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Letter from the Editor

Dear Readers,

History is cool. It really is.

It's so easy for modern audiences to push aside historical writing for something sexier—like some gripping current event story, or a pop-culture article on some celebrity's nose job. But ultimately, reading historical writing can be just as much fun (in my case, it's more fun). There's nothing like getting to see threads connect the past to the present, to hear a historical event told from a different perspective. When those connections happen, it's like having cataracts removed from our eyes. We not only see the past more clearly, we see everything more clearly. History is not some dusty relic to be preserved in a glass case. It's meant to be parsed apart, criticized, spit at, lauded, framed and placed above your fireplace. Historiography is the societal equivalent of meditative self-reflection: we must look back on all past events with a critical eye and a willingness to internalize their lessons.

So take your medicine and read these articles—and it's that good bubble-gum flavored medicine that you felt bad for enjoying so much as a kid. All of our authors and editors worked hard to produce these fine articles, and the illustrious Vanderbilt History Department has supported us at every stage of the process. Making this journal involved a lot of people and work. So enjoy the fruits of our labors. Go ahead and dive in. Yes, I know you want to stare at Skyler's aesthetic cover and read this beautifully-crafted letter all day, but really, go ahead and immerse yourself in the past. Feel the threads weaving. Feel your historical schema flourishing. The past yearns to tell you its stories. All you need to do is listen.

And yes, I meant to have that comma splice earlier. It was a rhetorical choice. I have that power as Editor-in-Chief.

Love,
Patrick Mills
Editor-in-Chief

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Reproductive Rights and Neoliberal Ideology in Peru, 1990-2000

Abstract: In 1995, Alberto Fujimori announced at the Fourth United Nations Conference on Women that Peru would be embarking on a progressive rollout of reproductive rights, including the legalization of sterilization as a method of contraception. What followed was a violent poverty eradication campaign that left more than 200,000 indigenous women sterilized in a campaign that relied on coercion and manipulation, funded in part by the United States Agency for International Development (USAID).

Current scholarship often evaluates the economic reforms of the Fujimori regime in isolation to the human rights abuses endemic to the last decade of the 20th century. This paper critically examines the intersections of globalization, development rhetoric, and reproductive rights within the racialized population program of the 1990s. This piece examines USAID records, congressional hearings, and governmental documents to illuminate the ways in which neoliberalized development rhetoric coupled with international aid facilitated this racialized manifestation of reproductive "rights" that directly devalorized impoverished bodies.

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On February 15th, 1998, The New York Times headline read as follows: "Using Gifts as Bait, Peru Sterilizes Poor Women."[1] The story launched the Peruvian government's freshly-implemented family planning initiative into global news, briefly profiling two indigenous women pressured into undergoing tubal ligation in a rural clinic. The program, which was advertised by the authoritarian president of the nation, Alberto Fujimori, at the Fourth United Nations Conference on Women in 1995 as a progressive rollout of reproductive rights that would increase access to contraceptives, including legalized sterilization, had a more sinister agenda. Beneath the veneer of neo-feminist rhetoric, the initiative aimed to decrease the much-higher fertility rates amongst rural, Quechua-speaking, often illiterate indigenous women living well below the poverty level. In 1998, the Times reported that two women had been forcibly sterilized; today, estimates range from anywhere from 6,000 to 300,000.[2]

It wasn't until 2009 that Fujimori was convicted of human rights violations.[3] Elected to power in 1990 during the twilight era of leftist insurgency groups such as Sendero Luminoso (Shining Path), Fujimori's political platform was encapsulated with his populist slogan: honradez, tecnología y trabajo (honesty, technology, work).[4] However, within two years of rising to power, Fujimori left his original populist underpinnings behind, shifting to an authoritarian form of governance. His administration embraced an ambitious political economy agenda that privatized the majority of state-owned industries, deregulated the mining industry, and, more generally, pushed economic reforms that promoted free-market economic ideologies and Western development rhetoric.[5] The Fujimori administration is largely credited with facilitating the Peruvian economy's entrance into the global marketplace and the ultimate decline of Sendero Luminoso. By 2000, however, Fujimori had resigned from the presidency and investigations into the human rights abuses of his regime began, with a focus on potential embezzlement and the efforts waged against Sendero. In 2009, he was sentenced to twenty-five years in prison for human rights abuses surrounding his role in multiple civilian massacres, but his efforts to sterilize over 300,000 indigenous women went unmentioned in court proceedings. The narrative does not end there, however, as multiple non-governmental organizations, such as Amnesty International, have pursued legal repercussions over the past few decades.

The forced sterilization campaign in Peru presents a particularly macabre narrative juxtaposed with the glittering advancements of globalization in the 1990s: a democratically elected leader, embracing internationalist neoliberalist theory, reveals his authoritarian tendencies and embarks upon a population control initiative that results in the state apparatus itself directly controlling indigenous bodies. Indeed, the forced sterilization campaign in Peru did not occur in a vacuum; rather, it was situated within the contexts of globalization and standards of development. Neither neoliberalization nor family planning initiatives developed solely in the 1990s. Like most salient systemic beliefs, these ideologies crystallized over the course of the twentieth century and their legacies continue into the present day. When examining the forced sterilization campaign in Peru, therefore, it is critical to evaluate not only the surrounding neoliberalized develop-

ment rhetoric within the political landscape at the genesis of the campaign, but additionally the response from affected communities and the barriers they continue to face in their struggle for justice within the existing supranational legal framework. Contemporary scholarship tends to evaluate the forced sterilization campaign in isolation from the sweeping economic reforms spearheaded by the Fujimori regime. However, the two issues are inextricably linked together by development rhetoric. The increasing influence of neoliberalized development rhetoric during the 1990s in Peru set the stage for a government that viewed forced sterilization as integral for national development; bolstered by internationalist aid from globalist organizations, the initiative espoused a racialized conceptualization of reproductive rights that directly devalorized impoverished indigenous bodies and represents a continued struggle for justice within the supranational human rights imaginary.

There exists little analysis of the intersections of neoliberalized development rhetoric and the human rights violations that occurred as a result of Fujimori's family planning initiative. Some scholars have situated neoliberalism within the creation of a new social order in Peru,[6] while others have grappled with theories of reproductive rights and informed consent.[7] However, the two issues have not been analyzed with an emphasis on the atomistic effects of neoliberalization under authoritarian regimes. Part of the reason why Peru's history of forced sterilization has become invisibilized within the neoliberal context lies within the more elusive nature of violations of the human body. While over 350,000 individuals were sterilized as part of Fujimori's family planning initiative, specific statistics detailing the exact number of those who were coerced into the procedure or entered into the surgery without informed consent are difficult to determine. Furthermore, given that the vast majority of both victims and survivors of the campaign were Quechua-speaking and often illiterate, their narratives are further marginalized in the academic landscape. Until more recent years, with the publishing of the Quipu Project, the narratives of survivors were unavailable. A handful of court cases levied against the Peruvian state by the families of women who had died from being forcibly sterilized, coupled with a few public admissions of the quota system, were the only tangible pieces of evidence available. With increased knowledge of the intimate effects of forced sterilization, it has become clearer that the campaign itself is a microcosm of anti-poverty and development rhetoric, eugenicist ideations of indigeneity, reproductive rights, and neoliberalism itself.

Neoliberalism and its discontents

Neoliberalism, a murky concept that can manifest itself in the political economy in disparate ways, has been delineated by various economic scholars to encapsulate a particular ideology surrounding the minimization of the role of the state in the economy while privileging corporate interests. As articulated by David Harvey, neoliberalism can be understood as "a theory of political economic practices that proposes that human well-being can best be advanced by liberating individual entrepreneurial free-

Congreso de la República del Perú. "Congress of Peru." Wikimedia Commons. October 7, 2010.

doms and skills within an institutional framework characterized by strong private property rights, free markets, and free trade."[8] The role of the state, or lack thereof, is furthermore inextricably linked to ensuring the successful functioning of the economy. A neoliberal economic doctrine, therefore, can be understood as an economic philosophy that privileges deregulation, corporate interests, and privatization over more collectivist theories. While often qualified solely as an economic ideology, neoliberalism as an ideology transcends economic philosophy, as it espouses an ethic in and of itself. Emphasizing the transactional marketplace relations, neoliberalist methods of thinking insist that "the social good will be maximized by maximizing the reach and frequency of market transactions, and it seeks to bring all human action into the domain of the market."[9] Neoliberalism as a doctrine therefore saturates the social sphere, permeating societal relations in addition to privatizing the economy. Furthermore, a central feature of neoliberalism under globalization lies within the increased prominence of internationalist financial institutions, such as the International Monetary Fund (IMF) and the World Bank. As articulated by Harvey, the prominence of the IMF, the World Bank, and the World Trade Organization (WTO) can be seen as central to disseminating neoliberal hegemony by capitalizing on existing power geometries between the global North and South.[10]

In the 1980s, neoliberalism began to take hold in Latin America during the region's debt crisis.[11] In order to stabilize the region's economy, foreign financial institutions, the majority of which were based in the United States, began to implement and enforce regulations that promoted foreign investment and increased privatization in order to promote economic growth and recovery.[12] The implementation of neoliberalism, in other words, was primarily spearheaded by foreign governments or international institutions. In late 1980s Peru, the World Bank, with the support of the United Nations Development Programme (UNDP), conducted an analysis of the Peruvian economy in tandem with the domestic government and attempted to influence the adoption of an aggressive neoliberal economic policy designed to decrease hyperinflation in the economy at the time. However, the Peruvian government rejected the rapid policy shifts recommended by the World Bank and instead opted for a more "gradual policy approach."[13] When Fujimori came into pow er, the economy was continuing to rapidly deteriorate. Facing a nation that had been ravaged by a Maoist revolutionary collective for the previous ten years, the president doubled down on creating a new social order centered around free-market capitalism and the entrance of Peru into the global market.[14] In his presidential address to the national congress on the day of his inauguration, Fujimori announced his lofty plans to globalize the Peruvian economy: "We should become agents of our own destiny and, at the same time, make the insertion of Peru into the international financial community a reality. In this sense, our government is determined to reestablish Peru's international relations in the financial, banking, and commercial field; to reestablish old networks and resolve differences."[15] In order to facilitate this entrance, Fujimori spearheaded an ambitious economic agenda. Within the first two years of his presidency, he privatized the majority of state-owned industries, reduced restrictions on foreign investments, and deregulated the economy.[16] The first of these series of reforms, as presented by Felices Luna, attempted to stabilize the economy by "cutting price subsidies, social spending and employment in the public sector; increasing interest rates and taxes; as well as unifying exchange rates," whereas the second wave targeted the privatization of state-owned commercial ventures.[17] The economic reforms paid off: the Peruvian economy, now open to foreign investment and reaping the benefits of a booming mining industry, had successfully entered into the international sphere during the age of globalization.

Eugenics and the genesis of the Programa Nacional de Población

As the Peruvian economy began to gather more prominence within the international sphere, Fujimori shifted his method of governance to embrace authoritarian rule with the autogolpe, or self-coup, of 1992, in which he dissolved the congressional branch of the Peruvian government.[18] Continuing to face high poverty rates, the president began to devise a plan to combat this trend and decrease the prevalence of impoverished communities, a tactic consistent with global trends in anti-poverty policies. "As a wide range of studies demonstrate," writes Jelke Boesten, "the poverty of – often – non-white masses has prompted the development of active population control strategies by the national and international organizations of governments...Often, as the diverse studies indicate, underlying motives for these strategies were based on fears for poverty and racial degeneration with effects beyond national borders."[19] The Programa Nacional de Población (National Population Program) was born, ushering in an era of explicit population control under the auspices of meeting internationalist development standards and promoting economic growth. A statement by the Ministry of Health reflects this perceived connection between fertility and development: "The fertility rate among poor women is 6.9 children – they are poor and are producing more poor people. The president is aware that the government cannot fight poverty without reducing poor people's fertility. Thus, demographic goals are a combination of the population's right to access family planning and the government's anti-poverty strategy."[20] The Programa Nacional de Población formally sought to "promote a decrease in fertility from three and a half to

Sanders, Karen. "Alberto Fujimori October 1998." Wikimedia Commons. October 3, 1998.

three children per woman in 1995, to two and a half children in 2000; to improve maternal and child health; and to guarantee the freedom of choice and the reproductive rights of persons."[21]

The history of population control initiatives carries with it a long association with eugenics and narratives of ethnic cleansing masked as reproductive rights policies. Efforts to control the fertility of certain types of citizens were not sequestered to the 1990s; rather, these methods were codified into medical practices beginning in the late nineteenth century. While the intellectual genealogies of racial degeneration have a long and varied history, its influence in Latin America dates to the late eighteenth century, with varying conclusions being drawn regarding its origin. Some writers believed the continued influence of Iberian culture in Peru to be the cause, whereas others attributed it to the "Inca Empire and Andean cultures."[22] However, the rhetoric of eugenics in Latin America generally subscribed to a universalist conceptualization of reproductive potential in the early decades of the twentieth century. It was not until the 1940s that eugenicist methods of thinking began to explicitly apply to indigenous populations, as demographic shifts pushed rural populations into urban areas, causing physicians to begin to view indigenous peoples as a threat to the country's viable population.[23] By the 1960s, family planning initiatives spearheaded by the state began to attract international aid, most notably from the United States Agency for International Development (USAID). The Centro de Estudios de Población y Desarollo (CEPD), established in 1964 to monitor social changes resulting from population growth, began to receive funding from USAID as early as 1966 as part of USAID's "quiet" sponsorship of family planning initiatives throughout the developing world.[24] USAID's support had disappeared by the 1970s after it was discovered that under Peru's military government, family planning was not top priority.[25] Nevertheless, this can be seen as emblematic of USAID's tendency to "push population limitation onto the political agendas of developing countries."[26]

The implementation of the family planning initiative, development rhetoric, and international aid

At the Fourth World Conference on Women, held in Beijing in 1995, Fujimori presented his family planning initiative to the United Nations and addressed rumors that the policy was a method of violent population control enacted by the state.[27] "Señoras y señores," he began, speaking as the only male head of state invited to address the committee,

> Se nos ha acusado de que pretendemos tras una reciente ley que permite la voluntaria vasectomía y la ligadura de trompas como parte de un conjunto de métodos contraceptivos imponer mutilaciones y querer matar pobres. (Ladies and gentlemen, we have been accused of conspiring – following the recent introduction of a law that allows voluntary vasectomy and tubal ligation as contraceptive methods – of wanting to mutilate and kill poor people.)[28]

In a calculated effort to secure international aid, Fujimori pivoted, and presented the program as critical to furthering reproductive rights:

> Mi gobierno ha decidido llevar a cabo como parte de su política de desarrollo social y lucha contra la pobreza una estrategia integral de planificación familiar. Para que de esta forma, las mujeres les pongan con toda autonomía y libertad sobre sus propias vidas. (My government has decided to apply as part of its social development policy and fight against poverty a comprehensive strategy for family planning. This way, women will be guaranteed freedom and independence to lead their lives.)[29]

In this speech, Fujimori transformed the global conceptualization of sterilization from a scheme designed to kill impoverished populations to a necessary right for all women in order to ensure their freedom and autonomy. With the legalization of voluntary sterilization as a form of contraception, the program had garnered the support

of USAID, which provided "millions of dollars and several thousand tons of food" to support the initiative.[30] While some of the funds were dedicated to information campaigns designed to raise awareness surrounding sterilization and bolster informed consent, international funding provided "no improvements in the quality of rural healthcare services, such as the provision of a hygienic working environment, medical supplies or even beds... Instead, the government improvised mobile medical services; local rural doctors received orders to sterilize women in their areas according to a quota system and to 'ensure that all women accepted a contraceptive method after delivery.'"[31] In other words, the new legislation, which was praised by the international community as a step forward in the "development" of Peru as a nation, was mobilized for violent ends by the state, and primarily targeted impoverished, illiterate, indigenous bodies in order to meet sterilization quotas.

Concerns about rumors surrounding the family planning initiative in Peru reached the ears of governmental officials within the United States by the late 1990s. On February 25th, 1998, the US House of Representatives Subcommittee on International Operations and Human Rights held a hearing on the Peruvian population control program. The purpose of the hearing was to reach a factual consensus surrounding the Peruvian family planning initiative and the role of the United States within the implementation of the campaign. Christopher Smith, a representative from New Jersey and the chairman of the Subcommittee, spearheaded the questioning of Mark Schneider, the USAID Assistant Administrator for Latin America and the Caribbean. After discussing USAID's general role in the state's family planning initiative, Smith begins to tug at the influence of international aid organizations, such as the World Bank, as providing some sort of impetus for embarking on a population control program.

> Mr. Smith. These are people who have substantial lending capabilities, the IMF and the World Bank, and obviously can exercise considerable clout over a nation that is in dire economic straits. A reallocation or a restructuring, for example like Peru, of its loans, and in comes a basket of issues of which population/family planning is one of them. That can easily be perceived, orally or written, directly or indirectly, as a pressure on a government to get with the program or else run the risk of losing or not being as favorably received by that institution. I want to know if that's part of the mix. Mr. Schneider. It clearly would be.[32]

In other words, the population control program implemented in Peru was a product of influence from internationalist organizations, such as the World Bank and the International Monetary Fund. The emphasis on development, or "to get with the program," is reflected in both the analysis of Representative Smith as well as the admissions of Schneider.

However, USAID took great lengths to ensure that family planning providers were acting in compliance with the publicly advertised goals of the program, conducting a report of medical providers in conjunction with the Ministry of Health (MOH) in November of 1999, the very organization who implemented sterilization quotas.[33] The study found that "providers show insufficient compliance with MOH standards concerning use of the VSC[34] Request Form and the 72-hour reflection period between last counseling and surgical intervention."[35] The violence perpetrated by the state was curtailed throughout the report: while the analysis acknowledges the implementation of quotas, the language used deliberately flattens the agenda espoused by the Programa Nacional de Población, as evidenced by the practice of referring to these practices as "quantitative contraceptive method targets."[36] In fact, the report itself states that clients are "satisfied with the services, although some experience regret later."[37] Furthermore, the conclusions reached by the study made no mention of the politics of informed consent with Quechua-speaking indigenous populations, the majority of which learned Spanish as a second language. As a result of the investigation, both USAID and the Peruvian Ministry of Health "agreed that the former withheld its family planning assistance until the MOH took certain steps to improve the quality of care."[38]

In an issue brief as recent as 2016, USAID praises its involvement with the National Family Planning Program under Fujimori, presenting the partnership as "advanc[ing] family planning," and absolves the organization outright of any involvement with the forced sterilization campaign: "As soon as it became aware of the government's sterilization targets and campaign strategy, USAID communicated strong concerns to the Government of Peru."[39] However, there exists evidence to suggest that USAID was complicit to some degree. In the statement of Representative Chris Smith, he notes that "The AID Food for Peace program in Peru, whose programs are far more extensive than those of the Office of Health, Population, and Nutrition, has been a focus of allegations that poor women were promised food in exchange for their consent to be sterilized. In the face of these allegations, the AID officials who manage the Food for Peace program failed to make vigorous efforts to ensure that no such abuses could occur."[40] This is corroborated by evidence uncovered by Boesten: "Donated food was used as a stimulus for women to agree to sterilization. In fact, according to one newspaper, the offer of free sterilizations for the poor was made public in the harbour of Lima at

the very moment when the Minister of Health received almost 20,000 tons of foodstuffs from USAID."[41]

The aftermath

Evidence gathered from the state and international level, however, only reveals part of the narrative of the forced sterilization campaign. When examining the family planning initiative under the Fujimori administration, it is imperative to consider the lasting effects on affected populations. The lived experiences of the thousands of indigenous peoples, hundreds of which have been documented and released online, reveal a particularly chilling narrative; the available testimonies display the inhumane violence and coercion present within the state-guided medical apparatus that directly contradict clinical analyses of clinician conduct by foreign agencies, such as USAID. Over two decades later, they still have yet to see the state take any formal responsibility for the campaign. An oral history collective designed to anonymously record the testimonies of indigenous peoples affected by the forced sterilization campaign reveals the intimate ways in which marginalized populations were targeted and ligated against their will. Through access to a phone line as part of a transnational effort from 2015 to 2018 designed to document the effects of the forced sterilization campaign, survivors are able to record their experiences. "We were forcibly sterilized," an anonymous survivor says, her voice cracking through the phone, "because prior to that we did not know what sterilization was. And that is how they did it to us, coming from Zurite,[42] a campaign led by nurses from Zurite, because we had many children, like 'guinea pigs.'"[43] This testimony reflects the eugenicist motivations behind the family planning initiative itself; indigenous women, who had a birth rate much higher of their non-indigenous counterparts, were often compared to animals, further dehumanizing the women that were violently brutalized. Furthermore, it reflects the lack of informed consent surrounding the family planning initiative in Peru. Another testimony reveals the sheer brutality within the state medical apparatus: "They took me. I went for a health check at the clinic. I was pregnant at the time so I went in for a check-up. They told me, 'You are not pregnant so we will sterilize you.' They put me in the ambulance by force and took me to the clinic in Izcuchaca[44] by force."[45]

With the increased visibility of survivor testimonies within the internationalist imaginary, the lack of a centralized response from the state level reflects the broader significance of the forced sterilization campaign. The violence inflicted upon indigenous bodies was not an anomaly. Rather, this power differential existed prior to the 1990s and continues to persist into the twenty-first century and, furthermore, is manifested in the continued struggle for justice spearheaded by indigenous and mestizo communities. There lies substantial variation within indigenous and communitarian-based resistance movements across Latin America; within the context of Peru, ethnic-based movement-building is not central to the political landscape. Within the nation, the word indígena carries with it a politicized identity that is not embraced by many as a result of the severely spatially segregated landscape of the nation and the continuing legacies of colonial rule.[46] Rather, it is much more likely for political actors with indigenous heritage to instead identify as campesinos, or peasants.[47] This trend exists in contrast with other South American nations with comparable indigenous populations, such as Bolivia, where indigenismo is considered the political norm, especially after the election of Evo Morales, an Aymaran man, to the presidency.[48] While hundreds of indigenous women have protested in Lima in the decades since the family planning initiative, investigations spearheaded by the state into the forced sterilization campaign have not provided any semblance of justice for survivors; rather, investigations concluded in 2009 and 2014 for lack of evidence instead absolved the state and Fujimori himself of any responsibility for the violence inflicted upon indigenous bodies.[49] Indeed, the Peruvian government of the early 2000s established the Comisión de la Verdad y Reconciliación (CVR) (Truth and Reconciliation Commission) to conduct an investigation into the human rights abuses that occurred from 1980 to 2000, during a period of severe internal strife and conflict.[50] While the Final Report noted that nearly 70,000 people "were killed or 'disappeared,' and of those, more than ninety percent came from the eight poorest Andean and Amazonian regions,"[51] it neither conducted a "conscientious, inclusive effort" to investigate claims of survivors nor included the sterilization cases in the final report.[52]

While government-led investigations have yet to claim responsibility for the violence inflicted upon indigenous populations, a handful of international court cases whose rulings indicated the culpability on the part of the Ministry of Health and the presidency itself. Perhaps the most damning of those filed was María Mamérita Mestanza Chávez v. Peru, levied in 1999. A cocktail of non-governmental organizations, including the Office for the Defense of Women's Rights (DEMUS), the Latin American and Caribbean Committee for the Defense of Women's Rights (CLADEM), and the Asociación Pro Derechos Humanos (APRODEH), lodged a petition on behalf of an indigenous woman who died after being forcibly sterilized with the Inter-American Commission on Human Rights. The case asserted "the Republic of Peru violated the human rights of [the plaintiff], by forced sterilization that ultimately caused her death."[53] This story reflects the typical tactics used during the forced sterilization campaign. The friendly settlement asserts that the plaintiff,

"Ms. María Mamérita Mestanza, a rural woman about 33 years old and mother of seven children, was pressured to accept sterilization starting in 1996 by the Health Center of Encañada District. She and her husband Jacinto Salazar Suárez were subjected to various forms of harassment...finally, under coercion, Ms. Mestanza agreed to have tubal ligation surgery...without any pre-surgery medical examination."[54] She died a little over a week later due to complications from the surgery.

In the friendly settlement reached in 2003, the Peruvian government accepted responsibility for the "violation of Articles 1.1, 4, 5, and 24 of the American Convention on Human Rights, as well as Article 7 of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women in the harm done to victim María Mamérita Mestanza Chávez."[55] The state further agreed to "make in an attempt to cover up the circumstances of her demise," and "the Investigative Commission...which questionably exonerated the health personnel from responsibility for [the plaintiff]'s death."[56] Perhaps the most intriguing aspect of this particular court case lies in the mandate by an international court of law to enact policy changes in laws concerning reproductive rights. The friendly settlement states that "the Peruvian state pledges to change laws and public policies on reproductive health and family planning, eliminating any discriminatory approach and respecting women's autonomy," including conducting a "judicial review of all criminal cases on violations of human rights committed in the execution of the National Program of Reproductive Health and Family Planning, to break out and duly punish the perpetrators, requiring them to pay the appropriate civil damages, including the State if it is determined to have some responsibility for the acts that gave rise to the criminal cases."[57] This court case held particular salience as it was the first time the Peruvian government took direct responsibility for the forced tubal ligation of one of its citizens and pledged to conduct a thorough criminal investigation into the family planning initiative. Even with these legal admissions, however, the Peruvian government has yet to take any form of public responsibility or offer compensation to the thousands affected by the eugenicist and racialized family planning initiatives of the 1990s, and has instead sought to cleanse itself of any association with the forced sterilization campaign. In March of 2016, presidential candidate Keiko Fujimori, the daughter of Alberto Fujimori, denied that the campaign itself even occurred; in a teleSUR article, she admits that within the family planning initiative "there were some denunciations," but "not 300,000 like some political adversaries claim."[58]

> "They took me. I went for a health check at the clinic. I was pregnant at the time so I went in for a check-up. They told me, 'You are not pregnant so we will sterilize you.'"

