of the American Baptist Free Mission Society.[35]

The "Presentation" to John Jolliffe was the letter, accompanied by a "purse," that five Black Cincinnatians had sent in appreciation for the pro bono work he had done on behalf of the

[32] "Mass Convention of the Radical Abolitionists," *Frederick Douglass' Paper,* 14 March 1856.
[33] "Mass Convention," *Frederick Douglass' Paper.*
[34] "Mass Convention," *Frederick Douglass' Paper.*
[35] Harriet Beecher Stowe, "Anti-Slavery Literature," *Frederick Douglass' Paper,* 14 March 1856

Garners. Its authors were "compelled to witness upon our own *free soil* many of the most odious and most cruel features of the system of slavery." Even so, "the great conflict between freedom and slavery must sooner or later come to a crisis" in which "truth and justice will ultimately triumph." The letter Jolliffe wrote in response declared that the crisis had already arrived when "a whole family, to whom freedom is dearer than life, was taken from Ohio and delivered to their claimants in Kentucky, and this, too, by men sworn to support the Constitution of the United States and under the order of the District Court." This was the letter in which he had asked "whether the people of Ohio will rise as one man and assert their rights." [36]

In contrast to legal and constitutional context of the "Presentation to John Jolliffe" is the personal and psychological dimension of the Bassett's "Visit to the Slave Mother Who Killed her Child." Bassett was granted an interview with Margaret by the Deputy Sheriff. His written recollection of this meeting is as severe an indictment of the system of slavery as the one Lucy Stone had given in public. Margaret had told him that when "the officers and slave-hunters" entered the house, "she caught a shovel and struck two of her children on the head, and took a knife and cut the throat of the third, and tried to kill the other." She "would have killed them all... if they had given her time." For herself, "she cared but little; but she was unwilling to have her children suffer as she had done." When Bassett asked "if she were not excited almost to madness when she committed the act," she replied, "No...I was as cool as I now am; and would rather kill them all at once, and thus end their sufferings, than have them taken back to slavery and murdered by piece-meal." When she spoke of her own "days of suffering...bitter tears coursed their way down her cheeks, and fell in the face of [her] innocent child as it looked smiling up, little conscious of the danger and probable suffering that awaited it." After having interviewed Margaret's mother-in-law too, Bassett noted that "these slaves...have resided all their lives within sixteen miles of Cincinnati. We are frequently told that Kentucky slavery is very innocent. If these are its fruits, where it exists in a mild form, will someone tell us what we may expect from its more objectionable features?" Bassett's interview with Margaret, like Jolliffe's response to the "Presentation" letter, is a call to arms for Northerners to address slavery in the South as well as in the Western Territories.[37]

Three other responses relating to the Margaret Garner case in the 21 March issue came from locations far distant from the city of Cincinnati. One is a reprint from the Ashtabula *Sentinel,* the paper in northeastern Ohio closely associated with Joshua Giddings. Its editorial "Ohio Disgraced" rejects the entire premise of the Fugitive Slave Law and suggests that "the people of Ashtabula county...would have retained the murderess and permitted the Judge to go into Slavery." This paper "calls on the Republican party" to meet such "servility" head on, confident that "one short year shall see a Republican President occupying the Executive chair." The letter that J. W. Duffin, a Black resident of Geneva, New York, wrote directly to Douglass's paper is not so confident. The "circumstances and details" of the Garner case are so "heart-rending" that "if we should not speak, the very stones in our streets would cry out." But Duffin's concerns go far beyond that. He was "not prepared to believe that with her Free Soil Anti-Slavery Governor, a fugitive slave could be taken" from the State of Ohio. Nor would he "have believed that the colored men and women of Cincinnati would have suffered that poor woman... to be carried back again." Imagining the federal Marshal and "his two hundred miserable Satellites" marching the Garner family to the riverbank without resistance, Duffin asks, "to what purpose are the free people of

[36] "Presentation to John Jolliffe, Esq.," *Frederick Douglass' Paper,* 21 March 1856.
[37] P. C. Bassett, "A Visit to the Slave Mother who Killed her Child" (Cincinnati, 12 February, from the *American Baptist*), *Frederick Douglass' Paper,* 21 March 1856.

color living in this country? We spend much time and money holding conventions" and passing resolutions, but "would to God that we had the courage when occasion required to fight for our rights." If Sharp's rifles are to be used to defend "the rights of free white men in Kansas, let us use them to defend free black men upon free soil." Douglass's reprint from the *Republican Standard* calls out Governor Chase directly: "If he persists in compromising with Slavery, by giving it fifteen States, and the privilege of hunting down Fugitives, in the remaining sixteen, we cannot support him." [38]

Two features in the 4 April issue brought new attention to the Garner case and to politics in Ohio. The new story on "The Kentucky Fugitive Slaves," reprinted from the *Ohio Columbian* of two weeks earlier, deepened the tragedy for Margaret Garner and heightened the scrutiny of Governor Chase. This story reprinted the official report that Joseph Cooper submitted to Governor Chase after being sent by Chase to serve a requisition on Governor Morehead of Kentucky for the return of Margaret, Simon, Robert, and Mary Garner to face the murder charge brought by the state of Ohio. Chase had waited several days to authorize the requisition, and by the time Cooper was on a train to Lexington, en route to the Governor's office in Frankfort, the four slaves to be requisitioned were on the same train, en route to Louisville and a steamboat that would take them into the deep South. Governor Morehead accepted the requisition in Frankfort, but by the time he acted on it the next morning, Margaret and the rest of her family were "on board the Henry Lewis" en route to a Garner family plantation in Arkansas. Was that not tragedy enough, the *Henry Lewis* "was run into by another boat and sunk," downstream from Evansville, Indiana. Cooper's report concluded by informing Chase that "some 25 passengers perished; and among the rest was Margaret's babe...The remainder of the negros were re-shipped on another boat for Arkansas, to which place they are now on their way." The *Ohio Columbian* offers Cooper's report as another example of a "want of faith" by Archibald Gaines, who had promised keep his living property in the northern Kentucky until a requisition was served, but even worse was the way this new development was yet another "mockery of the rights and dignity of Ohio."[39]

In his editorial on "The Republican Party and its Candidates" in the same issue, Douglass initiated a formal analysis of the Republican Party that he would continue to revise and refine all the way up to the Presidential election in November. He is glad to have the Republican Party as an antislavery ally. Yet he "cannot be blind to the fact of its utter inadequacy as an effective agent in *abolishing* Slavery...It is absurd and 'unconstitutional' for the Republican party, to declare that the Slaveholder shall not take his slaves into...Kansas...*if that party concede his Constitutional right to his Slaves as property*." The current crop of Republicans then being discussed as potential Presidential candidates—Francis P. Blair, Thomas Benton, and Judge McLean of Ohio—illustrate how the party seems "willing to lower its standard, day after day, until it is sufficiently low to attract the attention and support of the multitude." Although the nation needs "a thorough-going *Abolitionist* at the helm," the Republican Party is not yet considering stronger men such as Seward or Sumner for the nomination. If the Republicans are content to nominate "a Benton or Blair, or McLean, for President," Douglass would himself prefer having "a Pierce, or a Douglas, or a Fillmore." One of the latter would at least prevent "the people of the North from relapsing into that cold apathy and indifference, to which they are apparently constitutionally predisposed." For now, the Radical Abolitionists offer the only viable alternative as an antislavery party. An editorial in

[38] "Ohio Disgraced" (from the *Ashtabula Sentinel*); "The Cincinnati Slave Case" (letter from J. W. Duffin, Geneva, New York); and "Gerrit Smith to Gov. Chase" (from the *Republican Standard*), *Frederick Douglass' Paper,* 21 March 1856.

[39] "The Kentucky Fugitive Slaves" (from the *Ohio Columbian*, 19 March), *Frederick Douglass' Paper*, 4 April 1856.

the next week's issue directly addressed the growing perception that "Republicanism is the White Man's Party."[40]

The 18 April issue was the one in which Douglass published the column on "Anti-Slavery Lecturing" in which he looked back over the 100 lectures he had given to more than 50,000 people while traveling more than 4,000 miles between Bangor, Maine, and Cincinnati, Ohio, since the beginning of the year. He also noted that assistant editors Watkins and Clark have "this day" begun their own joint lecture tour in Western New York. The fact that "young men of our own race...have the heart, as well as the eloquence necessary, to plead the cause of our bleeding people, greatly enhances our hope for the future." Douglass was now in his late thirties, Watkins and Clark each a decade younger. Douglass announced in this same issue that he will himself be lecturing again in Ohio during the first two weeks of June.[41]

In the same 18 April issue, Douglass also published a critique of the current state of "Republicanism in Ohio." He was still willing to declare that "Ohio is a noble State! Nowhere did the seeds of truth, sown by the devoted friends of freedom, in the early periods of the Anti-Slavery struggle, fall on better ground, or give promise of bringing forth better fruit." But the leading Republicans of this state, in their "too great haste to command majorities," have been too willing to compromise their anti-slavery principles. Their "extreme solicitude" for the crisis in Kansas has allowed them to mobilize voters thus far, but what will they stand for when that crisis is over? The "legislature has adjourned without any action that would mark them as an Anti-Slavery body." Its members "steer clear of personal liberty bills...lest they should damage their prospects in the Presidential campaign." For the same reason, they have refused to act on the petition from colored Ohioans to "remove distinctions made at the ballot-box on account of color." This "compromising policy" seems to have "infected" Governor Chase, upon whom so many "had relied to do great deeds in behalf of our enslaved brethren." If "the freedom of Kansas is the solitary item" by which the emerging Republican party chooses to define itself, with a Presidential candidate to match, "then let them cease to claim votes as an Anti-Slavery party, which they are not." Douglass still hopes to see a party "that declares for freedom everywhere within the Republic...We would then feel some ray of hope that the abolition of slavery was among the probabilities of the times."[42]

One week later, Douglass reported news that was worse than before for the Garners and Governor Chase. A reprint from the Cincinnati *Gazette* reported the doubly surprising news that Margaret Garner had *once more* been back in the Covington jail—and had *once again* been spirited away by Gaines before representatives from Governor Chase in Columbus arrived to serve the requisition for her return to Ohio. Improbable as it had seemed to many, Governor Morehead had monitored her passage all the way downriver into Arkansas and ordered her back to the Covington jail so the Ohio authorities could serve their warrant to arraign her on the murder charge. But again, for the second time, through some combination of sleight of hand by Gaines and delay by Chase, she was again out of jail and again on her way to Louisville and the deep South before the warrant was served. A second reprint from the *Gazette* about "The Slave Mother Margaret" reported in detail how Gaines had sent the Covington sheriff to Arkansas to retrieve Margaret and had promised Morehead he would "surrender her to the requisition of Gov. Chase, as soon as she could be brought back"—after which he had removed her from the jail "the night before" Chase's warrant was served. A third reprint on "The Gaines Case," from the Louisville *Democrat*, assured

[40] "The Republican Party and its Candidates" and "Republicanism is the White Man's Party," *Frederick Douglass' Paper,* 4 & 11 April 1856.
[41] "Anti-Slavery Lecturing," *Frederick Douglass' Paper*, 18 April 1856.
[42] "Republicanism in Ohio," *Frederick Douglass' Paper*, 18 April 1856.

its readers that Gaines had been true to his word, with the Ohioans simply having arrived too late. In a fourth story about the Garners in the April 25 issue, the Cincinnati *Columbian* tried to resolve the disputes in various Cincinnati papers over exactly how much money was spent to hire all the extra Marshals who were used to guard "four or five grown slaves and, we believe, three children." The estimated cost of the Garner trial "to the Government was over $30,000 and perhaps nearer $40,000."[43]

Those four stories reminding readers of the role of the Federal Government and its Fugitive Slave Law in sending the Garners back into slavery, and of the repeated inability of the Republican Governor of Ohio to do anything about it, provided additional ballast for the argument Douglass sets forth in his editorial in the same issue entitled "What is my Duty as an Anti-Slavery Voter?" Here he situates the upcoming contest between the Radical Abolitionist and the Republican Parties within the context of the prior history of political abolitionism in the United States. The first truly antislavery party was the Liberty Party in the 1840s. "But the Buffalo platform of '48 was lower than that of the Liberty Party." And "the Pittsburgh platform of '56 is lower than that of '52." Thus far in 1856, the Republican Party has taken the movement backwards. Not only was the year's Pittsburgh Convention presided over by a slaveholder (Blair of Maryland); its current platform is Know-Nothing only, saying nothing about either the Fugitive Slave Bill or slavery in Washington, D. C. The only "warm and living position" this party currently embraces is "freedom for Kansas." As of now, "we shall look to Syracuse rather than Philadelphia," for "principles are more precious than numbers."[44]

Douglass does recognize that significant electoral support for the Radical Abolitionists over the Republicans could result in a Democratic victory. Even so, "it is by no means certain that Kansas can be saved by the Republican Party, even with the votes of Abolitionists. Freedom in Kansas depends, less upon politics, than upon the Anti-Slavery sentiment of the North." His "duty" as an antislavery voter is therefore to support the one party for which "Slavery is a sin now, a sin at all times, and a sin everywhere." Only the Radical Abolitionists are willing to declare that "the whole Slave population of this country—whether in States, Territories, dock yards, or on the high seas, must be emancipated."[45]

News that Margaret Garner was brought back to the Covington jail only to have Archibald Gaines outmaneuver Governor Chase once more was yet another blow to the hopes of the Black community in Cincinnati. Another dimension of their plight emerged from the very extensive review of a dramatic reading that John Gaines (as "G") contributed to the 18 April issue of Douglass's paper. Mary Webb was a Black actress who was becoming famous for her readings and impersonations from *Uncle Tom's Cabin.* Gaines praises the entire range of characters and scenes she represented from that drama, but he will never forget the scene in which Tom is dying and "the angel Eva is trying to put him in the light." As Tom died, "and the curtain fell," the audience was "baptized in tears." But not enough of those tears were from the eyes of White Cincinnatians. Scattered among the "colored elite" which made up the great majority of the audience, Gaines had counted only "s*ix white persons*" on the first evening and *"twenty-five* or *thirty* on the last." He laments this "cold treatment from those who claim to be our especial friends and well wishers," these being "the *Abolitionists*, alias the Republicans of this city." Gaines has

[43] "The Slave Mother Margaret taken Down South Again" and "The Slave Mother Margaret" (both from the *Cincinnati Gazette*), "The Gaines Case" (from the *Lexington Democrat*), and "The Slave Case—Curious Developments" (from the *Cincinnati Columbian*), *Frederick Douglass' Paper*, 25 April 1856.
[44] "What is my Duty as an Anti-Slavery Voter?," *Frederick Douglass' Paper*, 25 April 1856.
[45] "Duty as an Anti-Slavery Voter?," *Frederick Douglass' Paper*.

come to feel that "the prejudice against the free people of color in the North, when they essay to be the equals of white, *is actually more exclusive than it is in the South*."[46]

How sad it must have been for Douglass to see an upbeat colleague such as Gaines so depressed about this lack of support for Black elevation among the city's leading White abolitionists. Adding to this was the rendition of Margaret Garner and her family back to Kentucky without any effective resistance from Governor Chase, the White anti-slavery community, or even its Black counterparts.

On 21 April, three days after Douglass published the review of the Mary Webb reading in Cincinnati, John Gaines led seven other Black Cincinnatians in making a new "Presentation" to John Jolliffe and his legal team in appreciation for their defense of the Garner family. Their gift of $161 "in the name of the colored people of the Queen City of the West" was accompanied by an extensive letter to which Jolliffe wrote a highly appreciative response the next day. Douglass printed both these letters, along with his own extensive commentary, on the editorial page of his 16 May issue. In giving this much space to the two letters and his own commentary, Douglass was keeping the brutal reality of slavery in the South alive for his readers while also highlighting the eloquence with which a Black community was honoring a White lawyer for the work he had done not only for the Garners and their own community but for America itself.[47]

In addition to rehearsing Jolliffe's arguments against slavery and the Fugitive Slave Law, Gaines and his colleagues looked forward to the day when residents of Kentucky, "the birth-place of the Garner family," will live in freedom. Jolliffe in turn predicted that one day Kentucky "will remember with pride that she gave birth to the Garner family, our unfortunate clients." This deeply felt exchange in Douglass's paper was modeling blank-and-white reciprocity in a real-life story whose deep humanity echoed some of the fictional reciprocity that Harriet Beecher Stowe had imagined along the same Ohio River shore.[48]

The editorial that accompanied this exchange was Douglass's own verbal "Presentation" to Jolliffe as a man who represented all that was most honorable and principled in antislavery activism. John Jolliffe had never taken money for this work. He had never even counted up the number of antislavery cases he had taken on. Douglass, probably with the assistance of Peter Clark, found "at least forty-five cases in which this truly good man has spoken for those, whom the laws of this country have stricken dumb, and delivered, bound hand and foot," across the river. This all leads, of course, to "the last case, that of Margaret Garner, the heroic mother whose hand was reddened with the blood of her little one," which is "one of the grandest episodes in American history." Garner's case was notable not only for the way she stood up against slavery itself; she was also a mother who had "endured the compelled and hated embraces of her master." Even so, the "demoralized citizens of Cincinnati...who are blatant about resisting border ruffianism in Kansas" had failed to protect her. This summary of the trial of the Garners ends by declaring, "Woe to the nation which drives mothers to shelter their babes in the asylum of the grave." Addressing the inhumanity of slavery more broadly, this editorial concludes by arguing that "all measures are justifiable against the slaveholder. [49]

IV

[46] "G," "From our Cincinnati Correspondent" (for *Frederick Douglass' Paper*, 9 April), *Frederick Douglass' Paper*, 18 April 1856.
[47] "Presentation by the Colored People" (Cincinnati, 21 April), *Frederick Douglass' Paper*, 16 May 1856.
[48] "Presentation Colored People," *Frederick Douglass' Paper*.
[49] "Presentation to John Jolliffe, Esq." (editorial), *Frederick Douglass' Paper*, 16 May 1856.

The big dates for Douglass on the upcoming political calendar were 28 May, for the Nominating Convention of Radical Abolitionist Party in Syracuse; 17 June, for the Nominating Convention of the Republican Party in Philadelphia; and 4 November, for the national Presidential Election. During the week before the Radical Abolitionists met in Syracuse, the political landscape was altered by two dramatic events: Senator Charles Sumner of Massachusetts was nearly beaten to death by Preston Brooks of South Carolina on the floor of the U. S. Senate, one day after a pro-slavery mob in Kansas had "burned and pillaged the free-soil settlement of Lawrence." In retaliation, though the delegates in Syracuse did not yet know it, John Brown, who had helped to found their party the year before, led a group of men who "cut the throats of five unarmed pro-slavery settlers" in Pottawatomie, Kansas. Certainly it seemed to those gathered in Syracuse that a "radical" approach to abolition was needed more than ever. Gerrit Smith was chosen as the Presidential candidate for the Party. Frederick Douglass had been nominated for Vice President, but Samuel McFarland from Pennsylvania was finally chosen, in part to avoid having two candidates from the same state of New York.[50]

By the time Douglass formally endorsed Smith and McFarland in the 20 June issue of his paper, he had published the "Crime against Kansas" speech by Sumner that had prompted the attack by Brooks in two successive issues of his paper; James Buchanan was chosen as the Democratic Presidential candidate at their Nominating Convention at Smith and Nixon's Hall in Cincinnati; and Douglass had himself returned from a two-week lecture tour in central and northern Ohio. His formal endorsement of Smith and McFarland reiterated points Douglass had made before: the Radical Abolitionists were the only party which "proposes to abolish Slavery"; they propose to do so by "placing men in office who will interpret the Constitution aright, and *act* accordingly"; and "Slavery must either be abolished peaceably or forcibly, by the ballot-box or by blood." A companion editorial in support of "Our Candidates" emphasized the perceived weakness of the Republican Party, calling it "a heterogeneous mass of political antagonisms, gathered from defunct whiggery, disaffected democracy, and demented, defeated, and disappointed Native Americanism." Even more dismissive was another companion piece, the official "Address of the National Convention of Radical Abolitionists" in which Gerrit Smith went considerably farther than Frederick Douglass would have been willing to do by dismissing the Free Democratic Party of 1852 as "an absurd party, which died speedily," only to be succeeded "by another and more absurd party," the Republicans.[51]

The above caustic dismissals were offset somewhat by an interim report on the "Republican Nominating Convention" in the same 20 June issue. However heterogeneous, this party had nominated John C. Fremont as its Presidential candidate on the first ballot in a largely "harmonious" process. The platform was stronger than might have been expected by taking a principled stand against slavery per se, though it did not presume to directly attack slavery in the Southern states. After the Convention completed its business the next day by nominating William L. Dayton of New Jersey as its Vice Presidential candidate, one would not have expected Frederick Douglass to abandon the candidacy of Smith and McFarland in order endorse that of Fremont and Dayton, but that is exactly what he was to do, surprising many, eight weeks later, in the 15 August

[50] John Stauffer, *The Black Hearts of Men: Radical Abolitionists and the Transformation of Race* (Cambridge, Mass.: Harvard University Press, 2002), 20–22.

[51] "How do the Radical Abolitionists propose to Abolish Slavery," "Our Candidates," and "Address of the National Convention of Radical Abolitionists," *Frederick Douglass' Paper*, 20 June 1856.

issue of his paper. In the meantime, he and his assistant editors continued to give a great deal of attention to Cincinnati and the state of Ohio."[52]

While Douglass was speaking in northern and central Ohio during the first two weeks of June, his paper was covering a number of events in Cincinnati. One of these was the National Convention of the Democratic Party that had just chosen James Buchanan as its Presidential candidate and adopted a pro-slavery platform at the same Smith and Nixon's Hall at which Douglass had spoken in early March. The 13 June issue, before Douglass himself had returned from Ohio, announced that his two assistant editors, Watkins and Clark, would be holding meetings in Ohio for four successive weeks beginning in Cincinnati on 24 June. After three meetings in Cincinnati, they would be traveling through thirteen cities in counties throughout southwestern Ohio before concluding with two meetings in Columbus. These meetings were part of a statewide drive to "deluge the Legislature with petitions" that would grant voting rights to free Blacks in Ohio. On 27 June, soon after his young co-editors had left Rochester for Cincinnati, Douglass wrote an editorial in support of their month-long "mission." Given the general "temper of the Anti-Slavery mind in Ohio," and the "desire to elect Fremont" in the immediate wake of the Republican convention, there is currently "little disposition to hear any truth which transcends the Republican platform." But that is all the more reason to preach "true Abolitionism" even though it means to "travel over the hot and dusty roads of Ohio, under a burning sun, from day to day—speaking two or three hours daily," as Douglass knew himself all too well.[53]

Douglass revealed the long-term strategy behind his targeting of Ohio in the summer of 1856 in a companion essay about his own experiences during "Fourteen Days in Ohio" earlier in the month. His own tour through the central part of the state was in "every way gratifying." It allowed him to once more see with his own eyes and hear with his own ears how much had changed since his first visit to Ohio in 1843:

> Thirteen years ago, negro hate was rampant in the central and southern part of the State... It is not always given to Reformers to see the gratifying results of their own endeavors. The glimpses they get of them are generally by an eye of faith...But such has been the progress of Anti-Slavery principles in Ohio...that we can now lay side by side, in pleasant contrast, the toils of seed time, and the joys of harvest...A few Abolition presses flung into the river—a few violent mobs—a few heated denunciations of Abolitionists—a few fines and imprisonments, for harboring and sheltering fugitive slaves—and suddenly the whole face of things is changed; a violent pro-slavery State is converted into a free soil State, and an Anti-Slavery Governor sits at the head of affairs.