The impact of the forced sterilization campaign, unsurprisingly, carries a permanence that continues nearly twenty years after the initiative began, and the refusal of the Peruvian government to accept formal responsibility coupled with the efforts to erase the forced sterilization initiative from the Fujimori presidency demonstrates a form of continued violence. While the neoliberal population management initiative itself was marked by racialized and eugenicist ideology that directly targeted illiterate, Quechua-speaking indigenous peoples, some scholars have pushed the international community to recognize the campaign as an form of genocide.[59] "The motive of population control would not negate an intention to prevent births within the group," writes legal scholar Jocelyn E. Getgen. "As a result, one could prove that Fujimori's Family Planning Program intended to prevent births among the Quechua people, despite his alleged motives."[60] The Programa Nacional de Población, therefore, can be read as a particularly alarming product of neoliberalized development rhetoric; despite outwardly promoting a progressive rollout of reproductive rights, the initiative itself subscribed to anti-poverty rhetoric that directly resulted in acute violence against impoverished populations.

Neoliberalism, perhaps the most dominant economic ideology in the globalist era, cannot be divorced from the hegemonic ethic it espouses. Operating under the auspices of furthering "progress" in developing nations, transnational neoliberalized development rhetoric embraced by international organizations, such as USAID, tangibly influenced the policy reforms undertaken during the Fujimori regime. Furthermore, the neoliberal emphasis on eradicating poverty fueled the impetus behind the Fujimori administration's attempts to strip impoverished indigenous populations of reproductive freedom, therefore submitting these communities to an institutionalized form of population management within the modern era. The family planning initiative of the 1990s represents a striking example of neoliberal paternalism; influenced

by Western standards of development, the Fujimori regime expanded reproductive rights branded as integral to women's rights.

Family planning initiatives within the 1990s in Peru, therefore, did not occur independent of external influences.[61] Rather, the crucial difference between previous population control initiatives and the campaign spearheaded by the Fujimori government lies within the methodology; while earlier population control initiatives aimed to decrease poverty and fertility rates by increasing the availability of contraceptives, the campaign of the 1990s attempted to violently eradicate poverty, and, to an arguable extent, indigeneity, by forcibly sterilizing hundreds of thousands of indigenous women. When contextualizing the effects of the family planning initiative in Peru, therefore, it is imperative to not only consider the influences from contemporary internationalist rhetoric, but to evaluate the ways in which affected populations on the local scale have attempted to seek recognition through available frameworks. The forced sterilization campaign in Peru exemplifies a particularly violent form of intimate geopolitics, in which the neoliberalized interests of the state apparatus, funded by Western aid, directly devalorized the bodies of its most marginalized populations and continues to deny these affected communities justice.

Endnotes

[1] Calvin Sims, "Using Gifts as Bait, Peru Sterilizes Poor Women," *New York Times*, February 15, 1998. https://www.nytimes.com/1998/02/15/world/using-gifts-as-bait-peru-sterilizes-poor-women.html?searchResultPosition=1.

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[10] Ibid., 3.

[11] Eric Hershberg and Fred Rosen, eds., *Latin America After Neoliberalism: Turning the Tide in the 21st Century?* (New York, London: The New Press, 2006), 6.

[12] Hershberg and Rosen, eds., *Latin America After Neoliberalism,* 7.

[13] The World Bank, *Peru: Policies to Stop Hyperinflation and Initiate Economic Recovery, A World Bank Country Study* (Washington, D.C.: The World Bank, 1989), iii.

[14] Felices Luna, "The Pacification of Peru," 159.

[15] Alberto Fujimori, "Presidential Address to the National Congress," Congreso de la República del Perú, July 28, 1990, http://www.congreso.gob.pe/museo/mensajes/Mensaje1990-2.pdf.

[16] Moisés Arce, "The Societal Consequences of Market Reform in Peru," *Latin American Politics and Society* 48 (Spring, 2006): 38, https://www.jstor.org/stable/4490448.

[17] Felices Luna, "The Pacification of Peru," 164.

[18] Arce, "The Societal Consequences of Market Reform in Peru," 28.

[19] Jelke Boesten, "Free Choice or Poverty Alleviation? Population Politics in Peru under Alberto Fujimori," *Revista Europea de Estudios Latinoamericanos y del Caribe* 82 (April 2007): 3, https://www.jstor.org/stable/25676252.

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Reproductive Health Matters 12, no. 24 (Nov. 2004): 61.
[21] Boesten, "Free Choice or Poverty Alleviation?", 6.
[22] Raúl Necochea López, *A History of Family Planning in Twentieth-Century Peru* (Chapel Hill: The University of North Carolina Press, 2014), 18, 19.
[23] Ibid., 31.
[24] Ibid., 108.
[25] Ibid., 117.
[26] Ibid., 120.
[27] At the genesis of Fujimori's new policy expanding access to birth control, the campaign was seen as a unilateral victory for feminist organizations. However, this narrative has been problematized in recent years; while many often attribute the significance of Fujimori's alleged expansion of access to contraceptives to the antagonistic presence of the Catholic Church within the country, more recent scholarship spearheaded by Necochea López suggests that the church was more intimately involved in backing family planning within the context of "responsible parenthood."
[28] United Nations Development Program, "Speech Given by the President of the Republic of Peru, H.E. Alberto Fujimori Before the IV World Conference on Women," September 15, 1995, http://www.un.org/esa/gopher-data/conf/fwcw/conf/gov/950915131946.txt.
[29] Ibid., 3.
[30] Boesten, "Free Choice or Poverty Alleviation?," 6.
[31] Ibid., 6, 7.
[[32] U.S. Congress, House of Representatives, Committee on International Relations, *Hearing Before] the Subcommittee on International Operations and Human Rights,* 105th Cong., 2nd sess., February 25th, 1998, 22.
[33] Federico R. León, *Peru: Providers' Compliance with Quality of Care Norms* (Lima: Population Council, 1999).
[34] Referring to "voluntary surgical contraception," another term for sterilization.
[35] León, *Peru: Providers' Compliance with Quality of Care Norms,* 49.
[36] Ibid., 2.
[37] Ibid., 46.
[38] Ibid., 48.
[39] United States Agency for International Development, "USAID's Partnership with Peru Advances Family Planning," September 2016, https://www.usaid.gov/sites/default/files/documents/1864/peru-508.pdf.
[40] U.S. Congress, *Hearing Before the Subcommittee on International Operations and Human Rights*, 39.
[41] Boesten, "Free Choice or Poverty Alleviation?," 7.
[42] In reference to the Zurite District, a primarily indigenous, Quechua-speaking region of Peru.
[43] Maria Court and Rosemarie Lerner, *Proyecto Quipu: Llamadas por justicia*, Testimony 5/58, quoted in Sian Norris, "The Quipu project: testimonies of forced sterilisation in Peru," *Open Democracy*, December 16, 2015.
[44] In reference to the Izcuchaca District in the Huancavelica Department of Peru, located in the southwestern part of the nation.
[45] Court and Lerner, *Proyecto Quipu*, Testimony 24/58, quoted in Sian Norris, "The Quipu project: testimonies of forced sterilisation in Peru," *Open Democracy*, December 16, 2015.
[46] Peru, which is home to the second-largest indigenous population in South America, hovering just below half of the population, is unique in that social difference is transcribed upon the geographical landscape itself. Political power has long rested in the hands of the descendants of colonizers (*criollos*) on the coast, whereas the highlands host the majority of the indigenous or mestizo population.
[47] Roberta Rice, *The New Politics of Protest: Indigenous Mobilization in Latin America's Neoliberal Era* (Phoenix: University of Arizona Press, 2012), 94.
[48] Rice, *The New Politics of Protest*, 68.
[49] Amnesty International, "Peru; Thousands of indigenous women forcibly sterilized may be denied justice," January 29, 2014, https://www.amnesty.org/download/Documents/4000/amr460022014en.pdf.
[50] Jocelyn E. Getgen, "Untold Truths: The Exclusion of Enforced Sterilizations from the Peruvian Truth Commission's Final Report," *Boston College Third World Law Journal* 29, no. 1 (January 2009): 15, http://lawdigitalcommons.bc.edu/twlj/vol29/iss1/1.
[51] Ibid., 17.
[52] Ibid., 19.
[53] Inter-American Commission on Human Rights, "Report No. 71/03, Petition 12.191. Friendly Settlement María Mamérita Mestanza Chávez Peru," October 22, 2003, http://cidh.org/annualrep/2003eng/Peru.12191.htm#_ftn1.
[54] Ibid.
[55] Ibid.
[56] Inter-American Commission on Human Rights, "Friendly Settlement."
[57] Ibid.
[58] teleSUR, "Keiko Fujimori Denies Forced Sterilization on Women's Day," *teleSUR,* March 8, 2016, https://www.telesurenglish.net/news/Keiko-Fujimori-Denies-Forced-Sterilization-on-Womens-Day-20160308-0040.html.
[59] Getgen, "Untold Truths," 25.
[60] Ibid., 25, 26.
[61] Many of the attitudes embraced by the government against indigenous populations were not sequestered to the last decade of the twentieth century; it is equally important to recognize the long withstanding history of structural violence against these communities.

The Influence of European Revolutions and the Call for Political Antislavery Violence

Abstract: Through the late 1840s, Frederick Douglass increasingly distanced himself from Garrisonian abolitionism, especially its commitment to non-violence and aversion to politics. While many accounts of this shift point to the influence of domestic developments upon Douglass' thought, this paper argues that his reception of the 1848 European revolutions—particularly the French—was perhaps more impactful. In his praise for these revolutions, Douglass drew parallels between oppressors and oppressed on both sides of

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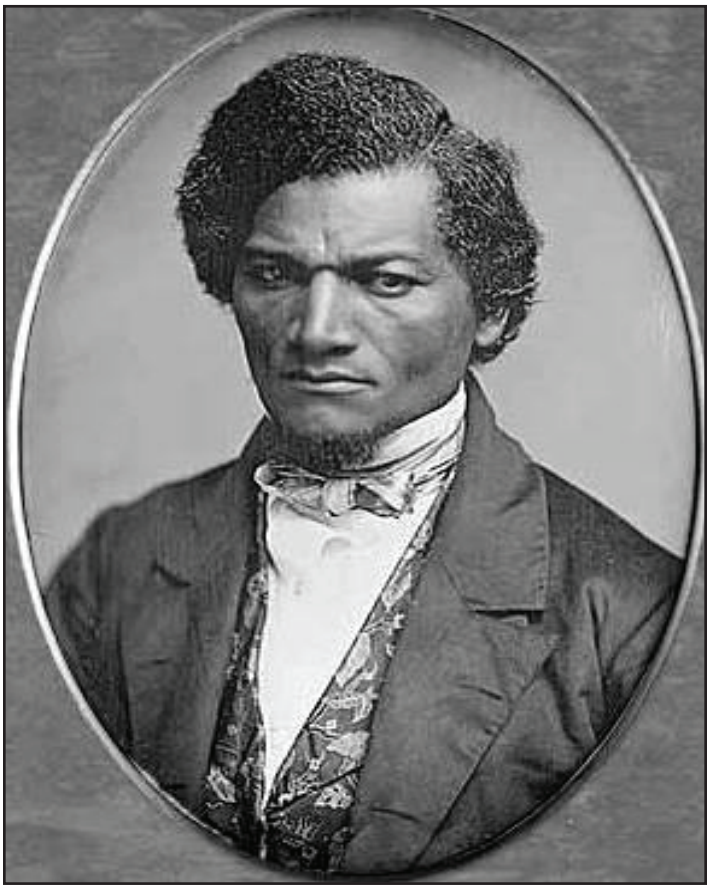
On February 22, 1848, the people of Paris took to the streets in mass protest against their king, Louis Philippe. Within two days of demonstrations and fighting, the king abdicated and a republic was proclaimed. This revolution served as the main catalyst for a year of similar uprisings that rapidly spread across the European continent.[1] News of the upheaval soon reached the shores of the United States. The American public generally welcomed the mostly anti-monarchical European revolutions with celebration, seeing them as inspired by America's own revolutionary heritage.[2] Frederick Douglass was among those Americans who sung the revolutions' praises. He reflected on their significance, remarking that they had "no parallel in the history of the world," and thanking God for his opportunity to "live in these days."[3]

But in "these days," there was more on Douglass's mind than the events across the Atlantic. He had just launched his newspaper the *North Star*, to the chagrin of his friend and mentor William Lloyd Garrison.[4] Indeed, Douglass was beginning to distance himself from the Garrisonian abolitionists and their opposition to involvement in politics, commitment to non-violent "moral suasion," and view of the Constitution as irredeemably proslavery. Though this transition was certainly brought about by Douglass's personal study, relationships, and reactions to domestic political developments, it also could not escape international influence.[5] Douglass wrote and spoke extensively on the European revolutions, and like many American observers focused on those in France.[6] By examining how Douglass articulated his support for these rebellions, it becomes apparent that he was profoundly impacted by them. It was not only that his positive views of the revolutions—inescapably political and violent events as they were—reflected his growing acceptance of political action and violence in opposition to slavery. Rather, the revolutions themselves further pushed him to embrace the political and the violent (especially in combination) as prescriptive, radically abolitionist means.

"The Oppressed and Plundered, the World Around": Douglass's Transnational Diagnosis of Tyranny

Douglass was primed for his reception of the revolutions by a pre-existing internationalist streak in his politics. For him, forces of oppression and struggles for freedom knew no borders. During the Mexican-American War (a war he vigorously opposed as a "slaveholding crusade"), he expressed sympathy with the Mexican people for the violence brought upon them by US invasion, understanding them as kindred victims of "Anglo Saxon cupidity."[7] Considering this earlier transnational outlook, it follows that Douglass would speak of the European revolutions in universalist terms. He noted that because of contemporary advances in steam transportation and telegraph communication, the revolutions could not stay provincial, but had to spread across the globe.[8] The US, then, could not resist their pull. The "Spirit of Liberty" could not be "bound by geographical boundaries or national restrictions," thus Americans "[could not] but be affected." And, the "grand commotion [was] universal and all-pervading", thus Americans were "more than spectators."[9] The revolutions signified a world-historical battle for freedom—"the grand conflict of the angel Liberty with the monster Slavery"—that by nature implicated the US.[10] Within this dualistic framing, Douglass asserted that the contenders of revolutionary Europe had direct counterparts in the US. The "dynastis [*sic*]," "monarchies," "thrones," "courts," "royalty," and "despotism" swept



Miller, Samuel. "Frederick Douglass by Samuel J Miller, 1847-52." Wikimedia Commons, 1847-1852.

away abroad had their American match in slaveholders.[11] It is worth noting that this parallel is based upon European forms of *governance*, the implication being that slaveholders comprised a similarly political category (that, as will become apparent, required a similarly political corrective). Douglass had elsewhere argued that slaveholders in government ruled absolutely, owning both political parties as they did slaves, and stamping out democratic rights.[12] Now, the accusation was more acute. They were not merely acting like tyrants, but *were* so, regardless of their republican context. When the French overthrew their king, Douglass wrote that it should be a warning to "tyrants the world over, and especially American tyrants," and that "slaveholders" shared the same reaction of astonishment to this revolution with the "despots of Europe" and the "Tories of England."[13]

Designating slaveholders as such within the democratic forms of the Union, Douglass brought upon them a charge of hypocrisy. He pointed out that the "slaveholding Belshazzars" celebrating the "downfall of Louis Philippe, and the establishment of a republic in France" lost their jubilant mood upon hearing about a mass slave escape from Washington (capital of the so-called "'model Republic'"). They thus became "armed kidnappers" and traded celebration of "liberty abroad" for the "demands of slavery at home."[14] The escape incident to which Douglass referred here was the April 1848 attempt of seventy-seven slaves to escape upon the *Pearl*, a schooner on the Potomac. The ship was captured, and all but fourteen slaves were sold South. Douglass incorporated the story of the *Pearl* into a number of his writings and speeches of 1848, perhaps as a symbol that the European revolutions had spread to the US.[15]

Whatever the particulars, Douglass demonstrated—with a recent, drastic (if not unique) example—the hollowness of proslavery politicians' enthusiasm for the French regime change, revealing their true anti-democratic commitments. The "Belshazzars" in question seem to generally be politicians who were simultaneously proslavery and pro-revolution, but the term could specifically refer to members of the Polk administration. In this context, members of this administration would have been the utmost hypocrites in the eyes of Douglass. The minister to France, Richard Rush, may have unilaterally recognized the new French republic in February; the Secretary of State James Buchanan may have sent an enthusiastic congratulatory letter praising republicanism; and President Polk himself may have supported Rush's recognition, but this was the very same proslavery administration that, for Douglass, had the blood of the Mexican-American War on its hands.[16]

Other proslavery voices in government were more reserved in their reaction. To Douglass, this represented a telling political consistency of tyranny that complemented the supposed hypocrisy of the Polk administration. In the *North Star*, he directed readers' attention to the "reluctance" of some in Congress to vote for bills of congratulations towards the French for the "triumph of republicanism," particularly the "course of that prince of tyrants, John C. Calhoun."[17] The old South Carolina senator (along with a number of others, especially Southerners) expressed concern over such bills, arguing that they were premature. In private, Calhoun suggested the French were better off with their king.[18] And yet, this consistency in proslavery and anti-republican politics did not mean he would escape Douglass's accusation of hypocrisy—Douglass pointed out how Calhoun, despite being a "staunch Democrat," maintained misgivings over France's democratic success. Calhoun also represented a wider hypocrisy of American society. Douglass laid bare the contradiction of a nation celebrating a Europe "casting down" tyrants, while "electing tyrants" (perhaps like Calhoun) to rule itself.[19] He went so far as to suggest that

welcoming a visit from Louis Philippe in Washington and even invading France to reinstate his rule would be more consistent with American politics than celebrating the king's fall.[20]

Douglass's European-American political parallels went further: if the political ruling classes had transatlantic counterparts, so too did the political opposition. In contrast to his "slaveholding Belshazzars," Douglass maintained that the only "classes" which could "sincerely" sympathize with the republican revolution in France were "Negroes and Abolitionists."[21] Likewise, in contrast to the hypocritical slaveholding American republic, the French republic abolished slavery "with glorious consistency," an act profusely praised by Douglass.[22] Black Americans and abolitionists—slaves in particular—had their overseas parallels in the workers of Paris who had taken to the streets. It would be consistent for the American slave republic to restore Louis Philippe, as Douglass said, because to do so would be "restoring the emancipated slaves [in this context, the French people] to their tyrant masters."[23] Thus, the "humble poor, the toil-worn laborer, the oppressed and plundered, the world around" were now bound together in sympathies, Douglass maintained, explicitly including white American workers.[24] Douglass had previously expressed support for the struggles of white wage laborers, but he was off-put by the propensity of some to inaccurately compare their lot to that of slaves.[25] While he by no means now accepted this comparison, Douglass seemed to acknowledge that fights against the oppression of wage and the oppression of enslaved laborers could be simultaneous, even one in the same.[26] In the face of unified transatlantic tyranny, there was a political imperative to rally a unified countervailing force. Thus, Douglass expounded a revolutionary humanism that could appeal to all. In a speech on 1848 West India Emancipation Day—a celebration already holding an international valence, celebrated as it was in the United States to commemorate slave emancipation in the British Empire—Douglass focused on the European revolutions, with the explanation that "human freedom, in all its grades [...] is within the record of this day."[27] Just a month prior, he spoke in the same terms of universal "human freedom" when praising the calls for women's suffrage at the Seneca Falls Convention.[28]

"A Ray of Hope" in France: Douglass's Changing Program for Abolition

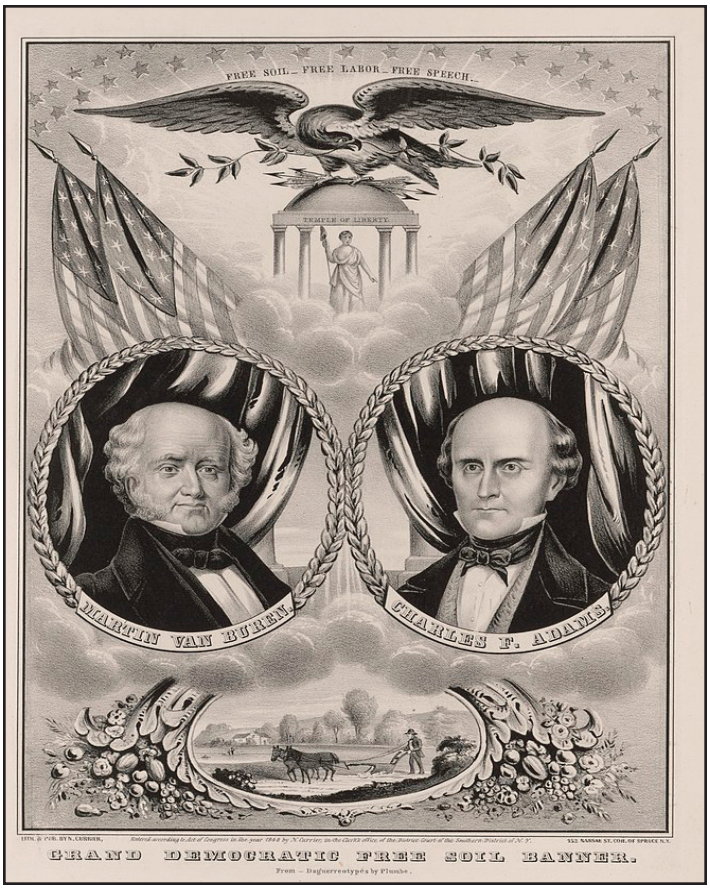
Embedded within these calls for solidarity was a new sympathy for political activism outside the traditional bounds of Garrisonian abolitionism. If on one side of the Atlantic the fight against oppression followed a political, governmental path, then perhaps so too in the US—to stress again, the counterparts of the European monarchs in the US were *politicians*. The international forces of reaction, united against both slave and wage laborers, were tellingly embodied by Lewis Cass, the Democratic nominee in 1848. Douglass pointed out that the Democrats had nominated a friend of Louis Philippe (Cass had been minister to France from 1836 to 1842, and greatly praised the regime—this was often used against him in the 1848 election), and thus a "calumniator of the working man in France." In the same sentence, Douglass noted Cass was "also at this moment in favor of extending the awful curse of slavery" (Cass' platform included a "popular sovereignty" solution to the problem of slavery in the territories).[29] In opposition—and in a split from his anti-political Garrisonianism—Douglass endorsed Martin Van Buren of the anti-expansionist Free Soil Party and likewise attended the Party's August convention.[30] If Cass embodied Louis Philippe, so too did the Free Soilers embody Philippe's opposition. In May 1848, Douglass commended the French soldiers who defected from the king to the people in the February uprising, and hoped for an American parallel of defectors from the Whigs and Democrats to the antislavery movement. In July, he described precisely this occurrence in the formation of the Free Soil Party by disaffected antislavery Whigs and Democrats, praising this cross-party hollowing-out as a revolutionary "Great Uprising."[31] Casting American players in European roles as such, international events seemed to prove for Douglass the possibility of political means to counter the slave power at home, especially considering his great praise of the new French republic's legislated abolition of slavery in the spring of 1848. Could this not serve as an example for the Free Soil congressional commitment to the anti-extension Wilmot Proviso? Indeed, however true it is that his interest in the Proviso and attendance at the Liberty Party and Free Soil conventions in the summer of 1848 signaled a shift towards political involvement, Douglass was looking abroad for confirmation of political means months before.[32]

For Douglass, though, French abolition could not serve as a perfect demonstration for would-be antislavery legislation. It occurred within an entirely new government, whereas Free Soilers were still operating within the government as defined by the Constitution. Douglass, having yet to fully recant his Garrisonianism, still viewed this current government as proslavery.[33] Moreover, it was not the new French republic, but its old monarchy, which Douglass considered a parallel to the existing American government. He thus threw his lot behind those who tried to overthrow the government. The basis of his transatlantic solidarity, his new bridge between American slave and European worker, was not common identity but common identification of action and goals. It was that world-historical Spirit of Liberty drawing them together—the oppressed around the world were bound as allies because they all looked with "hopes to the glorious

results" of the overthrow of Louis Philippe. In America, the "fall and crash of royalty in France" provided a "ray of hope" to American slaves.[34] The overthrow of Louis Philippe was a violent affair, a popular insurrection: soldiers fired upon demonstrators in the streets and the people of Paris fought back, raiding homes and gun shops for weapons, raising barricades, and destroying property.[35] For Douglass, then, a "ray of hope" for American slaves was violent revolt, a *politically-informed* violent revolt for regime change. This was a step away from nonpolitical nonresistance.[36]

It was not his first. Late in 1847, Douglass met briefly with John Brown, who relayed to him plans of beginning a slave rebellion in the Alleghany Mountains. Douglass claimed the meeting had a significant impact on his thoughts towards violence: "From this night spent with John Brown [...] while I continued to write and speak against slavery, I became all the same less hopeful of its peaceful abolition. My utterances became more and more tinged by the color of this man's strong impressions."[37] And yet it was not, as Douglass biographer Philip Foner argues, Brown who led Douglass to doubt non-violence.[38] Others have pointed out Douglass endorsed violent resistance before 1847.[39] He never joined Garrison's Non-Resistance Society, and would later point to an 1843 fight against an anti-abolitionist mob as the act which "cured" him of support for non-resistance.[40] Even more notably, Douglass wrote in his 1845 autobiography that his 1833 fight with the slave-breaker Covey made him free in "fact" if not in "form," a source of "deep satisfaction" because he had "repelled by force the bloody arm of slavery."[41] Douglass's shift, then, was not so much one from opposing violence to promoting violence, but rather, one from personally accepting violence (especially as self-defense) on an individual level, to vocally endorsing mass-scale violence in the form of a slave revolt.

Scholars Leslie Goldstein and Bernard Boxill, in their work on Douglass's attitude towards violence, both argue this shift occurred after 1849, and definitively in 1850 in response to the Fugitive Slave Act. They suggest that beforehand, opposition to mass violence had been a question of strategic value for Douglass (both base this stance upon an 1847 remark that he "would suffer rather than do any act of violence—rather than that glorious day of liberty might be postponed").[42] But his understanding of the French revolution of 1848 as mapped onto the American context points to an earlier date. He looked at the events in France and saw confirmation of John Brown's strategy. Douglass saw not just violent revolution, but *successful* violent revolution, and through his radical universalism (translated through his established transnational parallels of oppressors and victims in struggle), saw it as applicable to and enactable within the US. So much is implied in the combination of his praise of the revolution and his suggestion that it represented a hope—perhaps even a model—for slaves.



Popular Graphic Arts. "Grand Democratic Free Soil Banner." Wikimedia Commons. 1848.

Defending a "Baptism of Blood": Douglass the Revolutionary

Here, then, in 1848 was Douglass at perhaps his most uniquely radical moment. His residual Garrisonian anti-governmental, disunionist sentiments united with a new political diagnosis of the slave power and the political means for its downfall, in addition to an increasing openness towards violence.[43] The latter two were indeed informed and exacerbated by events in Europe. He set slave revolt as a political event into a French mold, with the Constitution as the enemy. In an address to a meeting of the American Anti-Slavery Society, Douglass proclaimed:

> [...] if at any time the spirit of freedom finds a lodgment in the bosom of the American slave, and they shall be moved to throw up barricades against their tyrants, as the French did in the streets of Paris, that you, every man of you that swears to support the

> Constitution, is sworn to pour leaden death in their hearts.[44]

Not only was he sympathetic to the revolts abroad and their potential mirroring at home, but he also saw the former as foreshadowing or proving certain the latter. A language of imminence pervades his cross-continental musings. In his initial reception of the February revolution, he described it as a warning for slaveholders because it was "impossible that the rebellious spirit of enslaved humanity can always be kept under." Douglass's broad humanism came to the fore as he urged slaveholders to learn that "human nature is still human nature, and that the time may not be distant when an illustration of the fact may be afforded nearer home than Paris."[45] Louis Philippe's fall "foreshadow[ed] and hasten[ed] the downfall of tyranny throughout the world," including "the downfall of slavery."[46] On a note of certainty, Douglass said the event showed that "Slavery cannot always reign." On a note of possibility, he remarked that Louis Philippe, despite being guarded by "two hundred thousand bayonets," fell within mere hours.[47] If tyranny could fall so easily in France, perhaps it could too in America.

Not only did the French revolution prove to Douglass that mass political violence (in the form of slave revolt) was both strategically viable and even unavoidable, but also that it was *justifiable*. However, this is not initially apparent in some of his writing on the European revolutions. He dismissed a promotion of violence by the reformist Chartist movement in Britain, writing that there was "no excuse" for "brute force" as long as "the liberty of speech is allowed—while the freedom of the press is permitted."[48] Benjamin Fagan, analyzing the transatlantic 1848 coverage by the *North Star*, argues that this dismissal, paired with Douglass's contemporaneous encouragement of using the court trial for the *Pearl*'s captured crew as a means to challenge slavery, was demonstrative of his commitment to non-violent systemic reform. Fagan puts this stance in contrast to a letter in the *North Star* not written by Douglass, which, in describing the attack upon the headquarters of the Washington antislavery newspaper the *National Era* following the *Pearl* incident, demonstrated that the US did not meet the criterion of "liberty of speech" set out by Douglass for nonviolent reform. Fagan holds that this letter "undermined" Douglass encouraging non-violent antislavery approaches in court.[49]

Fagan, however, does not give enough weight to both the conditional nature of Douglass's condemnation of the Chartists and the times Douglass himself, by way of France, suggested the conditions for non-violent resistance were not met in the US. Again, Douglass criticized the Chartists for violence only when avenues of free speech and press were open. Almost in perfect converse, he earlier defended the French people's overthrow of Louis Philippe on the grounds that the "liberty of the press, the freedom of speech [...] have long been trampled by that government [...] The people must speak and write freely, and if this right be disallowed, they will make themselves felt."[50] He criticized slaveholders ruling the US—those he saw as parallel to Louis Philippe, and deserving of a revolution—on the same grounds. Douglass did condemn the attack on the *Era* offices, and he had opined that those behind the war with Mexico tried to "crush the right of speech," just as Southerners in Congress likewise "desired to gag to silence the voice of free speech."[51] On top of these offenses (which, by the standards Douglass applied to France, justified violent revolt), there was of course the seminal sin of slavery: the denial of personhood and the ultimate "violation of the common rights of man."[52] Douglass thus proclaimed in May 1848, in the midst of his laudatory reception of the French revolution, that slaves had a "right to liberty" via violent revolt. Nat Turner, that specter of slaveholder fear, as Douglass stated, had sought his liberty "by the self-same means which the Revolutionary fathers employed."[53] Here, Douglass again brought the charge of hypocrisy upon America, swinging his transatlantic justification of violence home. Douglass saw violent revolt as commonly justified in the 1848 French revolution, the American revolution, and slave revolt; white Americans were thus missing something if they saw common cause in the former two, but not the latter.[54]

Douglass's invocation of the hallowed Revolutionary fathers here—atop justifications of the overthrow of Louis Philippe (and by extension, slaveholders) based upon his political violations—was in some sense a trump card in his defense of mass political violence. Douglass seems to use their all-American political violence to open rhetorical doors for that of others. Yet that did not mean he endorsed revolutionary violence without reservation. In response to the 1848 June Days (an uprising of the Paris lower classes after the republic's closure of national workshops meant to address their unemployment), Douglass, like much of the press, lamented the violence that left thousands dead and pinned the blame on communists and foreign agents.[55] Still, this critical response was hardly, as Goldstein holds, total condemnation of "large-scale revolutionary insurrection."[56] Douglass, in his 1848 Emancipation Day address, remarked that in the June Days' "baptism of blood" there was a "ray of goodness": the mass of rebels fought for "the righteous cause of equal rights." In this cause, there would be faults, many "blunders attending the transition from slavery to liberty." Douglass thus demanded: "Shall the transition never be made?" If "some lives may indeed be lost" in building the "temple of freedom," he posited, who was "so craven [...] to say, That glorious temple ought never to have been built?"[57]

Thibault. "Barricades rue Saint-Maur. Avant l'attaque, 25 juin 1848. Après l'attaque, 26 juin 1848" Wikimedia Commons. June 25, 1848.

In his assessment of the June Days, then, Douglass saw their revolutionary violence as part of a cosmic wager of liberty that was worth the risk involved. Via his universalist language—referring to the June Days as part of a transition from "slavery to liberty"—it seems as though Douglass was applying this logic of the June Days to the context of American slavery, a context in which he had been for months insisting that the events in Europe portended slave rebellion. If he was indeed making this connection, Douglass thus seemed to suggest that the long-term good of abolition would, if achieved through mass violence, absolutely overshadow the one-time evil of the means used to enact it. Here was a far-sighted consequentialism at which Garrisonian non-resisters, in their objection to "the doing of evil that good may come," would have recoiled.[58]

Thus, as white America by and large rejected the June Days with their transatlantic revolutionary spirit dampened by the outburst of violence, Douglass dug in his heels.[59] Indeed, in the next decade, as the government further threatened the rights of black Americans and continued to allow for slavery's expansion, his advocacy of violence deepened as the nation slipped towards civil war.[60] And, this was a war which was arguably "the greatest slave rebellion in modern history."[61] In this sense, the radical Douglass forged by the European revolutions of 1848, appreciating their impactful political violence, calling for its American imitation via slave revolt, and claiming its imminence, can be read as remarkably prescient. America's 1848 would not arrive until 1861, and would last for four bloody years. But then, as in Douglass' words in 1848, the Spirit of Liberty would finally arrive, enslaved humanity would in full show its rebellious spirit, and America's tyrants would fall.

Endnotes

[1]Jonathan Sperber, *The European Revolutions, 1848-1851* (Cambridge: Cambridge University Press, 2005), 116, 122-123.

[2] Merle Curti, "The Impact of the Revolutions of 1848," *Proceedings of the American Philosophical Society* 93, no. 3 (1949): 209-210, http://www.jstor.org/stable/3143467; Timothy Mason Roberts, *Distant Revolutions: 1848 and the Challenge to American Exceptionalism* (University of Virginia Press, 2009), 57-59, http://www.jstor.org/stable/j.ctt6wrhkw.

[3] Frederick Douglass, "A Day, A Deed, An Event, Glorious in the Annals of Philanthropy: An Address Delivered in Rochester, New York, on 1 August 1848," from *The North Star*, August 4, 1848, in *The Frederick Douglass Papers, Series One: Speeches, Debates, and Interviews*, vol. 2, *1847-54*, ed. by John W. Blassingame (New Haven: Yale University Press, 1982), 135-136.

[4] David W. Blight, *Frederick Douglass: Prophet of Freedom* (New York: Simon and Schuster, 2018), 188-191.

[5] On the transition and its personal and domestic aspect, see Philip S. Foner, "Frederick Douglass," in *The Life and Writings of Frederick Douglass*, vol. 2, *Pre-Civil War Decade, 1850-1860*, ed. by Philip S. Foner (New York: International Publishers, 1950), 48-49.

[6] On America's specific infatuation with the French events of 1848, see Richard C. Rohrs, "American Critics of the French Revolution of 1848," *Journal of the Early Republic* 14, no. 3 (1994): 359, doi:10.2307/3124517.

[7] Frederick Douglass, "The War With Mexico," from *The North Star*, January 21, 1848, in *The Life and Writings of Frederick Douglass*, vol. 1, *Early Years, 1817-1849,* ed. by Philip S. Foner (New York: International Publishers, 1950), 292-295; "Peace! Peace! Peace!" from *The North Star,* March 17, 1848, in *LW*, vol. 1, 300.

[8] Frederick Douglass, "France," from *The North Star*, April 28, 1848, in *LW*, vol. 1, 303. On the sense of revolutionary connectivity and simultaneity Douglass extrapolated from these new technologies, see Benjamin Fagan, ""The North Star" and the Atlantic 1848." *African American Review* 47, no. 1 (2014): 56, http://www.jstor.org/stable/24589795.

[9] Frederick Douglass, "What of the Night?" from *The North Star*, May 5, 1848, in *LW*, vol. 1, 307-308; Douglass, "A Day, A Deed, An Event," 135-136.

[10] Douglass, "A Day, A Deed, An Event," 135.

[11] Douglass, "What of the Night?" 308.

[12] Frederick Douglass, "The North and the Presidency," from *The North Star*, March 17, 1848, in *LW*, vol. 1, 297; "The Triumphs and Challenges of the Abolitionist Crusade An Address Delivered in New York, New York, On 9 May 1848," from *The North Star*, June 2, 1848, in *FDP*, *Series One*, vol. 2, 125-126.

[13] Douglass, "France," the *North Star*, March 24, 1848; "France," from the *North Star*, April 28, 1848, in *LW*, vol. 1, 304. For similar lumping of slaveholders with all tyrants, see also "A Day, A Deed, An Event," 135.

[14] Douglass, "What of the Night?" 308-309.

[15] The parallel of slave revolt and European revolution is discussed in greater detail below. On Douglass' use of the *Pearl* escape, see Fagan, ""The North Star" and the Atlantic 1848"," 58-59; for more on the *Pearl* escape itself, see note 1 on 119 in *FDP, Series One*, vol. 2; for other discussion by Douglass of the *Pearl* as folded into the events of 1848 (especially as indicative of American hypocrisy), see "The Triumphs and Challenges," 118-119; "France," 304-305.

[16] Eugene N. Curtis, "American Opinion of the French Nineteenth-Century Revolutions," *The American Historical Review* 29, no. 2 (1924): 255. doi:10.2307/1838516; Rohrs, "American Critics of the French Revolutions of 1848," 362-363; Douglass, "The War With Mexico," 293-294.

[17] Douglass, "What of the Night?" 308.

[18] Rohrs, "American Critics of the French Revolutions of 1848," 362-363.

[19] Douglass, "A Day, A Deed, An Event," 138, 143. Douglass expresses a similar sentiment in April of 1848, proclaiming that "While France is expelling tyrants, we are glorifying them, and seeking to elevate them to the highest offices." See "France," from the *North Star*, April 28, 1848, in *LW*, vol. 1, 305.

[20] Douglass, "France," from the *North Star*, April 28, 1848, in *LW*, vol. 1, 305.

[21] Ibid.

[22] Frederick Douglass, "The 1848 Revolution in France: An Address Delivered in Rochester, New York, On 27 April 1848," from the *North Star*, May 12, 1848, in *FDP, Series One*, vol. 2, 116. On Douglass' praise of French abolition, see also Douglass, "France," from the *North Star*, April 28, 1848, in *LW*, vol. 1, 304; "A Day, A Deed, an Event," 137; "The Slaves' Right to Revolt: An Address Delivered in Boston, Massachusetts, on 30 May 1848," from the *Liberator*, June 9, 1848, in *FDP, Series One*, vol. 2, 131; "Suppose You Yourselves Were Black: An Address Delivered in New York, New York on May 10, 1848," from New York *Sun*, in *FDP, Series One,* vol. 2, 129; "Triumphs and Challenges," 122.

[23] Douglass, "France," from the *North Star*, April 28, 1848, in *LW*, vol. 1, 304.

[24] Ibid., 304; "The 1848 Revolution in France," 116.

[25] Blight, *Frederick Douglass: Prophet of Freedom*, 174-175; Roberts, *Distant Revolutions*, 86.

[26] Roberts, *Distant Revolutions*, 86.

[27] Douglass, "A Day, A Deed, and Event," 135.

[28] Frederick Douglass, "The Rights of Women," from the *North Star,* in *LW*, vol. 1, 321.

[29] Frederick Douglass, "Northern Whigs and Democrats," from the *North Star*, July 7, 1848, in *LW*, vol. 1, 312. For more of Douglass on Cass' affinity for Louis Philippe, see "Lecture on Slavery, No. 1, delivered in Corinthian Hall, Rochester, N.Y., on Sunday evening, December 1, 1850," from the *North Star*, December 1, 1850, in *LW,* vol. 2, 137. On Cass' nomination and platform, see Joel H. Silbey, *Party Over Section*: *The Rough and Ready Presidential Election of 1848* (Lawrence: University Press of Kansas, 2009), 52, 63-64. doi:10.2307/j.ctt1x76czw. On Cass' affinity for Louis Philippe and the uses of this against him in the campaign, see Roberts, *Distant Revolutions*, 72-73.

[30] Blight, *Frederick Douglass: Prophet of Freedom*, 200; Foner, "Frederick Douglass," 70-72.

[31] Douglass, "The Triumphs and Challenges," 127; "The Great Uprising of the North," the *North Star*, July 21, 1848; Foner, "Frederick Douglass," 70.

[32] His call for an American political party parallel of Louis Philippe's defecting guards took place May of 1848. Also, see note 22 above—many of the speeches he gave in praise of French abolition were in

the spring of 1848. For those who point towards Douglass' convention attendance as a clear shift, see D.H. Dilbeck, "An Antislavery Constitution and a Righteous Violence," in *Frederick Douglass: America's Prophet* (Chapel Hill: University of North Carolina Press, 2018), 75. http://www.jstor.org/stable/10.5149/9781469636207_dilbeck.9; Foner, "Frederick Douglass," 68-72.

[33] In his August 1, 1848 speech on the revolutions, he explicitly discusses the Constitution as a proslavery document; his views changing slowly over the following few years, he would not publicly announce a full flip of opinion until 1851. See "A Day, A Deed, An Event," 144-145; Blight, *Frederick Douglass: Prophet of* Freedom, 214-217; Foner, "Frederick Douglass," 52-54.

[34] Douglass, "France," in *LW*, vol. 1, 304.

[35] William Fortescue, *France and 1848: The End of Monarchy* (London: Routledge, 2005), 68-73.

[36]On the anti-political implications of Garrisonian nonresistance, see Goldstein, Leslie Friedman. "Violence as an Instrument for Social Change: The Views of Frederick Douglass (1817-1895)." *The Journal of Negro History* 61, no. 1 (1976): 62. doi:10.2307/3031533.

[37] Frederick Douglass, *The Life and Times of Frederick Douglass* (Digital Scanning, Incorporated, 2000), 342. ProQuest Ebook Central, https://ebookcentral.proquest.com/lib/princeton/detail.action?docID=3151947.

[38] Foner, "Frederick Douglass," 49-50.

[39] See Goldstein, "Violence as an Instrument for Social Change," especially 61-66; James H. Cook, "Fighting With Breath, Not Blows: Frederick Douglass and Antislavery Violence," in *Antislavery Violence: Sectional, Racial, and Cultural Conflict In Antebellum America*, ed. by John R. McKivigan and Stanley Harrold (Knoxville: University of Tennessee Press, 1999), 130-133; Eric A. Goldman, "Spilling Ink and Spilling Blood: Abolitionism, Violence, and Frederick Douglass's *My Bondage and My Freedom*." *a/b: Auto/Biography Studies* 17, no. 2 (2002): 278-280, DOI: 10.1080/08989575.2002.10815296.

[40] Goldstein, "Violence as an Instrument of Social Change," 62-63; Goldman, "Spilling Ink," 278; Cook, "Fighting with Breath," 132. Cook points to the *North Star* article in which Douglass claims the 1843 incident marked a shift in his attitude towards non-resistance. See "Jerry Rescue Celebration," the *North Star*, October 13, 1854.

[41] Douglass, *Narrative of the Life of Frederick Douglass, An American Slave,* ed. with an Introduction by David W. Blight (Boston: Bedford/St. Martin's, 2017), 87.

The Covey fight is suggested as proof of Douglass' early consideration of violent resistance in Goldstein, "Violence as an instrument of Social Change," 63-64; Bernard R. Boxill, "The Fight with Covey," in *A Political Companion to Frederick Douglass*, ed. by Neil Roberts, (Lexington, Kentucky: University Press of Kentucky, 2018), 61-63, http://www.jstor.org/stable/j.ctv233ks1.7.

[42] Goldstein, "Violence as an Instrument of Social Change," note 13 on 64, 68-70; Boxill, "The Fight With Covey," 61-63. For the Douglass quote, see Douglass, "American Slavery, speech delivered at Market hall, New York City, October 22, 1847," from the *National Anti-Slavery Standard*, October 28, 1847, in *LW*, vol. 1, 277.

[43] In David Blight's words, "He borrowed a page from Nat Turner as he also strove to honor the principles of Garrison." See *Frederick Douglass: Prophet of Freedom*, 201. For his disunionism at the time, see "What of the Night?" 308.

[44] Douglass, "The Triumphs and Challenges," 122-123. In his speech on the revolutions on Emancipation Day (see note 27 above), he similarly stated that Nat Turner's rebellion was crushed by the military by Constitutional imperative (144-145).

[45] Douglass, "France," the *North Star*, March 24, 1848.

[46] Douglass, "What of the Night?" 308.

[47] Douglass, "France," from the *North Star*, April 28, 1848, in *LW*, vol. 1, 304; "A Day, A Deed, An Event," 136.

[48] Frederick Douglass, "Chartists of England," the *North Star*, May 5, 1848.

[49] Fagan, ""The North Star" and the Atlantic 1848"," 59-62; For the two articles in question, see Frederick Douglass, "The Captain and crew of the Schooner Pearl," the *North Star*, May 5, 1848; and "Disturbance," the *North Star*, April 28, 1848.

[50] Douglass, "France," the *North Star*, March 24, 1848.

[51] Douglass, "What of the Night?" 308; "The War with Mexico," 294; "Norther Whigs and Democrats," 311.

[52] Douglass, "The Triumphs and Challenges," 119.

[53] Douglass, "The Slaves' Right to Revolt," 131. To be sure, Garrison too held that slaves had a right to revolt, but this was problematized, indeed countered, by a Christian moral prescription against violence Douglass lacked (Garrison seems to have put himself in a complicated, contradictory spot). See Goldstein, "Violence as an Instrument for Social Change," 67.

[54] See note 2 above on American identification between their own earlier revolution and those of Europe.

[55] Douglass, "France," the *North Star*, July 21, 1848; "A Day, A Deed, An Event," 140; Sperber, *The European Revolutions,* 209-212. On the negative American reporting and general negative reception of the June Days, see Larry J. Reynolds, *European Revolutions and the American Literary Renaissance* (New Haven: Yale University Press, 1988), 44-49; Curti, "The Impact of the Revolutions of 1848," 211; Rohrs, "American Critics of the French Revolutions of 1848," 371-372; Roberts, *Distant Revolutions*, 49-50.

[56] Goldstein, "Violence as an Instrument for Social Change," note 13 on 64.

[57] Douglass, "A Day, A Deed, an Event," 141; see "France, the *North Star*, July 21, 1848 for similar implications of the redeeming qualities of the June Days.

[58] William Lloyd Garrison, "Declaration of Sentiments of the American Anti-Slavery Convention," in *Selections from the Speeches and Writings of William Lloyd Garrison* (Boston: R.F. Wallcut, 1852), 67. http://galenet.galegroup.com.ezproxy.princeton.edu/servlet/Sabin?dd=&locID=prin77918&srchtp=a&c=1&ste=10&stp=Author&dc=tiPG&d4=0.33&docNum=CY3807804379&ae=CY3807804379&tiPG=0&d3=1&an=SABCPA8201100. See also Goldstein, "Violence as an Instrument for Social Change," 62.

[59] On American negative reaction to the June Days, see note 55.

[60] See Goldstein, "Violence as an Instrument for Social Change," 66-70, Cook, "Fighting with Breath," 139-140; Foner, "Fredrick Douglass," 50-51.

[61] As argued by Steven Hahn in "Did We Miss the Greatest Slave Rebellion in Modern History?," in *The Political Worlds of Slavery and Freedom* (Cambridge: Harvard University Press, 2009), 55-114.

Information and Secrecy in Operation Desert Storm

Abstract: This paper discusses the deliberate and profoundly subversive propaganda campaign launched by the Bush administration in the months preceding its invasion of Kuwait and Iraq during The Gulf War. The propaganda operation was created in order to brainwash American citizens into supporting a senseless war with Iraq, to control public opinion, and to conceal the genuine goals of Bush's invasion. While the United States government convinced Americans that a war with Saddam Hussein was in the name of humanitarianism, security, protection, and restoration, it clamored for intervention for entirely different reasons. Indeed, Bush and his compatriots wanted to protect crude oil in Iraq, to disillusion Saddam Hussein, to establish the United States as the definitive superpower in the Middle East, and to instate a "New World Order" of alliance and cooperation. The article discusses the propaganda campaign, and what I call the "fictitious" and "genuine" goals of the war. At the end, it details the impacts of this reckless 42-day intervention.

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On October 10, 1990, the eve of the American invasion of Kuwait and Iraq, a wailing fifteen-year-old girl named Nayirah gave a mesmeric testimony to the Human Rights Caucus in which she recounted a harrowing story of Iraqi soldiers violently breaking into hospitals, stealing newborn babies from their incubators, and leaving them on the cold floor to die.[1] While Bush and his administration knew of the illegitimacy of Nayirah's story since its conception, they deliberately and strategically propagated the narrative in hopes of gaining American support for a war in the Middle East. President Bush told the story to his friends, colleagues, and relatives. It was recited at a Congressional testimony and at the UN Security Council. The story made national headlines, was corroborated by Amnesty International, and more importantly marked a significant turning point in public opinion on the possibility of an American military intervention against Saddam Hussein and his army. Whereas before Nayirah's testimony, the majority of the American public was hesitant to support an invasion, the story about the death of newborn babies caused Americans to reconsider. In many ways, Nayirah's story proved that there was justification for the American barrage. Just a mere three months after the testimony, the United States Senate voted in support of a full-scale attack on Saddam Hussein and his army by a slight five-vote margin. On January 15, 1991, Bush launched "Operation Desert Storm," a 42-day bombardment of the Iraqi military in Kuwait and Iraq, resulting in the deaths of more than 20,000 Iraqis and 80 Americans. This useless invasion was the precursor to the American invasion of Iraq just twelve years later, and it was part of Osama bin Laden's motivation to attack the Twin Towers in 2001.