There was still much, of course, that remained to be done. Only a few of the "foremost men" in Ohio have as yet "planted themselves upon the impregnable ground that *Slavery cannot be Legal*," but that remains the ultimate goal. "When the pending election is over, and the liberal public will have "elected, or failed to elect, Fremont and Dayton, the people of Ohio will be more disposed to hear the whole truth on this higher and bolder, and more effective Anti-Slavery position."[54]

Douglass devoted the rest of this very substantial essay to what he had observed of the "tone, conversation, and conduct" of the Black population in the cities he had visited, praising not

[52] "Republican Nominating Convention," *Frederick Douglass' Paper,* 20 June 1856.
[53] "The Democratic Nominee and Platform," "Free Suffrage Meetings in Ohio," "Wm. J. Watkins and Peter H. Clark," *Frederick Douglass' Paper,* 6, 13, & 27 June 1856.
[54] "Fourteen Days in Ohio," *Frederick Douglass' Paper,* 27 June 1856.

only the greater civic awareness but also the dramatic rise in property ownership. The self-help ethos he had preached at Zion Baptist only two years earlier in Cincinnati was prospering as never before throughout the state.[55]

Douglass announced his support of the Republican Presidential ticket of Fremont and Dayton in a carefully calibrated editorial in the August 15 issue. He enumerated his reasons for doing so in seven substantial paragraphs. Only the strongest considerations could cause him to depart from "the genuine, unadulterated Abolitionism" embodied by Gerrit Smith. But "right Anti-Slavery action is that which deals the severest, deadliest blow upon Slavery that can be given at that particular time." To vote for Fremont and Dayton in this election is not to "abandon a single Anti-Slavery Truth or Principle" but rather to "uphold" those truths and principles "in the vary ranks of the Republican Party." Nobody doubts that "the commanding and vital issue with Slavery in the approaching election, is the extension or limitation of Slavery." This issue must be won before others can be successfully addressed to a wider public. Douglass will support the Republican Party in this election because they are in a position to "inflict" the most powerful blow upon "the Slave Oligarchy." In truth, there are only two viable parties in this battle between "Freedom or Slavery," and Douglass wants to be on the right side. His seventh and last paragraph acknowledges that the Republican nominees "do not declare any purpose to abolish Slavery by legislation, in the States." But this party has "laid down principles" that "directly tend to the Abolition of Slavery," so voting for them in this national election can do more good "than the few votes of the isolated Radical Abolitionists." This pragmatic decision to support the Republican Party was in this sense a natural extension of the decision to support the Free Democrats in the 1852 election, with the difference that this was a national party with a true chance of winning, if not in the 1856 Presidential election, in the one to follow.[56]

Right next to his dramatic endorsement of Fremont and Dayton, Douglass published the second installment of his account of his fourteen-day tour of Ohio in early June. The fact that he was so persistent in sharing this information with his readers even two months after the fact indicated how important such trips were to his concept of the mission of his paper. As he traveled, his primary goals were to encourage, energize, and, when necessary, to educate the Black communities in each city.

Douglass travelled relatively little between his endorsement of Fremont and Dayton on 15 August and Election Day in November, but at the end of August he made one more foray into southern Ohio, campaigning for the Republican ticket in Ripley and other towns across the river from Kentucky before returning home in early September. His next important appearance was in Syracuse, where he attended a Liberty Party meeting on 15 September and then the Jerry Rescue Celebration on 1 October, which this year was immediately followed by a three-day State Convention in Syracuse to mobilize against the "unconstitutional statute" that prevented most Blacks in the State from voting. This was a direct extension of the campaign that Watkins, Clark, and Douglass were conducting in Ohio in June and July, and their three names were the first among the twenty-five individuals who signed this Call for this Convention (many of whom were active participants in the National Colored Convention in Rochester three years earlier). Douglass introduced several resolutions at the Jerry Celebration which were not passed, but which got a great deal of attention far beyond Syracuse. One of them declared that "we should rejoice in a successful slave revolution which would teach slaveholders the wrong and danger involved in the act of slaveholding." Another declared that "the Slaveholder should be made to dream of death in

[55] "Fourteen Days," *Frederick Douglass' Paper*.
[56] "Fremont and Dayton," *Frederick Douglass' Paper*, 15 August 1856.

his sleep," and to fear death "in his dish and tea pot." When pressed to explain his motives in proposing such incendiary resolutions, Douglass claimed that he his goal was not to "stir up the slave to insurrection" but to "help to stir up the slaveholder against himself."[57]

By the end of October, Douglass's incendiary words had spread all the way to Chicago, where he gave a major address at Metropolitan Hall on 26 October after having spent a week campaigning for Fremont and Dayton in Wisconsin. To travel that far West at the height of the Presidential election season was another sign of his current devotion not only to the Republican candidates but to the importance of the Western states in this and future elections. In Wisconsin, Douglass spoke in Milwaukee before moving on to Beaver Dam in Dodge County. But it was his appearance in Metropolitan Hall on 26 October that drew the most coverage, even in Wisconsin. According to the *Chicago Tribune* the crowd of "perhaps twenty-five hundred people" represented "all shades of political opinion" in Chicago, including the "very cream of the Fremont party" and the "very cream" of the Buchanan party. On this occasion Douglass was able to speak to slaveholders directly, because "hundreds of Southerners were there; Kentuckians abounded in all parts of the hall—many with wives and daughters." This gave Douglass the perfect opportunity to attack those Democrats who "denounce the Abolitionists, as being amalgamationists!" He pointed out that "less than a century" ago, "a mulatto could scarcely be found. Now, there is hardly one of my race left. The whole African population has been bleached into mulattoes, by [the] whole system of concubinage established by the slaveholders, who prefer black women to those of their own color." He extended this incendiary observation directly to those in the hall, adding that "the best blood of the first families of Virginia and Kentucky flowed in the veins of colored people; that the blood of the Lees, the Masons, the Breckenridges, the Marshalls could be found in a part of his audience."[58]

Those pointed comments on amalgamation were apparently prompted in part by his recognition of Colonel Preston in the audience, a Kentuckian who had been describing Negroes as "an inferior race" at a Buchanan rally a few days earlier. Douglass's comments on amalgamation provided plenty of ammunition for papers like the Chicago *Daily Times,* which pictured a hall full of "white men and sooty wenches, and black men and white women, all listening with open mouths to this Negro, who boasted that white and black people were disappearing, and that mulattos were fast increasing." Such characterizations had soon spread from Chicago as far west as Burlington, Iowa, and as far south as Macon, Georgia—much as the resolutions Douglass proposed in Syracuse had spread to Chicago.[59]

Douglass, in his 7 November issue, was just learning the scope of the Democratic victory in the Presidential election, but he was already looking ahead to 1860 after the very strong showing the Republican Party had made it in its first year as a national party. When the final results were in, the Republicans had won eleven of the sixteen free states, losing only New Jersey, Pennsylvania, Indiana, Illinois, and California. A win in Pennsylvania and either Indiana or Illinois would have given them the victory. Douglass emphasized that this was "the first time in the history of Anti-Slavery agitation that a party as imposing in numbers as the Republican party, has set itself

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[57] "Partial Speaking Itinerary," John W. Blassingame et al, eds., *Frederick Douglass Papers*, Series 1: *Speeches, Debates, and Interviews*, 4 vols. (New Haven, Conn.: Yale University Press, 1985), 3:xxv; "Know Nothing Misrepresentation," *Frederick Douglass' Paper,* 10 October 1856; "The Slaves Rising," *FDP,* 19 December 1856.

[58] "Meetings," Milwaukee *Free Democrat,* 3 October; Mike Miller and Kevin Dier Zimmel, "Douglass speeches drew cheers and jeers," Madison *Capital Times,* 20 October 2000, 4a; "Douglass in Chicago" (from the *Chicago Tribune*), *Richland County Observer,* Richland Center, Wisconsin, 18 November 1856.

[59] I draw here upon clippings and transcriptions Kevin Dier-Zimmel has provided from the Chicago *Daily Times,* the Chicago *Democrat,* the Burlington D*aily Gazette,* and the Macon *Georgia Telegraph*.

up as a barrier to further encroachments of slavery, and we could do no less than we did by Hale & Julian—give our hearty support." The Republican party has "most gloriously battled for the right." Because there is "about our cause an inherent vitality, a recuperative energy which defies defeat," he expects "our heaven-born Principles" to "blaze forth more brightly than ever" in 1860. In the meantime, there would be four successive years of very difficult challenge, not only for the nation and for the Republican Party, but for the survival of Douglass's newspaper. In Douglass's December prospectus for what would be its Tenth Volume, he admitted that while he was "out upon the stump, doing our best for Fremont and Freedom," his paper had "narrowly escaped *suspension*" for "the want of a few hundred dollars" which miraculously arrived just in time. His endorsement of the Republican candidates had opened up a wider pool of potential subscribers than had his earlier support of the Radical Abolitionists.[60]

Douglass was deeply encouraged that the Republicans, in their first year as a national party, nearly won the Presidency in 1856. In his celebrated West Indian Emancipation address the next year, he famously declared that "power concedes nothing without a demand. It never did and it never well." He gave as his first example "every mother who, like Margaret Garner, plunges a knife into the bosom of her infant to save it from the hell of our Christian slavery." Garner's infanticide had cut deeply into Douglass's own experience as a fugitive from slavery, sharpening his awareness as a newspaper editor and political strategist of how to express the need of the new Republican Party to address the unspeakable sin of slavery in the South.[61]

[60] "The Republican an Anti-Slavery Party" and "The Presidential Contest," *Frederick Douglass' Paper,* 7 November 1856; "Xth Volume," *Frederick Douglass' Paper*, 12 December 1856.

[61] "West Indian Emancipation," Canandaigua, New York, 3 August 1857, in Philip S. Foner, *Frederick Douglass: Selected Speeches and Writings* (Chicago, Ill.: Lawrence Hill, 1999), 367.

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Frederick Douglass's "New Departure" in the Reconstruction Era Woman Suffrage Movement

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African American abolitionist and civil rights leader Frederick Douglass has a well-deserved reputation as a supporter of women's rights. His close working association with women's leaders dates back to his attendance at the historic Seneca Falls Convention of 1848. However, this relationship was sorely tested by the acrimonious dispute in the early years of Reconstruction over passage of the Fifteenth Amendment to endow African American men but not women of any race with voting rights. How and why Douglass's commitment to woman suffrage survived the personal quarrels and charges of racism and countercharges of sexism with many of that movement's leaders are important historical questions. A close inspection of Douglass's activities in the early1870s demonstrate that his faith renewed itself through his support for the suffragists' "New Departure" tactics that moved past old quarrels over the Fifteenth Amendment and into the nation's polling places where women heroically risked arrest to attempt to register and vote.

The runaway Maryland slave Frederick Douglass began his career as an abolitionist when he was recruited in 1841 as a lecturer by the American Anti-Slavery Society, led by Boston journalist William Lloyd Garrison. The abolitionist movement had recently split into hostile, competing factions. The antislavery followers of Garrison believed in moral suasion, nonparticipation in politics, nonviolence, strict Christian ideals, and significantly, the equality of men and women. Douglass was embraced by these Garrisonians who gave him a platform to deliver speeches and gain experience as a burgeoning reformer. Douglass believed in universal equality among all people and his activism reflected that belief. He recognized that oppression manifested itself in different forms: he was oppressed by racism and women were oppressed by sexism.[1]

Douglass learned from female abolitionists early in his antislavery career, touring with Abigail Kelly soon after being hired by the Garrisonians as an itinerant lecturer. Lucretia Mott and Amy Post, two other Quaker abolitionists, also were important early influences. Their many talents enlightened Douglass about women's equality. When Douglass established his first newspaper in Rochester, New York, he displayed his commitment to the cause of women's rights through the mast head of his *North Star* that read "The Right is of no sex—Truth is of no color- God is the Father of us all, and we are brethren." Douglass attended the famous Seneca Falls Convention in 1848, the first women's rights convention in the United States where he gave a brief speech in support of woman suffrage.[2] The text of Douglass's remarks at Seneca Falls were not recorded but in his *North Star* he praised the proceedings as "characterized by marked ability and dignity."[3]

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[1] Benjamin Quarles, "Frederick Douglass and the Woman's Rights Movement," *Journal of Negro History* 25, no. 1 (January 1940), 35.

[2] Ellen Carol DuBois, *Feminism & Suffrage: The Emergence of an Independent Women's Movement in America, 1848–1869* (Ithaca, N.Y.: Cornell University Press, 1978), 40–41; Ellen Carol DuBois, *Suffrage: Women's Long Battle for the Vote* (New York: Simon and Schuster, 2020), 11, 13; S. Jay Walker, "Frederick Douglass and Woman Suffrage," *The Black Scholar* 14, no. 5 (September–October 1983), 20; Quarles, "Frederick Douglass and the Woman's Rights Movement," 36.

[3] *North Star*, 28 July 1848. Also see Quarles, "Frederick Douglass and the Woman's Rights Movement," 36.

Douglass regularly attended subsequent antebellum woman's rights conventions. In his newspapers, he endorsed the equality of the sexes arguing "the only true basis of right was the capacity of individuals."[4] Douglass argued for woman suffrage from multiple perspectives. First he believed it was an inalienable right that the constitution guaranteed to all citizens, arguing that a man "should not dare claim a right that he would not concede to woman."[5] At the same time, Douglass's arguments for woman suffrage emphasized that women had special attributes that men lacked: they were empathetic, more thoughtful, and their subsequent exclusion from the voting booth had a detrimental effect on the United States government.[6] The latter sentiment perhaps caused Douglass to refrain from endorsing some other feminist reforms just as the demand for joint ownership of marital property, claiming "the husband labors hard, perhaps, while the wife lives in luxury."[7] Douglass also implied that he believed winning suffrage for Black men held precedence over women's rights.[8]

In the antebellum era, African Americans and women shared the stigma of not being accorded full citizenship. Douglass could envision the two causes working cooperatively to achieve similar goals. The Civil War, however, would serve to push the two campaigns apart. Northern African American leaders, including Douglass, demanded and finally won the right for Black men to enlist in the Union Army. They used military service to strengthen their claim to suffrage and equal political and civil rights, embracing traditional gendered definitions of citizenship. Douglass forcefully argued that African American males "if he knows enough to shoulder a musket and fight for the flag, fight for the Government, he knows enough to vote."[9]

In contrast, the Civil War caused a setback for females who could not use military service as a claim to win suffrage. During the war years, the woman suffrage leaders regretfully decided to put their campaign on hold. In May 1863, Stanton and Rochester-based woman suffrage activist Susan B. Anthony held a small convention in New York City and organized the Women's Loyal National League (WLNL). The group's first meeting clearly endorsed a "war for freedom," but also obliquely supported woman's suffrage. The organization launched a petition drive coordinated by Anthony to demand a constitutional end to slavery. Douglass delivered lectures on behalf of the WLNL. By 1865, they collected over 400,000 signatures from women and men alike.[10] The WLNL persisted in its work, risking negative reaction to the female activists' close

[4] *North Star*, 11 August 1848. Also see Quarles, "Frederick Douglass and the Woman's Rights Movement," 37-38; DuBois, *Suffrage,* 28. One modern scholar, Helené Quanquin, describes Douglass as "a fixture at women's rights conventions" in the 1850s. However, she notes inconsistencies between his feminist professions and his personal behavior. She also cites evidence of his belief in separate roles for the genders and that the grounds of their demand for suffrage were different. Helené Quanquin, "Women's Rights" in Michel Roy, *Frederick Douglass in Context* (Cambridge, Eng.: Cambridge University Press, 2021), 176–77

[5] Quoted in Quanquin, 176.

[6] A. Kristen Foster, "'We Are Men!': Frederick Douglass and the Fault Lines of Gendered Citizenship*," Journal of the Civil War Era,* no. 2 (June 2011), 143–75.

[7] John W. Blassingame et al., *The Frederick Douglass Papers,* Series 1: *Speeches, Debates, and Interviews*, 5 vols. (New Haven, Conn.: Yale University Press, 1979-1991), 2:249.

[8] Quanquin, "Women's Rights," 176–77.

[9] *Douglass Papers,* ser. 1, 4:66. Also see Robert S. Levine, *The Failed Promise: Reconstruction, Frederick Douglass, and the Impeachment of Andrew Johnson* (New York, N.Y. W. W. Norton, 2021), 33–35; Hugh Davis, *'We Shall Be Satisfied with Nothing Less': The African American Struggle for Equal Rights in the North during Reconstruction* (Ithaca, N.Y.: Cornell University Press, 2011}, 20 , 22; Catherine A, Jones, "Women, Gender, and the Boundaries of Reconstruction," *Journal of the Civil War Era* 8, no. 1 (March 2018) 115.

[10] The American Anti-Slavery Society turned down a proposal from Anthony to send out lecturing teams composed of "a white man, a black man, and a woman" to generate public support for emancipation. Susan B. Anthony to Elizabeth Cady Stanton, 10 October 1863, in Ann D. Gordon, eds., *The Selected Papers of Elizabeth Cady Stanton*

identification with the rights of the enslaved. Stanton related to Anthony in late 1864 that she was "happy to find Douglass on the same platform with us."[11]

Elizabeth Cady Stanton and Susan B. Anthony
Photograph, c. 1870. Courtesy of National Portrait Gallery, Smithsonian Institution.

The Union's victory and passage of the Thirteenth Amendment, persuaded women rights activists that the time had come to revive their movement. On Christmas day 1865, Anthony, Stanton, and Stone sent out a public letter calling for a new petition drive to demand Congress pass a woman suffrage amendment. After an effort by Stanton and Anthony to recast the American Anti-Slavery Society into a universal suffrage organization in 1866 failed, those women moved quickly to form the New York State Equal Rights Association. Douglass was an early, enthusiastic adherent of the new organization, writing Stanton: "Thank you for your letter giving me an account of the launching of the good ship '*Equal Rights Association'* and the names and Character of her officers. No vessel like her has been given to the sea since Noah's Ark— Without the presence of woman the Ark would have been a failure. I have about made up my mind that if you can forgive me for being a negro—I cannot do less than to forgive you for being a woman."[12]

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and Susan B. Anthony, (New Brunswick, N.J.: Rutgers University Press, 1997–2009), 45 reels (Wilmington, Del.: Scholarly Resources, 1991), 10:918*;* Wendy Hamand Venet, *Neither Ballots Nor Bullets: Women Abolitionists and the Civil War* (Charlottesville: University of Virginia Press, 1991), 101–22; DuBois, *Suffrage*, 49–53; Quarles, "Frederick Douglass and the Woman's Rights Movement," 38.

[11] Elizabeth Cady Stanton to Susan B. Anthony, 29 December 1864, in Patricia D. Holland and Ann D. Gordon, eds., *Papers of Elizabeth Cady Stanton and Susan B. Anthony*, 45 reels (Wilmington, Del.: Scholarly Resources, 1991), 10:918. The WLNL also sided with the more radical abolitionists like Wendell Phillips and Douglass against moderate voices such as Garrison in condemning Lincoln's sluggishness in pushing for emancipation and instead endorsed his replacement on the Republicans' 1864 ticket. Although not possessing the vote, women's leaders were learning to play the game of politics. James M. McPherson, *Struggle for Equality: Abolitionists and the Negro in the Civil War and Reconstruction*, 2nd ed. (1964: Princeton, N.J.: Princeton University Press, 1995), 287–95; Faye E. Dudden, *Fighting Chance: The Struggle over Woman Suffrage and Black Suffrage in Reconstruction America* (New York: Oxford University Press, 2011), 59–60.

[12] Douglass to Elizabeth Cady Stanton, 16 February 1866, Theodore Stanton Manuscripts, Rutgers University; Dudden, *Fighting Chance*, 75, 82.

The New York group soon evolved into a national organization, the American Equal Rights Association, that brought together both abolitionists and woman suffragists who surprisingly opposed the ratification of the Fourteenth Amendment. Republican congressmen had passed that legislation to protect African Americans from attacks on their civil rights by southern state governments sanctioned by the Johnson Administration.[13] Blacks and abolitionists were disappointed, however, that the new amendment would acknowledge African American citizenship but do nothing to win them the franchise. Woman suffragists were offended at the insertion of the word "male" into the constitution through this amendment by apportioning congressional representation by the count of "male citizens."[14] Despite their efforts to lobby state legislatures against ratification, the amendment was ratified by Republican supporters in July 1868.

Tensions slowly grew between African American and woman suffrage leaders on how to work together on behalf of a further amendment to the U.S. Constitution. At the 1867 AERA annual meeting, when pressed if she would support congressional action that only enfranchised Black males, Stanton replied "I would say, no; I would not trust him with all my rights; degraded, oppressed himself, he would be more despotic with the governing power than even our Saxon rulers are. I desire that we go into the kingdom together"[15] Perhaps statements by Black leaders like Douglass intensified the suffragist distrust of their alliance: Douglass consistently argued that the need of men for the vote outweighed that of women. In May 1868, at an AERA convention, he declared: "To the race to which I belong the ballot means something more than a mere abstract idea. It means the right to live and protect itself by honest industry. You women have representatives. Your brothers, and your husbands, and your fathers vote for you, but the black wife has no husband who can vote for her."[16] Concerned about Anthony's and Stanton's growing collaboration with the racist Democrats, Douglass and some other prominent pro-Republican Party members of the AERA, including Lucy Stone, and Abby Kelley Foster, formed the New England Woman Suffrage Association (NEWSA) in November 1868.[17]

The unexpectedly narrow victory of Republican candidate Ulysses S. Grant in the 1868 presidential election frightened Republican leaders who belatedly realized their need for Black voters to hold control over closely divided electorate in the Border States and the North.[18] Most Republicans in Congress now became favorable to an amendment granting suffrage to African American males, but there was division in the party over the concept of universal adult suffrage that would have granted the vote not only to women, but Asian and other unpopular immigrant groups. With Democrats and pro-Johnson conservative Republican congressmen unanimously opposed to any national effort to define voting eligibility, Republican leaders also concluded that an amendment that went beyond enfranchising Black males would fail to be ratified.[19] Douglass joined the chorus of African Americans applauding the Fifteenth Amendment's congressional passage and endorsed its rapid ratification. He labeled the amendment the "keystone" in the

[13] Eric Foner, *The Second Founding: How the Civil War and Reconstruction Remade the Constitution* (New York: N.Y.: W. W. Norton, 2019), 55–92; Dudden, *Fighting Chance,* 83–87; DuBois, *Suffrage,* 59–82.
[14] Dudden, *Fighting Chance,* 80; Levine, *Reconstruction*, 259n.
[15] Elizabeth Cady Stanton, Susan B, Anthony, Matilda Joslyn Gage, eds. *History of Woman Suffrage*, 6 vols. (Rochester, N.Y. Susan B. Anthony and Charles Mann Printing, 1881–1912), 3:214; Dudden, *Fighting Chance,* 98.
[16] *New York Tribune,* 15 May 1868, as quoted in *Douglass Papers*, ser.1, 4:175.
[17] DuBois, *Feminism & Suffrage,* 164–70; Dudden, *Fighting Chance,* 163.
[18] Foner, *Second Founding,* 93–98.
[19] Foner, *Second Founding,* 93–108; DuBois, *Feminism & Suffrage,* 168–72.