During the late 1980s and into the 1990s, George H. W. Bush and his administration, funded by the oil-rich Kuwaiti government and assisted by more than twenty lobbying firms, concocted one of the most destructive, fictitious, and malevolent public relations schemes to date. They devised and promulgated detailed narratives about the brutal rape of Kuwaiti women and children at the hands of Saddam Hussein and his men. They wrote stories about Iraqi soldiers mercilessly killing United States soldiers. They circulated photos of maimed Kuwaiti citizens. Each story was carefully managed by the United States government, which encouraged American television channels to flaunt detailed video footage of the U.S. army's powerful "smart bombs" striking only their intended targets, but ensured that a photo of a fully incinerated Iraqi soldier was deliberately kept tucked away. The war in Kuwait and Iraq, which will henceforth be referred to as the Gulf War for the purposes of this paper, was a highly planned, profoundly subversive propaganda campaign created to brainwash American citizens and control American public opinion. At its fundamental level, the Bush administration's large-scale public relations scheme worked to put the United States in direct ideological opposition to Iraq: while Bush and his American government were courageous, humanitarian, and selfless, Saddam Hussein and his army were innately sadistic, homicidal, and even satanic. Ultimately, American publications created in Saddam Hussein the fundamental other; he was a backwards fascist akin to Hitler, some argued. In drawing direct contrast between the United States and Iraq, newspapers, radio shows, and TV news outlets justified and uplited the American project and spirit.

While the Bush administration offered the American people a laundry list of reasons for why American invasion in Kuwait and Iraq was a sheer necessity – humanitarianism, the restoration of Kuwaiti government, the security of the Persian Gulf, and the protection of American citi-

zens abroad– its true reasons for intervention were quite different. Indeed, through a thorough analysis of the Gulf War, it becomes evident that the Bush administration craved intervention for three primary reasons, each of which had little to do with the reasons it gave the American public. The Bush administration wanted to protect crude oil in Iraq, to discourage and dishearten Saddam and his Ba'athist supporters while establishing the United States as the superpower of the Middle East, and to inaugurate a "New World Order" of coalition building and compromise. Moreover, as the Cold War came to a close, the United States needed something to position itself in opposition to, and Saddam Hussein became an easy opponent. Finally, I will argue that there was another reason – one we may call subconscious or subliminal – that inspired the Bush administration to action. This reason, known universally as American exceptionalism, guided the Bush administration's every move. Indeed, each American president, from George Washington to Donald Trump, has been guided and stimulated by the notion that the United States is innately superior to and different from all other countries. I will argue that while there were three divergent groups of justification, some fictitious, some genuine, and some subconscious, the United States government assembled a propaganda operation in order to explain the fictitious goals to and conceal their genuine goals from the American public. Propaganda served to convince citizens that intervention was an absolute necessity.

Origin Stories

In the wake of the Iran-Iraq War of 1980-1989, Iraq was left in complete disarray; its per capita income was more than halved, the destruction to infrastructure was estimated to cost over $65 billion, and its government was in extreme debt – some estimate over $80 million – to other countries.[2] Two years after the devastating war with Iran, as he was desperately struggling to keep his country intact, Saddam Hussein decided to invade Kuwait. Historians have pointed to three reasons as to why Iraq decided to invade Kuwait, each of which was invariably tied to the destruction Iraq faced after the Iran-Iraq War. The first relates to a long-standing dispute between the Iraqis and the Kuwaitis over the Rumaila oil field, an petroleum-rich plane that lies underneath the two countries. By 1990, Saddam became frustrated with the Kuwaiti treatment of Rumaila and quipped that the Kuwaitis had taken too much of it as their own; Saddam wanted to sell the oil to boost the suffering Iraqi economy. The second reason was that part of Iraq's massive debt from the war was owed to Kuwait, and Saddam believed that invasion and subsequent annexation would delegitimize Kuwait's claim to the money. The third and final justification was that there was an age-old territorial quarrel between Iraq and Kuwait near the city of Basra, and Saddam wanted to assert the Iraqi right to more land.

The Iraqi government was not completely ignorant to the global community's say in his invasion, and it even consulted the Bush administration before it began its incessant bombing of Kuwait. On July 25, 1990, a mere seven days before he began air strikes, Saddam and his Deputy Prime Minister met with April Glaspie, the United States Ambassador to Iraq, to try to gain American support for their invasion. Later, the transcript published of the meeting quoted Glaspie saying, "We have no opinion on the Arab-Arab conflicts, like your border disagreement with Kuwait"[3] Unbeknownst to Glaspie and the rest of the Bush administration, Saddam received this callous and feckless declaration as the definitive green light: on August 2, 1990, the Iraqi government mobilized its army and sent 100,000 troops to Kuwait's border.[4]

Although Glaspie told Saddam that she did not care how he chose to preside over his conflicts, the international community was immediately alarmed by the Iraqi invasion of Kuwait. It seemed senseless, and countries around the globe soon started to call for Saddam to end his attack on Kuwaiti soil. After refusal of multiple requests to withdraw his troops, governments across the world started planning a way to force Saddam out of Kuwait. Initially, the UN Security Council put pressure on the Iraqi administration through sanctions. While the UN openly condemned Saddam's actions, there was little to no discussion of invasion during the early stages of Security Council and government planning. Indeed, on August 2, about five months before the United States military would bombard the Iraqis, Bush said to reporters, "We're not

US Air Force. "USAF F-16A F-15C F-15E Desert Storm edit2," Wikimedia Commons. 1991.

discussing intervention. I would not discuss any military operations... But I'm not contemplating such action."[5] Eventually, after Saddam continually refused to concede and to withdraw his troops, the United States started to plan more explicit action. On November 29, 1990, the UN Security Council adopted Resolution 660, offering Saddam six more weeks to withdraw his army. If he failed to comply with the resolution, the international community was permitted to "use any means necessary" to force Saddam out of Kuwait.[6] When the six weeks evaporated, and Saddam did not withdraw his army from Kuwaiti soil, Congress authorized the president to use the United States Armed Forces to forcibly remove the Iraqi army.[7] On January 15, 1991, the Bush government, with the help of armies from over 34 other countries including Britain, Egypt, France, Saudi Arabia, began catastrophic air-raids.

The Gulf War, headed by the United States military, took place over the course of 42 consecutive days and nights, beginning with disastrous air-strikes and eventually reaching the ground. The coalition employed the use of new and technologically advanced military equipment such as F-117 Stealth bombers, which were completely invisible to radar detection, and robot "smart bombs," which used sophisticated laser technology to strike targets.[8] The war over-head was aimed at controlling the Kuwaiti and Iraqi skies and, further, to strike Iraq's most important resources. Indeed, on just the first day of bombardment, the coalition forces dropped fourteen bombs on Iraq's capital city of Baghdad, ruining communication towers, oil reserves, and weapons plants.[9] On February 24, the coalition of forces began its ground war, starting from Saudi Arabia and traveling into Kuwait and southern Iraq. After a four-day offensive, the war on the ground ultimately ended in Iraqi defeat.

The Creation of the Propaganda Scheme and Promulgation of Fictitious Goals

During the five months between Saddam's attack on Kuwait on August 2, 1990 and the beginning of the American invasion on January 17, 1991 the Bush administration, with the help of the Kuwaiti government, plotted and executed its infamous propaganda campaign to sway American public opinion. Hal Steward, a retired army officer of public relations, counseled, "If and when a shooting war starts, reporters will begin to wonder why American soldiers are dying for oil-rich sheiks. The US military better get cracking to come up with a public relations plan that will supply answers the public can accept"[10] The Bush administration understood it was time to get plotting. Two important figures, General H. Norman Schwarzkopf, commander of the United States Central Command, and Captain Wildermuth, his chief aide of public affairs, began the thorough organization and control of media outlets. In the "Annex Foxtrot," a document outlining the role of public relations during the war, Wildermuth wrote, "News media representatives will be escorted at all times. Repeat all times."[11] The Bush administration's objective, with the help of as many as 20 American public relations firms, was three-fold. It was to convince the American public that its former ally, Saddam Hussein, was a malevolent killer. Secondly, they wanted to persuade citizens that Kuwait, a historically wealthy, oil-rich country, was suffering desperately and in need of help. The war needed to seem honorable and obligatory. Thirdly, the war needed to appear like a humanitarian cause that the Americans were most equipped to aid. Because the Kuwaiti government desperately wanted the help of an American-led coalition army, it funded most of the public relations firms; by the end of 1990, Kuwait had funneled millions of dollars into twenty different lobbying groups, all working to vilify Saddam Hussein and lionize the American government.[12] Not only were the money exchanges happening between government agencies, but they were also coming from individual people. Sam Zakem, the former ambassador to Bahrain, gave a whopping $2 million to two front groups, the "Coalition for Americans at Risk" and the "Freedom Task Force" to advertise and lobby Congress.[13]

Hill and Knowlton, the world's largest public relations firm at the time, served as the most important group in swaying American public opinion on the potential invasion of Kuwait. According to historians and journalists alike, theirs was the largest foreign-funded campaign ever aimed at guiding public outlook. Subsidized almost entirely by the Kuwaiti government, Hill and Knowlton, headed by Craig Fuller, created news broadcasts, radio programs, and newspaper articles all depicting the atrocities at the hands of Saddam Hussein and his army. Through a front group named the "Citizens for Free Kuwait," associates at Hill and Knowlton created and distributed thousands of bumper stickers and T-shirts with the slogan "Free Kuwait." They worked to convince the American public that the people in Kuwait were suffering intensely. Moreover, associates at Hill and Knowlton arranged rallies, wrote a 154-page book named The Rape of Kuwait, and released fake letters from hostages kept by Iraqi soldiers.[14] While they relied on conservative members of Congress to spread their propaganda, they also swayed a group of Democratic congresspeople to help with their campaign. For example, they paid Representative Tom Lantos from California to promulgate false information by making speeches on the floor of Congress and speaking at press conferences.[15] Lantos and a group of other bribed Democrats told tales of the sheer evil of Saddam Hussein and emphasized his sympathy for a "struggling" Kuwait. Nayirah's aforementioned testimony, funded and conceived entirely by Hill and Knowlton, was the most evocative and powerful public relations scheme of the Gulf War; indeed, it was the final push towards invasion.

In order to promulgate the Bush administration's fictitious goals, the public relations firms had to create in Saddam the quintessential other; they had to make Americans believe that Saddam and his Iraqi citizens were the complete opposite of Americans; they were the manifestation of the Orient.[16] Newspapers used three different strategies to otherize Saddam and the nation of Iraq. The first mode was to recount stories of the sheer violence of Iraqi Baathism; newspapers reintroduced old stories about Saddam's use of mass graves and of his chemical attacks on innocent Kurdish people, accentuating his human rights violations. The second technique was to run stories about Islamic orthodoxy; media outlets published more photos of women covered in hijabs and men with long beards than ever before. Finally, the third approach was to highlight Saddam's pro-Arab nationalism, dictatorial power, and apathy. Saddam Hussein did not share the values of the West, so he was, therefore, inherently backwards.

Further, a quick look at the political cartoons published in 1991 shows the way in which Saddam Hussein was deliberately dehumanized. Newspapers depicted him as a violent belligerent or as a felon. In many of the images, media outlets forwent Saddam's humanity and made into an animal; in some, he was a spider and in others a bird.[17] The thorough barbarization of Saddam further alienated him and his people from the West. He was made out to be different, scary, and unstable. Moreover, the Bush administration, aided by the media, used fear tactics to persuade the American public of the necessity of war; after the Iraqi invasion of Kuwait, Bush started referring to Saddam as another Hitler. In equating Saddam to the perpetrator of one of the most devastating genocides in history, Bush and his confidants used provocative cultural references to scare Americans into supporting their campaign to go to war with Iraq.

During the lead up to the war and throughout the invasion, certain images and messages were calculatingly kept out of the media in order to retain American favor towards the Bush invasion and disfavor towards Saddam. For example, not a single American media outlet published a photo of completely incinerated Iraqi soldier, which was one of the most damning images from the war.[18] While media groups were keen on showing images of mutilated Kuwaitis and hostage Americans begging for food, they declined to publish an image of a disfigured and suffering Iraqi soldier. [19] Televisions and newspapers did not, of course, quote the words of Richard Darman of the Office of Management and Budget when he said, "The key will be giving them extraordinary pain...Under Security Council resolution, we can block food shipments except those that can be shown to be for humanitarian purposes"[20] In restricting Iraqi access to food and supplies, the American government severely punished innocent civilians while inflicting little harm on Saddam, their primary target. Sanctions and restrictions were not covered in media outlets the way "smart" bombs, American hostages, or maimed Kuwaitis were. By forgoing a comprehensive account of the war for a one-sided, American-centric perspective, the American government garnered support from American citizens while obstructing any possibility of American sympathy for starving Iraqis.

Finally, public relations firms worked to promulgate fictitious accounts and videos of the war itself. Thus, not only did the media promote fake goals of the war while hiding the real ones, it also propagated fake realities. Some of the most powerful videos were of laser-led "smart" bombs that hit only their intended targets. Across the United States, Americans boasted the military's unique and powerful ability to construct and execute a "clean war." In addition, Americans felt justified in support of the war and ultimately guilt-free; the Bush administration was harmlessly taking down a Hitlerian dictator, helping struggling Kuwaitis, and restoring order in the Middle East. Once the war was complete, it became clear that the publicized videos of American bombardments were deliberately cherry-picked by American media companies. Not only did many of the bombs miss their intended targets, but they also caused mass destruction to the neighboring villages. This collateral damage was not publicized; the destruction of towns and the murder of innocent civilians were deliberately kept away from American TV screens and newspapers.

My point is not to argue that Saddam Hussein was a generous leader who was unfairly painted in a negative light as a justification for war, for there is little doubt that Saddam was a monstrously malicious dictator. For example, in 1990, right after the Iraqi invasion of Kuwait, he captured and tortured hundreds of Kuwaiti civilians and brought them to Iraq as hostages.[21] Yet the essential argument here is that the United States leveraged and accentuated his evil tendencies for explicit political gain. Remember, Saddam was as destructive ten years prior when both Reagan and Bush supported him and his military in the Iran-Iraq war. Though Saddam had already been suspected of killing thousands of innocent people by 1980, the U.S. sent its weapons and other military paraphernalia right to his doorstep. Thus, it becomes clear that the Bush administration did not create a coalition of more than 30 countries and plan a comprehensive bombardment of the Iraqi military because it cared about the human rights abuses of the Iraqi government or the struggles of Kuwaiti citizens. Saddam Hussein had been torturing, abusing, and killing both his own people and foreigners for over two decades before the Gulf War. There was simply no necessity for the coalition's invasion of Iraq. The United States government supported the atrocities of Saddam Hussein un-

til it became inconvenient. Indeed, it endorsed Saddam's mass murder of 8,000 male members of the Kurdish Barzani tribe, but once the Iraqi government threatened our ability to tap into one of the world's largest oil reserves, the Bush administration pushed for negative, orientalist, and racist depictions of Saddam and his people.[22] Further, the United States government took Saddam's invasion of Kuwait as a chance to establish its dominance in the Middle East. Indeed, as the British and French governments were fading out of dominance in the region, the United States needed to establish itself as the new superpower; we wanted to control the new trends of the Middle East. These were, of course, the genuine or real administrative goals of the Bush administration during the Gulf War.

The Genuine Goals of the Gulf War

Not only did the large-scale, comprehensive public relations scheme carried out by the Kuwaiti and United States governments propagate support-rallying propaganda, it also functioned to cover the genuine goals of both administrations. In working together, the Kuwaiti and American governments took part in a mutually beneficial scheme: the Kuwaitis received thorough protection from a strong, disciplined, and powerful coalition army against Saddam and his invasion, and the United States maintained security and control over its oil supply and price. The importance of oil in the Gulf War can hardly be overstated: though America is home to only about 5% of the world population, it accounts for 25% of the world's oil consumption.[23] Further, from 1985-1990, the American oil utilization rate went up by a whopping 15%, making American access to inexpensive oil even more of a necessity. There was little doubt among the leaders in the White House, including President George H.W. Bush, Defense Secretary Dick Cheney, and Chief of Staff John Sununu, that complete access to oil was the ultimate justification for invasion. The decisive American fear was that Saddam's invasion of Kuwait would lead to his subsequent takeover of other oil-rich countries and their oil reserves, allowing him to dramatically raise the price of oil. Sununu remarked, "If he moves into Saudi Arabia, he would control 70% of Gulf oil; if he moves into UAE, then he would have 90-95% of the oil in the Gulf or 70% of all of OPEC. It would be very easy for him to control all of the world's oil."[24] The Bush administration did not want to give Saddam the power to control one of the life-sources of the world's economy. In order to power American electrical grids and cars without inordinate expense, the Bush administration needed to ensure that the Middle East's plentiful oil stayed cheap and available.

As British power in the Middle East began to fade after the 1956 Egyptian Suez Crisis, the United States saw an opportunity to establish its dominance in the region. Some historians have argued that Eisenhower's declaration of the Eisenhower Doctrine during the Cold War, which gave the US the right to aid the Middle Eastern countries against foreign threats, ultimately established the United States as the principal power in the region. In large part, Bush used the Gulf War as an opportunity

to show Saddam that he could not just do as he pleased in the Middle East; the United States now controlled the trends in the region. Although Bush feigned confidence, he was secretly worried about the power that Saddam harbored; an increase in Saddam's power meant a decrease in Bush's. Before the invasion, Bush was overheard saying, "If we fail to remove Saddam from Kuwait, we would be reduced to total impotence, and that is not going to happen."[25] Thus, when April Glaspie told Saddam that the United States did not care about Arab-on-Arab conflict in July of 1990, she surely misspoke, for not only did the United States care when conflicts ran counter to its interests, but it also cared when conflict affected its ability to showcase dominance. The notion of being reduced to impotence and inferiority caused deep fear among the Bush administration and was another powerful reason to attack.

Furthermore, one cannot fully understand the UN Security Council decision to okay to an invasion in Iraq and Kuwait without an acknowledgement of the Cold War as a backdrop. That is, the choices the Bush administration made in trying to create an expansive coalition of countries and a "new world order" were influenced entirely by the bloodless American conflict with the Soviet Union that took place throughout the middle to late 20th century; Bush wanted to forge a new alliance. Though Margaret Thatcher and François Mitterrand were strongly opposed to the war at first, Bush tried desperately to persuade them: "We have before us the opportunity to forge for ourselves and for future generations a new world order... no nation can stand against a world united, no nation will be permitted to brutally assault its neighbor."[26] According to Bush, the" new world order" meant international cohesion and a global intolerance for unnecessary military aggression. During the build-up to the invasion, Bush succeeded in the former; in an unprecedented move, Bush brought together notoriously hostile countries. For the first time in decades, the Russians, Egyptians, Saudi Arabians and Americans were on the same side. While the world had been divided upon ideological lines for the past half-century, the declaration of a new world order meant that it was moving towards new and unparalleled solidarity.

Finally, as the extended hostilities between the United States and the Soviet Union started to come to a close, the United States was left without a direct enemy. For over five decades, each American president had acted as the self-appointed protector of republicanism, democracy, and capitalism and the bulwark against the spread of communism; the great majority of American-led interventions in the latter half of the 20th century, from Iran to Vietnam, were in response to perceived communist threats. Once the Cold War ended, the United States needed something new to set itself in opposition to, and Saddam Hussein quickly became the chosen enemy. After all, Saddam was quite an easy choice, not only because he had committed countless human rights violations, but also because he was highly visible and recognizable. Called a "tough son of a bitch" by Bush's Secretary of State, he was a fiery, relentless, and stubborn dictator, and it was easy for the Bush administration to rally American support against him.[27]

The Work of the American Subconscious

The third group of incentives, which may be easily reduced to one larger incentive, might be more difficult to substantiate by newspaper evidence. It is the subconscious but ever-present notion of American exceptionalism: the belief that the American government, people, and administration are superior to all other countries in intellect, military prowess, and sophistication. Historically, this belief has served as a justification for the denigration and subjugation of people outside of the West. Although some historians do not differentiate between the aforementioned desire of the Bush administration to retain supremacy over the Middle East after the Eisenhower Doctrine and the effect of American exceptionalism during the Gulf War, they are not congruent. While maintaining supremacy in the Middle East was an American desire, the attempt to dethrone an authoritarian dictator and the imposition of American practices through invasion was a right or a duty. That is, whether subconsciously or not, the Bush administration spearheaded a project to gather a coalition of 34 countries because they believed that they were simply smarter and knew better than Saddam and his people. During the Gulf War, American exceptionalism manifested itself as an orientalist and racist belief system.

Lasting Effects of the Gulf War

Although the United States boasted of a resounding victory in the wake of the war, the Gulf War's effects have been felt throughout the first two decades of the 21st century. While numerous, the effects of the war can be characterized in two different systems: those that are tangible, such as death, injury, PTSD, harm to the environment, and those that are more abstract. The coalition-led intervention left about 15,000 people dead and over 75,000 people wounded. A relentless and powerful war ensured that most individuals involved experienced some form of wound. Even those who did not suffer from the physical injuries of war suffered from the psychological ones; indeed, the majority of the 800,000 American soldiers deployed during the Gulf War suffered from intense post-traumatic stress disorder. In fact, in the wake of the war, a new term, "Gulf War Syndrome," was coined when home-bound soldiers complained of gastrointestinal problems, fibromyalgia, and chronic fatigue.[28] A study of the children of veterans from 1991 shows an increased risk of heart valve defects found in infancy. Finally, the environmental effects of the war proved disastrous for the Arabian gulf; over 11 million barrels of

oil were released into the gulf, killing migratory birds and marine turtles and causing pollution still felt today.[29] Though the tangible effects deserve recognition, the abstract or less explicit effects are inherently more fruitful for analysis. As the dust settled in the Persian Gulf, the United States emerged as the uncontested superpower in the Middle East. Indeed, the Bush administration showed that the United States was able to lead and execute an intervention in a distant land; the coalition was organized, powerful, and had accomplished the goals outlined by Bush. In this way, the war ended what some call "Vietnam Syndrome," the fear that the United States may be weaker and less equipped for successful war in far-away places. On the downside, the resounding victory in the Persian Gulf led the Bush administration and its successors to believe in a kind of American invincibility in the Middle East; they could partake in any war there and come out unharmed and victorious. In this way, the relatively easy win further bolstered the United States' already existing feeling of superiority over other countries.

There was still one glaring problem: Saddam Hussein was still alive and well. In the subsequent decade, Saddam did not back down, and he continued to pose a direct threat to the United States. By 2003, the subsequent Bush administration – that of George H.W. Bush's son – wanted any reason to invade Iraq again; there is little doubt that George Bush Jr. understood the situation in Iraq as unfinished business and harbored a vendetta against Saddam. The feeling of invincibility coupled with a Saddam Hussein death-wish drove the Bush administration to plan one of the most frowned-upon, unnecessary, and wasteful American interventions in history: in 2003, using an unproven theory that Iraq was harboring weapons of mass destruction, the United States invaded Iraq, killing over 4,500 US soldiers and spending more than $3 trillion.[30]

Finally, historians have linked Osama bin Laden's catastrophic attack on the Twin Towers on September 11, 2001, directly to the Gulf War. In the wake of his attacks, bin Laden cited the presence of American soldiers in the holy land of Saudi Arabia as one of his main reasons for assault. After Saddam invaded Kuwait in late in the summer of 1990, the Saudi Arabian administration worried its land was his next target. Just as in Kuwait, Saddam was both extremely indebted to the Saudi Arabian government and hungry for its oil reserves. In a defensive move, the Bush administration decided to send troops into Saudi Arabia. While Bush would eventually order these troops to attack southern Iraq and Kuwait, their original job was just to prevent against a possible Iraqi invasion. Yet, after the conclusion of the war, the Bush administration kept over 5,000 troops in the country of two of Islam's holiest sites, Mecca and Medina. In justifying the attacks, bin Laden explained that the "permanent presence of infidels in Arabia" was explicitly banned by Mohammad.[31]

Conclusion: George H.W. Bush as Head Gamer

In the years following the conclusion of the Gulf War, some journalists began calling it the "Video Game War." Although American citizens had been able to watch the Vietnam War on their TV screens, read reports of it in their newspapers, and hear stories about it on their radios, images, videos, and stories of the Gulf War were different and more frequent. At any point in any day, an American citizen could turn on his or her TV and watch powerful, precise, and impressive "smart" bombs cascading through the open sky; they could read stories of the great, noble, and necessary cause the Bush administration was taking up in defending the suffering and needy Kuwaiti citizens. This time, there were no atrocities on the screen; there were no dying Iraqi soldiers, no starving Iraqi citizens. There were bombs using expert technology and hitting just their targets. It was a clean war, a just war, a humanitarian war. As the Gulf War was plastered across TV screens and the front pages of newspapers, it evaded reality. And in this way, it was just like a video game. Indeed, in the gaming world, there are no deaths by incineration or by starvation at the gamer's hands. The gamer gets to choose what he sees and how he plays the game. In the end, George H.W. Bush, with the helping hand of his confidants, became the ultimate strategizer. He became the head gamer; he chose what to show to whom, he learned how to conceal reality, and, with the use of millions of Kuwaiti dollars in public relations, how to play the game tactically, strategically, and convincingly.

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A Reconceptualization of "Victor's Justice"

The United Kingdom in the International Military Tribunal for the Far East

Abstract: Britain's involvement in the International Military Tribunal for the Far East provides a different and important understanding of the Tokyo War Crimes Trial. My argument seeks to engage with the concept of "victor's justice" by expanding upon its conceptualization. By advocating for consistency between the Tokyo and Nuremberg Trials through their Scottish judge on the Tribunal and by advocating for Indian and Burmese representation in the Trial, the United Kingdom sought to reinforce the legitimacy of the Tokyo War Crimes Trial. This legitimacy would bolster the United Kingdom's international esteem. Ironically, throughout the Trial, Britain remained subservient to one former colony: American leadership consistently eclipsed Britain's power.

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The Second World War consumed much of the mid-20th century and altered historians' conceptualizations of war and justice. The war began on September 1, 1939, and continued for six years, resulting in more than 60 million casualties. In an effort to end the endemic destruction and turmoil caused by the war, in July of 1945, the United States, the Republic of China, and Great Britain issued the Potsdam Declaration, defining terms for Japanese surrender. Approximately two months later, Japan issued its official surrender. Under the terms of the Proclamation, the defeated nation "command[ed] all civil, military and naval officials to obey and enforce all proclamations, and orders and directives deemed by the Supreme Commander for the Allied Powers."[1] The Allied Powers could thus implement their plan for justice. Determined to hold Axis civilian and military personnel accountable not only for conventional war crimes, but also for the new categories of crimes against humanity and peace, the Allied Powers established the first international criminal trials. The International Military Tribunal (IMT) and the International Military Tribunal for the Far East (IMTFE) would prosecute accused war criminals in Nuremberg, Germany, and Tokyo, Japan, respectively. The two trials would inspire significant scholarship surrounding their intents, legitimacies, and impacts.

Because the Nuremberg Trial preceded the Tokyo Trial, the former set important precedents that facilitated the development of the latter. The London Agreement of 1945 set forth the Charter of the International Military Tribunal, which established guidelines for the prosecution of German war criminals.[2] The Nuremberg Trial was charged with declaring war a crime, while simultaneously holding individuals accountable for their roles in the execution of war crimes. Of the 22 Germans tried at the IMT, all but three were found guilty and sentenced to prison or death.[3] Because the Nuremberg Trial resulted in the convictions of Nazi criminals for war crimes and crimes against peace, such verdicts legitimized the IMT by affirming the validity of these charges. The Tokyo War Crimes Trial, established in January of 1946, was conceived in an effort to further affirm the legacy of the IMT.[4] Drawing much of its language from the Nuremberg Charter, the IMTFE prosecuted accused criminals for crimes against peace, war crimes, and crimes against humanity committed from Japan's invasion of Manchuria in 1931 to its surrender in 1945. Furthermore, the Charter rejected the assertion that individuals were not responsible for actions and offenses committed under the guise of one's government; the Nuremberg Trial proved that war criminals could not evade prosecution in this manner, and the Tokyo Trial sought to reaffirm such logic.[5]

In addition to mirroring aspects of its Nuremberg predecessor, the IMTFE Charter outlined the logistics and goals of the Tokyo War Crimes Trial by establishing the Constitution of the Tribunal. Under the authority of the Supreme Commander for the Allied Powers, General Douglas MacArthur, the Tribunal was commissioned in Tokyo and was to consist of between five and nine members from the countries that signed Japan's surrender. After significant and time-intensive compromise, the Charter was amended to allow two additional judges not originally included. Ultimately, the countries from which the eleven judges originated included Australia, Canada, China, France, India, the Netherlands, the Philippines,

the Soviet Union, the United Kingdom, and the United States.[6] Distinctly, General MacArthur was given absolute authority with regard to appointments for the Tribunal as well as the power to alter the sentences of the accused—an example of American supremacy that would continue throughout the Trial and later in the occupation of Japan.[7]

The Trial in Japan lasted from 1946 to 1948, and its judgments aligned with that of the Nuremberg Trial. The Tokyo War Crimes Trial indicted 9 Japanese political leaders, 1 scholar, and 18 military leaders, resulting in 25 guilty verdicts—convicting all defendants except the Japanese scholar and two men who died of natural causes during the trial. Seven of the convicted individuals were hanged, while the rest received prison sentences ranging from seven years to life.[8,9] These convictions contributed to the perception of the Trial as a success, while simultaneously arousing suspicions among historians and other scholars who questioned the Trial's legal foundation as well as the motivations of the Allied Powers.

Despite the plethora of scholarship examining America's role, Britain's involvement in the Tokyo War Crimes Trial provides a different and important understanding of the Trial. My argument seeks to engage with the concept of "victor's justice" by expanding upon its conceptualization. The United States did not act alone in the pursuit of "justice." The United Kingdom's involvement, while overshadowed by America's dominant role, reveals ulterior motives that continue to color the implications of the Tokyo War Crimes Trial. During World War II, the United Kingdom's immense global power was nearing its demise: "By the middle of 1942, Britain, the imperial center, was effectively bankrupt and dependent on American aid...The post-war empire was a pale shadow of its former self."[10] Given such a foreboding context, the United Kingdom's desire to reinforce its waning international power shaped its involvement in the Tokyo War Crimes Trial. By advocating for consistency between the Tokyo and Nuremberg Trials through the selection of a Scottish judge and by advocating for Indian and Burmese representation in the Trial, the United Kingdom sought to reinforce the legitimacy of the Tokyo War Crimes Trial. This legitimacy would bolster the United Kingdom's international esteem. Throughout the Trial, Britain remained subservient to one former colony: American leadership consistently eclipsed Britain's power.

British Representation on the Tribunal: A Tribute to Scotland and a Clear Objective

The United Kingdom government deliberately waited until after the American government announced their representative on the Tribunal before announcing the United Kingdom judge, in spite of growing concerns about his delayed appointment. In correspondence between the Foreign Office and the United Kingdom Liaison mission to Japan in 1946, the urgency of nominating a United Kingdom judge was clear. The Trial was set to begin in a few weeks, and a British judge was yet to be chosen which could potentially delay the trial.[11] Still, the United Kingdom decided to wait for the United States before nominating its judge.[12] Following the lead of its American counterpart remained of utmost importance, which echoes a subservient relationship between Britain and America. This context and the power dynamics that privileged the United States would continue to permeate the United Kingdom's ensuing involvement in the Trial.

Eventually, after much deliberation and after the American judge was announced, Lord William Donald Patrick was chosen to represent Great Britain in the IMTFE. William Donald Patrick was born on June 29, 1889, in Scotland, where he was educated at Glasgow High School and, as a precocious sixteen-year-old, enrolled at Glasgow University. Described as "a good, though not an outstanding student," Patrick decided to pursue a law degree.[13] However, after World War I began, Patrick served as a flight commander in the Royal Air Force (RAF) from 1914 to 1918. During his tenure in the RAF, Patrick earned the statuses of Second Lieutenant, Captain, and, eventually, flight commander.[14] Patrick's decision to join and his swift promotions during his tenure in the Royal Air Force elucidates his dedication to the ideals set forth by the United Kingdom.

Beyond Patrick's impressive qualifications as a judge and flight commander, his Scottish heritage displays the politically charged nature of Britain's involvement in the Trial. Following the Great Depression, much of Scotland

United States Army Corps. "The International Military Tribunal for the Far East, 1946." Wikimedia Commons. 1946.

was disenchanted with the United Kingdom—a notion that was informed by the "thought that Scotland would soon cease to exist as an identifiable nation."[15] Fears about Scotland's declining industrial significance and its loss of national identity cultivated a somewhat unstable relationship with the United Kingdom. Ideologically, the idea "that the Union [between the United Kingdom and Scotland] was not a partnership of equals but one of dependency would continue to haunt Unionism for the next seventy years."[16] Through this notion evolved dialogue that, at its core, "was about greater autonomy and recognition of Scotland's national status while maintaining the existing political structure."[17] Such discussions could have dramatically altered the role of Great Britain and the global position of the empire. Because of Scotland's nuanced, somewhat tumultuous relationship with the United Kingdom, the appointment of a Scottish judge served to further integrate Scotland into the empire. United Kingdom government correspondence illustrates the deliberate effort to ensure that the Scottish government and public were aware of the implications of Patrick's appointment. The Trial was deemed "of considerable significance to us [the British government], because of the important role which we play in the Far East, and also because of the tremendous effect which the Pacific war had on large number of British subjects and on important British territories..."[18] As such, Patrick's appointment was significant.

Furthermore, the United Kingdom sought to ensure that news outlets in Scotland and England knew that Patrick's appointment was a means of paying tribute to Scotland.[19] As reported in a Scottish newspaper on March 3, 1946, the "Choice of Lord Patrick is a compliment to Scots judiciary and to Scots criminal jurisprudence, rightly regarded as the fairest in the world."[20] Choosing a Scottish judge to represent the entirety of the empire demonstrated that Scotland was an inherently valuable part of the Kingdom. Moreover, Patrick's appointment illustrated that the United Kingdom not only valued Scotland as an entity of the Kingdom, but also that it valued the Scottish legal system—a notion that further reinforced Scotland's significance to the United Kingdom.

Patrick, as a representative and mouthpiece of the United Kingdom, actively worked to ensure that the outcome of the Tribunal aligned with British goals. Although Patrick remained dissatisfied with the conduct of the President of the Tribunal—described as "almost intolerable"—Patrick's main concern was not compromising the outcome of the Trial.[21] When considering the President of the Tribunal's options regarding Patrick's continued involvement in the Trial, the possibility of recalling Patrick and the early termination of British involvement in the Tribunal was suggested.[22] In response, Patrick noted, "The trial would be quite discredited" if the United Kingdom were to abruptly remove its representative.[23] He continued, "One thing I am convinced of, Britain should never go into such an International Court again within [without] much more careful screening of the caliber of the members."[24] Patrick, in his correspondence, was concerned with Britain's role in the Trial and ensuring that it did not besmirch the Kingdom's reputation. If the Trial were to be discredited, then the blame would fall on the countries who created the tribunal—the United Kingdom included. Patrick, fully committed to ensuring that such an insult did not happen, was willing to sacrifice his reputation for this goal: "Discomfort and embarrassment I have accepted, and, of course, would continue to accept it if I thought I could advance the cause of international justice."[25] In his view, a judgment inconsistent with Nuremberg would be disastrous and would not only be "most unfortunate in Japan but may discredit Nuremberg."[26] The danger of an inconsistent judgment was echoed and further explored as a detrimental outcome:

> The burden of all this is that I fear the result of this long trial will be futile and valueless or worse. This Court will not speak with a clear voice upon any topic whether of law or fact. If a Court of this standing is seriously divided, and I feel sure it will be, then the modern advances in international law towards the outlawry of war may suffer a serious setback. The judgement of the Nuremberg Court seems to be generally approved and considered a valuable contribution to international law. Varying opinions from this Court including sharp dissent from Nuremberg must be disastrous. This I feel sure will happen.[27]

The goal of the government of the United Kingdom was to ensure that the outcome of the International Military Tribunal for the Far East aligned with that of the Nuremberg judgment—consistency without which the validity of the Trials, and, by extension, the countries that initiated them, would be undermined. To reaffirm the legitimacy of the Trials and, particularly, British involvement, the United Kingdom's government maintained that "Tokyo was to be the Nuremberg of the Pacific."[28] Because "the status of the Nuremberg Charter and judgment had been accepted as reflecting positive international law," the Tokyo War Crimes Trial deliberately sought to replicate the organization set forth by the Nuremberg War Crimes Trial.[29] A Tokyo judgment consistent with the Nuremberg would further reinforce the validity of the Tokyo Trial by having profound effects on the development of international law. Furthermore, a consensus among the judges would also significantly contribute to international law.[30] If the Trial was not legally sound, but rather a vindictive attempt to claim "victor's justice," as the Trial has often been construed, then the reputations of Britain

Fuji, Shoen. "International Military Tribunal for the Far East Ichigaya Court." Wikimedia Commons. 1946.

and its allies that consented to the prosecution would be marred.

Lord Patrick and the United Kingdom were so consumed by the notion of "British prestige," which needed "to be suitably maintained," that the Trial's logistical and even ethical problems were ignored.[31] Such considerations remained largely absent from Patrick's correspondence with the British government in London. The Trial was predicated on Anglo-Saxon norms inherently disconnected from Japanese society.[32] Interviewing witnesses who lived outside Tokyo was similarly difficult because without a subpoena, which required the Tribunal President's approval, a travel permit could not be obtained, thus impeding the defense's ability to effectively defend its clients. A lack of typewriters in both English and Japanese, as well as incompetent translators, compounded these issues. The defense was also funded by the accused and their families, who were then indebted to hotels as a result of the costs of bringing witnesses to Tokyo.[33] Still, concerns over maintaining the legitimacy of the Trial and its outcome trumped questions of fairness with regard to the defense. Ultimately, the United Kingdom's desire for the judgment of the Tokyo War Crimes to be consistent with that of Nuremberg was continually privileged; the United Kingdom's reputation and international power were at stake.

Indian Representation on the Tribunal

The United Kingdom continued to prioritize its international reputation and authority through its advocacy for the inclusion of an Indian judge on the Tribunal. Because India was still a colony during the creation of the International Military Tribunal for the Far East, India's involvement in the Trial could be construed as dual British representation. The United Kingdom supported India's demands for a judge on the Tribunal. Furthermore, it was only through dialogue and compromise with the United States—a discourse where American authority eclipsed that of the United Kingdom—that America conceded and allowed Indian representation. However, in the rush to appoint a judge, the British government endorsed

Judge Pal's candidacy—an ironic choice, as Pal's views would ultimately challenge British authority, as seen in his controversial dissent.

British colonial rule over India until India's independence in 1947—one year after the Tokyo War Crimes Trial began—colored the empire's involvement with India and support for Indian representation on the Tribunal, as power dynamics between the colonized and their colonizers informed their relationship. In the 18th and 19th centuries, the British East India Company and the British Royal Navy dominated trade in India and implemented de facto British rule in India.[34] British rule inspired armed rebellion—significantly, the Great Revolt of 1857.[35] However, because of ideological differences within the revolting forces, the British were able to reassert their power.[36] After suppressing the rebellion, "the British intended to keep India," and until 1947, British colonial rule dominated India.[37] After World War II, India helped the United Kingdom by supplying resources, including personnel and capital.[38] However, Britain's power in India was waning:

> by now [1945], too, ordinary Britons were concentrating on making ends meet in the face of post-war economic hardship, and had little interest in holding India. Businessmen felt that their economic interests would fare better in a friendly independent India than a hostile dependency; and intellectuals who a generation earlier would have regarded British rule as an instrument of progress declared their support for colonial nationalism. These sentiments extended to Clement Attlee, the leader of the Labour Party, who in July 1945 replaced Churchill as prime minister. Willpower aside, the British probable [sic] lack the ability to hold India for much longer... All this meant that after 1945 the principal task of Lord Wavell, who had become viceroy two years earlier, who to make India independent. However much he might have wished to pull out immediately, he could not take a step that might provoke chaos and so tarnish both Britain's name and its remaining interests in India.[39]

While India was officially granted independence on August 15, 1947, it was in this period of transition from British rule to native rule that the International Military Tribunal took place.[40]

Given the complex relationship between India and the United Kingdom, the government of the United Kingdom was conflicted as to whether to endorse an Indian judge on the International Military Tribunal for the Far East. Convinced of the necessity of an Indian judge to assist in prosecuting accused Japanese war criminals, India sought representation on the Tribunal because of India's contributions during the war.[41] Initially unconvinced by such logic, the British government was not particularly committed to having Indian representation. India was going to be represented "if possible."[42] However, upon consultation with the Government of India, the British government decided that it "should do [its] best to have India's right to be represented on the tribunal recognised in principle" because the "Government of India attach[ed] great importance to inclusion of [an] Indian judge."[43] Thus, although the United Kingdom government "fully endorse[d] the attitude of the Government of India," they "fear[ed] that this is a lost cause."[44, 45]

Despite British efforts, initially India would not be represented on the Tribunal because the United States did not prioritize such representation: the role of America in the decision of whether to include Indian representation illustrates the supremacy of the United States. When presented with the proposition to include Indian representation, the United States did not want to do so, citing the complexity and inconvenience of having 11 judges instead of 9 because the inclusion of an Indian judge would necessitate the inclusion of a Filipino judge. The rationale for the exclusion of Indian representation was furthered by the declaration that "the omission of India and the Philippines from the signatories to the surrender was not due to an oversight but was an agreed decision between British and American departments concerned in response to Russian pressure. This decision could only be reverse[d] at a higher level."[46] Although Britain advocated for Indian representation, the United States essentially vetoed such action, thereby demonstrating America's omnipotence.[47] In order to obtain American approval for Indian representation, either a British official or representative of the Indian government had to approach the American government: United States consent was needed to have an Indian judge.[48] Eventually, on April 26, 1946, a new charter was enacted that approved Indian and Filipino representation.[49] Ultimately, it was "the United States [that] made a concession on the ground[s] that the number of representatives from Asia should be increased."[50]

Britain's ostensibly benevolent support for Indian representation was juxtaposed with the Commonwealth's commitment to maintaining its power and its politically charged efforts to ensure that Indian representation was not construed as dual British representation. As India moved towards independence, it was swiftly becoming a former British colony. Given this loss of power, the maintenance of the Commonwealth's reputation assumed significant priority. Nariaki Nakazato expands upon the power-driven nature of Britain's support for an Indian judge on the Tribunal in his book Neonationalist Mythology In Postwar Japan: Pal's Dissenting Judgment At the Tokyo War Crimes Tribunal. Nakazato writes,

> Now the British were apparently trying to extricate themselves from the predicament by exploiting the

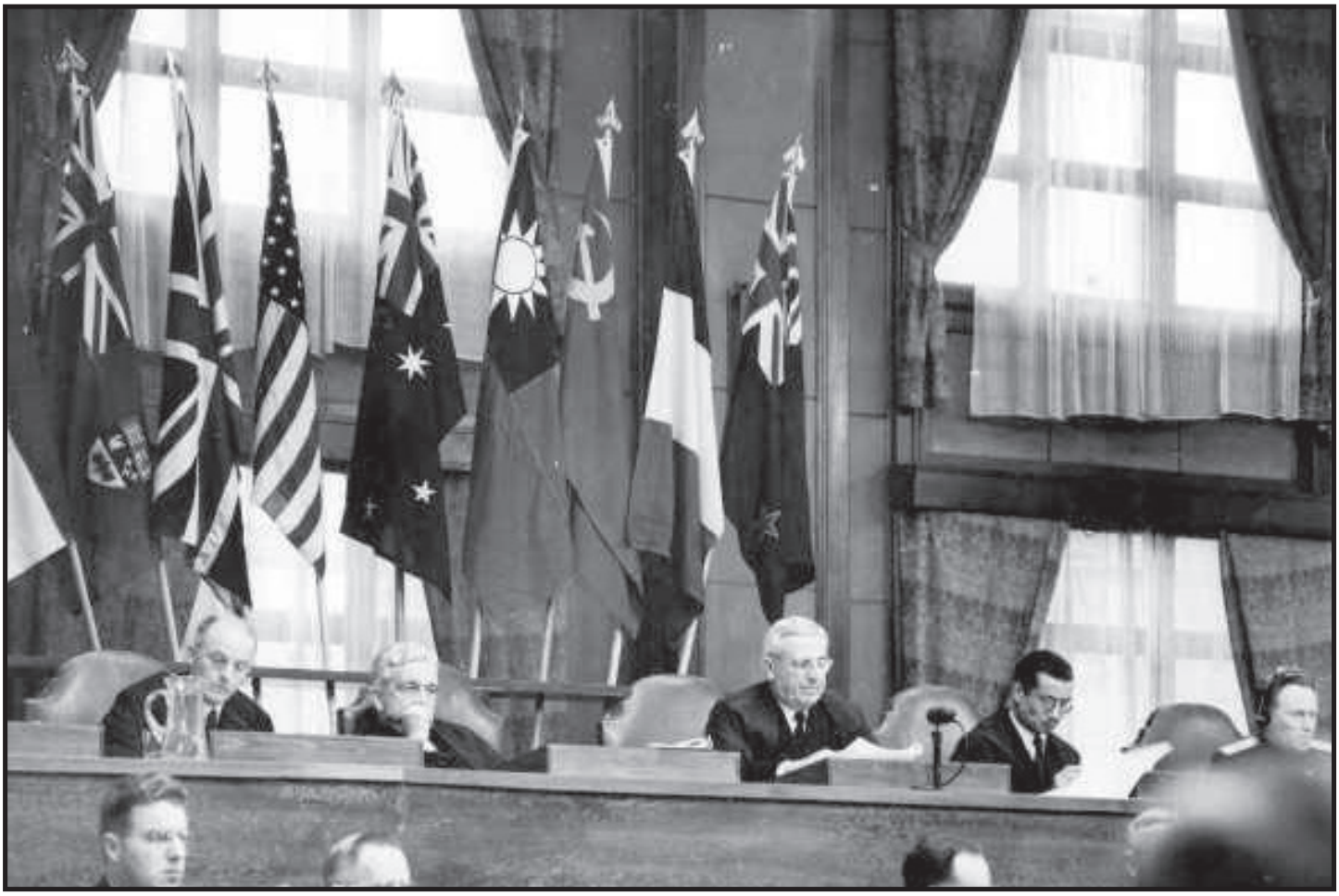
> Tokyo trial as an ideal stage to show that they had neither forgotten the services rendered by the majority of the Indian Army troops who had remained loyal to them nor the hardships experienced by Indian POWs under the Japanese...[51]

The Tribunal presented Britain with the opportunity to support its soon-to-be-former territory by paying tribute to the contributions made by Indians to the Commonwealth during the war. Furthermore, India was, at the time of the Tribunal, a British colonial territory meaning that the British government maintained significant power in India. As such, it could easily have been argued that the United Kingdom, in essence, maintained two judges on the Tribunal.[52] The same logic could have been applied to the analogous relationship between the United States and the Philippines, a territory that was in a similarly dependent position as India. Because of the non-independent statuses of India and the Philippines, "it could be argued that the US and United Kingdom were simply obtaining for themselves additional representation, which could be a diplomatic matter between the Allies, but not subject to a valid objection to the jurisdiction of the Tribunal by the defence."[53] Aware of its potentially tainting relationship with India, the British government sought to ensure that India's "judge should be an Indian so as to rule out any possible suggestion that we have in effect secured nomination of a second British judge."[54]

The selection of Judge Pal to represent India in the International Military Tribunal for the Far East signified a challenging decision ultimately motivated by desperation. In April of 1946, the search for an Indian judge continued and was "rough going."[55] The United Kingdom was scrambling to find an Indian judge who could both satisfy the necessary prerequisites to serve on the Tribunal and was willing to fulfill the role. On two separate occasions, the War Department attempted to nominate a judge, one from the Bombay High Court and one from the Allahabad High Court. However, neither judge responded positively to the invitation to serve on the Tribunal. Such negative responses ushered in a sentiment of desperation because if an Indian judge was not appointed soon—by April 20th, as outlined by General MacArthur—then the Trial would begin without Indian representation.[56] The deadline passed without an Indian judge. On April 24, 1946, Radhabinod Pal, a judge on the High Court of Calcutta, telegraphed to express interest in the position.[57] Within a few days, three other judges also telegraphed the War Department. However, Pal's telegraph was received first and essentially, "Pal, who was not the government's first choice, received the appointment by a narrow margin of just one day."[58] Initially, concerns were raised about whether Pal was qualified for the position. Technically, Pal was neither a serving nor retired judge serving on a High Court in India—a prerequisite for selection as the Indian judge on the Tribunal. Rather, Pal was serving on the High Court because he was replacing another judge who was on leave.[59] Thus, it was a "procedural error committed by the British colonial administration that the technically unqualified Pal was selected and appointed as the judge to represent India at the Tokyo War Crimes Tribunal...[yet] it was too late to do anything about it. The British would soon regret their appointment, made in desperate haste without due process or deliberation."[60]

The urgency with which the British government sought an Indian judge translated into the selection of an Indian judge whose ideological principles conflicted with those of the British as a colonial power—ideals which would later come to challenge British authority. The historical context in which Pal was born and assumed the role of judge on the Tribunal is imperative to understanding what would eventually evolve into Pal's disagreement with the majority judgement of the Tokyo War Crimes Trial. Pal was born in the Indian village of Salimpur in January of 1886.[61] Financial hardship befell his family and strained his ability to study. Still, he was a gifted student and earned scholarships to continue his education.[62] Majoring in math, Pal enrolled in Presidency College in 1905—the same year the British partitioned India which resulted in an upsurge of regional nationalism.[63] Similarly important to the development of Pal's ideology—an ideology that informed his role in the International Military Tribunal for the Far East—was "the students' movement, the activities of Subhas Chandra Bose, and the ideals of the INA," which Pal was "quite sympathetic toward[s]."[64] Pal, although not often associated with the Indian nationalist movement, was in contact with "the kind of Indian nationalism that might be broadly characterized as right of center or right."[65] Furthermore, when Pal was appointed, "the realization of an independent India was still far...[and] the question of India's independence was still being intensely negotiated between the Cabinet Mission dispatched from London to New Delhi and nationalist forces."[66] Essentially, because of his "affinity with the Hindū Mahāsabhā, the INA, and Pan-Asianism within the broader context of modern Indian history," Pal held distinctly anticolonial ideals that put him in ideological conflict with the British colonial government.[67]

Given the ideological divisions between Pal and the British government, Pal's eventual dissent on the Tribunal was consistent with his beliefs, which further reinforces the irony of Pal's selection by the United Kingdom. Pal attacked the premise of the Trial, arguing for the acquittal of all Japanese war criminals implicated.[68] While he did not seek to excuse the behavior of Japanese war criminals, Pal sought to expose the hypocrisy of the trials,evoking the sentiment of victor's justice. Even before



United States Army Signals Corps. "The International Military Tribunal for the Far East, 1946. William Webb presiding." Wikimedia Commons. 1946.

the Trial proceedings commenced, Pal had decided to dissent.[69] As Boister and Cryer write in their book The Tokyo International Military Tribunal: A Reappraisal, "He [Judge Pal] issued a stinging critique of the use of aggression by the majority and the prosecution, claiming that as it was undefined, it was simply being applied by the victors to the defeated."[70] Pal's dissent articulated a Pan-Asian ideology which cast him as the "'Third World' perspective on international law."[71] Adamant in his opposition to the outcome of the Trial, Pal "lambasted the Allied [Powers] for prosecuting the defendants for aggression, when their colonial holdings were obtained, and maintained, by force, and showed sympathy towards the idea that colonized peoples had the right to use force to liberate themselves."[72] Pal furthered his criticism of colonialism by citing the Hiroshima and Nagasaki bombings as vicious attacks for which no justice-seeking forum was established to pursue accountability. Pal's dissent sought to articulate the absurdity on the part of the Allied Powers of prosecuting Japanese officials for their crimes, while simultaneously remaining silent about the atrocities that their governments committed. In his vehement rejection of the Tribunal's premise and, by extension, its effects, Pal positioned himself in opposition to the British who had advocated for his inclusion in the Tribunal. In response to Pal's controversial dissent, based on "the advice of Sir A. Gascoigne and of Lord Patrick," the United Kingdom's government was "inclined to favour silence unless Pal's indiscretions have been given wide publicity."[73]

Furthermore, the role of Judge Pal inspired praise within Japan, as his dissent was a testament to the moral ambiguity of the Trial and war crimes—a celebration that inherently detracts from Pal's attempted use as a pawn of the United Kingdom. Pal's legacy in Japan is one of venerated prominence. As "the first Indian lawyer to win international renown," Pal is held in high esteem as having introduced an important stance that highlights hypocritical retaliatory justice.[74] In Japan, Judge Pal is remembered as having elucidated "so clearly that Japan wasn't the only country that had done wrong," according

to Hideaki Kase, chairman of the Japan-India Goodwill Association.[75] Many Japanese people or citizens still admire Pal—a fact that detracts from the legacy of Pal's position on the Tribunal as one intending to secure British international authority.