"magnificent arch to bridge the howling chasm of slavery, over which four millions of bondsmen might pass to liberty."[20]

At what proved to be the final national convention of the American Equal Right Association in May 1869, long simmering internal tensions surfaced in acrimonious debate. Stanton attacked the Republican congressmen for their recent passage of the Fifteenth Amendment that if ratified would establish "'manhood suffrage' and "an aristocracy of sex on this continent." She then complained against the injustice of giving the vote to "Patrick and *Sambo* and Hans and Yung Tung" ahead of educated White women like herself.[21] Douglass stood up and rebutted her with stories of African American males being lynched in the South, arguing that they had a more pressing need for the vote than any woman did:

> When women, because they are women, are hunted down through the cities of New York and New Orleans, when they are dragged from their houses and hung upon lamp-posts; when their children are torn from their arms, and their brains dashed out upon the pavement, when they are the objects of insult and outrage at every turn; when they are in danger of having their homes burnt down over their heads; when their children are not allowed to enter schools; then they will have an urgency to obtain the ballot equal to our own.[22]

Anthony responded angrily: "Mr Douglass talks about the wrongs of the negro…but all of the wrongs and outrages that he today suffers, he would not exchange his sex and take the place of Elizabeth Cady Stanton."[23] Lucy Stone then made an address that acknowledged the merits of each sides arguments, but concluded by supporting Douglass: "Woman has an ocean of wrong too deep for any plum, and the negro, too, has an ocean of wrong that can not be fathomed. There are two great oceans; in the one is the black man, and in the other is the woman. But I thank God for that Fifteenth Amendment, and hope that it will be adopted in every state. I will be thankful in my soul if *anybody* can get out of the terrible pit."[24] Douglass's efforts to get the convention to pass his resolution to endorse the Fifteenth Amendment as "the culmination of one half of our demands" failed."[25] With these acrimonious exchanges the woman suffrage movement would be split for more than two decades.

Within a few days after the AERA's convention, Stanton and Anthony created a new suffragist group, the National Woman Suffrage Association (NWSA). The new group made its position known at its founding convention:

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[20] New York *National Anti-Slavery Standard,* 29 May 1869; *Douglass Papers,* ser. 1, 4:201; Hugh Davis*, "We will Be Satisfied with Nothing Less": The African American Struggle for Equal Rights in the North during Reconstruction* (Ithaca, N.Y.: Cornell University Press, 2011), 63–66, 70–71.

[21] Quoted in Goldsmith, *Other Powers*, 179–81. For fuller descriptions of the contentious 1869 AERA convention, see DuBois, *Feminism & Suffrage,* 186–89*;* Dudden, *Fighting Chance,* 176–82.

[22] Blassingame, *Douglass Papers,* 4:216. See also DuBois, *Suffrage,* 75–76; Goldsmith, *Other Powers,* 80–82.

[23] Blassingame, *Douglass Papers,* 4:217.

[24] Holland and Gordon, *Papers of Stanton and Anthony,* 13:504–05. See also Goldsmith, *Other Powers,* 182. Douglass proposed a compromise to the AERA which would welcome the Fifteenth amendment and black male suffrage while also emphasizing the group's continued dedication to the creation of an amendment that would guarantee equal rights for all. Douglass's proposal was ignored by Stanton and Anthony. Dudden, *Fighting Chance,* 178–80.

[25] New York *Revolution,* 27 May 1869, quoted in Quarles, "Frederick Douglass and the Woman's Rights Movement," 41. See also DuBois, *Suffrage,* 77–78.

> Resolved, That while we rejoice in every step toward an end on the Continent, of an aristocracy of color, we repudiate the Fifteenth Amendment, because by its passage in Congress the Republican Party propose to substitute an aristocracy of sex, the most odious distinction in citizenship that has ever yet been proposed.[26]

Soon after, Stanton's and Anthony's opponents led by Lucy Stone transformed the New England Woman Suffrage Association into the nationwide American Woman Suffrage Association (AWSA). The NWSA pushed for a broader—critics charged a more radical—platform of feminist reforms, including loosening divorce laws, while the AWSA stuck to a narrow suffrage-only agenda, and claimed to be the defenders of marriage against the Stanton group.[27] Most important to Douglass, the AWSA firmly endorsed the Fifteenth Amendment.[28]

Lucy Stone. Photograph, c. 1886. Courtesy of National Portrait Gallery, Smithsonian Institution.

The rivalry between the new woman suffrage organizations created great problems for the movement they both supported. The AWSA's leaders attacked the NWSA's for advocating divorce law reform and "free love."[29] Anthony shot back that AWSA members were "sick unto death with propriety."[30] The race issue, however, remained the most divisive point in the woman suffrage movement. In the *Revolution*, Stanton editorialized that she regretted the "antagonism with [black] men whom we respect, whose wrongs we pity, and whose hopes we would fain help them

[26] As quoted in Walker, "Frederick Douglass and Woman Suffrage," 23. See also DuBois, *Feminism & Suffrage,* 189–99.
[27] Goldsmith, *Other Powers,* 185–86. Not all AWSA leaders seemed free of racism, as Henry Blackwell, Lucy Stone's husband publicly appealed to southern states to enfranchise White women as a bulwark against the political power of black men would soon gain the vote under the Fifteenth Amendment. Walker, "Frederick Douglass and Woman Suffrage," 24.
[28] Walker, "Frederick Douglass and Woman Suffrage," 24.
[29] Goldsmith, *Other Powers,* 200–201, 214–15; DuBois, *Feminism & Suffrage,* 191, 195–99; Dudden, *Fighting Chance,* 181–82.
[30] Quoted in Goldsmith, *Other Powers,* 218; Philip S. Foner, *Frederick Douglass on Women's Rights* (Westport, Conn.: Greenwood Press, 1976), 35–36.

realize."[31] Nevertheless, Douglass ended up aligned with the AWSA because of that group's stand in favor of the 15th Amendment which was ratified in February 1870.

Although a longtime friend of veteran abolitionist Stone, Douglass might have felt uncomfortable aligned with mainly social conservatives like Catherine Beecher, Harriet Beecher Stowe, and Mary Ann Livermore and outside the circle of former radical associates like journalist Theodore Tilton and lyceum star Anna Dickinson who joined the NWSA.[32] When both the NWSA and AWSA had their 1870 annual meetings in New York City, attendance showed the AWSA far more popular. Significantly, Douglass attended neither group's convention. Stanton later wrote about this low moment in the suffrage campaign that only a few friends "stood firmly together under a steady fire of ridicule and reproach even from their lifelong friends….and most of the liberals in the press."[33]

Ratification of the Fifteenth Amendment allowed Douglass to campaign for woman suffrage without the worry of jeopardizing his long sought-after goal of obtaining Black male suffrage. To do this effectively, he needed to learn to look past or better forget the evidence of racism that the wing of the woman suffrage movement led by Stanton and Anthony had demonstrated in the battle over that amendment. Perhaps fortuitously, this time for a new beginning coincided with an important geographic and professional transition in Douglass's life when he left Rochester, New York, to relocate to Washington, D.C., to take up the editorship of the first Black-owned weekly newspaper in the nation's capital, the *New National Era.*[34] In this new theatre of reform action, Douglass would rebuild his support for woman suffrage.

In Washington, Douglass moved closer to the center of Reconstruction policy, involved himself in national political debates, and entered elite political circles. Symbolically, he bought a row house on A Street near the Capitol. While focused on national political issues, the *New National Era* was also the place for coverage of local Black voices and politics. The *New National Era* supported the Republican party, Radical Reconstruction, and significantly Universal suffrage. Douglass's belief in human rights and equal participation in society did not end when he got the vote himself in 1870. His politics were not only about how to make his life better, but his politics came from universal beliefs about liberty and natural rights. By October 1870, five months after the ratification of the Fifteenth Amendment, Douglass was able to editorialize in the *New National Era:*

> We know of no truth more easily made appreciable in human thought than the right of woman to vote, or, in other words, to have a voice in the government under which she lives and to which she owes allegiance…. Woman herself loses to her own estimation by her enforced exclusion from the elective franchise just as the slaves

[31] New York *Revolution,* 28 January 1869. See also Dudden, *Fighting Chance,* 3.

[32] Historian Dudden notes that Tilton even invited Stanton and Douglass to a private dinner in his own Brooklyn home in an attempt to soothe feelings. Durden, *Fighting Chance,* 186; Goldsmith, *Other Powers,* 217.

[33] Quoted in Goldsmith, *Other Powers,* 218. Also see Washington *New Era,* 12 May 1870; Kathleen Barry, *Susan B. Anthony: A Biography of a Singular Feminist* (New York, N.Y.: New York University Press, 1988), 223–24.

[34] Douglass was assisted in editing the *New National Era* by his sons Lewis Douglass and Frederick Douglass Jr. John R. McKivigan, ed., *The Frederick Douglass Papers,* Series 4: *Journalism and Other Writings* (New Haven: Yale University Press, 2022) 1:xxxiii–xxxvi; David W. Blight, *Frederick Douglass: Prophet of* Freedom (New York: Simon & Schuster, 2018), 524–25, 59–30.

> doubted their own fitness for freedom, from the fact of their being looked upon as only fit for slaves.[35]

In his *Era*, Douglass wrote specifically on the "Woman Question":

> [Women] bring with them the same considerations to public matters, that they give to household wants…the colored man has become so important a member of the body politic, let the colored women be prepared with the sixteenth amendment becomes law to co-operate in the various schemes which will be presented to their favor.[36]

As a resident of the District of Columbia, the campaign for woman's suffrage there would attract Douglass's attention and help him forget past acrimony with that movement's leaders over ratification of the Fifteenth Amendment. Historically voting rights in the District of Columbia had been restricted to White males. Even after Congress abolished slavery in the District in April 1862, suffrage had remained the exclusive privilege of White men. In 1867, however, Congress finally extended suffrage to Black males. A lobbying effort in January 1869 by Stanton and Anthony to persuade Congress to extend the voting franchise to the District's women failed.[37] Under the District of Columbia Organic Act of 1871, Washington was incorporated into a federal territory. There was a governor, an eleven-member council, both appointed by the president, and a twenty-two-member assembly that was locally elected.[38] Left out of Black enfranchisement, African American women in the District suffered discrimination on account of their race and remained second class citizens because of their gender.

At the same time, on the national level, the two competing wings of the women's movement had trouble cooperating behind a campaign for a sixteenth amendment to enfranchise their sex. Many women instead turned to a more radical strategy of direct action by women to exercise the right to vote emerged. Historian Ann D. Gordon has expanded on a list begun by Susan B. Anthony of women attempting and sometimes succeeding to register and/or vote in elections in elections from 1868 to the mid-1870s. In some cases, these were actions by veteran woman suffrage campaigners across the north, but other instances included recently emancipated African American women in the South. A small integrated group of female residents of Washington had unsuccessfully attempted to register for municipal elections in 1869 before the creation of the District of Columbia's territorial government.[39]

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[35] As quoted in Philip S. Foner, *The Life and Writings of Frederick Douglass,* 4 vols. (New York, N.Y.: International Press, 1955), 4:231–32, 237. See also Blight, *Frederick Douglass,* 532–35; Walker, "Frederick Douglass and Woman Suffrage," 24. In the *New National Era,* Douglass advised African American women to be prepared to vote under a future Sixteenth Amendment. *New National Era,* 12 May 1870 quoted in Quarles, "Frederick Douglass and the Woman's Rights Movement," 42.

[36] Washington *New Era,* 17 May 1870. Also see Foner, *Frederick Douglass on Women's Rights*, 91–92.

[37] Any male also could hold local office, without restrictions based on race. Allison L. Sneider, *Suffragists in an Imperial Age: U.S. Expansion and the Woman Question, 1870–1929* (New York, N.Y.: Oxford University Press, 2008), 22–23, 26–27.

[38] "An Act to Provide a Government for the District of Colombia," 41st Congress, 3rd Session, (Library of Congress, 1871), 419–20; John R. McKivigan, "Washington, DC," in Roy, *Frederick Douglass in Context,* 47–50.

[39] Ann D. Gordon ed., *The Selected Papers of Elizabeth Cady Stanton and Susan B. Anthony*, 6 vols. (New Brunswick, N.J.: Rutgers University Press, 1997–2013), 2:645–54; *New York Tribune,* 2 June 1869; Carole Ione, *Pride of Family: Four Generations of American Women of Color* (New York, N,Y.: Summit Books, 1991), 106–12, 129–32, 175–80; Sneider, *Suffragists in an Imperial Age,* 152; Nancy A. Hewitt, "Recasting Women's Votes: Race, Region and Rights, 1869–1970" (NPS Webinar, 8 November 2018), 5–7.

While earlier voting attempts by women were publicized in sympathetic newspapers, this tactic won wide recognition as the "New Departure," when proposed in 1869 by Francis and Virginia Minor, husband and wife suffragists from Missouri. The Minor's constitutional theory was publicized in the *Revolution* and quickly attracted adherents. Stanton, Anthony, and other leaders of the new NWSA argued that by its very nature, citizenship now granted all natural-born Americans by the Fourteenth Amendment, conferred the right to vote on men and women alike. Their strategy was to bring the issue before the courts. Women would violate the law by voting illegally, be arrested, and then file suit. Hopefully, a sympathetic federal judge would agree with them and issue an order enfranchising all women. Perhaps the most significant NWSA advocate to endorse the New Departure strategy was Victoria Claffin Woodhull, a flamboyant editor and orator active in the ranks of spiritualism, labor reform, feminism, and "free love." The AWSA did not officially adopt the "New Departure" strategy, but Lucy Stone, its leader, later attempted to vote in her hometown in New Jersey.[40]

The New Departure was rapidly gaining adherents when, as a Washington resident, Douglass attended the National Woman Suffrage Association's third convention in the District's Lincoln Hall in January 1871. Suffrage leaders Anthony, Woodhull, Isabella Beecher, and Paulina Wright as well as many congressmen and senators attended. Anthony and other speakers gave addresses advancing the New Departure's theory of woman's constitutional right to vote. Douglass was reported as briefly speaking one time at this convention, but his remarks were not recorded.[41] Anthony convinced the audience during the last evening of the Washington Convention to endorse the New Departure. The gathering unanimously passed her resolution:

> That it is the duty of American women in the several states and in the District of Columbia to apply for registration at the proper times and places for registration of voters, and in all cases, when they fail to secure registration, that suits be instituted in the various courts having jurisdiction of such cause to secure adjudication of their rights in the premises, to the end that their existing franchises shall secure general and judicial recognition.[42]

District of Columbia lawyer A. G. Riddle then announced that he would present several women for registration in the next election and, if rejected, take their case to federal court.[43]

Many NWSA delegates remained in Washington to launch a lobbying campaign of Congress. At the invitation of Massachusetts Radical Republican Congressman, Victoria Woodhull gave testimony before the combined Judiciary Committees of both houses of Congress chaired by Massachusetts Radical Republican Benjamin Butler. Woodhull argued that under the Fourteenth Amendment women already possessed the right to vote and all that was needed was

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[40] Stanton, Anthony, and Gage, *History of Women's Suffrage*, 2:407–16; Ellen Carol DuBois, *Woman Suffrage and Women's Rights* (New York, N.Y.: New York University Press, 1998), 98–100, 117, 119–20; Amanda Frisken, *Victoria Woodhull's Sexual Revolution: Political Theater and the Popular Press in Nineteenth-Century America* (Philadelphia, Penn.: University of Pennsylvania Press, 2004), 28–34; Mary Gabriel, *Notorious Victoria: The Life of Victoria Woodhull, Uncensored* (Chapel Hill, N.C.: Algonquin Books, 1998), 136–38; DuBois, *Suffrage*, 83–90; Barry, *Susan B. Anthony*, 229–31; Sneider, *Suffragists in an Imperial Age*, 30–32.

[41] *Washington Evening Star*, 12–13 January 1871; New York *Times*, 13 January 1871; New York *Revolution*, 19 January 1871; Stanton, Anthony, and Gage, *History of Woman Suffrage*, 2:442; DuBois, *Suffrage*, 83; Gordon ed., Selected *Papers of Elizabeth Cady Stanton and Susan B. Anthony*, 2:416n.

[42] New York *Revolution*, 26 January 1871.

[43] New York *Revolution.*

for Congress to pass a declaratory act to that effect. Although Woodhull's memorial received national publicity and Butler supported it strongly, the Committee's majority rejected her reasoning.[44] Douglass did not attend Woodhull's precedent-breaking testimony or assist the lobbying of the suffragists in his new home city because he was busy attending meetings of the Colored National Labor Union simultaneously being held in the capital city.[45]

Woodhull's advocacy helped intensify the national debate over the constitutional claims of the New Departure campaign. Douglass read an editorial seconding the suffragist's position in Theodore Tilton's Brooklyn new weekly, *The Golden Bough,* and announced his full conversion in the *New National Era*: "As a legal argument it is absolutely without a flaw. With a public sentiment at all favorable to the enfranchisement of women, we believe the courts of the country would readily adopt Mr. Tilton's reading of the Constitution, and declare women legally entitled to vote."[46] Douglass applauded the woman suffrage's maneuver to evade the necessity of passing a new constitutional amendment, declaring "It is wise for any reform to avail itself of any and every moral and legal force logically within its reach, by which it can attain a righteous end."[47]

Douglass's reinvigorated support for woman suffrage was encouraged by contact with enthusiastic female allies in that cause from his new home in the District of Columbia. One of them was an old ally from the ranks of abolitionist journalism Mary Ann Shadd Cary. The Delaware-born Mary Ann Shadd joined the emigration of free blacks and runaway slaves to Ontario, Canada in the 1850s, and operated a newspaper called the *Provincial Freeman* for said community.[48] During the Civil War, she returned to the United States and settled in Washington where she taught Black children, enrolled at Howard Law School, and continued her activism. She wrote for Douglass's *New National Era* and lectured in public on issues dealing with discrimination faced by Black people, but also by women. Cary became involved in the National Woman Suffrage Association and actively supported an additional amendment that removed "male" from the Fourteenth and Fifteenth amendments, giving women the full rights, voting, that came with citizenship. In 1880, Cary founded a suffrage organization called the Colored Women's Progressive Franchise Association in the District of Columbia that addressed the needs of Black women and groups segregated on race. Cary's association advocated for women ownership of companies, suffrage, school for Black children, and equal rights.[49]

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[44] Stanton, Anthony, and Gage, *History of Women's Suffrage*, 445–47; Lois Beachy Underhill, *The Woman Who Ran for President: The Many Lives of Victoria Woodhull* (Bridgehampton, N.Y.: Bridge Works Publishing Company, 1995), 96–107; DuBois, *Woman Suffrage & Women's Rights*, 100, 122; Barry, *Susan B. Anthony*, 231–34; Sneider, *Suffragists in an Imperial Age,* 42–46; Gabriel, *Notorious Victoria,* 82–87; Goldsmith, *Other Powers,* 251–54.

[45] Douglass also was preparing in mid-January 1871 to depart the United States as secretary of the U.S. commission to investigate the possibility of annexation of Santo Domingo, *New National Era*, 12 January 1871; *Washington Evening Star*, 12–13 January 1873; Blight, *Frederick Douglass,* 539.

[46] *New National Era,* 21 September 1871.

[47] *New National Era.*

[48] Rosalyn Terborg-Penn, *African American Women in the Struggle for the Vote, 1850–1920,* (Bloomington, Ind.: Indiana University Press, 1998), 19–21; Martha S, Jones, *Vanguard: How Black Women Broke Barriers, Won the Vote, and Insisted on Equality for All* (New York, N.Y.: Basic Books, 2020), 73–75.

[49] Terborg-Penn, *African American Women in the Struggle for the Vote,* 83; Sneider, *Suffragists in an Imperial Age,* 28–29; Jones, *Vanguard,* 11–18, 73–77, 103–05, 117–18.

Mary Ann Shadd Cary. Photograph. Courtesy of National Archives of Canada.

Like Victoria Woodhull, Cary in 1872 gave a speech to the Judiciary Committee about women's suffrage. Cary then entered a "separate sphere"; she had to establish her credibility as a speaker and show that she belonged in the same arena as the men. In her speech, she pointed to the condition of Black women in America, the convergence of their identity as women but also as Black, showed that their experience was unique and differed from the experience of the White women and Black men in America. Just seven years prior, all Black people remained segregated from full participation in American life. But it was women, especially Black women, who remained the most alienated from all aspects of their status as citizens. Part of why Black men received the right to vote was through their service in the military during the Civil War. In her speech to the Judiciary Committee, Cary observed that Black women also served during the Civil War:

> The colored women though humble in sphere, and unendowed with worldly goods yet, led as by inspiration, — not only fed, and sheltered, and guided in *safety* the prisoner soldiers of the Union when escaping from the enemy, or the soldier who was compelled to risk life itself in the struggle to break the back-bone of rebellion, but gave their sons and brothers to the armies of the nation and their prayers to high Heaven for the success of the Right.[50]

Cary conceded that women take on different roles than men, but just because they assume separate roles it does not make them less of a citizen or that they should be denied the right to vote.

Cary was one of the African American women prepared to take power into their own hands and engage in direct political action. Women turned away from lobbying Congress for more amendments because men were reluctant to move on the issue, so they took a different path to agitate for their rights, petitions, and attempts to register to vote to gain support on grounds that would force men in Congress to push for an amendment that enfranchised women. These New Departure arguments led many women to try and vote at local elections because they believed they

[50] Mary Ann Shadd Cary, "Speech to the Judiciary Committee," *Mary Ann Shadd Cary Papers* (1872); Terborg-Penn, *African American in the Struggle for the Vote,* 39; Jones, *Vanguard,* 119–20.

already had the right to vote as enumerated in the Fourteenth Amendment when they were declared citizens.[51] Cary soon found other women in the District of Columbia prepared to join her in these more confrontational tactics.

One such women was Sara J. Spencer, a White suffragist who had been a teacher and journalist in New York and Missouri before marrying another teacher, Henry J. Spenser, and settling in the District of Columbia.[52] As a member of the NWSA, Spencer gave speeches at national events in the 1870s and campaigned in the District for woman suffrage. As an officer of the Woman Franchise Association of the District of Colombia, Spencer organized a petition for women to be registered to vote in the first-ever election for territorial officials in the District of Columbia in April of 1871.[53]

Sara Jane Clarke Lippincott. Painting, oil on canvas, c. 1850. Courtesy of University of Michigan Museum of Art.

These women's petition stated, "We, the undersigned, citizens of Washington, D.C., believing it to be our solemn duty—a part of the allegiance we owe to our Maker, to our country, and to our homes—to exercise the right of elective franchise, hereby earnestly petition that our names be registered as qualified voters in our several districts."[54] In line with the New Departure ideology, these women professed that they had the right to vote since they were citizens of the United States—citizenships included the right to vote no matter ones sex.

After an informal effort by some of the women to register the previous week, Sarah Spencer organized a meeting on 20 April 1871 at the Business College she operated with her husband to teach clerical skills to interested District women. The press reported an interesting exchange at the meeting where the signatories gathered: "But they say we women don't want to vote, said Mrs. Spencer." Another suffrage campaign veteran Emma Southworth replied "Oh, to be sure, they said

[51] DuBois, *Woman Suffrage & Women's Rights*, 114–38; Hewitt, "Recasting Women's Votes" 5–7.
[52] *Washington Evening Star*, 18 October 1909; DuBois, *Woman Suffrage & Women's Suffrage,* 103, 126; Jones, *Vanguard,* 119; Rachel B. Tiven, *Biographical Sketch of Sara Jane Andrews Spencer, in Part III: Mainstream Suffragists—National American Women Suffrage Association,* https://documents.alexanderstreet.com/d/1011002066.
[53] Sneider, *Suffragists in an Imperial Age,* 53.
[54] *New National Era,* 20 April 1871.

the negroes didn't want freedom, you know. Where's my pen?"[55] There was little debate or hesitation at this meeting over signing the petition observed the AWSA's *Woman's Journal* because "Women like these, who have struggled with the world and achieved success, don't need to discuss the woman question. They have investigated the subject in all its bearings, and see plainly what women need, and what the country needs."[56]

Albert G. Riddle and fellow lawyer O. D. Barrett, both husbands of petitioners, were present to advise the women of their rights. Spencer noted that one member of the group from the previous attempt had been threatened with dismissal from her federal clerk's job. It was then announced that another of those women, Elizabeth E. Wilson, had already been fired. Unintimated, more women announced that they were prepared to act.[57] By this time, the Congressional committee before which Woodhull had testified in January, had issued a report dismissing her claims that citizenship guaranteed women the right to vote. Noting that the women who persisted in the effort to register and vote in Washington were aware of this ruling, one historian described their attempt as "a self-consciously radical act of civil disobedience designed to bring their claims into court in the face of congressional disfavor."[58]

Before presenting their petition, the group of women visited Frederick Douglass in his editor's office and asked him to accompany them to City Hall. Douglass responded to the invitation by exclaiming "Do you really mean it? Well, I believe in women's suffrage most profoundly. I believe in bringing the moral power of the country to bear in our nation's councils…The masses are more trustworthy than individuals. I will go with you. I know what struggle means."[59] Douglass accompanied the multi-racial group of women to City Hall in Washington, D.C. to register to vote. Douglass did not lead the women to vote; the women oversaw this political act and were the ones that presented the petition to the clerk, Mr. John S. Crocker, demanding to be registered as voters. Historian Waldo E. Martin observed that "As Douglass's feminist consciousness grew, he become more sensitive to the need for women to articulate and to lead their own liberation [because of] their personal knowledge of sexism."[60] Douglass's decision to take a secondary role in the political act was symbolic and reflective of his belief in women's ability to advocate for themselves.