Burmese Representation in the Allied Powers' Prosecution

Amid Burma's desire to represent itself on the prosecution team of the International Military Tribunal for the Far East, the United Kingdom was primarily concerned with manipulating the situation in a way that protected the Kingdom's international prominence and authority. Japan occupied Burma (now Myanmar) during World War II. Thus, in the Tokyo War Crimes Trial, Burma sought representation on the Allied Powers prosecution team. However, because lawyers on the prosecution were exclusively derived from members of the United Nations—a grouping Burma was not part of—Burmese representation was only allowed as an official representative of the United Kingdom on the prosecution. Maung, the Burmese representative, was only able to serve on the prosecution team because he technically represented the United Kingdom, not Burma. Thus, implicitly Maung was subservient to the United Kingdom. As such, Maung sought to attain recognition as Burmese representative in the Trial, a title the British government endorsed in an attempt to secure its international authority. Yet, the United Kingdom continued to acquiesce to American authority.

The United Kingdom's role in Burma as a colonial power informed the ways in which the Kingdom interacted with the territory. During the fifty-one year period of British control, "Burma was a part of British India, a colonial possession within a colonial possession and when Burmese were not only under the British, but also at the bottom of a social hierarchy headed by Europeans and a range of Asian immigrant minorities."[76] Burma eventually acquire independence in 1948—the year that judgments were issued in the Tokyo War Crimes Trial.[77]

During World War II, Japan occupied Burma, which complicated British colonial rule. From 1942 to 1945, Japan occupied Burma.[78] During the complex political landscape whereby different nations controlled Burma, "the Burmese experienced different political arrangements under the British and the Japanese that allowed for limited self-rule, but never complete independence."[79] Beyond facilitating greater Burmese political freedom and independence, the Japanese occupation of Burma illustrates the supremacy of the Japanese over the United Kingdom because Japan occupied the United Kingdom's colonial territory. As such, the Tribunal presented the United Kingdom with an opportunity to reassert its international power. The Trial allowed for a fortification of British authority akin to "victor's justice."

Such history, specifically Japan's occupation of Burma during the war, necessitated the inclusion of Burmese representation in the Trial. However,, the British government initially sought to prevent Burmese participation in the prosecution. One telegraph noted although that Commyns Carr, British prosecutor in the Tribunal, "would be glad to have U E Maung's [the Burmese lawyer] services, he thinks he can do without them at this stage...If, however, His Majesty's Government or Commyns Carr considers that there is need for the assistance of a Burmese Lawyer for these Trials it will be possible to provide some suitable junior."[80] While the communication between the British and Burmese governments minimized the need for Burmese representation from the onset, Baung did eventually assume that role. India Office Records and private papers continued to note the perception of Burmese representation in the prosecution team of the Allied Powers. In a telegraph to the Governor of Burma, on July 15, 1946, the Secretary of State for Burma wrote,

> [concerning the Burmese lawyer at Tokyo Trial] Position is that only members of the United Nations are entitled to contribute to prosecuting teams. It was not, and would not be, politic or fruitful to raise question of Burma's separate representation. In these circumstances it was considered best possible line to secure Burma's participation by means of Burmese member of U.K. team (she is the only non-self-governing British territory to have her position and interests so recognised). It is of course well accepted internationally that a United Kingdom team or delegation represents not merely the United Kingdom but all interested parts of the Kingdom no separately represented. Maung's position therefore remains technically that of an assistant prosecutor in the U.K. team nominated by [the] Government of Burma, though it would be incorrect to regard him as "merely subordinate representative of Great Britain". I am glad to learn that, as I expected, he is in practice being recognise[d] as representative of Government of Burma. I fear however that we shall have to be content with this, having regard to international standing of Burma in comparison with that of other countries concerned.[81]

This correspondence reveals the main contested points that complicated Burma's relationship with the United Kingdom and the United Kingdom's desire to maintain its power.

Technically, only countries part of the United Nations

were eligible to contribute to prosecuting teams. Thus, Burmese representation was only permitted if Maung was a representative of the United Kingdom.[82] This relationship speaks to Maung's—and, by extension, Burma's—complicated and seemingly subservient position. The official position of Maung elicited questions as to whether Maung himself was a subordinate of the United Kingdom, which underscored larger questions about the status of Burma as a territory: was Burma forever doomed to exist as subordinate to the crown, deprived of independence? The prospect of an independent, self-governing Burma seemed increasingly elusive, if possible at all, given the assertion that Maung was subservient to the British government.

In order to dispel notions of perpetual Burmese subservience, the British government sought to emphasize that Maung was instead a representative of Burma; through precise language, the British government attempted to negotiate Maung's subordinate position. In communication with the British government, Burmese officials asked if Maung was, in fact, a representative of Burma or the British Kingdom. The Burmese noted that if Maung was recognized as a representative of Burma, such action would "give both him [Maung] and Burma slightly improved status."[83] However, the United Kingdom was supposed to represent all of its territories' interests. Moreover, Maung was being paid by the government of the United Kingdom.[84] Given the constraints set forth in the enactment of the Tokyo War Crimes Trial, Maung was, in fact, a representative of the United Kingdom because Burma was not a member of the United Nations and, as such, was not allowed to contribute personnel to the prosecution team of lawyers. Despite the role of the British in the determination of Burmese representation, American supremacy continued to eclipse the power of the formerly radiant British empire.

Conclusion

Much of the literature on the International Military Tribunal for the Far East focuses on how the United States ushered the Trial forward from its inception to its judgments. However, such analyses largely leave the motivations, actions, and implications of the role of the United Kingdom unexamined. I have attempted to contribute to the discourse surrounding the execution of the To-

United States Army. The trial judges of the International Tribunal for the Far East."

kyo War Crimes Trial by discussing how Britain's goal of maintaining its waning international authority shaped the United Kingdom's role in the Trial. Through this discussion, I have pointed to the incorporation of Scottish, Indian, and Burmese representatives as means to further secure British authority. The three territories were each positioned as docile entities within the United Kingdom. Their respective roles enabled Scotland, India, and Burma to become further integrated into the Kingdom, although between 1946 and 1948, both India and Burma became independent. Ultimately, politically egocentric motives influenced the role of the United Kingdom throughout the Tokyo War Crimes Trial.

Ironically, the United Kingdom's quest to secure its power was continuously slighted by the dominance of the United States of America—a country not even two centuries removed from its fight for independence from Britain. While I have addressed minute instances of British acquiescence to American authority, a continuation of American supremacy occurred concurrently with the Tokyo War Crimes Trial and extended for four additional years following its conclusion: the Allied Occupation of Japan. Although the Japanese Occupation was technically led by the Allied Powers, which the United Kingdom was part of, the Occupation was practically run by the American government and, more specifically, by General Douglas MacArthur.[85] The supremacy of an American general illustrated the continued dominance of the United States of America in the creation and implementation of the International Military Tribunal for the Far East.

The importance of the United Kingdom's influence in the Tokyo War Crimes Trial—even if that power was eclipsed by the United States of America—lies in our conception of the role of politically-charged motives in quests for justice. The investigation into how the United Kingdom's desire to validate its declining international power influenced its actions leads to essential questions: namely, how do the motivations of Great Britain, and, by extension, other countries involved in the Trial, affect conceptualizations of the history of the International Military Tribunal for the Far East? While broad and implicative questions do not have a straightforward answer, they help to contextualize history and ensure that the Trial is not conceived of as a unidimensional and apolitical pursuit. Ultimately, perhaps the characterization of the Tokyo War Crimes Trial as a manifestation of "victor's justice" is more accurate than scholars, such as Minear, suggest. Considering the politically egocentric motives that guided the actions of the United Kingdom, it may be more fitting to implicate the United Kingdom in this dialogue. As the United States sought to capitalize on the Trial as a means of revenge for Japanese attacks on America, the United Kingdom sought to exploit the Trial in order to reassert its authority in the wake of the collapse of its once-thriving empire.

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Powerful Women Claiming Authority in the Early Republic

A Case Study on Elizabeth Powel

Abstract: Traditional historical analysis has neglected women's participation in financial markets and the means of power associated with accumulation of wealth. Previous work argued that women only made investments under close male advisory or in desperation. This paper looks at Elizabeth Powel, a wealthy matriarch after her husband's death in 1796, as a case study beginning to explore women as economic agents, and how they went about claiming authority. Her investments and related correspondence provide insight into how women with means to power but a lack of authority in a patriarchal society went about claiming authority.

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On February 17, 1788, Elizabeth Powel wrote a letter to James Wilson requesting a copy of a pamphlet he authored. At first glance, the request reveals that the woman who wrote it was well read, aware of her political surroundings, and engaged in conversation with men of her elite class on matters of politics and economics. Yet, Powel's use of third person distances herself from the situation, in the same way that first person would have inserted her. Her claim that the preceding conversation came about by accident also removes Powel from any intellectual discussion on the pamphlet. The letter leaves the impression that it was written by an intimidated woman, writing to a man who is far her superior, making a request on behalf of another gentleman concerning something she has little place discussing. This was intentional. While written before she became the head of the prominent Powel Family, this letter reveals the complicated environment in which Powel lived and operated.

The Powels were a Philadelphian family that owned a considerable amount of property, through which they amassed immense wealth. Elizabeth Willing Powel, born in 1743, married into the Powel name. Her husband Samuel Powel served as the last colonial mayor in 1775, and then again after American independence in 1789. With their wealth and political connections, the couple established themselves as the cornerstone of society in Philadelphia at a crucial point in the first capital's history.[1] Elizabeth Powel frequently entertained the early republic's most powerful people, including George and Martha Washington, John Adams, and General Lafayette. After her husband's death in 1793, Powel took over as the family matriarch.[2] She managed the extensive Powel estate until her death in 1830 with no husband and no heir, as the couple had no surviving children. But, Powel did not just live comfortably with the extensive estate she inherited. Instead, she engaged in complex stock and real estate investments, served as a landlady and creditor, and became a well-respected businesswoman, while maintaining her connections with men like George Washington.

In scholarship, Powel's status has almost exclusively been tied to the men in her life. Her capacity for informed and autonomous business decisions and her community presence as an advocate, landlady, and political mind have been sorely underestimated and neglected. In the only book that focuses on her life, she is portrayed as a mourning widow and mother. Her qualities as an outspoken and influential woman are discussed as personality traits inherited by distant male relatives along with her fortune, and her economic proceedings are not considered with any weight or depth.[3] Powel's life has not been adequately assessed within the developing scholarship on women's history.

Throughout her extensive collection of surviving papers, it becomes clear that Powel was a well-read, opinionated, firm, and independent woman. She had a deep concern for her family's legacy and her country's future. She was a supporter of female education, an abolitionist, and an early feminist, but first gained the respect of her community as a competent landlord, creditor, real estate and stock investor, and an effective household head. Powel accomplished all of this within a patriarchal system that did not make room for single, propertied women. While she wanted to be taken seriously as a respectable businesswoman and valuable member of the community, she could not disregard the patriarchal constraints and gendered behavioral expectations of the time.

This paper looks at Elizabeth Powel as a case study to explore women with means to power as economic agents and active members of society. Contrary to previous understandings, women did operate in financial spaces. The idea that women in the early Republic, and prior, did not is simply illogical. On even the most basic level, women were marketplace consumers handling money in public spaces. Yet, this does not mean they did not live in a highly patriarchal culture. Powel is an ideal subject in this case study in part because of the extensive archival collection of her correspondence and financial records. While not everything can be discussed in this paper, the entirety of the archive has informed this study. Powel successfully navigated a world where she had power resting in her massive fortune, but lacked the authority a man of her status would. The language that Powel uses in her correspondences displays the difficult balance between claiming authority through decision making and financial influence, and maintaining her reputation as a respected, elite woman, providing insight into how women claimed authority in ways beyond family relations, motherhood, and hosting.

In the late 1970s and early 1980s, Linda Kerber developed a theory that fundamentally reframed women's history. Kerber argued that the enlightened women of the early American Republic understood, and valued, that their political participation happened exclusively in the home, a theory known as Republican Motherhood. This included the idea that women had an exceptional role in raising their sons, the next political generation, with republican values.[4] Thereafter, Republican Motherhood dominated the academic conversation, which maintained that women's influence on public life was mediated entirely by their influence in the domestic world. Arguably the most lasting impact Republican Motherhood had on women's history was establishing a line of thinking where women's lives were analyzed within rigidly constructed, and completely separate, private and public realms.

Republican Motherhood paved the way for new possibilities in women's history, but has become too singular a lens of analysis. Women, now and then, cannot be completely or even substantially understood solely as mothers. This paradigm led historians to neglect changes in women's lives that occurred before the revolution, and kept historians from exploring other aspects of the female experience. Eventually, a reexamination of Republican Motherhood, which was largely an interpretation of women's private lives, occurred in the 1990's. Historians identified Republican Motherhood's heavy reliance on the assumption that the domestic and public spheres were completely separate as an ideological constraint, one which the field needed to move beyond.[5] Yet, remnants of the theory remain.

Alexander, Francis. "Madam Powel (Elizabeth Willing)." Wikimedia Commons. 1825.

The scholarship that followed shifted to considering Republican Womanhood, a theory building upon Republican Motherhood that argued while women were not merely mothers, any public role they had must have been in accordance with traditional feminine virtues. This mode of thinking focused on political influences elite women could have through an interconnectivity between the private and public sphere, often exemplified in their roles as hostesses.[6] Within Republican Womanhood, Catherine Allgor asserts that women were not superficial or nonessential actors operating within a distinct private sphere, but that private society had a profound impact on political life. She argues women's positions relied heavily on the status they were able to achieve through their relationships with men.[7] In the same vein, Catherine Kerrison writes about how women were living, operating, and surviving in a patriarchal culture with clear conventions that marked their gentility and class, specifically in their intellectual lives. She claims that despite societal constraints, women used religion, reading, and writing to establish a kind of authority for themselves.[8] While Kerrison makes a distinction between what women were taught and how they acted, she does still lean on the idea that women were educated to reflect how they could raise virtuous sons, and her study does not focus on public life.

While moving the conversation on women's history forward, Republican Womanhood still limited the historical interpretation of how women operated in public settings. The paradigm's greatest contribution could be that through this lens, the field began to explore how women acted, not how patriarchal constructs expected them to act, and notably planted the seedling of a discussion on women's authority.

In 2007, Rosemarie Zagarri published her breakthrough book Revolutionary Backlash: Women and Politics in the Early American Republic, a study that focuses on the development of women's rights beginning in direct reaction to the American Revolution. Allgor called the book path-breaking and field-changing, claiming "she transforms both the field of women's history and the standard political narrative that still dominated United States history."[9] Zagarri established the concept of female politicians, or elite white women who saw themselves as independent political beings, a distinct change from the republican woman, who only influenced politics through her husband and sons.[10] After Zagarri's book, scholarship on women's history moved away from Republican Motherhood and Womanhood. Her work helps to shift the conversation away from interpreting women within completely separate private and public spheres.

To effectively move beyond the public-private dichotomy, scholarship must be detached from the idea of cultural restrictions based on gender. Imagining that women were free from gendered restraints, or moving too radically beyond concepts of institutionalized and gendered roles, can lead to drastic historical oversights. For example, through this lens Powel could be interpreted as a typical elite white woman in early nineteenth-century Philadelphia, and her economic actions may have remained overlooked. In reality, in order for women like Powel to be fully understood, they must be placed within the context of their gendered society. David S. Shields and Fredrik J. Teute make the claim that historians have gone awry in their attempts to interpret women's influence outside of male influence. The two assert that scholars have failed to recognize the ways in which women worked inside of male centered power structures, and how they could then take that power for themselves.[11] Women did live within gendered constraints, and women's history cannot be separated from patriarchy. Therefore, it is crucial to discover how women claimed authority within these structures.

Powel possessed means to power through her wealth that many men of her time could not have imagined, yet she did not have any recognized authority like a man with far less means would have had. Catherine Allgor writes that "women's power is often invisible because it has to function on behalf of male power structures that do not recognize female participation as legitimate."[12] While Allgor does not specifically mention authority, she does say that women's power becomes invisible because it is not seen as legitimate. Expanding upon this suggests that while power can be concrete, authority is an external recognition of power from others. In other words, if a person has power that no one recognizes, then they do not have authority. In Powel's letter to James Wilson, this lack of recognized authority is plain. Powel constructs the letter as if she had no place writing it, about a conversation that society did not warrant her to have. After Powel became the sole manager of one of the largest estates in Philadelphia, she gained a concrete means to some type of power that cannot go unrecognized, yet she continued to write in this self-deprecating manner. Shields and Teute add to Allgor's idea that women's power is invisible "because they must make it so...and because we do not recognize the ways women within those structures appropriate power back to themselves."[13] The ways in which women went about claiming authority were consciously masked because women were working within the constraints that were placed upon them. This is how someone like Elizabeth Powel, who had the means to power, maintained her respectable social standing as an elite woman while claiming authority for herself within a man's world that did not leave room for her. This paper will not discuss whether or not Powel gained any external recognition of her power, but focus on how she went about claiming it.

Philadelphia's Widows: Placing Powel in her Time

Philadelphia was the vibrant, cosmopolitan center of the early Republic. By 1790 it was the second largest city in the union after New York, with a population of 28,522.[14] While the city only served as the capital of the United States in name from 1790 to 1800, it was long considered a center of culture and politics. Philadelphia saw the adoption of the Declaration of Independence, Congress meetings under the Articles of Confederation, and the Constitutional Convention. Contrary to what all the activity might suggest, the city was much smaller than it is now. Philadelphia was broken into ten small wards, and the outskirts did not expand farther than the Schuylkill River. Figure 1 shows Chestnut Ward, one of the smallest and wealthiest wards in the city, and East Mulburry Ward, a much larger and poorer ward. This map provides insight into how widows, wives, and single women lived at the time.[15] In 1775, Powel was living in the wealthy area of Philadelphia, right outside of Chestnut Ward, as the wife of a household head. Because she would become a household head shortly after this data was collected, this is the category that is the most compelling.

The data in Figure 1 positions Powel in the small minority of women.[16] In Carole Shammas's analysis of this

	Chestnut Ward 1775	East Mulburry Ward 1775
Total Number of Households	**108**	**608**
Total Number of Women	**179**	**624**
Female Household Head	9.5%	10.9%
Wives of Household Heads	31.2%	50.2%
Female Boarders	3.4%	3.0%
Female Hired Servants	25.7%	8.7%
Female Bound Servants	10.6%	8.7%
Female Slaves	8.4%	3.4%
Daughters Ages 15 and above	11.1%	15.2%

Figure 1.

data, she calls attention to the poverty of widows in the Eighteenth century. Of the female household heads in Chestnut Ward, 59 percent were exempt from taxes due to poverty. In East Mulberry, that number rises to 70 percent. This poverty can partially be attributed to law. In most colonies, including Pennsylvania, widows were only awarded one third of their husband's property upon his death, even though her husband acquired all of her property when they married. In addition, creditors could take this property away from the widow if her husband had died with debt. Of these female household heads, 37.9 percent had no visible means of support. Women with income were most often retailers and property owners, while others took in boarders. The rest were listed as laborers, artisans, schoolmistresses or ladies. Female household heads generally did not employ servants, something women at the time would have considered a burden. Shammas concludes that because female household heads were so often in poverty, women had more autonomy as wives, because while wives had minimal legal rights, they had authority over children, domestic workers, and household affairs.[17] In this interpretation, in accordance with Republican Motherhood, women's authority is seen as greater within a marriage because of her children and servant's recognition of her power.

The majority of the female heads of household here were widows. Marriages at the time were often composed of an older man and a younger woman, and the couple's retirement savings usually considered the man's life span, which was generally shorter than that of a woman, resulting in many poor widows. In a statistical analysis by Lisa Wilson of 285 wills left by husbands between 1750 and 1850, 27 were left by husbands in Philadelphia between 1790 and 1799. Just 22 percent of these Philadelphian widows were left their husband's entire estate in his will. Powel was one of only four of these widows who were left as the sole executor of their husband's will, and she received the entirety that estate.[18] While not unheard of, Powel is again an exception to the norm. In fact, in her analysis of these wills, Lisa Wilson briefly acknowledges Powel. She writes that Powel was familiar with property values, real estate investment, and investment strategy. She also cites that she was an extremely wealthy woman, her personal estate alone worth $141,537.47 upon her death in 1830.[19] Wilson then addresses that some of Powel's advice to a niece on the benefits of traditional femininity did not reflect her business actions, and claims that this proves that the intentions behind Powel's financial actions cannot be explained beyond an extension of the domestic sphere. She argues that Powel and other widows at the time only operated in financial spaces, an action in contrast to conventional femininity, out of a necessity to support their family. Wilson concludes that widows' "core identity resided not solely in the home, but in the people who inhabited that domestic world—the family."[20]

The interpretations of these statistics lean on Republican Motherhood and Republican Womanhood, and are directly contradicted by some of Powel's actions. For Example, On May 17, 1814, Powel wrote to one of her advisors, Edward Shippen Burd Esq.:

> On a full investigation of my present funds I find that my personal estate in bonds, independent of my stock is ample for the payment of all monied legacies; and that my ground rent estate is much more than sufficient to pay my annual bequests.[21]

Powel had more than enough money to sustain herself and extended family members as she chose, and was fully aware of her economic position. While this was written 21 years after Powel took over the family estate, there is no conceivable way that she would have needed to advance her economic position out of a fear of poverty. In regards to the letter Wilson cites, Powel wrote many letters to her nieces, younger female relatives, and daughters of close acquaintances throughout the course of her life. Most of them encourage the young ladies to act with grace, receive an education, and one even warns against becoming a "female politician." It is important to note that Powel was operating within a patriarchal society, not against it. The views she publicly expressed on femininity coincided with her elite status, but do not by any means diminish her actions. Powel was not trying to overthrow the system that did not benefit her, but operating within it. While the statistics are valuable, the interpretations need to be reassessed.

There are major aspects of Powel's life that are overlooked by these interpretations of how widows, and more specifically Powel, lived and operated. Powel was one of the wealthiest people in Philadelphia at the time. She

had no children to support. There was no need for her to partake in such investing herself, as she had many male advisors, friends, and lawyers who could have done it for her. Based on these two sets of statistics, Powel was a glaring exception to the life of an average widow in her time, which raises multiple questions. If she was independent financially and in thought, was her life merely an exceptional phenomenon? If so, how did she function in the male dominated society around her? Since it is unlikely that Powel is an anomaly, even if she is the most prominent example of a successful female household head in Philadelphia at the time, we must then reassess the presence of women in the Early Republic's economy, how autonomous they were, and how they operated within cultural constraints. A clearer picture of the inconsistencies between Powel's life and earlier ideas on women's authority can be painted by addressing some of the vast documentation of Powel's financial actions and decisions.

In order to understand how independent Powel was, the circumstances surrounding her wealth must be addressed. Upon her husband's death, Powel was put in an extraordinary position.

> I do give my dear wife Elizabeth all my personal estate whatsoever, and wheresoever the same may be found...I do hereby nominate constitute and appoint my very dear and loving wife Elizabeth Powel sole executor of my last will and testament[22]

Elizabeth Powel was the sole executor, and with a few small exceptions, the sole beneficiary of her husband's will, something few women at the time enjoyed. Powel was not a self-made woman, and in that regard cannot be considered truly economically autonomous. She started from a place of privilege. Still, this privilege does not undermine the independent financial actions she pursued, and how she navigated gendered institutions and practices that were not set up to accommodate her. In fact, the way in which Powel became sole beneficiary and executor exemplifies that. The Powels had tried for many years to have children, but tragically neither of their two sons, both named after their father, survived longer than one year. Samuel Powel died unexpectedly from yellow fever, and while he clearly trusted his wife and loved her dearly, it is hard to say if leaving the entire estate to her was his ideal scenario. In his will there is a clause for the "case of the pregnancy of my wife on my decease," in which grants half of the estate to said child when they come of age, and the rest upon Elizabeth Powel's death.[23] It is indeterminable what the motives behind this clause in the will are, as the gender of the child is not listed as a kind of requirement. That being said, it is not unreasonable to assume that the privileged position Powel was given was not her husband's first choice.

Despite how Powel came into her privileged position, she soon took full control of the family's estate and became actively involved in its finances. Powel kept detailed records of her finances in her own hand. On November 9, 1796, she sold fifteen shares of stock of the Bank of the United States, and noted afterwards that "I have at this time forty-four shares of stock."[24] In 1800 Powel took note of "evidence of two hundred shares of the permanent Bridge stock delivered to me...with receipts for $2000 and certificate."[25] This note, concerning her stock in the Company incorporated for erecting a permanent bridge over the River Schuylkill, includes whom the receipts were delivered by, and that they were delivered at noon on Friday, May 23. These records do not prove Powel's financial autonomy, but they are an indicator of the type of businesswoman Powel wanted to be. At the time, orderly records were associated with credibility and sound character, and were crucial to maintaining solid relationships.[26] In keeping these records on her own, Powel maintained her good social reputation, while controlling her economic standing.

Maintaining records was also of the utmost importance to Powel's reputation as a creditor and debtor. Powel often lent money in the form of bonds, which she would receive interest on when they were paid back. If a mistake was made, Powel took care to correct it. In one instance, she wrote to a nephew that she had received his statement of interest on bonds due to her, and that it was inaccurate. She had been credited more than was due on several bonds, and for one bond that was not in her credit.[27] Her record keeping helped to maintain her reputation as an honest creditor.

Powel was additionally involved in real estate speculation. On January 15, 1808, she asked one of her nephews his opinion on how to invest money she had acquired "as to render it productive, and eventually safe, but the primary object with me is to place it securely." Powel added that "this money has not been the result of income; but of sales heretofore by me of real estate."[28] While the intention of Powel's letter was to seek advice on a large influx of money which she called "a momentous crisis," it proves that she was making money from real estate sales. On the same day she contacted her nephew, Powel also wrote to her lawyer, and presumably her acting broker, Edward S. Burd Esq. asking him to defer any stock purchases for a few days at this "critical moment," adding that she would explain her decisions next time she saw him.[29] While the amount of money she had earned is undisclosed, it is significant enough that she referred to financial transactions that followed as "critical" on two occasions. While Powel was seeking advice from her male nephew, she was actively engaging in the investments in her name. Further,

it makes sense that she sought advice from men, as at the time men were more likely to have sound knowledge on investing.

While Powel sought advice from her trusted male friends, it appears that they also came to her with their ideas. On March 16, 1809, Powel wrote a response to John Hare Powel, her favorite nephew who Powel would chose to be her heir.[30]

> I have most seriously reflected on your proposal respecting the purchase of Mr. Bingham's Estate in the vicinity of Powelton, and am of the opinion that it would eventually prove a very bad speculation.[31]

Powel elaborated that the property was currently remote from any roads, and would be "very soon lessened by a publick road." She also noted that the land was uncultivated, worn out, and "has never by Mr. Bingham been replenished with stable or other manner." While she may have engaged her nephew more candidly than a man she was less familiar with, this is clear evidence of Powel's thoughtful real estate speculation, even in contradiction to a man's recommendation. This interaction shows Powel's deep knowledge about transportation systems, farming and agriculture, and land management that informed her decision. Powel's correspondence with men seeking her advice are significant because the men involved had to have recognized Powel's economic power in order to engage her in these financial conversations and respect her final decisions.

Reading Between The Lines: Gendered Language As A Means To Claiming Authority

In two separate articles, Sarah T. Damiano observes that during the Revolutionary War husbands practically placed significant amounts of trust in their wives. However, they used gendered language to downplay their wives' capabilities and trusted more complex matters to their male peers, like lawyers. In a husband's absence, he would often assign the power of attorney to his wife, so that she would have the power to pay and collect debts.[32] Due to how this could become a complex network of men and wives dealing with financial affairs, it was common for women to interact with educated men in business and law when their husbands were away, which complicated perceived gendered social hierarchies. She observes that within this environment, in a husband's correspondence to his lawyers the wife is conflictingly portrayed "at once as confident and capable, and as distressed and needing assistance."[33] While the title of attorney-in-fact granted wives higher status among male peers, autonomy in matters of credit and some negotiations, and unless otherwise stipulated gave them final say in binding agreements, Damiano argues that gendered language in correspondence maintained gender roles by casting wives as passive victims, who were in distress and in need of assistance.[34] In her 2017 article, Damiano claims that this type of relationship between married couples was far less likely after the revolution, as most couples were reunited, but that economic practices during the Revolutionary War needs to be assessed in scholarship as a continuation of Colonial and early national practices, not as a distinct intermittent period.[35] Damiano takes a large step towards understanding women's economic activities in the upper and middle classes leading up to the Early American republic. Her study moves beyond analyzing women through the public-private dichotomy, but needs to be expanded beyond revolutionary wives. While she talks about husband's temporary absence, she does not address widows, a large group of women during the time period, especially following the war.

Powel was in a precarious situation as a woman with power, but without authority. While she wanted to be taken seriously in her economic roles, she could not disregard the gendered constraints of the time. Because of this, many of her actions that may seem peculiar within the context of her economic power can be understood as a kind of performance. Powel needed to act in a certain way to maintain her status as an elite and well-respected woman, but at the same time she wanted to conduct business. By calling upon businesslike, masculine, language, Powel claimed authority in a way that had been limited to men. At the same time, she employed language of naivety and self-deprecation to suggest that she was aware of her constructed status in a patriarchal hierarchy, regardless of her actual status.

Powel used this kind of self-deprecating language throughout her business practices. For example, she began the letter to her lawyer Edmund Burd, mentioned earlier, regarding the deferral of stock purchases until she made a decision concerning money from a real estate sale writing, "I hope you not think me whimsical," and then closed the letter writing "Two thousand Pounds I think will be sufficient to invest in the Publik funds."[36] Here, there is a stark contrast between her distressed opening statement, and purposeful closing line.

On May 14, 1811 Powel wrote to John Elliot Creson about an intended real estate purchase.

> On reflection I think it is possible that I was not sufficiently explicit in my communication to you last evening. It may therefore not be amiss to intimate, that it is my intention to purchase the House, and the lot.[37]

Powel then added that her purchase is conditional on the fact that the title is indisputable, and the property is clear of ground rent charges or other entanglements. This is a particularly interesting letter as there is no written record of the prior interaction. This letter seems to have resulted from a verbal exchange where Powel told Creson that she intended to purchase a property of his. She then followed up on their exchange the next day with this letter, making it seem as though he did not understand her intention, or he did not take it seriously. This could have been a misunderstanding stemming from Powel's status as a woman, but there is no way to be certain. Regardless of the nature of the response's origin, Powel's writing seems exasperated, and is a cautious way of addressing any misunderstanding. It is a letter that someone of her economic status should not have had to write in this way. Still, the letter opens up a documented negotiation over the purchase of the property. If the primary intention of the letter was to place the details of Powel's purchase in writing, the way that she writes the letter can be understood as a method for opening a dialogue with a man who may not respect her as a business woman, or see her as someone with any authority. Since the two continued with the real estate transaction, Powel's method was a successful one.

One of Powel's most consistent forms of income was from her renters. Her interactions with men while in the role of landlady and creditor have a different tone than the ones concerning her investments. In one case, tenant J. B. Barry was six months behind on rent. She wrote to him, "I am impelled to inform you that it is not convenient to me to wait longer for the full amount now due, and I should be sorry to proceed to measures that might be disagreeable to you."[38] This is a very typical example of the hundreds of notices Powel sent out to renters. As a landlady, Powel was acting from a place of incontestable authority. In this case, Powel did not need to use language to mask any claims to authority, as she was interacting with someone who she had a clear authority over. In the case of late payments, renters and debtors are not in a position to provide any pushback based on gendered ideals, or otherwise, unlike in some of her more complex financial practices.

While these examples of language use from everyday actions provide insight into how Powel navigated claiming authority without upsetting gendered constructs, the most striking examples come from business conflicts. In March of 1808 Powel wrote to a nephew asking him to have a conversation with the president or directors of the P&Q Turnpike Company regarding gravel that they took from Powelton, her country estate, and did not compensate her for. She wrote to this nephew citing that she had considerable influence with the company's executives.

> I am the largest shareholder it may not be amiss to observe— that I think there could be no propriety in making the last dividend in January 1808 unless every just demand had been paid for the materials to make the road evidently the property of the Company— but perhaps it is better not to suggest any idea that may be irritating, although I am sensible that my claim has been shamefully neglected, and I confess that my ardour for rendering pecuniary aid to publick Undertakings is considerably abated...Indeed I think in the future I should refuse pecuniary aid to every publick undertaking that has not for its object the relief of suffering humanity.[39]

Powel was aware of what was happening with her investments, and she had enough expertise to recognize poor business practice. The turnpike company paid a shareholder dividend while there were outstanding payments for raw materials on the books. Moreover, Powel was the largest shareholder, and the unpaid material vendor. She had every right to be upset, enough to threaten pulling investment, and yet she appeared worried that what she had said may be irritating. While Powel had provided the

Unknown. "Philadelphia and Neighborhood." Wikimedia Commons. 1778.

turnpike company with the means to operate, the system that she worked within did not see her as an authoritative partner. In order to claim some of this authority, Powel had to write as if her expertise, and material power, was an irritating idea or suggestion.

Powel had vast knowledge of business practice and investing, both areas of economics that are intertwined with much larger sociopolitical trends. The Early Republic's political climate was something Powel was very well informed on. She was deeply involved with the nation's political community, best exemplified by her close friendship with the Washington family, and she continually educated herself on the nation's politics as an avid reader.[40] In 1808 she wrote to John Hare Powel after the election of James Madison, a loss for the federalists, that he should not demonstrate his "Amor Patria entering into political controversys at this eventful period; when individual interests, passions, and prejudices are too strongly implicated to admit of cool investigation, or just inferences," a clear reference to the Federalist Papers, a complicated and nuanced piece of rhetoric and political philosophy.[41] In 1816, she wrote to a friend in reaction to Henry Clay's ideas on land tax that despite current criticisms of General Hamilton's ideas on almost every subject, that she suspected time would "give verdict in favor of many of his political opinions." Powel believed this was especially true of his ideas on land tax, claiming that those who pay this type of tax are "most interested in the permanence of government under which they live, and hold their property," and the idea that everyone will always have the same patriotic interest in the country's success without a monetary investment is a "ridiculous utopia.[42]

While some literature, largely within Republican Womanhood, speaks of women's invisible influence on politics as hostesses or wives, the intersection between economics and politics offers another way to analyze women's participation in politics. Powel's financial decisions provide a look into a tangible implementation of political knowledge with material repercussions.

Powel's use of language, knowledge of investing, and awareness of politics met in one interaction surrounding stock in the Bank of the United States. Powel reached out to her nephew Thomas M. Willing Esq. while considering selling her stock in the United States bank, which was considered an extremely secure and valuable holding at the time. Willing -- who was the son of the first president of the Bank of the United States, a man of the same name -- advised her not to sell her stocks. She wrote to him again after making her decision.

> Although my present communication may appear ungracious, Yet candor and a sense of propriety impels me to make it. I have contrary to your advice; but in conformity with my own judgment and wishes, after having reflected seriously on the subject sold all my Unites States Bank Stock. 30 shares at 10 percent advance dividend off—which I consider as good as 14 percent.[43]

Powel autonomously made a politically and economically informed decision with large financial repercussions, directly contradicting the advice of an esteemed male advisor. Her use of language was not overly delicate here, but she did start her letter apologetically. This could be explained by the fact that she had already acted upon her decision, and she was not inserting herself into any business decisions outside of her own investments. Powel continued to write, "I wish the business completed tomorrow before the decision of congress can be known here respecting the removal of the charter."[44] Her decision was made directly preceding Congress's choice regarding whether to renew the Bank of the United States Charter. While both bank shareholders and the Secretary of the Treasury had supported charter renewal, the outcome of the decision was highly debated. In January of 1811, the House of Representatives voted against the renewal of the charter by one vote; in the Senate, the vote came to a tie. George Clinton, the vice-president from New York, cast the tie-breaking vote, and the charter was not renewed. One month later, the bank's shareholders met to arrange the bank's liquidation.[45] Powel's decision effectively removed her assets from a bank with an expiring charter.

In acting upon her financial intuitions, independent of male advisors and informed by her own political knowledge, Powel made a claim to authority. Her actions asserted that she was just as informed and capable of making financial decisions with lofty monetary repercussions as some of the most economically minded men in the city, within a gendered culture that did not support or endorse this kind of action for women.

Money is a means to authority because of its quantifiable power. Immense wealth like Powel's does not go unrecognized. Authority in other aspects is harder to assess. In this sense, Powel made clear claims to authority through her economic actions. But, did she have authority in the same way a wealthy man would at the time? This would mean she had a kind of recognized authority, something that is much harder to assess within the scope of this paper. Yet, in Powel's correspondence she outlined clear and informed opinions about gender, abolitionism, female education, and the American and global political climate, among other things.[46] While much of this correspondence occurred between family members and other women, it needs to be assessed as ways of claiming au-

thority in the limited places that women could. As the matriarch of her family, Powel was open and candid with her views in letters to family members that she was in some way in control of. For example, her extensive letters to her nephew John Hare Powel are reflective of her grooming him to be the next head of the Powel family. In other words, it was the way that Powel controlled the future direction of her family. In letters to her nephew she was forthright about her opinions, in contrast to her business writing, indicative of her authority over her family. This authority within the Powel Family was also economic. Powel was providing funds for many of her relatives. In the case of John Hare Powel, he was obligated to listen to his aunt if he wanted to inherit the estate.

Beyond Powel: Room For Further Study, and Conclusions

Powel is the most prominent and well documented example of women in Philadelphia who operated in financial spaces, making her the ideal candidate for this paper concerning how women claimed authority, but she was far from the only woman who did. Scott Miller argues in a conference paper that women in Virginia played a vital role in capitalist development by actively and independently investing in federal debt markets.[47] A paper written about Abigail Adams explores her participation in bond trading, which despite suggesting she was a unique entity, adds more to the conversation as well.[48] In reality, women from all social classes participated in economic activity in the Early American Republic.

An analysis of the individual traders who held U.S. Bonds in Philadelphia between 1776 and 1835 shows that 18.3% of the individuals who were invested in U.S. Bonds were women.[49] The database that was used lists the occupations of some of these women. While women like Powel and Adams are among the traders whose occupations are unlisted, there are numerous women who were recorded as wives, widows, surviving executrixes, spinsters, and single women. One woman's occupation is listed as "a black," while another is filed as a "mantua maker," or dressmaker. Another woman is listed as the "Treasurer in trust for the Female Association."[50] While this does not delve into the particular backgrounds of each of these women, it provides insight into the diversity of women with financial holdings.

Participation in bond trading was not the only way that women participated in economic spaces. This economic activity is merely an indicator. Damiano explores how in a husband's absence, he often would assign the power of attorney to his wife, so that she could pay and collect debts in his absence. For lower class sailors in port cities, this was necessary. In the upper classes, wives could handle debts while their husbands traveled to Europe or were away on business. The difference between social classes was only that elite men who had more complicated financial matters also relied on male business associates, family members, friends, and lawyers.[51] Due to the resulting complex network of men and wives dealing with financial affairs, it was common for women to interact with educated men in business and law when their husbands were away, which complicated perceived gendered social hierarchies.

While Powel is an important case study, a lot more work needs to be done. Women with wealth in the Early Republic had a profound impact on the nation's beginnings, something historians are just starting to address. This does not just apply to the privileged elite. Women from all social classes operated in economic spaces within gendered constraints, and claimed authority in ways that pushed those boundaries. This is just a small part of the story of American women who did not just use the system to their own advantage, but helped shape it.

Appendix

U.S. Government Bond Trading Database, 1776 - 1835
To sort this database, a Java application written by (name) read in list of unique names from the U.S. Government Bond Trading Database. Those names were then separated into separate Java objects as an ArrayList. The code then compared the list of names to a list of known male or female names written by (Author). For names that were not known as male or female, they were classified as unknown. (Author) then manually determined the gender of each unknown name. Afterwards, the database was compiled into a new data table containing the first name, last name, and gender of each individual who purchased at least one bond. (Author) then used this new database to determine the ratio of male and female individual traders, which was used in this paper. The new dataset was then compared to the original database, and information regarding individual women, such as occupation, was manually entered into the new dataset as applicable.
Figure 2

Endnotes

[1] Finding Aid, Powel Family Papers, Historical Society of Pennsylvania, Philadelphia, 2.
[2] Finding Aid, 2.
[3] David W. Maxey, A Portrait of Elizabeth Willing Powel 1743-1830 (Philadelphia: American Philosophical Society, 2006), 29, 51.
[4] Linda Kerber, "The Republican Mother: Women and the Enlightenment—An American Perspective," American Quarterly 28, no. 2 (summer, 1976); Linda Kerber, Women of the Republic: Intellect and Ideology in Revolutionary America, (Chapel Hill: University of North Carolina Press, 1980).
[5] Linda Kerber, et al.,"Beyond Roles, Beyond Spheres: Thinking about Gender in the Early Republic," The William and Mary Quarterly 46, no. 3 (1989): 565-85; Margaret A. Nash, "Rethinking Republican Motherhood: Benjamin Rush and the Young Ladies' Academy of Philadelphia," Journal Of The Early Republic 17, no. 2 (June 1997), 171. Keber chaired a symposium where the scholars assessed the need to move beyond Republican Motherhood. Then, in Margaret Nash's reinterpretation of the foundational document that Kerber's theory was based upon, she concludes that Kerber had misunderstood and skewed Benjamin Rush's ideas, and that since then historians had completely overstated the role of Republican Motherhood.
[6] Catherine Allgor. Parlor Politics: In Which the Ladies of Washington Help Build a City and a Government, (Charlottesville: University of Virginia Press, 2000); Catherine Kerrison, Claiming the Pen: Women and Intellectual Life in the Early American South, (Ithaca: Cornell University Press, 2006.); Toby L. Ditz, "Masculine Republics and 'Female Politicians' in the Age of Revolution," Journal of the Early Republic 35, no. 2 (summer 2015), 264.; Susan Branson, These Fiery Frenchified Dames: Women and Political Culture in Early National Philadelphia, (Philadelphia: University of Pennsylvania Press, 2001), 144.
[7] Catherine Allgor, Parlor Politics, 189.
[8] Catherine Kerrison, Claiming the Pen, 193-194.
[9] Catherine Allgor, "Review of Revolutionary Backlash: women and Politics in the Early American Republic," The William and Mary Quarterly 66, no. 1 (2009), 199.
[10] Rosemarie Zagarri, Revolutionary Backlash: Women and Politics in the Early American Republic, (Philadelphia: University of Pennsylvania Press, 2007), 47.
[11] David S. Shields and Fredrika J. Teute, "The Republican Court and the Historiography of a Women's Domain in the public Sphere," Journal of the Early Republic 35, no. 2 (summer 2015), 176, 183.
[12] Catherine Allgor, Parlor Politics, 189.
[13] Shields and Teute, "The Republican Court and the Historiography of a Women's Domain in the public Sphere," Journal of the Early Republic 35, no. 2 (summer 2015), 183.
[14] Campbell Gibson, "Population of the 100 Largest Cities and Other Urban Places In The United States: 1790 to 1990," U.S. Census Bureau Population Division, 2012, https://www.census.gov/population/www/documentation/twps0027/twps0027.html
[15] Carole Shammas,"The Female Social Structure of Philadelphia in 1775" The Pennsylvania Magazine of History and Biography 107, no. 1 (January 1983) 71 and 73.
[16] The data in Figure 1 was adopted from Carole Shammas,"The Female Social Structure of Philadelphia in 1775"
[17] Carole Shammas, "The Female Social Structure of Philadelphia in 1775," 83
[18] Lisa Wilson, Life After Death: Widows in Pennsylvania 1750-1850, (Philadelphia: Temple University Press, 1992), 106, 112, and 113.
[19] Lisa Wilson, Life After Death, 119
[20] Lisa Wilson, Life After Death, 6
[21] Elizabeth Powel to Edward Shippen Burd Esq., 17 May 1814, Box 4, Folder 11. PFP.
[22] Copy of the Last Will and Testement of Samuel Powel, 9 March 1842. Box 7, Folder 1- 4, PFP.
[23] Copy of the Last Will and Testement of Samuel Powel.
[24] Financial Notes, 9 November 1796, Box 5, Folder 8-11, PFP.
[25] Financial Notes, 23 May 1800, Box 6, Folder 1-12, PFP.
[26] Sara T. Damiano, "Writing Women's History Through the Revolution: Family Finances, Letter Writing, and Conceptions of Marriage." The William and Mary Quarterly 74, no. 4 (October 2017), 721.
[27] Elizabeth Powel to OW Hare Esq., 24 May 1811, Box 4, Folder 7, PFP.
[28] Elizabeth Powel to Willing Nephew, 15 January 1808, Box 4, Folder 4, PFP.
[29] Elizabeth Powel to Edward Shippen Burd Esq., 15 January 1808, Box 4, Folder 4, PFP.
[30] Powel became extremely close to her nephew John Hare, and groomed him to be the beneficiary of the Powel estate, in lieu of an heir. While there was no official adoption process at the time, John Hare agreed to take the Powel family name as a condition of his inheritance.
[31] Elizabeth Powel to John Hare Powel, 16 March 1809, Box 4, Folder 5, PFP.
[32] Sara T. Damiano,"Agents at Home: Wives, Lawyers, and Financial Competence in Eighteenth Century New England Port Cities," Early American Studies: An Interdisciplinary Journal 14, no. 4 (fall 2015), 818.
[33] Sara T. Damiano, "Agents at Home," 827.
[34] An attorney-in-fact in this sense was a title given to someone, in this case a wife, enabling them to manage the accounts of the person who appointed them. This is a separate title from an attorney-in-law, who would have been a professional man with a law degree. An attorney-in-law could also be appointed to manage one's accounts.
[35] Sara T. Damiano, "Writing Women's History Through Revolution," 713.
[36] Elizabeth Powel to Edward Shippen Burd, 15 January 1808, Box 4, Folder 4, PFP.
[37] Elizabeth Powel to John Elliot Cresson Esq., 14 May 1811, Box 4, Folder 7, PFP; Oxford English Dictionary s.v. "intimate." In this context intimate means to make known formally,

or communicate, an archaic use of the word that largely disappeared by end of the 19th century.
[38] Elizabeth Powel to J. B. Barry, 17 October 1810, Box 4, Folder 6, PFP.
[39] Elizabeth Powel to nephew, 15 January 1808, Box 4, Folder 3, PFP.
[40] 1800-1829, Box 6, Folder 1-12, PFP. In addition to the literature Powel directly references in correspondence, she held subscriptions to the Daily Aurora, United States Gazette, American Daily Advisor, and listed expenses payable to The Literary Magazine.
[41] Elizabeth Powel to John Hare Powel, 8 November 1808, Box 4, Folder 4, PFP.
[42] Elizabeth Powel to Mrs. Hopkinson, 13 February 1816, Box 5, Folder 2, PFP.
[43] Elizabeth Powel to Thomas M. WIlling Esq., 6 January 1811, Box 4, Folder 7, PFP.
[44] Elizabeth Powel to Thomas M. Willing Esq., 6 January 1811, Box 4, Folder 7, PFP.
[45] Federal Reserve Bank of Philadelphia, "The First Bank of the United Stares: A Chapter in the History of Central Banking," (Philadelphia: Federal Reserve Bank of Philadelphia, 2009), 5.
[46] Within her interactions with other women, Powel reveals some of her views on her sex. In 1783, she gave her sister Mary Byrd a strong opinion on a children's book written by Lord Chesterfield, one that Byrd was debating giving to her children. Powel writes that the books sentiments are dangerous, and that "our sex in Lord Chesterfield's estimation hold only a second place in this scale of human happiness." She writes a letter to Ann Willing Jackson, a young niece, that cultivating her mind will provide "a source of pleasure" for the rest of her life, and that "the acquisition of learning is inestimable to the possessour of either sex," she then continues to lament that "we are all inclined to overrate those blessings that are not in our possession." In setting up her will she writes "I pray you to understand, that it is my intuition to limit my legacy of one hundred dollars per annum, for the use of the Abolition Society of Phila. to the term of twenty years after my decease. Flattering myself that long before that period the understandings of my countrymen will be so illuminated as that good sense, humanity, justice, and also a respect for the consistency of their characters as republicans, and christians, will induce the national legislative to pass such laws for the benefit of the unfortunate part of the family of mankind, as will render individual aid, unnecessary in our land of freedom, and plenty."
[47] Miller, 2
[48] Woody Holton, "Abigail Adams, Bond Speculator." The William and Mary Quarterly. Third Series, 64, no. 4 (Oct., 2007) 821 - 838.
[49] See Figure 2 in the appendix.
[50] Robert E Wright, "Pennsylvania" U.S. Government Bond Trading Database, 1776 - 1835, (2008), Distributed by the Economic History Association.
[51] Sara T. Damiano, "Agents at Home," 818.