The *New National Era* recorded sixty-three women signed the petition that was given to the clerk. Stanton and Anthony also published a similar, but not quite identical list of signers, in the *Revolution*. The local press reported on the event and named several additional women, the most significant of whom was Dr. Mary Walker, a trained physician who had worked in a Union Army hospital and was a rival of leaders of the National Women Suffrage Association. The Washington press coverage also reported Belva Lockwood, a Walker ally and a newly enrolled law school student, as playing a prominent part on the group's leadership.[61]

Besides Spencer, Walker, and Lockwood, the petition signers included a diverse collection of the District's female population. At least three black women participated: Amanda Wall, Mary Anderson, Ruth D. G. Havens, and Mary Anderson. Wall, an Oberlin graduate, educator, and wife of Orindatus Wall, was the first black justice of peace in the District. Havens was a long-time clerk

[55] *New National Era*; Boston's *Woman's Journal,* 29 April 1871.
[56] Boston *Woman's Journal,* 29 April 1871.
[57] *Washington Evening Star*, 19, 20 April 187.
[58] Sneider, *Suffragists in an Imperial Age,* 53.
[59] Sneider, *Suffragists.*
[60] Waldo E. Martin, Jr. *The Mind of Frederick Douglass* (Chapel Hill, N.C.: University of North Carolina Press, 1984), 145.
[61] Theresa Kaminski, *Dr. Mary Walker's Civil War* (Essex, Conn.: Lyons Press, 2020), 211–12.

in the Treasury Department and remained active in the woman suffrage movement into the 1890s. Anderson's identity is obscure, although directories list her as a widow.

Among the White women inviting Douglass to accompany them were several long-time friends and acquaintances. The best known was Sarah J. Lippincott, the nationally prominent journalist better-known by her penname "Grace Greenwood," a long-time friend of Douglass's. Greenwood's mother, Deborah C. Clarke, in her eighties was another signer. When the latter was asked if she wanted her name on the petition, she responded "Yes, write it twice."[62] Another petitioner was Douglass's friend Julia A. Wilbur, who had lived in Rochester in the 1850s and raised funds for his abolitionist newspaper there before relocating to Washington to work assisting freedmen. Douglass also corresponded and probably met with Josephine S. Griffing, an abolitionist veteran, member of the Women's Loyal National League, agent of the Freedmen's Bureau, and officer of the National Woman Suffrage Association.

Many petition signers had national reputations such as E. D. E. N. Southworth, a prolific novelist. Dr. Caroline B. Winslow the nation's fifth woman to have graduated from a medical college. Two sisters were among the signers, Dr. Susan A. and Sarah P. Edson, both of whom had been nurses in the Civil War, along with their mother Sarah E, Webster, who in her mid-eighties was the oldest petitioner. Also signing was Caroline Avery Riddle, Mary A. Riddle, Florence Riddle Bartlett, wife and daughters of Albert G. Riddle, the lawyer who had promised at the National American Woman Suffrage convention in Washington three months earlier to represent any women who attempted to register to vote in court.[63] Many others of these women had attended one or more women rights conventions or corresponded with the movement's officers and newspapers. Significantly, the Washington City directory lists twelve of the petitioners as clerks or "copyists" at one of District's federal agencies.[64] While young and old, black and white, married and unmarried, a Washington daily newspaper characterized the overall group as "ladies of respectability and social standing."[65]

When the group reached the registrar's office in the Washington City Hall, they found it already crowded by males desiring to vote in the first territorial election just six days later. John S. Crocker, the clerk, refused to register them to vote, but voiced sympathy for their cause. There were reports that some women attempted to give bouquets of flower to any registrar that would add their names to the voting list.[66] The typically irrepressible Dr. Walker lectured men in the room: "These women have assembled to exercise the right of citizens of a professed-to-be-republican country, and if you debar them of the right to register, you but add new proof that this is a tyrannical government, sustained by force not justice."[67] Crocker eventually allowed the women to fill out applications to register but those applications were not accepted. The women

[62] New York *Revolution,* 27 April 1871.
[63] *New National Era*, 20 April 1871; Terborg-Penn, *African American Women in the Struggle for the Vote*, 40; Dubois, *Woman Suffrage & Women's Rights*, 126–27; Jones, *Vanguard*, 118–20.
[64] Biographical information on these women was found in *Boyd's Directory of Washington & Georgetown: Together with a Business Directory of Alexandria, Va. …1867* (Washington, D.C: Boyd's Publishing Co., 1867) and *Boyd's Directory of the District of Columbia…1877* (Washington, D.C.: William H. Boyd Directory Publisher, 1877) as well as standard biographical directories.
[65] *Washington Evening Star*, 22 April 1871.
[66] *Washington Evening Star*, 14 April 1871; New York *Revolution,* 27 April 1871; Sneider, *Suffragists in an Imperial Age*, 155.
[67] Quoted in Kaminski, *Dr. Mary Walker's Civil War*, 212.

who organized to vote were not arrested. Some of the same women attempted to vote in the 20 April 1871 election but all were rebuffed.[68]

Sarah "Grace Greenwood" Lippincott left the most detailed account of her effort to vote. She admitted to fearing becoming a subject of ridicule and abuse, but explained why she persisted: "When the first step, the 'step that costs,' a step in the direction my own principles have marked out, is to be taken, I certainly cannot hold back without loss of self-respect." She doubted many men would have tried to vote if faced with such obstacles but encouraged women to be braver" "We must be in earnest; we must have calculated the cost, for such things *hurt."*[69]

Douglass's *New National Era* reported on the event:

> As they [the suffragists] anticipated, they were politely but decidedly refused registration, and, as they desired, the case is now in a form to be presented to the courts. The two purposes the ladies had in view are accomplished. They have proven that intelligent Christian women in Washington feel it their duty to exercise the elective franchise, and they have taken the first steps toward securing a legal recognition of their citizenship.[70]

The *Revolution*'s assessment of the achievement of the Washington women echoed Douglass's, declaring:

> The first step towards securing a legal recognition of their citizenship has been taken, and an immense moral advantage thus gained by showing the world that Christian women of the highest standing and unimpeached respectability not only want to vote, but are ready to make all needful sacrifices to accomplish their object. The reform has now passed, partially at least, out of the phase of talk and entered upon that of work; women are showing that they can be fully relied upon, now that the moment for practical effort has come, and this of itself is an immense gain."[71]

The *Revolution* also observed the important symbolism of Douglass's assistance to this effort:

> Frederick Douglass, whose long services have identified him with the friends of woman, and given him an enviable place, accompanied the women, applicants for registration, to the City Hall, feeling doubtless an elation of spirit at the prospect of the speedy emancipation of the sex akin to what he felt at the liberation of his own oppressed and downtrodden race. As one of the great emancipators of the age, with the memory of the prison-house in his soul, he was well and fitly chosen to accompany that little band of earnest women on their mission.

As promised, Albert G. Riddle took the case of Spencer and her compatriots into federal court in October 1871. He employed an array of arguments based on Natural Law, English Common Law, local District of Columbia statutes, but most of all the interpretation of the Fourteenth Amendment used by New Departure advocates to convince the Supreme Court of the

[68] Kaminski, *Dr. Mary Walker's Civil War,* 212.
[69] New York *Revolution,* 27 April 1871.
[70] *New National Era,* 20 April 1871.
[71] New York *Revolution,* 27 April 1871.

District of Columbia to register his clients as voters. The federal court ruling, however, instead affirmed that those women were indeed citizens, but declined to consider their constitutional claims. Judge David Cartter held that without a change to the District's law specifying voters must be male, women could not vote. As a federal territory, such a change, would have to be made by Congress. A second case argued by Riddle's law partner, Francis Miller, on behalf of another of the women seeking to vote, Sarah E. Webster, against the District's election officers met the same fate.[72]

The strategy of the New Departure ultimately was unsuccessful; the suffragist's court cases failed, and women continued to be denied when they tried to register to vote. Lucy Stone, Victoria Woodhull, Sojourner Truth, and hundreds of other women attempted to either register or vote but were repulsed. In 1872, Susan B. Anthony succeeded in casting a ballot in Rochester, New York. She was subsequently arrested and found guilty by a directed verdict from the bench. Anthony famously refused to pay the court's $100 fine.[73] In the court case *Minor V. Happersett* (1874), Virginia Minor, the Missouri suffragist, and her husband sued the St. Louis register Reese Happersett after he refused to allow Minor to vote in 1872. Her case made it to the United States Supreme Court, and the court unanimously decided the United States Constitution did not include suffrage as a right of a citizen—women were citizens, but citizenship did not include the right to vote.[74]

While woman suffragists' claims to the ballot advanced through New Departure tactics were still being litigated, the nation's political attention turned to the 1872 presidential election. Since passage of the Fourteenth and Fifteenth Amendments, the influence of Radical Republicans had been ebbing as northern public attention turned away from Reconstruction. A growing Liberal Republican movement both assailed corruption in the Grant administration and alleged "Negro Rule" in southern state governments. These Liberals defected from the Republicans and joined forces with the Democrats in support of a ticket of New York City newspaper editor Horace Greeley and Missouri Governor Benjamin Gratz Brown to contest Grant's reelection.[75]

The issue of woman's suffrage was not the focus of the 1872 election. Most of the movement's leaders were well aware of Greeley's long-standing opposition to woman suffrage and actively campaigned for Grant.[76] The most significant exception was Victoria Woodhull, who decided to run for president that year for the Equal Rights Party, which she created to advance radical economic positions, "free love," spiritualism, as well as women's rights. The new party's convention selected Douglass to be her running mate as the "true friend of human liberty."[77]

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[72] *Suffrage Supported by the Fourteenth Amendment: Woman's Suffrage Supported in the Supreme Court of the District of Columbia, In General Term, October, 1871* (Washington, D.C.: Judd & Detweiler Printers and Publishers, 1871), 3–73; Stanton and Anthony, *History of Woman Suffrage*, 2:587–600; Jones, *Vanguard*, 118.

[73] N. E. H. Hull, *The Woman Who Dared to Vote: The Trial of Susan B. Anthony* (Lawrence, Kans.: University of Kansas Press, 2012), 63–75, 114–59; DuBois, *Suffrage*, 98–104; DuBois, *Woman Suffrage & Women's Rights,* 129; Frisken, *Victoria Woodhull's Sexual Revolution,* 33.

[74] DuBois, *Woman Suffrage & Women's Rights,* 131–32; DuBois, *Suffrage*, 104–05; Terborg-Penn, *African American Women in the Struggle for the Vote*, 41.

[75] Heather Cox Richardson, *The Death of Reconstruction: Race, Labor, and Politics in the Post-Civil War North, 1865–1901* (Cambridge, Mass.: Harvard University Press, 2001), 102–05; Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863–1877* (New York: Harper Collins, 1988), 488–511; Blight, *Frederick Douglass,* 533–38.

[76] Dubois, *Woman Suffrage & Women's Rights,* 128.

[77] As quoted in Frisken, *Victoria Woodhull's Sexual Revolution,* 67. Also see Gabriel, *Notorious Victoria*, 175, 178; Underhill, *Woman Who Ran for President*, 211–12.

Woodhull's presidential run did not gain much traction and Douglass ignored his nomination.[78] Instead, Douglass stumped vigorously for the reelection of Grant and advocated for African Americans to vote Republican. He believed a vote for the Republican party ensured progress towards equal rights, and that third-party or Democrat votes risked a reversal of the gains made under Reconstruction for African Americans and women.[79]

After rulings in the mid-1870s demonstrated that the judicial barriers to New Departure tactics were unbreachable, the woman suffrage movement shifted back to lobbying legislative bodies to gain the ballot. Members of Douglass's own family enlisted in the suffrage campaign in the District during the 1870s. His daughter, Rosetta Douglass Sprague, and daughter-in-law, Elizabeth Murphy Douglass, wife of his oldest son Lewis L. Douglass, both signed their names to woman suffrage petitions in the early 1870s. Rosetta, her husband Nathan Sprague, her brother Frederick Douglass, Jr., and his wife Elizabeth Murphy Douglass also signed and circulated another petition to Congress for woman suffrage.[80] All of the petitions called for a new constitutional amendment indicating that the Woman suffrage movement had moved away from their New Departure tactics. Douglass's family members became part of an active biracial suffrage movement in the District led by Shadd, Spencer, Lockwood, Walker, Lippincott, and many other female activists who invited him to accompany them to City Hall that day in April 1871.[81]

By the mid-1870s, Douglass was a frequent participant at conventions called by Lucy Stone's American Woman Suffrage Association.[82] He described himself to one AWSA gathering as being among the "colored men in the country who have not forgotten the rights of others in having received their own rights."[83] When the competing wings of the woman suffrage movement resolved their disagreements and merged to campaign for a new constitutional amendment, Douglass was again found at the side of Stanton and Anthony as well as Stone at woman suffrage conventions.[84] Many factors contributed to the ultimate reproachment but the New Departure Movement, especially his active cooperation with its advocates in the District of Columbia, had supplied a bridge for Douglass to rejoin the active ranks of woman suffrage campaign.

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[78] In Washington, Belva Lockwood was the only one of the District's New Departure group known to have backed Woodhull. Lockwood would herself run for President in 1884 and 1888. Frisken, *Victoria Woodhull's Sexual Revolution,* 190; Quarles, "Frederick Douglass and the Woman's Rights Movement," 42,

[79] Blassingame, *Douglass Papers,* ser. 1, 4:302–341; Blight, *Frederick Douglass,* 533–34.

[80] Terborg-Penn, *African American Women in the Struggle for the Vote,* 46–47; https://www.docsteach.org/documents/document/douglass-petition-woman-suffrage ; https://usnatarchives.tumblr.com/post/172350590129/petition-for-woman-suffrage-signed-by-residents-of

[81] Terborg-Penn, *African American Women in the Struggle for the Vote,* 40–42.

[82] Quanquin notes that by 1873 Douglass was attending and playing an active part in the AWSA meetings.

[83] Blassingame, *Douglass Papers,* ser. 1, 4:396

[84] In his third autobiography in 1881, Douglass declared: "I would give women a vote, give her a motive to qualify herself to vote, precisely as I insisted upon giving the colored man the right to vote, in order that he should have the same motives for making himself a useful citizen as those in force in the case of other citize3ns. In a word, I have never yet been able to find one consideration, one argument, or suggestion in favor of man's right to participate in civil government which did not equally apply to the right of women." McKivigan, *Douglass Papers,* ser. 2, 3:371.

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The African American Rhetoric of the 1895 South Carolina Constitutional Convention and the Limits of Deliberative Rhetoric of Equality

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In August 2018, an inebriated driver arrested in Beaufort County, South Carolina, argued that she shouldn't be jailed because of her status as a "very clean, thoroughbred, white girl." When asked to clarify her point, she countered, "You're a cop, you should know what that means...You should know based on the people that come in this room." Assessing her argument, an officer noted, "Making statements such as these as a means to justify not being arrested are unusual in my experience as a law enforcement officer and I believe further demonstrate the suspect's level of intoxication."[1] The officer's conclusion is warranted—the woman's argument indicates insobriety—yet such rhetoric does not flow from the bottle *ex nihilo*. The White supremacy underlying her plea, a doctrine predicated on notions of racial purity prescribing preference for Whites in all aspects of society on the grounds of intellectual, moral, and physical superiority, dates back to the founding of the North American colonies and lives on—both in the open and in shadow—in South Carolina, the South, and the nation. When arrayed against such insular belief, deliberative arguments for racial equality that seem to be compelling in the abstract hold little sway in practice. In this particular case, the rhetor espousing White supremacy lacked the power (legal, spiritual, political, economic, or otherwise) to resist arrest or impede others' rights. But when a person, political party, or movement wields sufficient force, a strong rhetoric of equality can be summarily neutralized.

In the tradition of recovery scholarship, this essay features the underexamined oratory of six South Carolina's post-Reconstruction African Americans, an accomplished civil rights rhetoric that suffered such neutralization. In defense of African American suffrage, the Black delegates to the 1895 South Carolina Constitutional Convention—Thomas Ezekiel Miller, William James Whipper, Robert Smalls, James Wigg, Isaiah Randall Reed, and Robert B. Anderson—employ a skillful rhetorical dialectic, on the one hand identifying with White delegates and, on the other hand challenging them through critique and by firmly asserting the moral superiority of the African American position. In addition, drawing on Bradford Vivian's concept of "public forgetting," I show how the six delegates' challenge White collective memory of Southern history—what is celebrated and what is deliberately pushed aside—for the purpose of protecting African American civil rights.

Furthermore, I discuss how the failure of these able orators to move their fellow White delegates to support the Black franchise, which brings to light the enduring power of White supremacy and the Southern narrative of the Lost Cause, elucidates the limits of deliberative rhetoric, particularly the discourse of those marginalized by ideologically extreme opposition. Finally, I reflect on the twenty-first-century legacy of White supremacy that continues to challenge the rhetoric of racial equality practiced by the spiritual descendants of the six African American delegates. First, though, I will introduce these rhetors, as well as the context in which they spoke.

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[1] Jeff Martin, "Woman tells police she's a 'clean, thoroughbred, white girl,'" *Associated Press*, 8 August 2018, apnews.com.

The African American Delegates to the South Carolina Constitutional Convention of 1895

The 1895 South Carolina Constitutional Convention, held in Columbia, the state capital, began September 10 and concluded December 4 with the adoption of a new state constitution. It comprised 160 delegates: 154 White Democrats and 6 African American Republicans. Although many issues were debated at the convention, the elimination of the Black franchise was the White majority's principal concern.[2] Five of the six African American delegates represented Beaufort County, the sixth delegate nearby Georgetown County.[3] Miller (1849–1938), a native of the Sea Islands, was born of free parents and attended African American schools in Charleston. He graduated from Lincoln University in Pennsylvania and studied law at South Carolina College (now the University of South Carolina). In addition to practicing law, he served as a school commissioner for Beaufort County and was elected to the State Legislature and the U.S. Congress. Miller was the first president of the Colored Normal, Industrial, Agricultural, and Mechanical College of South Carolina at Orangeburg (now known as South Carolina State University). Whipper (1834–1907), nephew of noted abolitionist William Whipper, was born in Pennsylvania. He studied law in Detroit and served in the Union army in the Civil War. During Reconstruction, he moved to South Carolina, where he built a formidable legal practice. Whipper was a delegate in South Carolina's 1868 Constitutional Convention and served in the state's House of Representatives. He was also a brigadier general in South Carolina's militia, a newspaper publisher, and a judge in Beaufort.

Unlike Miller and Whipper, Smalls (1839–1915) was born into slavery in Beaufort County. He learned to sail and became the wheelman of the *Planter,* a local cargo ship serving the Confederacy. In 1862, while the White officers of the steamer were ashore, Smalls and a slave crew sailed the vessel out to sea, where he surrendered to the Union naval blockade. Later, he served in the Union navy, eventually as captain of the *Planter*. After the war, he was elected to the State Legislature and the U.S. Congress, and like Whipper, he participated in the 1868 South Carolina Constitutional Convention. Largely self-taught, Smalls was popular with his Sea Island constituents, with whom he spoke Gullah, and became known as the "King of Beaufort County." The local lore was that he was worshiped on nearly the same level as Jesus Christ. Smalls was a successful newspaper publisher and served as the collector of the port of Beaufort.

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[2] Michael Perman, *Struggle for Mastery: Disenfranchisement in the South, 1888–1908* (Chapel Hill, N.C.: University of North Carolina Press, 2001), 100.

[3] The following biographical sketches draw from Luis-Alejandro Dinnella-Borrego, *The Risen Phoenix: Black Politics in the Post-Civil War South* (Charlottesville, Va.: University of Virginia Press, 2016); George Brown Tindall, *South Carolina Negroes: 1877–1900* (Baton Rouge, La.: Louisiana State University Press, 1966); Eric Foner, *Freedom's Lawmakers: A Directory of Black Officeholders during Reconstruction* (Baton Rouge, La.: Louisiana State University Press, 1996); Philip Dray, *Capitol Men: The Epic Story of Reconstruction through the Lives of the First Black Congressmen* (Boston, Mass.: Houghton Mifflin, 2008); Akiko Ochiai, *Harvesting Freedom: African American Agrarianism in Civil War Era South Carolina* (Westport, Conn.: Praeger, 2004); Okon Edet Uya, *From Slavery to Public Service: Robert Smalls, 1839–1915* (New York, N.Y.: Oxford University Press, 1971); Andrew Billingsley, *Yearning to Breathe Free: Robert Smalls of South Carolina and His Families* (Columbia, S.C.: University of South Carolina Press, 2007); Edward A Miller, Jr., *Gullah Statesman: Robert Smalls from Slavery to Congress, 1839–1915* (Columbia, S.C.: University of South Carolina Press, 1995); Lawrence S. Rowland and Stephen R. Wise, *Bridging the Sea Islands' Past and Present, 1893–2006: The History of Beaufort County, South Carolina*, vol. 3 (Columbia, S.C.: University of South Carolina Press, 2015); Stephen Middleton, ed., *Black Congressmen during Reconstruction: A Documentary Sourcebook* (Westport, Conn.: Greenwood Press, 2002); W. Lewis Burke, Jr., "The Radical Law School: The University of South Carolina School of Law and Its African American Graduates, 1873–1877," in *At Freedom's Door: African American Founding Fathers and Lawyers in Reconstruction South Carolina*, James Lowell Underwood and W. Lewis Burke, eds. (Columbia, S.C.: University of South Carolina Press 2000), 90–115.

Less is known of the other three. Born a slave in the Sea Islands, Wigg worked during the Civil War as a waiter for the occupying Union army and caught the notice of a general, who later saw to his education in Washington, D.C. He became a prosperous farmer and served both as a school commissioner and in the State Legislature. Reed was a Beaufort attorney who helped manage the *Beaufort New South*, an African American newspaper. Anderson was a teacher who served as town warden and postmaster and as a state legislator.

It is important to note that Miller, Whipper, Smalls, and their fellow Black delegates extend, rather than originate, the deliberative efforts of African Americans to defend the rights granted by the 13th, 14th, and 15th amendments. This broad, multifaceted rhetorical campaign is sagely launched by none other than Frederick Douglass, who in 1865 urged the American Anti-Slavery Society not to disband, but continue its greater work, since constitutional amendments in and of themselves would not protect African Americans from discriminatory laws and practices. "Slavery is not abolished until the black man has the ballot," he insightfully declares. "While the Legislatures of the South retain the right to pass laws making any discrimination between black and white, slavery still lives there." Providing a specific example of racial discrimination present in the same Southern state featured in this essay, Douglass reveals, "There is something down in South Carolina higher than Constitutional provisions." Having rehearsed the "many names" slavery has been given, Douglass offers his final warning, which foreshadows the work of the African American delegation to the South Carolina convention thirty years later: "You and I and all of us had better wait and see what new form this old monster will assume, in what new skin this old snake will come forth next."[4]

Occupying the stage set by Douglass in his 1865 speech, many African Americans, both at the state and national levels, participated eloquently in civil rights deliberation during Reconstruction, striving both to enhance existing rights in some cases while seeking to protect them from destruction in others. For example, Robert Elliot, Joseph Rainey, Richard Cain, and Alonzo Ransier, who represented South Carolina in the U.S. Congress, together with Representatives John R. Lynch (Mississippi), James Rapier (Alabama), and Josiah Walls (Florida), applied their eloquence to help pass the 1875 Civil Act. Although the legislation was struck down by the Supreme Course in 1883, its passage demonstrated the significant presence of Black deliberative rhetoric at the national level. Correspondingly, activists such as Massachusetts House of Representatives member Julius C. Chappelle successfully advocated for state legislation that banned racial discrimination in places of public amusement, transport, and public meetings in 1885. These postbellum figures model the rhetorical practice adopted by the African American delegation to the 1895 South Carolina Constitutional Convention.[5]

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[4] Frederick Douglass, "In What New Skin Will the Old Snake Come Forth?" in John W. Blassingame et al, ed., *The Frederick Douglass Papers*, Series 1: *Speeches, Debates, and Interviews*, 5 vols. (New Haven, Conn.: Yale University Press, 1979-91), 4:83, 85.

[5] For further discussion of the Reconstruction African American deliberative rhetoric that precedes the arguments featured in this study, see Justin Behrend, "Facts, Memories, and History: John R. Lynch and the Memory of Reconstruction in the Age of Jim Crow," in *Remembering Reconstruction: Struggles Over the Meaning of America's Most Turbulent Era*, Carole Emberton and Bruce E. Baker, eds. (Baton Rouge, La.: Louisiana State University Press, 2017), 84–108; Millington W. Bergeson-Lockwood, "'We Do Not Care Particularly About the Skating Rinks': African American Challenges to Racial Discrimination in Places of Public Amusement in Nineteenth-Century Boston, Massachusetts," *The Journal of the Civil War Era* 5, no. 2 (2015), 254–88; Dinnella-Borrego, *The Risen Phoenix*; Alan Friedlander and Richard A. Gerber, *Welcoming Ruin: The Civil Rights Act of 1875* (Boston: Brill, 2019); Kirt H. Wilson, *The Reconstruction Desegregation Debate: The Politics of Equality and the Rhetoric of Place, 1870–1875* (East Lansing, Mich.: Michigan State University Press, 2002).

The African American Delegation's Dialectical Rhetoric

Andrew Billingsley concludes that the African American delegates at the 1895 convention "demonstrated a mastery of rhetorical and forensic skills as well as constitutional history, illustrating the important lesson that excellence in rhetoric, persuasion, and deportment knows no race, creed, or previous condition of servitude."[6] Other scholars, as well, have noted this rhetoric but have not explored its characteristics in detail.[7] I focus on these Black rhetors' dual efforts to relate to their White audience through cultural accommodation and appropriation (aligning with White South Carolinian and American values and drawing on the *topoi* of White culture) but also challenging the dominant culture through critique, refuting racist arguments, suggesting moral superiority, and seeking to collectively forget the myth of the Lost Cause.[8] This dialectic of identification and challenge, which characterizes the delegation's discourse as a whole, resonates with the rhetoric of prominent Reconstruction-era Black rhetors, including those who blazed the trail traveled by the South Carolina delegates in 1895.[9] Their approach demonstrates the resourcefulness and alacrity to engage rhetorically in civic controversy characteristic of African American rhetors. As Keith Gilyard and Adam J. Banks, who emphasize "the African-American investment in strategic language," note, "African Americans generally understand rhetorical and/or literate practices to be competitive arenas and have been more disposed to participate in them enthusiastically than to ruminate philosophically about the inadequacy of verbal forms."[10]

Alignment with White South Carolinian and American Values

To create common ground with South Carolina's White delegates, the six African American orators articulate their devotion to state and country. Miller begins his principal convention speech by characterizing himself as a person "who yields to no man in respect for the laws of the United States and South Carolina" and "who loves the past history of our nation and the dear old State." He also describes himself "as one who has never by word or vote committed an act that in any way tended to destroy the rights of any citizen, white or black," then extends his devotion to country and the rule of law to all African Americans, who have "love and affection for the government" and have "borne our part in every struggle," "answered every call," and "proven to the world that we are conservative in thought and action, lovable toward our oppressor, living

[6] Billingsley, *Yearning to Breathe Free*, 179.

[7] See, for example, Tindall, *South Carolina Negroes*, 83–87, 298–99; Uya, *From Slavery to Public Service*, 142–48; W. E. Burghardt Du Bois, *The Gift of Black Folk: The Negroes in the Making of America* (New York, N.Y.: Johnson Reprint Corporation, 1968), 243–48; Asa H. Gordon, *Sketches of Negro Life and History in South Carolina*, 2nd ed. (Columbia, S.C.: University of South Carolina Press, 1971), 65–68; Walter Edgar, *South Carolina: A History* (Columbia, S.C.: University of South Carolina Press, 1998), 445; Edward Miller, *Gullah Statesman*, 206–14; Rowland and Wise, *Bridging the Sea Islands' Past and Present*, 76–79; Perman, *Struggle for Mastery*, 112–14; Willie Lee Rose, *Rehearsal for Reconstruction: The Port Royal Experiment* (New York, N.Y.: Bobbs-Merrill, 1964), 404–05; Dinnella-Borrego, *The Risen Phoenix*, 186–92; Damon L. Fordham, *Voices of Black South Carolina: Legend and Legacy* (Charleston, S.C.: History Press, 2009), 71–87; August Meier, *Negro Thought in America, 1880–1915: Racial Ideologies in the Age of Booker T. Washington* (Ann Arbor, Mich.: University of Michigan Press, 1988), 39–40.

[8] The perils and potential of cultural appropriation and accommodation in nineteenth-century African American rhetoric are engaged by Wilson in "The Racial Politics of Imitation in the Nineteenth Century," *Quarterly Journal of Speech* 89, no. 2 (2003), 89–108.

[9] In a number of respects, this dialectic aligns with Meier's dichotomy of "accommodation" and "protest" (*Negro Thought in America*, 69–82).

[10] Keith Gilyard and Adam J. Banks, *On African-American Rhetoric* (New York, N.Y.: Routledge, 2018), 15.

under and by the laws at all times."[11] He appeals to "the spirits of departed patriots, who have shed their blood for the equal rights of man on this soil," requesting that they "bear witness of our condition and in some way hover over us to guide us to the right."[12] Aligning with Booker T. Washington's accommodating Atlanta Exposition Address a month earlier, Miller reveals, "The negroes do not want to dominate. They do not want and would not have social equality."[13] He goes so far as to declare, "The negro will never by any act of his seek to destroy white supremacy."[14] Smalls sounds similar notes, declaring, "I was born and raised in South Carolina, and today I live on the very spot on which I was born...I love the State as much as any member of this convention, because it is the garden spot of the south."[15]

In addition to appealing to general American values and echoing the accommodationist language of Washington, Miller focuses on the importance of protecting the Constitutional rights of White voters, declaring that his subject is "the proposed disfranchisement of the common people of South Carolina, white and black," who will lose the vote under the literacy and monetary requirements the White majority proposes. He wishes "to see every male citizen, and woman, too, who is not disqualified on account of crime or mental condition, the equal of every other citizen in the enjoyment of inalienable rights, the chief of which is to have a voice in the government." Eschewing narrow partisan alignment with his own racial constituency, Miller appeals directly to his White audience's interests: "the conservative force in our State is the common people, the burden-bearing people, and, sir, when you say that $300 and the capacity to read and write are the requirements to be possessed by voters, you are striking at the root of the tree of universal government."[16]

Miller reiterates this point throughout his oratory, stressing that the proposed changes to voting laws—even though motivated by a desire to deny African Americans the vote—will severely handicap the White race. Positing an advocate of "white supremacy" who writes "fulsomely" in the press of the privilege due his race, Miller sympathetically sketches the harm he will experience: "There is no hope for him, though he wields an eloquent pen, if he is poor. His forefathers may have come here, and, like the negro, spilt his blood, shed his tear, and toiled to plant this magnificent tree of liberty, but if this monstrosity becomes law, there is no hope for him but to toil, grovel in poverty, because for the want of $300. Though an educated Caucasian, he is no better off than his ignorant brother in black skin."[17]

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[11] Obviously, Miller's description of the benevolent African American character elides the slave revolts and conspiracies that occurred in the antebellum South, incidents central to White memory.

[12] "Now on the Suffrage. The Convention at Last Takes Up the Vitally Important Problem. Negro Members Speak. Miller and Wigg Both Make Strong Speeches Before the Convention," *Columbia (S.C.) State*, 26 October 1895, 2. There are no authoritative texts of the speeches of the African American delegation to the 1895 South Carolina Constitutional Convention. The official account of the event, the *Journal of the Constitutional Convention of the State of South Carolina* (Columbia, S.C.: Charles A. Calvo, Jr., 1895), records very few of the orations delivered there. Thus, I have relied on contemporary newspaper reporting, as well as Sarah V. Smalls's *Speeches at the Constitutional Convention, by Gen. Robt. Smalls. With the Right of Suffrage Passed by the Constitutional Convention* (Charleston, S.C: Enquirer Print, 1896) and Mary J. Miller's *The Suffrage: Speeches by Negroes in the Constitutional Convention. The Part Taken by Colored Orators in Their Fight for a Fair and Impartial Ballot* (n.p., n.d.).

[13] "Now on the Suffrage," 5. See Booker T. Washington, "Atlanta Exposition Address," in *The Will of a People: A Critical Anthology of Great African American Speeches*, Richard W. Leeman and Bernard K. Duffy, eds. (Carbondale, Ill.: Southern Illinois University Press, 2012), 187.

[14] "Now on the Suffrage," 3. August Meier's description of Miller's tone at the convention as "obsequious" aligns with such passages (*Negro Thought in America*, 249).

[15] "Smalls and Whipper. Voices from the Past Raised in the Constitutional Convention," *State*, 27 October 1895, 2.

[16] "Now on the Suffrage," 2.

[17] "Now on the Suffrage," 2.

In a related pitch to his White audience's interests, Smalls argues that African American South Carolinians, who tend the cotton and rice fields and provide labor in the phosphate mines essential to the state's economic well-being ("No one but a negro can work them"), should be granted suffrage so that they will not emigrate in search of civil rights.[18] Similarly, Whipper argues, "You have work for the negroes to do...Utilize your uncultivated fields. You need the negroes; their toil and their energy."[19] Smalls's proposed amendment to the draft constitution concerning anti-miscegenation, discussed below, was highly confrontational. Nonetheless, his prefatory declaration that "there is not a colored man or woman of any respectability, not only in South Carolina, but in the whole country, that does not oppose the intermarriage of the races" is clearly accommodationist, particularly since African Americans such as Frederick Douglass and Timothy Thomas Fortune endorsed the practice.[20]

Reed links his case for African American suffrage to Southern icon Patrick Henry. "Of all the early American citizens and statesmen," he declares, "no one had a keener sensitiveness to the buoyance and enlightening influence of [liberty] and the humiliation and degradation of [slavery] than Patrick Henry, when, for the slavery made by the power of the mother country, he uttered those memorable and laconic words, 'give me liberty or give me death.'" He reminds his White audience of how "this love of liberty" informed the Preamble to the U.S. Constitution, a document that—he notes—was signed by the delegates from the State of South Carolina.[21] Anderson inventively appeals to his White audience's heritage—declaring his "faith in the fairness and integrity of the Anglo-Saxons of South Carolina, the descendants of an illustrious and noble ancestry, the scions of the Huguenot fathers and the landed gentry of old England, a people who represent the best and highest type of American and Christian civilization"—to resist their plan to annihilate the rights of a class of people because "the hue of their skin and the texture of their hair are unlike their own." Seeking to link the African American franchise to political stability and security for Whites, Anderson notes, "We are aware that a good citizen is a standing safeguard and constant surety for the preservation of the peace and good order of the State and country."[22]

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[18] "Smalls and Whipper," 2. While making the case that African American emigration would hurt white South Carolinians' interests, Smalls contributes to the national debate among Blacks concerning mass emigration from the South. In contrast with leaders such as John Mercer Langston, who advocated for relocation in Kansas ("The Exodus," in *Freedom and Citizenship: Selected Lectures and Address* (Miami, Fla.: Mnemosyne Publishing, 1969), 232–58), and Timothy Thomas Fortune, who recommended establishing "a bureau of immigration" to diffuse the Southern African American population throughout the nation ("Afro-American League Convention Speech," in *T. Thomas Fortune, the Afro-American Agitator: A Collection of Writings, 1880–1928*, Shawn Leigh Alexander, ed. (Gainesville, Fla.: University Press of Florida, 2008), 145), others such as Frederick Douglass and Blanche K. Bruce opposed mass relocation ("The Negro Exodus from the Gulf States," in Blassingame, *Douglass Papers*, 4: 510–33; Dray, *Capitol Men*, 294–96). Here and elsewhere, Smalls aligns with the latter group.

[19] "Smalls and Whipper," 2.

[20] Sarah Smalls, *Speeches at the Constitutional Convention*, 16. Miller expresses a view on interracial marriage similar to Smalls's, although Wigg takes the opposite position ("Recess! To be Taken from Adjournment of Convention Today Until Oct 15," *State*, 4 October 1895, 2). See Douglass, "The Future of the Colored Race," *North American Review*, 142, no. 354 (1886), 437–40; Fortune, "Whose Problem Is This?" in *T. Thomas Fortune*, 225–26; Dinnella-Borrego, *The Risen Phoenix*, 189.

[21] "Woman's Suffrage. The Issue Presented Squarely to the Constitutional Convention," *State*, 29 October 1895, 2.

[22] "Woman's Suffrage," 1. This argument for Black suffrage contributing to law and order is not dissimilar to Ida B. Wells's assertion that fighting lynch law helps preserve "distinctive American institutions" and "the foundation of government" ("Lynch Law in All Its Phrases," *The Will of a People*, 158).

Referencing the *Topoi* of White Culture

The Black convention delegates frequently feature cultural knowledge valued by White audiences. Miller approaches the voting issue "with malice towards none," a clear reference to Lincoln's second inaugural address evoking the martyred president's plea for unity. In addition, he cites Marc Antony's famous eulogy from Shakespeare's *Julius Caesar*: "the evil one does lives after him—the good is oft interred with his bones."[23] Wigg, as well, references White cultural touchstones, including his witty characterization of Edgeworth Delegate Benjamin Tillman as Don Quixote, "crusad[ing] for white supremacy, seconded by the delegate from Aiken, as his faithful Sancho Panza." Also notable is his suggestion that the White convention delegates, with their willingness to eliminate voting rights for Whites and African Americans in order to undermine the Black vote, act the part of Samson in the Old Testament story of self-destruction, as well as his references to the Magna Charta (which echo Miller's, discussed below), *Paradise Lost*, and Lincoln's Gettysburg Address.[24] Anderson cites Shakespeare's *Henry VI, Part 2* and Church Father Tertullian ("The blood of the martyrs is the seed of the church"), closing his speech with allusions to the Gettysburg Address and Oliver Wendell Holmes's "Army Hymn."[25]

Particularly significant is Whipper's activation of the *topos* of the faithful plantation slave. Hoping to convince White delegates that they should maintain African American suffrage to repay their wartime debt to the Black population, Whipper recalls, "There was the horny-handed laborer of the Confederacy, remaining at home caring for the family of the master, working the planation, discharging every duty, protecting those who were dear to the men who were fighting the battles of the Confederacy." Whipper's reference to the dedicated slave—a character type Douglass also enlists to demonstrate the sustained rectitude of African Americans—artfully draws on the mythic race relations of the antebellum South to craft a progressive post-Reconstruction argument about the Black franchise.[26]

Assertive Critique and Refutation

To effect their rhetorical dialectic, the African American delegates complement accommodation and appropriation with refutation and critique. A master of prolepsis, Miller confronts Tillman's scheme for limiting suffrage by reading into the record and then explicating a newspaper article the White supremacist had recently published. Through this process, he clarifies that although the proposal appears equitable because it officially forbids all illiterate men—White or Black—from voting, it leaves the question of who qualifies as literate to the discretion of White officials, which means that the approach, although ostensibly color blind, will be racially

[23] "Now on the Suffrage," 2; Mary Miller, *The Suffrage*, 13.
[24] "Now on the Suffrage," 5.
[25] "Woman's Suffrage," 1, 2. In a few passages, the effort to identify with their white audience induces members of the African American delegation to scapegoat other marginalized peoples—Native Americans, Chinese immigrants, white strikers, and anarchists (Mary Miller, *The Suffrage*, 22). This strategy differentiates members of the African American delegation from figures such as Douglass and Bruce, who viewed such groups more sympathetically (see Douglass, "Our Composite Nationality," in *The Speeches of Frederick Douglass*, John R. McKivigan, Julie Husband, and Heather L. Kaufman, eds. (New Haven, Conn.: Yale University Press, 2018), 279–303; Douglass, "A Reform Absolutely Complete," in Blassingame, *Douglass Papers*, 4: 264–65; Dray, *Capitol Men*, 281.
[26] "Smalls and Whipper," 1; Douglass, "Lessons of the Hour," in *The Speeches of Frederick Douglass*, 467. For discussion of the faithful slave *topos* of the Lost Cause, see David W. Blight, *Race and Reunion: The Civil War in American Memory* (Cambridge, Mass.: Belknap Press, 2001), 260, 274, 284–91.

restrictive. Tillman, to support his argument concerning official policy and actual administration of suffrage, specifically references Mississippi's racist law, which reduced the number of all voters, but particularly African American voters.[27] Artfully employing hypophora, Miller addresses the contention that African Americans suffrage undermines Whites' way of life: "Why do they say that the negro must be disfranchised? Is it because he is riotous in the discharge of the right of suffrage? No! Is it because he is lawless? No!" In this way, he emphasizes that African Americans are no threat to continued White supremacy, declaring that White leadership "flaunts into the face of the American nation, the false flag of the fear of negro domination."[28] While refuting Tillman's claim that a history of dishonest South Carolinian Republican politicians disqualifies African Americans from participating in voting and political life, Miller compares the election of "that arch scoundrel" Thomas J. Mackey, a notorious White Republican South Carolinian judge, to that of New York Democrat William Magear Tweed. If the election of the latter figure does not disqualify White voters, he reasons, then the same must be true for the occasional corrupt politician supported by African Americans.[29]

Like Miller, Wigg directly confronts the notion that the franchise and other basic rights for African Americans constitute a zero-sum game endangering White political and cultural dominance: "The doctrine so persistently taught that the interests of the negro and the Anglo-Saxon are so opposed as to be irreconcilable is...so contrary to reason and [the] logic of history, that one can scarcely refrain from calling in question either the sanity or honesty of its advocates."[30] Reed, too, counters arguments raised by White delegates, including their attacks on Black character and their suggestions that African Americans' interests conflict with those of dominant White culture. Responding to the claim that African American suffrage should be curtailed because Blacks "are prone to elect ignorant and unscrupulous men to office," he retorts, "Does not the intelligence of the delegates here elected from Beaufort refute that charge?" In this way, Reed and his colleagues embody the proof they bring before the White majority, epitomizing the wisdom and eloquence required of responsible representatives of the citizens of South Carolina. Reed pushes the argument about the voting record of African Americans further, challenging White delegates to claim that no Black citizens voted for them. Even the openly White supremacist Tillman, Reed suggests, has enjoyed the support of some African Americans. He concludes, echoing Miller and Wigg, "There has never been, nor is there, any negro domination threatened in this [state]."[31] Also noteworthy are Whipper's sustained efforts to refute arguments that "negro rule" actually existed during Reconstruction or that it currently threatens the doctrine of White supremacy central to the dominant race's identity: "I want the next gentleman who mentions negro rule again in this convention to tell me where the negro did rule. He might have ruled a farm under a white man...There are in this country about 70,000,000 of white men; are they scared of the negro race[?]"[32]

Smalls's speeches are distinguished by blunt rejoinder and daring. The "King of Beaufort County" intrepidly mocks his opponents, at key moments delivering stunning rhetorical gut punches.[33] For example, arguing that the new constitution's voting rules should be "fair, honest

[27] "Now on the Suffrage," 2–3.
[28] "Now on the Suffrage," 3, 5.
[29] "Suffrage Settled. The Convention Adopts and Clinches the Plan of the Committee," *State,* 2 November 1895, 1.
[30] "Now on the Suffrage," 5.
[31] "Woman's Suffrage," 2.
[32] "Smalls and Whipper," 2.
[33] Edward Miller's contention that Smalls suffered from "an inability to write and to prepare weighty speeches," as well as his claim that "It is difficult to find in transcripts of his speeches or in his few surviving letters turns of phrases

and just" because they will attract the critical eye of the world beyond South Carolina, Smalls relays the cautionary tale of a White delegate who deceives his constituents with impunity because they are too ignorant to detect his falsehoods. "Gentlemen," Smalls warns, "you can fool the crackers when you talk to them, but if you pass this [discriminatory] ordinance that has been proposed by the committee on suffrage you will fool nobody, for every person in the nation has been informed of your speeches on the stump and you will not be able to explain it away." Smalls presents an agrarian analogy disparaging Tillman's ethos by comparing the state's most powerful politician to a clumsy cow: "I heard [Tillman] make a very eloquent speech on the township government bill, but before he got through he had acted like the good Jersey cow, which gave her two gallons of milk, and, though she did not put her foot in it before she was through, she had shaken so much dirt from her tail into the pail that we could not accept the milk."[34] Such remarks, issued by a former slave, forcefully call out the oppressor.

But the most powerful, searing critique marshaled by Smalls at the convention addresses an article of the proposed constitution forbidding interracial marriage. As noted above, Smalls, like many African Americans of his era—particularly those in the South—publicly opposed miscegenation. Nonetheless, he chafed at the South's asymmetrical, discriminatory standards for sexual relations. African American men, if suspected of sexual impropriety, were summarily lynched, whereas White men routinely sexually assaulted and cohabitated with African American women with impunity. Smalls daringly moves that the following language be added to the article, triggering a "dignified stampede" from the gallery of the female audience, who find frank talk about sexual behavior uncivil: "And that any white person who shall live and cohabit with a negro or mulatto or person who shall have one-eighth or more of negro blood shall be disqualified from holding any office of emolument or trust in this State, and the offspring of any such living or cohabitation shall bear the name of the father and shall be entitled to inherit and acquire property the same as if they were legitimate."[35] Smalls's amendment (dubbed "Mephistophelean" by the *Columbia, South Carolina State*) boldly exposes hypocritical White sexual mores protecting the "purity" of White women while allowing White men to degrade African American women and produce children condemned to inequality.[36]

In his interrogation of White duplicity, Smalls asserts that anti-miscegenation should have no place in the constitution, unless White men lack confidence in their women—who they claim are "as pure women as can be found anywhere in the world"—or themselves. "Can you not trust yourselves?" he taunts. "Is it because that these wrongs have been perpetrated here, since the formation of the Government, that you feel that you can't be trusted?...Now sir, I say, prohibit intermarriage of the races, also make a law as binding against cohabitation. Then you will make your men as true as your women." Extending the uncomfortable discussion further, Smalls boldly hypothesizes about the consequences for the convention of the consistent treatment of the sexual behavior of White and African American men. "If a Negro should improperly approach a white woman," he declares, "his body would be hanging on the nearest tree filled with air holes before daylight the next morning—and perhaps properly so. If the same rule were applied on the other side, and white men who insulted or debauched Negro women were treated likewise, this

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or cogent arguments for which he could be remembered," holds Smalls to a nineteenth-century belletristic aesthetic that underestimates his considerable rhetorical strengths (*Gullah Statesman*, 250).

[34] "Smalls and Whipper," 2.

[35] "Question of Color. Sprung by Smalls at Night Session to Bar White Men from Holding Office," *State*, 3 October 1895, 5.

[36] "It is Hard," *State*, 3 October 1895, 4.

Convention would have to be adjourned sine die for lack of a quorum."[37] Delivered in a region of the nation terrorized by lynching, Smalls's argument aggressively questions the moral legitimacy of White rule, epitomizing African American rhetorical defiance in the face of lethal power. Capturing the kairotic power of Smalls's argument, Wigg mocks, "The coons had the dogs up the tree and they were going to keep them there until they acknowledged they were wrong." Furthermore, Wigg aggressively pushes the White majority to endorse the amendment: "Stand up to the rack like white men...Why not protect our women from the rapacious assaults of white men of South Carolina." As acknowledgment of the impact of these bold critiques of White sexual hypocrisy, the White delegation and local newspapers accused Smalls and Wigg of incivility.[38]

Establishing Moral Superiority

The African American delegates approach their adversaries with a sense of moral superiority intended to prompt their audience to reassess their ethical assumptions. Thus, Miller declares, in the spirit of Christian charity, that despite White supremacists' efforts to oppress African Americans in South Carolina, "We intend to continue to love and forgive you for what you are doing to us."[39] Miller's superior ethos gains force through his lament that "It is useless to ask the ministers of the gospel to teach us the lesson of [the] Nazarene, 'Do unto others as you would have them do unto you.' For if they should come we would receive them not," a direct reference to the mandate of Matthew 7:12 followed by an equation of contemporary White South Carolinians with those who did not accept Jesus when he lived among them (John 1:11).[40] Wigg, as well, marshals Christian principles to seize the moral high ground, arguing *a fortiori* that the individual mandates of the Ten Commandments affirm the African Americans' political position: "The body politic is but the individual 'writ large.' And if the decalogue is binding on upon the individual, how more ought it to be binding upon the state?"[41]

The African American delegation also wields secular, civic values against their White opponents. Wigg admonishes the assembled White delegates to "meet the issue [of African American suffrage] dispassionately, patriotically and honestly, with a single eye to the public good," rather than "in a spirit of passion and caste" turning "a deaf ear to the voice of reason and experience, and blindly arrogat[ing] to yourselves rights which you do not justly possess, striving to turn backward on the dial of time the shadow that marks the advancement of liberty and equal rights." Aligning with progressive activists such as Douglass, Ida B. Wells, and Fortune, Wigg refers disparagingly to the "so-called negro problem," directly challenging Whites' efforts to place the responsibility for racial unrest and social inequity on African Americans.[42] More dramatically, he derisively calls out the White delegates' obligatory fealty to racism: "White supremacy, you say, must be secured, by honest means if you can, by dishonest means if you must. To this, I believe, every white delegate here stands pledged. Beneath this yoke, humiliating as it is, each one of you had to pass; to this pledge each one of you had to subscribe before you could have the privilege of being counted as a delegate of this convention."[43] Exposing the White delegate's

[37] Sarah Smalls, *Speeches at the Constitutional Convention*, 17–19.
[38] "Recess!" 2.
[39] "Now on the Suffrage," 5.
[40] Mary Miller, *The Suffrage*, 12.
[41] "Now on the Suffrage," 8.
[42] "Now on the Suffrage," 5. Douglass, "The Lessons of the Hour," 489–91; Wells, "Lynch Law," 158; Fortune, "Whose Problem Is This?" 221–29.
[43] "Now on the Suffrage," 5.

slavish obedience to racial prejudice, Wigg reverses the traditional moral hierarchy of White and Black.

Wigg reserves some of his most trenchant remarks for Richland Delegate H. Cowper Patton. In his "indignant protest" of Patton's scriptural justification of slavery, which he condemns as "grop[ing] in the dark" and twisting the divine word, Wigg declares that he pities this White supremacist and offers him his "heartfelt commiseration." "We are not suppliants for mercy and favor," he continues, "We are citizens of South Carolina, not aliens, but children of the State. We have a right to demand justice and we do demand it." Also significant is Whipper's calling out of White delegates who employ demeaning terms for African Americans: "And just here I will digress to speak of the flippant way the term 'nigger' has been used in this convention...When men selected from their various counties...can so flippantly use the word 'niggers,' spelt with two 'g's,' it is hurtful and I feel it keenly."[44] These are not the requests of obsequious petitioners, but confident assertions of moral authority in the midst of the lynching culture of the 1890s South.

Advocating a Public Forgetting of the Lost Cause

In addition to aggressively pushing back on arguments against the Black franchise and claiming the moral high ground, the African American delegation directly confronts the mythology of the Lost Cause narrative informing White supremacy.[45] Central to the narrative is the characterization of Southern White men as benevolent, honorable patriarchs who humanely cared for their childlike, helpless, loyal, happy, Christianized, thriving Black slaves and who later oversaw freedmen and their free descendants (who unless violently controlled by Whites undergo moral "retrogression," manifested most dramatically in assaults on White women) in a society rigidly stratified by race.[46] White supremacy, thus, functions "as both means and ends."[47] The Civil War, it was held, was fought not over slavery, but Southern states' rights. In his study of commemorations of the antebellum and Civil War South, W. Stuart Townes shows how "the South would try its best to build, through these speeches, monuments, reunions, and celebrations of the Lost Cause, a new society that was as close as possible a mirror image of the old one." Lost Cause rhetoric, he notes, also included "the additional stories of the black days of Reconstruction, the satisfaction of Redemption, the patriotic appeal of Reconciliation, and...the New and Future South, which included segregation for black southerners."[48]

In order to challenge this pervasive, oppressive mythology, the African American delegation initiate a deliberative process akin to what Vivian terms "public forgetting." Vivian argues that although "forgetting is admittedly a tragic force when it simply destroys symbolic affiliations with the past," it "is desirable to, even necessary for, maintaining cultures of memory

[44] "Now on the Suffrage," 8; "Smalls and Whipper," 2.

[45] The phrase "Lost Cause" is popularized by Southerners such as Edward A. Pollard in *The Lost Cause: A New Southern History of the War of the Confederates* (New York, N.Y.: E. B. Treat and Co., 1867).

[46] For further discussion of key components of Lost Cause mythology, see Patricia Roberts-Miller, *Fanatical Schemes: Proslavery Rhetoric and the Tragedy of Consensus* (Tuscaloosa, Ala.: University of Alabama Press, 2009), 13, 17; Blight, *Race and Reunion*, 258–60, 282–83; for retrogression, see Joel Williamson, *A Rage for Order: Black/White Relations in the American South Since Emancipation* (New York, N,Y.: Oxford University Press, 1986), 97.

[47] Blight, *Race and Reunion*, 259.

[48] Stuart W. Townes, *Enduring Legacy: Rhetoric and Ritual of the Lost Cause* (Tuscaloosa: University of Alabama Press, 2012), 12, 96. For further discussion of the struggle over collective memory of the Civil War, see Thavolia Glymph, "'Liberty Dearly Bought': The Making of Civil War Memory in Afro-American Communities in the South," in *Time Longer Than Rope: A Century of African American Activism, 1850–1950*, Charles M. Payne and Adam Green, eds. (New York, N.Y.: New York University Press, 2003), 111–39.

that serve the needs of the present as much as they conform to the shape of the past, that nourish immediate social, political, and moral interests as much as they proclaim fidelity with former times, places, and events." Vivian elaborates, "Memory and forgetting are intermingling forces that nevertheless retain nominally distinct identities...Their intimacy in the context of public culture...implies rhetorical practices with which one invokes the prospect of forgetting not in order to negate collective memory per se but in order to transform its sense and value—to remember anew, in politically or morally transformative ways." In this spirit, the African American delegates directly complicate White folk histories in order to "remember anew" their collective past, stimulating racial cooperation and equality, rather than division and oppression.[49]

Miller leads the African American delegates' struggle against the memory of the Lost Cause. Striving to dismantle the very notion that civic, economic, and occupational inequalities are the natural result of racial differences—a belief essential to White Southern memory and to perpetuating systematic racism—he presents a sweeping two-thousand-year account (extending from late Republican Rome to contemporary Europe) of the oppression of working-class Whites at the hands of their wealthy and powerful counterparts. Thus, Miller argues, Julius Caesar supported the common people, only to be foiled by the "lords of the empire." Similarly, the White peasants of medieval Europe labored for the feudal lords as "nothing other than white slaves," and Cromwell's defeat of the "insolent and inhumane Charles I" was negated by the restoration of the English monarchy.[50]

Miller is even more emphatic about causes of the French Revolution, which in his hands demonstrate the apex of class prejudice. "Beautiful white girls," he declares, "were yoked by the side of the donkey to pull the plow to make money with which to bedeck and grace the forms of their white sister in the castle."[51] Miller later returns to such class-based analysis to reinforce his dedication to working people in general: "It is against class legislation that I stand here and raise my voice, and in the name of the poor, struggling white man and the peaceful, toiling, loving negro, I ask that this act of feudal barbarism against the poor and common people do not be engrafted into and become a part of the Magna Charta of free white and black South Carolinians." Miller even characterizes the Civil War, which White Southerners mythologize as the noble defense of the South in the face of North aggression, as class warfare, namely "the struggle of the common people against the slave-holding class."[52] Miller's shift from racial to class analysis directs his White audience's attention to the common struggles of the poor, rather than the parochial, zero-sum perspective of White supremacy dominating the narrative of the Lost Cause.

Furthermore, Miller grafts to this narrative of European class inequality the American story of freedom. Poor Europeans, Miller explains, immigrated to America "'to found here a government of the people, for the people, and by the people.' They recognize the common brotherhood of man coming from a single creation, endowed with equal rights, before and under the law." His narrative focuses on the heroism of African Americans, who function not as helpless heathens but practically minded, knowledgeable coworkers. European immigrants "faced a savage race and malignant climate. Though resolute, though trained to hardship, though fully imbued with the spirit of success or death, they made little progress, for the odds were too great." With the help of Africans, however," European Americans found equal partners capable of guiding them to success: "Hand

[49] Bradford Vivian, *Public Forgetting: The Rhetoric and Politics of Beginning Again* (University Park, Pa.: Pennsylvania State University Press, 2010), 9, 49.
[50] "Now on the Suffrage," 2.
[51] "Now on the Suffrage," 2.
[52] "Now on the Suffrage," 5.

in hand, with a united effort, the white man and the black reclaimed this country and made it the asylum of the oppressed from every clime." This narrative of interracial collaboration is constructed to supplant the history of child-like African Americans perpetuated by the White delegates.[53]

By detailing the significant role African American troops played in the major American wars, Miller dismantles the false collective memory that African Americans "did not fight for the ballot" and have acted the role of passive adult children: "We have fought in every Indian war, in every foreign war, and every domestic struggle by the side of the white soldier from Boston commons and Lake Erie to the Mississippi valley and the banks of the Rio Grande." He compares distinguished black Revolutionary War soldiers with the "beggarly number" of White soldiers mustered from South Carolina over the course of the conflict, including troops who at the battle of Camden "threw down their arms, disobeyed orders and became mutinous in the very presence of the invading foes." Miller specifically cites White sources to bolster his case that African American soldiers served the United States honorably, deftly reversing the parent-child mythology of the Lost Cause. "I do not make this history," Miller declares. "It is the white man's history. I read what he says about the negro soldier with pride and love, and what he says about the [White] soldiers from the southward with tears of sadness, with tears of regret, and account for their conduct under the colossal excuse that being mostly of the master class they were like spoiled children, and could not yield to the rod of discipline and order."[54] Continuing to debunk the White supremacist narrative, he declares that despite the fact that "the majority of you blame the poor negro for the humility inflicted upon you during [the Civil War]...it was your love of power and your supreme arrogance that brought it upon yourselves."[55]

Further challenging the Lost Cause mythology, Miller marshals a series of damning questions to confront the contention that African Americans' status as aliens (rather than citizens) renders them unworthy of the franchise: "Call us aliens? We aliens? The people who were the foundation of the American civilization?...Then to whom can the term citizen be applied? A residence of our foreparents of nearly 300 years; birth and rearage here; our adaption to the wants of the country; our labor and forbearance; our loyalty to the government—are all these elements indices of an alien race?"[56] Delegate Patton's claim that the Bible endorses slavery of African Americans prompts Miller to provide a sophisticated historical exposé of slavery in the ancient world, which he explains was not based on race. Miller reminds "the young gentleman" that "in the city of old Charleston, Anglo-Saxon women were sold as gallery slaves by white men," a practice that assures that many White South Carolinians, including members of his audience, descended from slaves, just as have African Americans members of the state.[57] Thus, he suggests that rather than supporting the White supremacist narrative maintaining a cultural, intellectual, and moral gulf between Black and White, slave ancestry actually unites South Carolinians.

In his effort to amend the proposed constitution in order to address the hypocrisy of sexual relations among the races, discussed above, Smalls also interrogates the misleading, destructive collective memory of White South Carolinians, who condemn the presence of people of mixed race, yet overlook the cause. "We have, sir," Smalls declares, "as pure colored women in South

[53] "Now on the Suffrage," 2.
[54] "Now on the Suffrage," 3.
[55] "Now on the Suffrage," 5. Aptly, George Brown Tindall refers to Miller's strategy here as "twittering the votaries of the Lost Cause tradition" (*Sketches of Negro Life*, 83).
[56] "Now on the Suffrage," 3.
[57] "Now on the Suffrage," 5,

Carolina and in this country, as any race upon this earth. Sir, that evil, known as slavery caused all of this [miscegenation]. This wrong was done by you all, owning them as your slaves." With this firm admonishment, Smalls demands a letting go of the Lost Cause narrative that ignores the reality of Southern sexual relations.[58]

Directly linking the White delegates' plan to limit the Black franchise to the line of thinking that led to the South's catastrophic defeat in the Civil War, Miller features a pathos-laden conversation he overhears in Charleston's Citadel Park between an old White Southerner and his granddaughter. Approaching the monument to John C. Calhoun (erected by the Ladies Calhoun Monument Association in 1887), the young girl asks, "what great, big graveyard stone is that? Who has been buried there?"[59] Aligned with the guiding myth of the Lost Cause, the monument was intended by its White supremacist sponsors, as Shevaun Watson details, to suggest "that slavery's most notorious champion was being summoned to shepherd Reconstruction out and usher segregation in."[60] Yet the girl's innocent questions prompt the patriarch to respond not as a devotee of the Lost Cause, with pride in the Southern leader and determination to resist North interference in the sacred Southern way of life, but to divulge the horrific consequences of White Southerners' child-like adherence to slavery apologist Calhoun's vision. "We liked his teachings," the grandfather confesses, "because he spoke to us as though we were spoiled children, and with that we were pleased," yet the outcome of the policies designed by Calhoun and his cohorts yield disaster: "In that struggle our hopes were crushed; our homes were burned; our prosperity destroyed, and our servants freed." The old man characterizes the monument as a tomb, as his granddaughter suggested, in which lie "the hearts and the hopes of [her] kindred." Relaying this poignant counternarrative from the lips of a White son of the South, Miller encourages his audience to let slip the romance of the Lost Cause and to address the mutual suffering it has caused.[61]

In a similar effort to forget the Southern memory of the Civil War as an unjust foreign incursion that destroyed an idyllic way of life distinguished by harmonious yet patriarchal race relations, Reed reviews the positive consequences of the "great internecine war of 1861–65," emphasizing that it delivered the "liberty" essential to the American story since the founding of the Massachusetts colony: "it did form a more perfect Union, it did establish justice, it did ensure domestic tranquility, it did provide for the common defense, it did promote general welfare and secured the blessings of liberty to all of the citizens and their posterity when the 13th, 14th and 15th amendments were accepted and made the negroes full-fledged citizens of the United States and of the States." Reed's description of the war as "that great struggle for supremacy" suggests that the White dominance touted by White convention delegates as the natural order of the South—providing a clean arc from the antebellum era up through the convention—was in fact overshadowed by the conflict's outcome, which replaced racist doctrine with principles of equality inscribed in the Constitution and its recent amendments.[62]

[58] Sarah Smalls, *Speeches at the Constitutional Convention,* 18.
[59] "Now on the Suffrage," 5.
[60] Shevaun E. Watson, "Beginning Again, Again: Monument Protest and Rhetorics of African American Memory Work," in *Nineteenth-Century American Activist Rhetorics*, Patricia Bizzell and Lisa Zimmerelli, eds. (New York, N.Y.: Modern Language Association, 2021), 226.
[61] "Now on the Suffrage," 5.
[62] Mary Miller, *The Suffrage,* 22.

Rhetorical Failure, Then and Now

The African American delegation's rhetoric, a dialectic of identification and challenge eloquently built on trends in the Black civil rights and political discourse of the prior thirty years, did not prevail: the White delegates voted virtually unanimously to eliminate African American suffrage. In this sense, the Black delegation's rhetorical efforts extend the arc of "the glorious failure" that Peggy Lamson argues characterizes Black efforts to establish racial equality during Reconstruction. Ironically, Miller's warning concerning the poor White man—"There is no hope for him, though he wields an eloquent pen"—more accurately characterizes the fate of those the African American delegation most sought to protect.[63]

How should historians and interpreters of nineteenth-century rhetoric understand the dialogic tension between accommodation and confrontation informing the African American delegates' contributions to this debate? A full treatment of this question would require more space than has been allotted here, but I will offer two initial observations. Most obviously, marshaling an array of ostensibly disparate reasons and appeals is understandable when arguing from any position of severe political or legal weakness. It is natural for overmatched advocates, as surely the African American delegates were (one white journalist calls them "helpless and beaten" even before the final vote on Black suffrage was taken), to try multiple angles, tones, and appeals—even if taken as a whole, such tactics may clash with one another—in the hopes that one approach or another could activate a sufficient number of the members of the deliberative or legal body to carry the day.[64]

In addition to this practical reality, however, the African American delegation may have reasoned that if they could win the general respect of their immediate White audience by connecting with them through considerable accommodation and appropriation of dominant values and cultural touchstones, their opposition to the White delegates' plans for Black disenfranchisement—necessarily expressed through critique and refutation—could gain traction. Relying on the rhetorical principle that in the next century Kenneth Burke called identification, they attempt to build a relationship, to establish trust with their adversaries that would render palatable the confrontation required to effect the desired change of position.[65] It is a difficult, but plausible strategy.

Was the failure of the African American delegation's rhetoric partly a function of this effort to accommodate and to identify with adversaries they simultaneously critique and challenge? Does the African American embrace of strategic language and pragmatic rhetorical action (identified by Gilyard and Banks and mentioned above) play out in this context in crippling incoherence? The white audience's awareness of the Black's delegation inconsistency is suggested by Darlington delegate Henry Castles Burn, who at a memorable moment of the convention accuses his African American adversaries of proving "too much," thus committing the fallacy now known as "kettle logic."[66] Even if the questions posed at the beginning of this paragraph are answered in the

[63] Peggy Lamson, *The Glorious Failure: Black Congressman Robert Brown Elliott and the Reconstruction in South Carolina* (New York, N.Y.: Norton, 1973), 12–13; "Now on the Suffrage," 2.
[64] A. B. Williams, "The Plea of the Negroes. An Impressive Scene in the Constitutional Convention," *State,* 28 October 1895, 2.
[65] Kenneth Burke, *A Rhetoric of Motives* (Berkeley, Calif.: University of California Press, 1950), 20.
[66] "Women's Suffrage," 2. For further discussion of this passage, see Glen McClish, "'Gems of Negro Eloquence': Memorializing the African American Rhetoric of the 1895 South Carolina Constitutional Convention," *New North Star* 3 (2021), 31.

affirmative, though, it is difficult to deny the resourcefulness of the delegation's rhetoric in the face of overwhelming political power.

It is also important to note that beyond the primary audience of assembled White delegates, the debate was followed in the press across the United States and in Europe by secondary audiences of more sympathetic whites and staunchly supportive African Americans. For these readers, the delegation's confrontational stance is more likely to ring true, while their accommodation bolsters their collective ethos by demonstrating admirable goodwill, as well as loyalty to state, country, and the dominant white culture broadly conceived (Black audiences, of course, were free to read such accommodation ironically). Realizing the unlikelihood of prevailing in Columbia, the African America delegation could at least contribute to the national civil rights debate while building Black activism throughout the country.[67]

Extant responses of the white delegates and journalists *in situ*, including Burn's fallacy diagnosis, often express begrudging respect for the African Americans' oratory, but ultimately remain skeptical about its efficacy. For example, after Miller and Wigg spoke, one white pundit notes in the *State*, "The united voice of delegates, visitors and newspapers declare the speeches of the two negroes the ablest and best the convention has heard since it began to be holden and it is not impossible, as I have said already, nothing is, that they may have important effect in the moulding of the suffrage law." Yet the same day, the *State* carries a second article concluding, "The negro members have made strong presentations of the cause of the negroes, and have been listened to with marked attention, though no one could believe they have changed a single vote."[68]

The African Americans' inability to shift White opinion at the convention echoes the catastrophic failure of public deliberation on the future of slavery in the antebellum South chronicled by Patricia Roberts-Miller, whose autopsy of the debate identifies political conditions under which seemingly compelling rhetoric fails to hold sway. In such contexts, she explains, "There are no universal rights, but socially constructed privileges that are distributed unevenly along the social hierarchy. Truth is what those highest in the hierarchy say it is." She argues that when a party such as the proslavery faction fixes on a position, then employs rhetoric to attempt to make others submit to their will, "the people with the most power will necessarily win." "I cannot say strongly enough," she concludes, "that this is an abandonment of public discourse as the discovery of appropriate policies. This was the fatal error of proslavery rhetors, and a self-fulfilling prophecy."[69] Like the intransigent proslavery rhetors Roberts-Miller discusses, the White delegates at the 1895 Convention forsook "public discourse as the discovery of appropriate policies," and thus the African Americans' inventive rhetorical dialectic of identification and challenge failed to preserve their franchise. The White majority demonstrates, as Paul Finkelman points out, that "even after slavery ended, many [proslavery arguments based on race] remained, being used to defend segregation, racism, and inequality"; and these residual positions have the capacity to render meaningful debate over civil rights irrelevant.[70] Whipper's hopeful declaration

[67] For further discussion of secondary audiences beyond the convention itself, see McClish, "Gems of Negro Eloquence."

[68] Williams, "The Plea of the Negroes," 2; "Not Much Headway Made by the Convention During the Past Week in Reaching Results," *State*, 28 October 1895, 1.

[69] Roberts-Miller, *Fanatical Schemes*, 216, 210.

[70] Paul Finkelman, "The Significance and Persistence of Proslavery Thought," in *The Problem of Evil: Slavery, Freedom, and the Ambiguities of American Reform*, Steven Mintz and John Stauffer, eds. (Amherst, Mass.: University of Massachusetts Press, 2007), 111.

that—in the spirit of democratic deliberation—"We are here to consult together for the common good" does not in this forum apply.[71]

The failure of the African American delegation's rhetoric is a sad testament both to the refusal by White South Carolinians to relinquish the Lost Cause in specific and to the limits of rhetoric in the face of bad faith deliberation in general. Civic discourse inevitably fails to yield productive, equitable outcomes when one party to the deliberation superior political power and sufficiently deep-seated prejudice. Furthermore, the rejection of seemingly compelling arguments for the sake of predetermined beliefs, ideologies, and factional purity may continue even when clear advantage is lost. As Joel Williamson argues, White America "has generally evinced a willingness to pay for its racism," even though disadvantaging African Americans "has been costly, not only to blacks but to whites as well."[72]

Well into the twenty-first century, vestiges of deep-seated, rhetoric-resistant racism, allied with a yearning for an America descending directly from the Lost Cause, abide. Finkelman notes, "To this day, remnants of proslavery thought can be found in our public discourse as well as in Americans' private conversations." Likewise, in her study of lynching and its contemporary avatars, Ersula Ore elucidates links "between the rhetorics of material practices of lynching in the past and the forms these rhetorics and practices assume in the present" in order to demonstrate "how the debasement and eradication of black life prevail today as vehicles of democratic citizenship."[73] The stubborn presence of proslavery thought and lynch law's disabling legacy, identified by Finkelman and Ore, respectively, aligns with the implacable prejudice and bad faith deliberation that fuel the White majority's rejection of the rhetoric of the African American delegation at the 1895 South Carolina Constitutional Convention and that persist today. Charges of incivility leveled against the Black orators (despite the racially based characterizations of the six articulated by White delegates and the local press) continue in the present against African Americans who marshal parrhesia to speak truth to power, even while city council and school board meetings are increasingly disrupted by virulent racism and vulgarity.[74] The convention's White majority's dismissal of the African American delegation's evidence of Black contributions to American culture and of the damaging legacy of slavery and its attendant racism is currently manifest in mischaracterizations of public school instruction featuring prominent African Americans and frank talk about past racism and oppression as mere wokeism: unpatriotic, divisive revisionist history and Critical Race Theory. The White delegates' disregard for the Black contingent's arguments for protecting the franchise of marginalized African Americans is echoed in recent laws created by state legislatures across the country—inspired by vague, non-falsifiable charges of fraud—limiting who votes and how ballots can be cast, as well as enabling legislative

[71] "Negroes Not Responsible for the Reign of Corruption During Radical Times. The "Claim of W. J. Whipper," *Columbia Daily Register*, 27 October 1895, 2.

[72] Williamson, *A Rage for Order*, vii–viii.

[73] Finkelman, "Significance and Persistence of Proslavery Thought," 111; Ersula J. Ore, *Lynching: Violence, Rhetoric, and American Identity* (Jackson, Miss.: University Press of Mississippi, 2019), 11.

[74] As Sharika Thiranagama, Tobias Kelly, and Carlos Forment note, "There is a long tradition of using civility to silence dissent, excluding people and issues from public discussions" ("Introduction: Whose Civility?" *Anthropological Theory* 18, no. 2–3 (2018), 153). Writing of the weaponized nature of civility as applied to the politically weak by the politically empowered, Roberts-Miller makes a similar point: "Dissent is inherently disruptive and necessarily upsetting to anyone who identifies with the current system. Hence, as various scholars have noted, privileging discourse that is not upsetting necessarily furthers the disenfranchisement of the already marginalized" (*Fanatical Schemes*, 5). For discussion of the potential weakness of civility in accommodationist African American rhetoric, see Lisa M. Corrigan, *Black Feelings: Race and Affect in the Long Sixties* (Jackson, Miss.: University Press of Mississippi, 2020), 151–55.

bodies and officials to overturn popular votes. This disregard reverberates, as well, in the Texas Republican Party's call to repeal the Voting Rights Act of 1965. The futility of Miller's stirring counterreading of Charleston's Calhoun monument presages twenty-first-century condemnations of the removals of Confederate statues (originally erected to reaffirm White supremacy and intimidate African Americans) as pernicious cancel culture. Finally, the White delegates' unwillingness to consider the African American rhetors' assurances that they were uninterested in dominating White culture predicts the recent rise of the "Great Replacement" theory, with its attendant cries of "blood and soil" and "you will not replace us." Sadly, Miller's reflections on the final vote to disenfranchise African American South Carolinians eerily foreshadow conditions in a number of states in the early 2020s: "I see no hope, absolutely no hope for [African Americans] in South Carolina to ever have fair and honest elections as long as the men in control see imaginary evils coming through the channels of honest elections and fail to rise up to the necessity of the occasion and make honest, simple election laws."[75]

In short, traces of the unabashedly White supremacist response to the African American delegation's pleas for genuine rhetorical deliberation, for "public discourse as the discovery of appropriate policies," continue to exercise outsized power in the United States, often stymying effective argumentative processes concerning civil rights and racial justice.[76] Concluding their 2019 study *Welcoming Ruin: The Civil Rights Act of 1875* with a grim historically based assessment of the current trajectory of civil rights in the United States, Alan Friedlander and Richard Gerber dub the present "the time of retreat."[77] It should come as no surprise, thus, as Lisa M. Corrigan details, that the rhetoric of hope distinguishing Barack Obama's presidential campaign and animating the discourse of his presidency has in many intellectual and political circles given way to Black pessimism.[78]

And, as we have come to understand, rhetorical intractability concerning matters of race easily bundles with a panoply of other reactionary positions, rendered impervious to thoughtful debate, on issues as diverse as immigration, climate change, domestic terrorism and insurrection, political conspiracy, gender identity and sexual orientation, firearm ownership, reproductive rights, epidemiology, and public health. Tillman's spiritual descendants, self-defined "thoroughbreds" of many stripes pledging fealty to contemporary manifestations of the Lost Cause, remain beyond the influence of the rhetorical arts of modern-day Millers, Whippers, Smalls, Reeds, Wiggs, Andersons, their allies, their advocates, and all those who sincerely deliberate to solve social problems. The civil rights odyssey in which these six nineteenth-century orators eloquently participated continues unabated, as it must, but the way is slow and stony.

[75] "How They View It. Miller, the Negro Delegate, Analyzes the Suffrage Plan Adopted," *State*, 4 November 1895, 6.
[76] Roberts-Miller, *Fanatical Schemes*, 210.
[77] Friedlander and Gerber, *Welcoming Ruin*, 629. Friedlander and Gerber's Epilogue, "Then and Now," reads our troubled present as an extension of our racist past as I have sought to do here.
[78] Corrigan, *Black Feelings*, 155–64.

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Future Directions of Douglass Scholarship: Biography

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Amidst strong crosswinds and countercurrents, this is a time of historic and historiographical opportunity for African/African American Studies in the United States. Much of the outpouring of scholarly and general audience work on the history of African Americans owes to developments in the African American community, including initiatives conducted by members of countless families, including that of Frederick Douglass, not simply in rewriting American and African American history, but in reincarnating it. With this idea in mind, I would like to center the following remarks about the future of Douglass scholarship under the rubric of *living history*.

As a scholar, I think and practice biographically, and I see a spreading field of biographical possibilities for Douglass scholarship today. For me, accessing it begins by reorienting the prevailing focus on Douglass as the singular or transcendent individual to one on Douglass as a figure of family, community, and peoplehood. A powerful cohort of scholars have been pursuing this line of thought the last decade, several of whom come most immediately to mind for the broadening effect they have had on the field of Douglass Studies. In the years before his death in 2015, Joseph L. Douglas Jr., who self-identified as a direct descendant of Perry Bailey Downs, began a period of concerted research into the Bailey/Douglass family history culminating with his little-known, but seminal, *Perry Bailey a.k.a. Downs and Samuel A. Douglas, Relatives of Frederick Douglass: A Family History: 1733-1929* (2005). More recently, Leigh Fought has provided the most intensely argued critical analysis to date of Frederick Douglass' immediate family life in *Women in the World of Frederick Douglass* (2017). Likewise, in his consummate single-figure Douglass biography, *Frederick Douglass: Prophet of Freedom* (2018), David W. Blight ties the story of a supreme self-made man to his grounding in family. Looking ahead, all Douglass scholars eagerly await the publication of Celeste-Marie Bernier's array of broadly researched works, perhaps most particularly *The Anna Murray and Frederick Douglass Family Papers* and *Douglass Family Lives*, which follow her coedited *If I Survive: Frederick Douglass and Family in the Walter O. Evans Collection* (2018). Comprehending and enveloping all this fine work is the still growing master archive of Douglass Studies, the encyclopedic annotations gathered in the ongoing Frederick Douglass Papers series published by Yale University Press, now nearing its semicentennial. All Douglass biographers go a-fishing in its inexhaustible well of Douglassiana.

But, to be clear, for all this accomplished work on Douglass and the Douglass family, I think a redefinition of "family" is due, one that homes in on the "generic" as well as the "nuclear" model—the former, the nearer approximation to the mutable, flexible formation that emerged as a short- and long-term response to the centrifugal force of enslavement on traditional family structures. I think, furthermore, that current social paradigms, proliferation of digital archives, network theory, and attention to media pathways have made this reformulation both practical and incumbent. If so, the underlying signifier for the biographer may be Bailey/Douglass, or even a more encompassing composite.

This fundamental reformulation effectively redefines the cultural field. It means that the temporal boundaries for Douglass studies are not just 1818 to 1895 but, roughly, 1700 or earlier to the present (and by "present" I mean the continuous present). Individuals die; families generally persist. In this schema, the unit of life may as fundamentally be generational as individual. If so,

the element of time, unfixed to a single figure, may signify differently to the biographer as tracking over a multigenerational continuum and returning upon itself – the power of memory reconstituting family profile.

In addition to a change of temporal boundaries, geographical boundaries may need to be redrawn—and maybe even reconceived—to conform to the life of the family. The obvious consequence would be that they would expand to correlate to the lives of disparate family members and branches living across a range of extended locations. Yet a shift of geographical boundaries may also paradoxically enhance consideration of family narrative in diasporic terms. If so, the Bailey/Douglass narrative invites a renewed focus on the original and the continuing home base of the family – which may be Talbot County, may be the Eastern Shore, but is definitely the state of Maryland. Douglass, for one, always thought of himself as a Marylander and the geographical arc of his life may well be understood as one that started in Maryland and, increasingly in later years, returned to Maryland.

Thirdly, in addition to and as a consequence of changes of temporal and geographical boundaries, I would suggest the dramatis personae of Douglass studies needs to be expanded to include a much broader cast of figures. This extension of the cast will at the least be enrichening but may also be transformative. Missing from nearly all accounts of Douglass have been detailed and historicized accounts of his siblings, cousins, and most antecedents and descendants, as well as the environs in Maryland that have occupied for over three centuries as one of the longest-lived and most prominent Black families not just on the Eastern Shore but in the state. Pursued energetically, this line of analysis may yield a geometrical increase of people, places, and even events relevant to Douglass Studies.

The most effective way to summarize this argument may be simply to offer an example of how this approach might open lines of analysis that would thicken and enrich the Douglass narrative. I will take for the purpose of this exercise the following two-week synopsis of the life of the Bailey/Douglass family from 4 June to 19 June 1865. Here are some highlights:

- Son Lewis H. Douglass arrives in Chesapeake-facing Talbot County and begins the process of establishing either the first or second African American school in the region;
- A few days later, Lewis walks the eight miles into St. Michaels, bypassing on the road several Bailey relatives whom he does not recognize, and engages in a full-scale reunion between the Bailey and Douglass sides of the family— in the course of which he also meets a number of his father's childhood friends, associates, and antagonists;
- Douglass's cousin, George Washington Bailey (with whom he shares a middle name), embarks with his 9th USCT regiment from City Point dock, near Norfolk, to deployment guarding the Rio Grande border in southeastern Texas; and several days later, so does cousin Stephen Bailey with either his 19th USCT Regiment or with the Ambulance Corps of the 25th Army Corps;
- During the course of their redeployment, both the 9th and 19th regiments rise up in mutinies against their White officers—a test not just of Black-White relations in the Union Army, but also of what I would call ex-slaves' halfway state of freedom as soldiers sold by their masters to "three years or during the war" service in the army;

- Douglass writes a friend to deny that he is planning to make a speaking tour of the Southern states, an act from which, so soon after Lincoln's assassination, friends and family were trying to dissuade him, quite possibly with good reason—yet this, at a time, when he informed his dear friend and confidante Julia Griffith Crofts that he was considering moving to Baltimore, where he would speak on four different occasions during that breakthrough year;
- Son Charles R. Douglass, the first Douglass to relocate to Washington, corresponds with his father about Mary Todd Lincoln's gift to Douglass of her husband's walking stick, which she has sent to Charles via family friend Elizabeth Keckley;
- Back on Holme Hill Farm in Tuckahoe, the first grandchild of Stephen and Caroline Bailey is born enslaved to the third and last generation of Anthonys to own both the farm and the majority of the Bailey family, just as the Anthonys were preparing to sell the farm and move to a smaller, more manageable one across Talbot County in Royal Oak near the neighborhood of Lewis Douglass' school;
- Juneteenth comes to Texas on 19 June 1865, a milestone in Bailey family history, since brother Perry and three generation of his family were still living in South Central Texas in enslavement even after the Emancipation Proclamation took effect on 1 January 1863; Maryland enacted its own emancipation on 1 November 1864; and Robert E. Lee surrendered at Appomattox on 9 April 1865.

In short, this broader cultural field is rich with possibilities for the expansion of Frederick Douglass Studies. The basic principle: As the circumference of the field changes, so does the center— although which comes first may be a matter of the chicken and the egg.

Finally, to round out this sketch of the family's *living history*, I would like to present briefly an instance of how the Bailey/Douglass family legacy speaks from beyond the temporal grave.

One of this country's largest and most symbolic restorative justice projects is Project Harmony (http://www.projectharmonycemetery.com/), currently making slow-but-sure progress in the general vicinity of Washington, DC. The project, drawing on partial funding from the state of Virginia and the moral support of the state of Maryland and the District of Columbia, is reclaiming thousands of tombstones once located in historic Columbian Harmony Cemetery, a Black mutual aid society undertaking dating back to the 1820s. In 1959, this historic African American cemetery was closed and its land sold to a private developer, who in turn sold it to the District of Columbia. The municipality, in its turn in 1967, built on the abandoned cemetery site the Rhode Island Avenue/Brentwood station of the soon-to-be-operational Red Line of the Metro rapid train system.[1]

At the time of the cemetery's closure, its 37,000 remains were exhumed and reinterred in suburban National Harmony Cemetery in Landover, Maryland, though without headstones or other signs of respect. The original headstones had been sold or junked, many discarded into the Potomac River downstream from the District.

[1] Paul E. Sluby and Stanton L. Wormley Jr., *The Columbian Harmony Society: A Brief History* (Washington, D.C.: The Society, 1976).

Figures 1 and 2 – Headstones retrieved in 2021 from the Potomac River, cleaned, and stored for future disposition at nearby Caledon State Park, Prince George, Virginia. Courtesy of Kelley Deetz.

One by one, at the project's beginning in 2020, the first of those headstones have been lifted out of the river and deposited on the grounds of adjacent Caledon State Park, Prince George, Virginia, and cleaned by hand by toothbrush and soap. This process, now mechanized, continues and accelerates, with the ultimate goal of returning legible headstones wherever possible to descendant families or, in the majority, to memorialization in public spaces along the river and in a cove at National Harmony Cemetery.

Among the 37,000 sets of remains are those of Lewis H. Douglass, Charles R. Douglass, their children, grandchildren, and cousins, as well as of such friends as memoirist Elizabeth Keckley, pioneer journalist Mary Ann Shadd Cary, Civil War Medal of Honor winner Christian Fleetwood, and Harper's Ferry survivor Osborne Perry Anderson. To this day, National Harmony Cemetery has few individual markers for those 37,000 people, a situation replicated across a national landscape of desecrated or neglected Black cemeteries.[2] But that situation is currently changing; Black families, such as the Douglasses and many other descendant families of Columbian Harmony, are not just speaking back to but taking practical steps to rectify this historical injustice that has persisted beyond the grave.

[2] Jill Lepore, "When Black History Is Unearthed, Who Gets to Speak for the Dead? *New Yorker* 97 (Oct. 4, 2021), 34-45.

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Reconstructions: Frederick Douglass, Albion Tourgée, and *Plessy v. Ferguson*

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This essay explores the sometimes similar and sometimes different (though generally complementary) views on Reconstruction of Douglass and Tourgée, moving to their key point of divergence: the *Plessy v. Ferguson* case. The Douglass-Tourgée relationship was more significant than Douglass biographers have recognized. Douglass appears in Tourgée scholarship; Tourgée has virtually no place in Douglass scholarship. That's a surprising asymmetry because Tourgée, at the request of African American leaders in Boston, delivered the eulogy for Douglass at the celebrated Faneuil Hall memorial the year of his death. It is worth noting as well that in 1906, a year after Tourgée's death, thousands of participants in W. E. B. Du Bois's Niagara Movement held a memorial service for what were termed the three "friends of freedom": William Lloyd Garrison, Douglass, and Tourgée.[1] Readers of *The New North Star* know a good deal about Garrison; Tourgée is probably more obscure. For that reason, it would be useful to begin with a few words on this fascinating figure.

Tourgée's dates are 1838–1905, so he is twenty years younger than Douglass. Born in Ohio, Tourgée briefly attended the University of Rochester, withdrew to serve in the Union Army, and was twice badly wounded in Civil War battles. While recuperating, he read the law, served an apprenticeship as a clerk at an Ohio law firm, and gained acceptance to the Ohio bar by war's end. During the years 1865–1879 he worked for Reconstruction in North Carolina as a member of the state constitutional convention and as a judge, speaking out against the Ku Klux Klan and other White supremacist terrorist organizations. He also began writing novels about Reconstruction. The year he moved from North Carolina to New York he published his most popular novel, *A Fool's Errand: By One of the Fools* (1879), which sold over 300,000 copies. He published a total of twelve novels, most of which link the failure of Reconstruction to what he repeatedly termed the problem of racial caste. In 1891 he founded the National Citizens' Rights Association, and a year later he became the lead counsel representing Homer Plessy's and other African Americans' efforts to end racial segregation in Louisiana. In 1896 he presented legal arguments before the United States Supreme Court in the *Plessy v. Ferguson* case; the Court ruled against Plessy (and Tourgée), establishing the "Separate but Equal" principle that held up until the Supreme Court's *Brown v. Board of Education* ruling of 1954.[2]

To turn now to Douglass and Tourgée: With respect to "Reconstruction**s**," we can say that in the early years of Reconstruction, Douglass attempted to influence federal policy while Tourgée, who was always interested in policy, saw the need for on-the-ground work in the South. Douglass focused his efforts on gaining the vote and citizenship for African Americans. In a number of speeches delivered at the outset of the Civil War, in his famous speech "The Mission of the War" (1863), in his statements at a Black convention in Syracuse in 1864, and then in remarks he made

[1] See Otto H. Olsen, *Carpetbagger's Crusade: The Life of Albion Winegar Tourgée* (Baltimore, Md.: Johns Hopkins University Press, 1965), 19–20.

[2] For excellent biographical studies of Tourgée, see Mark Elliott, *Color-Blind Justice: Albion Tourgée and the Quest for Racial Equality, From the Civil War to Plessy V. Ferguson* (New York: Oxford University Press, 2006); and Carolyn L. Karcher, *A Refuge from His Race: Albion W. Tourgée and His Fight against White Supremacy* (Chapel Hill, N.C: University of North Carolina Press, 2016). On Tourgée and *Plessy v. Ferguson*, see Steve Luxenberg, *Separate: The Story of Plessy V. Ferguson, and America's Journey from Slavery to Segregation* (New York: W. W. Norton, 2019).

virtually every day of the Andrew Johnson administration, Douglass again and again said something to this effect: "Slavery is not abolished until the black man has the ballot." (Douglass offered these precise words at the May 1865 meeting of the American Anti-Slavery Society.[3]) Douglass celebrated the adoption of the Fifteenth Amendment in 1870 as the fulfillment of one of the main goals of his Reconstruction efforts, and he would continue to fight for Black civil rights when he saw those rights threatened by reactionary racists in the South and North and by legal developments such as the Supreme Court's 1883 ruling that the Civil Rights Act of 1875 was unconstitutional, a decision foreshadowing Plessy.

Tourgée shared Douglass's desire for Black enfranchisement, which he sought to bring about in North Carolina even before the adoption of the Fifteenth Amendment. He helped to write a progressive North Carolina constitution, which did not last all that long, and he presided over numerous court cases involving the freedpeople as they attempted to establish themselves as a truly freed people. He mediated employment and other disputes, often working in tandem with the Freedmen's Bureau. But because he was based in North Carolina, he also experienced firsthand the resistance to Reconstruction among the state's White people. He saw racism everywhere, and he also saw Whites' commitment to racial caste: the belief that Blacks should stay in their place at the bottom of the social hierarchy. He abhorred that point of view, but he became increasingly angry at the Radical Republicans for believing they could quickly and easily establish Blacks' full rights as citizens in North Carolina and elsewhere.

Tourgée gave novelistic life to his thinking about racial caste in his bestselling novel, *A Fool's Errand*. The fool is a character named Comfort Servosse, a man who, like Tourgée, is a northerner who journeys to North Carolina to promote social change via legislation and the judicial system. By the end of the novel, Servosse/Tourgée comes to see, in the increasingly violent reactions of the White North Carolinians, that he had been naïve—or, in the terms of the novel, a Fool—for believing that Southern Whites were prepared to accept in relatively short order a radically reconstructed South. Servosse remarks, for example, that Radical Republican leaders failed to realize that "the idea of generations do not perish in an hour," and that in terms of caste, Southern Whites' racist beliefs ran "as deep and fervent as the exclusiveness of Hindoo caste." As Servosse writes to Radical Republicans leaders near the end of the novel: "You do not seem to appreciate the fact, which all history teaches, that there is no feeling in the human breast so intense and ineradicable in its nature, as the bitter scorn of a long dominant race for one they have held in bondage. This embraces no element of individual or personal dislike, but is simply utter and thorough disgust and scorn for the race,—except in what they consider its proper place."[4] All this said, Tourgée remained committed to helping southern Blacks obtain their full rights as citizens, and to that end he decided in the early 1890s to represent Homer Plessy in his challenge to racial segregation in Louisiana's railway cars.

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[3] Frederick Douglass, "In What New Skin Will the Old Snake Come Forth? An Address Delivered in New York, New York, on 10 May 1865," in John Blassingame et al., *The Frederick Douglass Papers*, Series 1: *Speeches, Debates, and Interviews*, 5 vols. (New Haven, Conn.: Yale University Press, 1979–1991), 4:83.

[4] Albion W. Tourgée, *A Fool's Errand*, ed. George M Fredrickson (1879; New York, N.Y.: Harper Torchbooks, 1966), 140, 137, 167. For a provocative discussion of caste in U.S. history, see Isabel Wilkerson, *Caste: The Origins of Our Discontents* (New York, N.Y.: Random House, 2021); and on caste in Tourgée's writings, see Robert S. Levine, "Isabel Wilkerson, Albion Tourgée, and the Problem of Caste in the United States," *Literary Imagination* 23, no. 2 (2021), 151–60. On the literary Tourgée, see Sandra M. Gustafson and Robert S. Levine, eds., *Reimagining the Republic: Race, Citizenship, and Nation in the Literary Work of Albion W. Tourgée* (New York, N.Y.: Fordham University Press, forthcoming 2023).

Before turning to *Plessy v. Ferguson*, it is worth noting that Douglass shared some of Tourgée's views on the long history of racial caste in the United States. Douglass wanted radical change, but he was aware that change would require a struggle and might not be permanent. Even as Douglass in the years immediately after the Civil War fought for the full rights of citizenship for African Americans, he declared in 1868: "There is no such thing as instantaneous emancipation. The links of the chain can be broken in an instant, but it will take not less than a century to obliterate all traces of the institution." In 1870 he said that the passage of the Fifteenth Amendment was not a miracle; the true miracle would be to "obliterate all traces of 250 years of slavery." In 1877, the year that some regard as a marker of the end of Reconstruction, Douglass referred to the "footprints" of slavery, which he maintained could be seen "in the general exercise of force and cruelty" against Black people.[5] Unlike Tourgée, Douglass, despite these insights, thought it best to put Reconstruction measures in place forcefully and promptly.

We can now jump forward to 1895, the year of Douglass's death. Douglass died in February, and the memorial service was held at Boston's Faneuil Hall in December with Tourgée as the main eulogist. The memorial proceedings appeared a few months later in 1896. As would be expected, much of what Tourgee had to say about Douglass in his two-hour speech was adulatory. He stated, for example, that "FREDERICK DOUGLASS must be ranked among the great men of a great day; if by obstacles to be overcome, he must be accounted the greatest of any time." Tourgee also shared an anecdote about how he had met Douglass in the mid-1850s at an abolitionist rally in Ohio. Someone standing near the teen-aged Tourgée hit Douglass with a tossed egg, and Tourgée couldn't resist laughing. The next day he requested a meeting with Douglass in order to apologize for his rudeness. Douglass told him about his regular encounters with violent behavior and insults; Tourgée in the eulogy refers to this meeting as a "rough beginning" to their relationship.[6]

Tourgée's eulogy also comments on his own interest in racial caste, stating, for example, that "the destruction of slavery had only unmasked the other and more difficult problem of Caste."[7] Whites in the South, as he learned from his fourteen years in North Carolina, had difficulties viewing Black people as anything other than an inferior class of subordinates.

In the closing section of the eulogy, Tourgée takes a surprising turn, raising questions about whether the great man in his final years at his Cedar Hill mansion still cared about the cause of Black rights. This was a strange charge, given that we know Douglass continued to be politically active and lecturing regularly against the scourge of lynching. But consider what Tourgée has to say in his eulogy. After praising Douglass, Tourgée charged that the renowned Black leader in the years after the Civil War "found himself, in sentiment and feeling, much nearer to the most refined white society of the North than to the 'freedmen' of the South." I suspect that Tourgée, who interacted with the freedpeople during his time in North Carolina, wondered about Douglass's commitment to ordinary Black people, especially as Douglass became increasingly rich and famous. Near the end of the eulogy, Tourgée remarks that Douglass was taken aback by the

[5] Douglass, "Addresses Delivered in New York, New York, on 14 May 1869," Blassingame, *Douglass Papers,* ser. 1, 4:174; Douglass, "Seeming and Real," *New National Era*, 6 October 1870, in the *Life and Writings of Frederick Douglass:* Volume IV: *Reconstruction and After*, ed. Philip S. Foner (New York, N.Y.: International House, 1955), 299; Douglass, "Our National Capital: An Address Delivered in Baltimore, Maryland, on 8 May 1877," Blassingame, *Douglass Papers*, ser. 1, 4: 467, 456. This paragraph draws from my *The Failed Promise: Reconstruction, Frederick Douglass, and the Impeachment of Andrew Johnson* (New York: W. W. Norton, 2021), 227–28.

[6] "The Eulogy of Albion W. Tourgée," *A Memorial of Frederick Douglass from the City of Boston* (Boston: Printed by Order of the City Council, 1896), 27, 31.

[7] "Eulogy of Albion W. Tourgée," 61.

"difficult problem of Caste," by his realization that the end of slavery did not mean that the fight for racial equality was over. At a memorial honoring Douglass, Tourgée proclaimed that "there was something pathetic in the feeling of disappointment which came over Mr. DOUGLASS as he realized this fact." Douglass, Tourgée concludes, decided that "other hands must forge the new weapons. Other hearts must bear the burden."[8]

In Tourgée's eulogy, then, the big takeaway is that the great man was not so great after all. What is the source of the disillusionment informing the closing section of a speech that ultimately misrepresents Douglass in his final two decades? I would suggest that it is Tourgée's anger about Douglass's response to the Plessy case.

Most biographers and critics assume that Douglass would have been deeply angered by the Supreme Court's 1896 ruling on *Plessy v. Ferguson*. That ruling occurred a year after Douglass's death. Perhaps for that reason, Benjamin Quarles, William McFeely, and David Blight have nothing to say about the case in their respective biographies. But the Plessy case began in earnest in 1892, three years before Douglass's death. What did Douglass think of the case? He would appear to have had mixed feelings about the wisdom of taking it on.

Some background on Plessy: Homer Plessy was a light-complected African American who attempted to board the Whites-only section of a New Orleans railway car. He did that deliberately, at Tourgée's suggestion, working with a committee of Black and White activists who sought to challenge a law passed in Louisiana in 1890 mandating separate railway cars for Whites and Blacks. Plessy bought a ticket on a train departing from New Orleans on 7 June 1892 and took a vacant seat in a Whites-only car. After refusing to leave the car at the conductor's insistence, he was arrested and jailed. Convicted by a New Orleans court for breaking the 1890 law, Plessy filed a petition against the presiding judge, John H. Ferguson, claiming that the law violated the Equal Protection Clause of the Fourteenth Amendment. Tourgée, his pro-bono lawyer, eventually argued the case before the U.S. Supreme Court. Central to his argument was his interest in caste, for he sought to show that race had become a form of property, with Whiteness being worth much more than Blackness because of the existence of racial hierarchies. The Supreme Court ruled against Tourgáe and Plessy on a vote of 7–1, with one judge absent and John Marshall Harlan offering the sole dissent.[9]

Douglass died before this decision, but he knew about the case because Tourgée and others had reached out to him for his support. Some of these interactions can be reviewed from the Tourgée side; more needs to be recovered from the Douglass side.

Tourgée's National Citizens' Rights Association, which would adopt the Plessy case as its leading cause, consisted of Black southerners, Black northerners, and White northerners. Among the problems the group faced were a lack of money and limited support from Black northerners. But they did have considerable support from southern Blacks, chief among them the Afro-Creole Louis A. Martinet, a Louisiana-based newspaper editor whose paper, the New Orleans *Crusader*, led the battle against Jim Crow segregation that had prompted Tourgée to form his rights

[8] "Eulogy of Albion W. Tourgée," 58, 61, 62. On Douglass and Cedar Hill, see David W. Blight, "Cedar Hill: Frederick Douglass's Personal Civil War Museum for a Public Man," in *Civil War Places: Seeing the Conflict through the Eyes of Its Leading Historians*, ed. Gary W. Gallagher and J. Matthew Gallman (Chapel Hill: University of North Carolina Press, 2019), 144–51.

[9] For an excellent casebook, with superb critical analysis, see *Plessy v. Ferguson: A Brief History with Documents*, ed. Brook Thomas (Boston: Bedford Books, 1996).

association in the first place. Martinet and Tourgée worked together on the Plessy case, and Tourgée soon came to see this particular case as the main cause of his new organization.[10]

Convinced of the importance of the case, both Martinet and Tourgée reached out to Douglass for support, but to no avail—and they were angry about that. Martinet expressed his ire at Douglass in his newspaper, the New Orleans *Crusader*; arguably Tourgée expressed his anger at Douglass in his eulogy. In an article in the 1892 *Crusader*, Martinet bitterly remarked that "Negro Leaders—national leaders" failed to offer their support for the Plessy case, and he said those leaders included Douglass, whom he bitterly and ironically called "the greatest of all Negroes." Martinet speculates in the article that Douglass failed to offer his support because he assumed Plessy would lose. Douglass, he implies, only backs winners. By the end of his article, Martinet lost his cool, declaring that Douglass was "unpardonably ignorant . . . of the constitutional rights of his race."[11]

Shortly after publishing this piece, Martinet wrote Tourgée to complain that Douglass made their efforts to defend Plessy "still harder." He also claimed that his own Plessy committee, called the Citizens Committee, had written Douglass for his backing, and in his response, according to Martinet, Douglass "childishly reprimanded" him for addressing the envelope to "the Hon. Fred Douglass." (That letter is no longer extant.) Martinet reported to Tourgée as follows: "His name was Frederick Douglass, he said, and he expressed his disapproval of the project." Douglass refused to give aid, according to Martinet, because "he saw no good in the undertaking."[12] Is that what Douglass really stated in the letter? We don't know, but it can be noted once again that nothing about this exchange makes its way into any of the Douglass biographies.

Meanwhile, Tourgée responded to Martinet with veiled and not so veiled references to Douglass. Tourgée referred to Blacks who "are so intoxicated with the idea of being 'leaders' that I fear they are willing to sell their brethren into Egypt for the tinsel of a cheap notoriety." Exasperated by Douglass, Martinet responded (nastily and unfairly) with his own attack on those Black leaders who "*have grown rich in fighting the race's battles*."[13] Around this time Tourgée began working with Ida B. Wells and Douglass on the 1893 pamphlet *The Reason Why the Colored American Is Not in the World's Columbian Exposition,* authoring the chapters titled "The Convict Lease System" and "Class Legislation." The odds are that he met with Douglass at the 1893 Columbian Exposition. Tourgée biographer Mark Elliott believes that Tourgée and Douglass probably also met at the Republican National Convention in 1892, and he assumes that they discussed the Plessy case. A letter of 8 June 1892 from Tourgée to Douglass, written during that 1892 convention (just a day after Plessy's arrest), shows Tourgée reaching out to the Black leader:

[Chicago, Ill. 8 June 1892.]

Hon. Fred. Douglas [sic]

DEAR SIR:
I should have called to see you yesterday, but am not able to get about much

[10] See Carolyn L. Karcher's excellent "Albion W. Tourgée and Louis A. Martinet: The Cross-Racial Friendship behind *Plessy v. Ferguson*," *MELUS* 38, no.1 (2013), 9–29.
[11] Qtd. in Luxenberg, *Separate*, 434. Luxenberg gives the probable date of the article as 16 July 1892.
[12] From a letter of July–August 1892 from Martinet to Tourgée, qtd. in Luxenberg, *Separate*, 435.
[13] Tourgée to Martinet, undated (but probably late 1891or early 1892), and Martinet to Tourgée, letter of 4 July 1892, qtd. in Karcher, *A Refugee from His Race*, 169.

because of the old wound.

I am especially working here in behalf of the right of the citizens of the United States in the various states. It seems to us that the time is ripe to declare that a man who is not free every where, is free nowhere. I enclose our memorial and hope ~~yo~~ I may see you before I leave[.]

Yours truly

ALBION W. TOURGEE[14]

We don't know if the two actually met at that time. (Tourgée's struggles with his old Civil War wounds may have made that impossible.) We also don't know if Douglass read the literature Tourgée sent him (which was almost certainly about the National Citizens' Rights Association's challenge to Louisiana's segregationist railway law); and we don't know if Douglass even received the letter. We do know from Martinet that Douglass chose not to support the work of Tourgée or Martinet. Martinet wrote a friend about Douglass: "Of course, we were not after his money . . . we wanted his endorsement and moral support rather."[15] But surely he would have been happy to have received some of his money, too.

Douglass's decision not to offer financial or moral support to Tourgée's and Martinet's committees remains something of a mystery in need of fuller explanation. Did Douglass have personal problems with Martinet's aggressive style? Did he feel distant from the Blacks of Louisiana? Had he become as elitist as Martinet and Tourgée suggest? Did he see the writing on the wall for the Plessy case and think it was a mistake to have provoked the legal issue? As is evident from Douglass's 1892 edition of *Life and Times of Frederick Douglass*, he kept a close eye on the workings of the Supreme Court. His anger at its 1883 overturning of the 1875 Civil Rights Act in some ways inspired him to revise and extend the 1881 version of his final autobiography. What we can say is that Douglass's and Tourgée's Reconstructions had some key differences in emphasis, but overall these two great leaders were in sync and probably even inspired one another. But in the final years of Douglass's life, they would appear to have had a different understanding of what the still ongoing work of Reconstruction required.

[14] Albion Tourgée to Frederick Douglass, 8 June 1892, General Correspondence File, Frederick Douglass Papers, Library of Congress.

[15] Martinet to Tourgée, letter of 4 July 1892, qtd. in Elliott, *Color-Blind Justice*, 274.

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"Persons with whom I am acquainted": Frederick Douglass's Encounters with Americans in Europe in 1887, and Maybe Jack the Ripper

Patrick Hanlon
Elkhart Public Library

Frederick Douglass spent much of his life as an itinerant public speaker. From his early days at Garrisonian antislavery rallies, travelling and lecturing across Britain following publication of his *Narrative,* or taking the stump as the public face of Black Republicans following the Civil War, Douglass was no stranger to travel and made fast friends in scattered places. After his marriage to Helen Pitts in 1884, the two postponed their main honeymoon until the fall of 1886 when the couple was able to escape to Europe not for work, but for relaxation and pleasure. They spent nearly a full year travelling across western Europe and down into Greece and Egypt, taking in the sights and observing the cultures (and giving a few speeches along the way).

One interesting aspect of the Douglasses' time in Europe was the number of encounters they had with old acquaintances and fellow Americans, a relatively unsurprising fact considering the late nineteenth century saw dramatic increases in transatlantic travel. Aided by increased efficiency of travel time and a decrease in cost, hundreds of thousands of Americans ventured to western Europe in the decades before the First World War. Following the Franco-Prussian War of 1870–71, Americans flocked to Paris particularly in unprecedented numbers. Europe held special allure for Black Americans for whom that city's minimal segregation and acceptance of color was a welcome change.[1] Even with this increased tourism, the number and the quality of the encounters the Douglass pair had with fellow Americans abroad on this tour is nonetheless remarkable.

In a 10 June 1887 letter reproduced below to Amy Kirby Post, a former abolitionist ally and friend from his quarter of a century residence in Rochester, New York, Douglass lists some of his recent encounters with compatriots in Europe. Among them were Victoria Woodhull (1838–1927), now Victoria Martin, who had chosen Douglass as her vice-presidential running mate in the election of 1872 in London; the sisters of former Black abolitionist ally Charles Lenox Remond, Sarah (1826–94) and Maritcha (1816–95) in Rome; and suffragist leader, Elizabeth Cady Stanton, and her expatriate son Theodore in Paris[2]

Perhaps the most intriguing reference in this letter to Post, however, is that to "Dr. Tornblity," which is almost certainly a misspelling of the name of Dr. Francis Tumblety (1833–1903), a notorious and mysterious character in American medical history.[3] Douglass mentions meeting the Doctor "a day or two ago" and it is likely that this encounter took place in Liverpool.

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[1] Christopher Endy, "Travel and World Power: Americans in Europe, 1890–1917," *Diplomatic History* 22, no. 4 (October 1998), 567–9; David McCullough, *The Greater Journey: Americans in Paris* (New York, N.Y.: Simon & Schuster, 2011), 333–4; Sirpa Salenius, *An Abolitionist Abroad: Sarah Parker Remond in Cosmopolitan Europe* (Amherst, Mass: University of Massachusetts Press, 2016), 13–15, 19, 110.

[2] In other letters, Douglass recounted meeting the African American sculptor Edmonia Lewis (1844–1907) in Rome; visiting old abolitionist friend Theodore Tilton in Paris, and locating the grave of Theodore Parker while in Florence. David W. Blight, *Frederick Douglass: Prophet Of Freedom*, (New York, N.Y.: Simon and Schuster, 2018), 666–75; Salenius, *Abolitionist Abroad,* 192.

[3] Timothy B. Riordan, *Prince of Quacks: The Notorious Life of Dr. Francis Tumblety, Charlatan and Jack the Ripper Suspect* (Jefferson, N.C.: McFarland & Company, Inc., 2009); Francis Tumblety, *Narrative of Dr. Tumblety: How He Was Kidnapped during the American War, His Incarceration and Discharge* (New York, N.Y.: Russells' American Steam Printing House, 1872).

He further mentions that Dr. Tumblety knew Amy Post and her son Jacob, probably back in Rochester, though to what extent this relationship extended is not known.

Tumblety, if nothing else, was a bombastic figure. Douglass's description of his street side meeting with him humorously captures the man's eccentric personality: "He told me much about himself in a very brief space, for he seemed to have more tongues than ears—I could not get a word in any-where…." In his autobiography published in 1872, he claims a large list of notable friends and acquaintances, including Abraham Lincoln, Horace Greeley, Robert E. Lee, William T. Sherman, Charles Dickens, Napoleon III, and Kiser Wilhelm I,[4] startling given his humble origins. Tumblety was born in or around Dublin around 1830, spending his formative years there before his family followed an older brother to Rochester, New York, in 1847. While in Rochester, he was informally trained in the little regulated medical field of the nineteenth century and as early as 1856 was styling himself as a doctor in London, Ontario.[5] Tumblety was mostly known as an "Indian Herb Doctor" and frequently ran into trouble when he styled himself an "M.D." While his methods aided some, others were not impressed. Tumblety either left people feeling charmed and intrigued by his flamboyant practice, or suspicious and wary.

Tumblety spent several years practicing in Canada, frequently getting into trouble for less than positive results of his medical treatment and was repeatedly in and out of court over claims he made in advertising about his education and practice. In 1860, he was brought up on charges of manslaughter in St. John, New Brunswick, by the wife of a former patient who died under his care. Tumblety was convicted but had escaped to Maine by the time of the trial.[6] This seemed to be his frequent solution: to run away in the face of opposition. Throughout his career, Tumblety made it his modus operandi to simply leave when his reputation began to sour. In 1865, he had been arrested in St. Louis under suspicion of being part of the Lincoln assassination, although no firm charges were ever brought forward, and it seems unlikely that he ever had a connection to that plot.[7]

Although Tumblety appeared frequently in newspaper ads of the nineteenth century and was widely known for his "medical" practice, today he is best remembered for his association with Great Britain's infamous Jack the Ripper case of 1888.[8] He was on one of his frequent trips to Europe when he met Douglass in 1887 and was there through the Whitechapel Murders of 1888. Tumblety was arrested in November 1888 for homosexual acts and fled to France and then back to America before the trial. At the time, the American press associated this flight with connection to the Whitechapel murders and a letter from an investigator in Scotland Yard confirmed he was a suspect in the case, though no charges were ever brought.[9]

But why was Tumblety considered a suspect? One curious story of the doctor came from Colonel C. A. Dunham in 1888 when Tumblety was still a suspect in the White Chapel cases. Dunham described a dinner he and others had with the doctor. After the meal, Tumblety took his guests to his office and showed them his collection of uteri and "lectured his companions on evils of women." When asked why he has such low esteem for women, Dr. Tumblety related how he had once been married to a woman who he later discovered was a prostitute and from that time had given up on women. It must be admitted that Dunham was known to have had little regard for

[4] Tumblety, *Narrative of Dr. Tumblety*, 1.
[5] Riordan, *Prince of Quacks*, 7–19.
[6] Riordan, *Prince of Quacks*, 63–70.
[7] "Indian Doctor," Boston *Daily Advertiser,* 25 August 1859; "J. H. Blackburn," Alexandria *Gazette,* 9 May 1865.
[8] "Bogus Physician," *The Daily Dispatch,* 18 August 1860; "Dr. Tumblety's Pimple Banisher," New York *Herald,* 17 August 1861; "Additional Testimonials," *Evening Star,* 5 May 1862.
[9] Riordan, *Prince of Quacks*, 1, 171–80.

Tumblety.[10] This, and stories like it, caused many others to associate him with the "Ripper," who was known to dismember victims and seems to have had particular disregard for "fallen women." While ultimately impossible to say now what his connection with the murders may have been, it is notable that the murders did cease when he left for America.

Though a record of this encounter survives for us to read today, it was surely only one of numerous such meetings abroad that Douglass experienced. By the late nineteenth century, Douglass was among American's most prominent figures and was the figurehead of Black Americans. He was doubtless constantly approached by admirers when on his travels. This peculiar encounter on the streets of Paris can be documented because Douglass recalls it in a letter to Amy Post, whose relationship to Tumblety has disappeared, if, indeed, it ever existed. The incident serves as a prime example of the celebrity Douglass enjoyed at this point in his life, being easily recognized by admirers both at home and abroad, no matter how controversial that person may have been.

Liverpool[,] Eng. 10 June 1887[.]

MY DEAR FRIEND AMY POST—

Some forty years ago I wrote you a letter from England and I do not wish my present tour to end without sending you another—though only to tell that I am well and continue to remember you with gratitude and affection. You were among the first of American women to give me shelter & make me feel at home under your roof—kindness I never forgot. I have now been on this side the Atlantic near nine months—I have travelled far and seen heard and felt much—much that I could talk about if I was seated by your side—but not much that I can now find time to to write about. In our travels—(for Helen was with me throughout till a few hours ago.) we have taken in England, France Italy—Switzerland—Greece and Egypt—we have visited—London Paris Naples Rome, Athens, Alexandria—Cairo—and many other famous towns and cities—which when I consider my starting point in life, it is marvellous that I have accomplished so much—but I feel that it has all come too late in life. I should have travelled this when I was younger, and when my ambition for achievement was more vigorous—I came to Liverpool now to see my dear Helen off to America. The condition of the health of her mother has been such of late as to make Helen feel that she ought to go home. It was a sore trial to her to leave me here even for a few weeks—but she is a strong woman and she bore it bravely. She is now well on her way—in a stout ship and I have no doubt will arrive safely—I have something to tell you. I met a man in the street a day or two ago—who introduced himself to me as Dr. Tornblity—He spoke freely of yourself and Jacob. I shall want to know more of him if I shall be spared to see you again. He told me much about himself in a very brief space, for he seemed to have more tongues than ears—I could not get a word in any-where—and you know I am too much in love with my own voice to like being suppressed and overtaken in that way—but enough of Dr. Tornblity—He seemed a good fellow after all.

I must tell you of another I met with whom you have been in other days acquainted to some extent, if not with her, you have been with her history, for she has a history. When in Rome at the Hotel De la Posti—there came to see me a handsome and elegantly dressed Lady—she was refined in her manners and appearance—and made a favorable impression upon all who saw her—she

[10] Riordan, *Prince of Quacks*, 91–95, 163–191; "Dr. Tumblety is Here," Williamsport *Sunday Grit,* 9 December 1888.

called many names of persons with whom I am acquainted in America—she seemed a thoroughly English lady. She introduced herself as Mrs Martin—said she had seen me before—at a public meeting in Washington—I had recollection of her—and could not imagine who she could be—At last she told me 'I am she that was Victoria Woodhull' I am now married to Mr Martin and live in London—The announcement was startling enough for I had no idea of meeting Mrs. Woodhull. I have made some enquiries about her since and find that she is living very quietly in London as the wife [of] a thoroughly respectable Banker such is life. You may have known all this before—but I did not. I also met in Rome three of the sisters of Charles Remond. It was very pleasant to meet so far away from home these dear people. Like Charles they detest prejudice of color and say they would not live in the U. States, if you could or would give them America! I told them I found America a very good country to live in and that popular prejudice was on the wane—A few days ago I saw my old friend Julia Griffiths—she came to London to see us—and though she, like ourselves is older than thirty five years ago—she is still quite lively—In Paris I saw Mrs Elizabeth Cady Stanton at the house of her son—she is at work on her woman's Bible—and seems more radical than ever—She is a noble and brave woman—and has no snobbery about her—I hope that you are still well and active though that is a good deal to hope and more to expect, but you are an exception to general rules—Do I pray you remember me kindly to dear Mary and Sarah—I love to think of their unceasing friendship—to Jacob—Joseph and William I also wish to be remembered

Always and to the end Yours

FREDK. DOUGLASS

ALS: Amy and Isaac Post Papers, University of Rochester Library, Rochester, N.Y.