La Comtesse de Genlis, Madame D'Épinay, Jean-Jacques Rousseau, and Pre-Revolutioanry Literary Discourse on Motherhood and Education

Abstract: In 1783, the Académie française awarded Louise d'Épinay the prize for the most well-written and societally beneficial book published in that year (l'ouvrage en prose paru dans l'année le plus utile et le mieux écrit), over her contemporary, Félicité de Genlis. Prior historical research capitalized upon this incident as evidence of an intellectual conflict between the two women writers, overlooking the similarity of their critiques of Jean-Jacques Rousseau's theories on education. By situating Genlis and Épinay's writings within a proto-feminist context, this paper aims to reunite two women who have previously been read by historians in relative isolation.

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Led by Jean-Jacques Rousseau (1712-1778), the intellectual debate concerning proper child rearing in pre-Revolutionary France produced a flood of literature aimed at instructing mothers on how to harness their inherently nurturing disposition. *Philosophes* such as Rousseau dominated this conversation and constructed a secular model of motherhood and parenting based heavily on assumed biological differences between males and females. As educated women who were active participants in this pedagogical discourse, Stéphanie-Félicité, *comtesse* de Genlis (1746-1830), and Louise, Madame d'Épinay (1726-1783) engaged with Rousseau's ideas by drawing upon their personal experiences. Though they agreed with Rousseau that mothers were uniquely and naturally destined to serve their families as caregivers, Genlis and Épinay also used their background as women who raised children to argue that the mother-daughter bond creates a safe, protective space in which experiential and hands-on education allows children to mature in the face of the double standards forced upon women by Enlightenment ideology.

Previous scholarship overlooked the similarities between their arguments because of Genlis and Épinay's divergent ideologies. The two female writers were forced into public opposition by the *philosophes*, who emphasized Genlis' conservative beliefs and royal ties and Épinay's progressive bourgeois views.[1] Despite this, Genlis and Épinay both offered similar critiques of Rousseau's theories on education in *Émile* by using their lived experiences to critique the male-dominated literary discourse.

Although Genlis and Épinay's writings have been studied in the context of their individual responses to *philosophes* such as Rousseau and Diderot, there is little scholarly research that examines the thematic similarities between their published work. This paper aims to fill this gap by comparing and synthesizing Genlis and Épinay's critiques of Rousseau's pedagogy and situating their work within a proto-feminist context. It will examine each woman's most famous work, *Les Conversations d'Émilie* (1774) by Épinay and *Adèle et Théodore* (1782) by Genlis, and Rousseau's *Émile, ou De l'éducation* (1762). Expanding upon the work of Mary Trouille, Bonnie Arden Robb, Jennifer Popiel, and Carol L. Sherman, who have each studied the discussion between Rousseau and various women writers about educational theory, it will reunite two women who historians have previously read in relative isolation.

This is not to say that historians have not acknowledged the interactions between Genlis and Epinay; however many analyses of the relationship between the two display that Genlis was hated by the *philosophes*, who chose Épinay's *Les Conversations d'Émilie* over her *Adèle et Théodore* to win the award for *l'ouvrage en prose paru dans l'année le plus utile et le mieux écrit* (the most well-written and societally beneficial book published in that year).[2] Neither woman had a hand in deciding who would win, but some historians have used this one incident as evidence of a deep rivalry not just between Genlis and the *philosophes*, but between Genlis and Épinay. By identifying the relationship between their works through this one incident, scholars have allowed the voices of the *philosophes* to control the historical narrative about these women. It would be a mistake to accept their supposed rivalry without interrogating the gender biases they faced.

Judged Not Just for What They Published

Before discussing the criticisms they directed at Rousseau, it is necessary to contextualize each woman's ideological and social position within the intellectual community in Paris, as this determined the reception of their writing

by prominent Enlightenment thinkers. Undoubtedly, the literate public reacted to each woman's ideas in manifestly different ways: the *philosophes* generally tolerated Épinay's work while ridiculing Genlis in public reviews. However, both women were subjected to a double standard in which their personal and professional lives were conflated by their male peers, and as a result were judged on their life choices in addition to their published work.

As contributors to the salon society of Paris, Genlis and Épinay chose different initial approaches in the debate over the proper exercise of motherhood and the structure of childhood education. Épinay, who was Rousseau's patron for a time, chose to critique his theories on women's role in children's upbringing and proper educational methods for girls in *Les Conversations d'Émilie* after their friendship fell apart. However, Épinay's lifelong association with Rousseau and her close relationships with prominent Enlightenment intellectuals such as Friedrich Melchior, Baron von Grimm (1723-1807), protected her from most of the public vitriol directed at Genlis. Her womanhood was seen as an asset to her writing, as it clearly demonstrated that Rousseau's theories on education and gender were incomplete because they lacked the perspective gained from raising children.

Épinay challenged Rousseau's system of schooling by adapting her life experiences into a fictional pedagogical text, allowing her to present herself as an unquestionable expert in children's education. *Les Conversations d'Émilie* is based upon exchanges Épinay had with her granddaughter, which she claims demonstrated to her "the advantages of confidence, innocent irony, and playful allusions over dry precepts and stern reprimands."[3] Furthermore, she argues that her experience as a mother who educated her children "enabled her to join theory with practice and to gear her methods and goals to the real world."[4] Unlike Rousseau, who as a man could only theorize about a mother's responsibility to have and raise children, Épinay offered anecdotal evidence as opposed to theory. Consequently, *Les Conversations d'Émilie* functions as a test of the viability of Enlightenment pedagogy.

Writing nearly a decade later, Genlis was labeled a hypocrite by the *philosophes*, who protested her political power and immoral lifestyles. Genlis had stronger ties to the royal family than to the salon-going elite, as she was employed by the royal duke and duchess of Chartres, first as a governess and then as *gouverneur*.[5] This traditionally male role had never before been awarded to a woman: this is reflected in the differing contextual meanings for *gouverneur* (the masculine form, connoting tutor) and *gouverneure* (the feminine form, connoting caregiver). As the first woman to be appointed *gouverneur* of the royal children, Genlis was immediately denounced as a gender traitor and was the subject of public attacks that called her "a woman in the bedroom and a man in the salon."[6] In response to public ire over her new position, Genlis published *Adèle et Théodore* as a means of legitimating herself and reconciling the apparent gap between her radical access to political power and her conservative views.

Rousseau, Jean-Jacques. "Emile Front Piece." Wikimedia Commons. 1763.

Using her experiences as governess to justify her position as an educational figure, she habitually constructed the lead female characters in her stories as fictionalized versions of herself. Although she did not explicitly state that she based her lead female characters on her experiences, contemporary critics and readers recognized that figures such as the *baronne* d'Almane in *Adèle et Théodore* were Genlis' attempts at idealized self-representation.[7] As a woman who was not only *gouverneur* but also the duke of Chartres' mistress, Genlis had to work hard to justify lending her voice to the Enlightenment discourse on morality and parent-child relationships. According to Rousseau, mothers and male tutors should each be relegated to their separate spheres of influence over their respective

genders.[8] However, as a governess, Genlis was neither fully a mother nor a tutor, but instead a hybrid of both roles. Therefore, through characters like the baronne d'Almane, she "sought to establish her qualifications through the elaboration of her ideal pedagogical model in numerous fictional characters . . . the necessarily more experimental symbiosis of teaching and writing."[9] By adapting her background as a governess and tutor into the form of a mother figure in *Adèle et Théodore*, Genlis was able to put her theories on education into practice without drawing criticism for her own lifestyle. Thus, by representing her idealized self through the model of motherhood exemplified by the baronne d'Almane, Genlis presented herself as an authority on virtue and motherhood.

Like Épinay, Genlis's use of lived experience as evidence for her theories on education was revolutionary; Rousseau did not base the character of Sophie in *Émile* on any of his own experiences. However, Bonnie Arden Robb writes of Genlis that "she was a maker of meaning and content to be so, putting her own and others' experiences into narrative to make sense of them as she attempted to discover and display the means of living virtuously in society."[10] Her writing was thus more creative and less didactic than that of the male *philosophes*. Similar to Épinay's use of her life experience raising children, Genlis personalized her stories by blending autobiography and fiction, adding a tangible dimension to her writing that differentiated it from that of her male peers and proved that she had the credentials to propose original and competing pedagogical theories.

The Social Implications of Feminine Morality

Rousseau, in his works on education, argues that girls and boys should be instructed on the exercise of virtue in different ways. He emphasizes the importance of teaching women to be righteous, writing that they should be instructed to: "*amenez la vertu par la raison: faites-leur sentir que l'empire de leur sexe et tout ses avantages ne tiennent pas seulement à sa bonne conduite, à ses mœures, mais encore à celles des hommes.*" ("Bring virtue by reason: make them feel that the influence of their sex and all its charms are not only dependent on their good conduct or their morals, but also those of men.")[11] Here, Rousseau postulates that women are responsible for not only their actions but also the actions of men, arguing that in order to become virtuous, women must be taught how to think rationally. Women must conduct themselves virtuously in order to model morality for the men in their lives. Thus, it is the responsibility of women to ensure society remains righteous. However, Rousseau's Émile is instructed differently, as he is told "*la vertu n'appartient qu'a un être foible par sa nature, et fort par sa volonté; c'est en cela seul que consiste le mérite de l'homme juste. Tant que la vertu ne coûte rien à pratiquer, on a peu besoin de la connoître*." ("Virtue belongs only to a being weak by nature, and strong in will; of this alone the true merit of man consists.")[12] For men, practicing virtue should be effortless and "cost nothing to practice," thereby amounting to a show of moral strength. Whereas women must earn virtue through their actions, men demonstrate their honorable character through self-control.

Épinay questions the validity and parity of this double standard through an exchange between Emilie and her mother concerning the acquisition of virtue. Emilie's mother informs her that as she grows up, she must "acquire that command of yourself which is termed *virtue,* and without which we cannot promise ourselves either happiness, esteem, or success; but you will not be perfect."[13] Emilie responds, asking why she will never be perfectly virtuous, to which her mother replies that virtue "is a prerogative which is not bestowed on (a) man."[14] In the mother's opinion, it is impossible to perfectly perform feminine virtue precisely because the onus of morality rests solely on women. In exposing the double standard amplified by Rousseau's gendered conception of virtue, Épinay suggests that women should not be blamed for failing to live up to his feminine ideal. Furthermore, by pointing out the hypocrisy in Rousseau's theory, she casts doubt on the necessity of separate education for boys and girls by rejecting the premise that each gender requires specified teaching to eliminate their unique faults.

Genlis also challenges Rousseau on the social implications of feminine morality by presenting mothers as benevolent authorities on proper conduct. She configures the mother-daughter relationship as imbalanced, with Adèle's mother, the baronne d'Almane, providing her only access to knowledge. This is exemplified in an episode wherein the baronne d'Almane attempts to test her moral sense through a "*cours de vertu expérimentale*." (an "experimental test of virtue")[15] This involves an exercise in which the baronne tells Bridget, Adèle's governess, to confide in her a "secret" devised by the two adults: that she has surreptitiously married Danville, the children's art tutor. Though Adèle is unaware, the secret is actually false and only serves as a vehicle for her mother to test her moral strength; if Adèle tells her mother the secret, she has failed. When Adèle does disclose the governess's secret to the baronne, the baronne uses her daughter's betrayal of confidentiality to teach her about the virtue of discretion. The baronne's position of authority allows her to test her daughter, thereby ensuring that her daughter will adhere to social norms of righteous behavior as an adult.

By depicting Adèle as able to self-regulate according to her moral principles, Genlis negates the gendered moral difference proposed by Rousseau and implicitly argues

for non-gender-separated education. On the surface, it appears that Genlis reinforces gender separation in education by having Adèle's training in virtue be in addition to, rather than separate from, her brother's, as he is determined by their mother not to require extra training.[16] However, both children start with the same education and only once Adèle demonstrates an express need for additional schooling is she subject to a different curriculum. The baronne later recounts to a friend that her daughter had learned a lot from this test, writing that "*quand elle débutera dans le monde, elle connoîtra parfaitement par sa propre expérience, et sans que ce soit aux dépens de sa réputation et de son bonheur . . . Elle saura enfin combattre ses passions et en triompher*." ("When she enters the world, she will know perfectly well by her own experience, and without it being at the expense of her reputation and happiness . . . she will finally know how to fight against her passions and triumph over them.")[17] As she proves her moral worthiness through self-restraint and an understanding of the individual consequences for not doing so, Adèle demonstrates that she can live up to Rousseau's model of virtue for men and women. The lesson from this episode is not that boys and girls should be taught separately, but that education should be adapted to the needs of each child. Furthermore, the experiential learning that Adèle undertakes underscores the personal responsibility she holds for maintaining her virtue.

The Mother-Daughter Bond: a Physical and Emotional Connection

Though Genlis and Épinay questioned the double standard inherent in Rousseau's theories about teaching virtue, the three intellectuals agreed on the necessity of the bond between mother and daughter in order for children to be successfully socialized and educated. Rousseau, despite acknowledging that some women do not have children, proposes that women are biologically predestined for motherhood, and thus are naturally the caregiver of their family, writing "*les femmes, dites-vous, ne font pas toujours des enfans! Non, mais leur destination propre est d'en faire*." ("Women, you say, don't always have children! No, but their true destiny is to do so.")[18] However, their "natural" responsibility for their children did not stop there. Jennifer Popiel writes that according to the model exemplified by Sophie in *Émile,* "when mothers knew their children well, they could satisfy the needs that arose from true want and refuse the screams that arose from mere frustration."[19] The emotional link between mother and child was thus extremely important to their proper rearing because by empathizing with their offspring, mothers could determine the best course of action to satisfy or instruct their children.

The emphasis that Rousseau placed upon the biological and emotional connection between mother and child suggests he viewed the bodies of successful mothers as the foundation for the morality of the whole of French society. Worthy and virtuous mothers were the embodiment of several contradictory social demands: they were emotional but firm in discipline, genuine but not over-polite, and private but welcoming. Laura Brace highlights the link between these character traits and the female body when she argues that in the eyes of the French anti-wet nursing campaign, using a wet nurse meant that "a woman's most sacred and natural duty was reduced to a mere imitation of emotion."[20] Women of all classes were expected to express genuine attachment towards their children by physically caring for them and nursing them. Therefore, successful iterations of the mother-child bond were rooted in physical acts that were located on the bodies of mothers themselves.

The mother figure in *Les Conversations d'Émilie* retains a deeply physical connection to her daughter's education, which affords her the opportunity to focus all her energy on raising Emilie. In the "Advertisement to the Second French Edition" of the English translation of the book, the publisher describes the main adult character as "a mother who, by an ill state of health, was deprived of every comfort, but that which she found in the education of a beloved daughter."[21] The mother, who remains unnamed, is identified initially by the interaction between her disability and her duty to her child. Furthermore, the publisher links her poor health to her success in raising her daughter, writing that "reduced by the deplorable state of her health . . . she has been enabled to give to her daughter's education a continued attention; which few mothers could reconcile with other duties."[22] The mother benefits from her physical incapacity, as it allows her to focus the majority of her energy on her child. Her body becomes the foundation upon which her exemplary parenting is based; it is clear that Épinay views the state of motherhood and the physical state of being a mother as inseparable.

For Épinay, motherhood is not only the expression of a physical but also an emotional and pragmatic relationship that fosters children's maturation. She expands upon this connection, using economic language to link a child's financial dependence to its eventual maturation, writing that "a child is indebted for the care it experiences, to the sole tenderness of its parents."[23] Consequently, Épinay constructs the parent-child relationship as a sort of apprenticeship wherein daughters owe their mothers for teaching them about their place as women in the world. When Emilie asks her mother about the learning process, she responds by enumerating the practical steps toward Emilie becoming an adult, responding that "by degrees you will grow up, your understanding will unfold itself, your knowledge will increase, and in time you will become

a reasonable woman."[24] By learning from her mother as she ages, Emilie transforms from an irrational child into a well-socialized adult. Thus, the learning that takes place within the conversations between Emilie and her mother is also rooted in the emotional obligation on the part of both mother and child that facilitates children learning socially acceptable mannerisms.

By setting up their relationship as a multi-layered expression of a mother's natural predisposition to care for her children, Épinay styles the parent-daughter relationship as a protective space in which mothers instruct girls on the pitfalls of living in a patriarchal society. Carol Sherman argues that the prescriptive literature on education published by women pushes back against Rousseau by emphasizing the protective instincts of motherhood, even as "the mother's instruction must socialize the child into submission."[25] But, by expressing her love for her daughter through the communication of practical knowledge, Épinay's mother figure tries to ensure that her daughter will be happy and successful. Emilie's mother directs her education, which takes place only through discussion and experiential learning, instructing her that "when we are talking together, whether for your amusement or instruction, you may with freedom and confidence, communicate to me all your ideas . . . but when I order you to do any one thing, you ought to obey without reply."[26] Épinay portrays Emilie's mother as occupying dual status as both an authority figure and a companion to her daughter. Therefore, she characterizes the mother's conversations with Emilie as attempts to teach her how to behave in a socially acceptable way to protect her from harm.

Like Épinay, Genlis portrays the mother-child bond in *Adèle et Théodore* as dependent on a physical and emotional connection She characterizes the close relationship between Adèle and her mother as a reflection of the mother's success in socializing her daughter. The mother explains, "*nous sommes souvent tête-à-tête, et ces jours-là passent pour nous plus vîte encore que les autres; nous savons nous occuper; nous avons une égale activité, les mêmes goûts, la même manière de sentir*." ("We are often in intimate discussion, and these days pass more quickly for us than others; we know how to occupy ourselves; we have the same vivacity, the same tastes, the same manner of feeling.") [27] Mother and daughter are thus so emotionally connected that they are nearly the same person: they enjoy being and often are together, they share the same interests, and they understand each other's feelings. By teaching her child to think, behave, and feel exactly like herself, Adèle's mother prepares her for life as a woman in elite society. Though she does not push back against Rousseau directly on this topic, Genlis presents an alternative view of mothering that relies on the coordination of a physical and emotional connection.

Vigée-Lebrun, Elisabeth Louise. "Madame Vigée-Lebrun et sa fille." Wikimedia Commons. 1789.

Genlis and Épinay employed their experiences as women who raised children to posit that the relationship between mother and daughter allows for intellectual and physical growth by providing coping mechanisms for the emotional demands placed upon women that are amplified by Enlightenment thought. They broadened the debate by contributing women's voices to a male-dominated discourse on childrearing and education, using their background to question the theories of men like Rousseau. Despite their ideological differences, the two women provided important and often complementary critiques of their male peers that furthered discussions of mothering, womanhood, and education.

Endnotes

[1] Anne L. Schroder, "Going Public against the Academy in 1784: Mme de Genlis Speaks Out on Gender Bias," *Eighteenth-Century Studies* 32, no. 3 (1999): 376.

[2] Gabriel de Broglie, in Bonnie Arden Robb, *Félicité de Genlis: Motherhood in the Margins* (Newark: University of Delaware Press, 2008), 245.

[3] Louise, Marquise d'Épinay, *The Conversations of Emily. Translated from the French of Madame la Comtesse d'Epigny*, 2 vols. (London: John Marshall and Co., 1787), v–vi.

[4] Mary Trouille, "La Femme Mal Mariée- Mme d'Épinay's Challenge to Julie and Emile," *Eighteenth-Century Life* 20, no. 1 (1996): 56, http://muse.jhu.edu/article/10380.

[5] Robb, *Félicité de Genlis,* 35.

[6] Schroder, "Going Public against the Academy," 375.

[7] Bonnie Arden Robb, "Madame de Maintenon and the Literary Personality of Madame de Genlis: Creating Fictional, Historical, and Narrative Virtue," *Eighteenth Century Fiction* 7, no. 4 (July 1995): 363, doi:10.1353/ecf.1995.0003.

[8] Mary McAlpin, *Sexuality and Cultural Degradation in Enlightenment France,* (Surrey, England: Ashgate Publishing Limited, 2012), 32.

[9] Robb, *Félicité de Genlis,* 60.

[10] Robb, "Madame de Maintenon," 363.

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The Domestic Political Involvement of The East India Company in the British Revolutionary Period

Abstract: Extensive historiography has focused on the exploits and exploitations of the British East India Company in the Indian Ocean and East Asian worlds that it operated in and irrevocably reshaped for several centuries. Markedly less attention has been paid to the Company's domestic footprint, especially in its nascency during the 17th Century, a moment corresponding with one of the most turbulent and divisive periods in modern British history. This study explores the transformation of the fledgling corporation into a salient force through the domestic manoeuvrings that allowed the Company to survive and eventually thrive amid the ever-changing political landscapes of the Interregnum, the Restoration, and the Glorious Revolution.

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> Whereas the Governour and Company of Merchants of London Trading into the East-Indies, have been of long time to the Honour and Profit of this Nation, a Corporation, and have enjoy'd divers Liberties, Priviledges and Immunities, by force of several Charters and Letters Patents heretofore granted to them by several of our late Royal Predecessors... And whereas some doubt or Question having been lately made, touching the Validity of the Charters granted heretofore by our late Royal Predecessors Kings and Queens of England, to the Governour and Company of Merchants of London Trading into the East-Indies...[1]

In this opening of the 1693 Royal Charter, Stuart Co-Monarchs William and Mary invoke language that not only extols the utility and virtue of the 'Governour and Company of Merchants of London Trading into the East Indies,' the formal name of the trading company also known as the Honourable East India Company, the English (or later British) East India Company, or simply the East India Company (EIC), but that also dispels accusations against "the Validity of the Charters granted heretofore." William and Mary's defensiveness is quite merited: the preceding 80 years in Britain had seen the rules of four other monarchs end, three civil wars, the establishment of a Republic, the restoration of the monarchy, and the revolutionary coup that initiated their own reigns. However, despite the tumultuousness of this period marked by the most profound expressions of royal prerogative and unprecedented radical republicanism, the East India Company managed to retain political relevance at the highest levels of government. How did a Royal Charter company survive and thrive in a time without royals, and how did it transition back into the monarchical system intact? How did monopolies, such as the one jealously guarded by the East India Company, rise in this period despite the political influence of domestic and foreign competition? To what degree did the realpolitik of commerce and revenue supersede political faction and allow the Company to protect its own particular interests? To answer these questions, one must explore the history of the Honourable East India Company in the 17th Century through its domestic political impact as revealed in its contemporaneous charters, annals, legal footprint, and associated historiography. In doing this, a clear picture emerges of the East India Company as a considerable domestic force that actively participated in the fractured political landscape of Great Britain.

Whitcomb, Thomas. "East India Company Ship." Wikimedia Commons. 1815.

Naissance of the EIC: Initial Royal Charters and Expansion of Influence

To characterize the East India Company's active political involvement requires first establishing a cursory background on British trade interest in the Indies. The trade goods available in the lands flanking the Indian Ocean had long been valuable on the European market, and extended far beyond the spices that are typically portrayed as the primary commodity of interest. Cotton fabric and saltpetre, a critical component of gunpowder, were also highly sought after.[2] Trade in the East Indies was lucrative enough to have spurred the advent of the Portuguese Empire, and although Portugal had been an ally of the Kingdom of England continuously since 1386, the personal union of Spain and Portugal from 1580 to 1640 placed the Portuguese Empire in strategic competition with England.[3] With Spanish aggression fresh in the minds of the English from the 1588 Spanish Armada, the impulse to trade in the East Indies was overtly political from its onset, as successfully establishing trade relations would offer the possibility of outcompeting not just the Portuguese and Spanish, but other potential Western European competitors, specifically the French and Dutch.[4] It was in this political climate and with these ambitions that the East India Company was conceived.

On this backdrop, the original 1600 Charter of the East India Company and the initial monopoly rights ceded within come into focus. Initial investors in a joint-stock enterprise for a voyage to the East Indies submitted a petition to Queen Elizabeth I in 1599, but several concerns precluded the granting of a charter at that time. In the spirit of historical friendship that had existed between England and Portugal, a particularly salient political concern was ensuring that no infringement on pre-existing Portuguese sovereignty occurred. Only after a detailed report from the Right Honourable Foulke Grevil was tendered to Secretary of State Sir Robert Cecil delineating "the true limits of the Portugals conquest and jurisdiction in those oriental parts," was permission given that "English Merchants may trade into the East-Indies, especially to such rich kingdoms and dominions as are not subjecte to the Kinge of Spayne and Portugal."[5] Queen Elizabeth I formalized royal assent on the 31st of December, 1600 by chartering the "Governour and Company of Merchants of London Trading into the East-Indies" under the leadership of Governour Thomas Smythe, with a Court of Directors consisting of 24 men and a further 216 named individual subjects included.[6] This original charter explicitly hailed the endeavour as the concerted effort of the nation, and as such granted it extraordinary rights. Notably, it granted the Company a 15-year monopoly over all English "Trade of Merchandize, by Seas" in the entire area between the Cape of Good Hope to the west and the Straits of Magellan to the east,[7] along with the unprecedented right to use bullion coined in the Queen's Mint to conduct their trade overseas.[8] These exclusive privileges would be reaffirmed in subsequent charters, indicating the importance bestowed on the East India Company by royal prerogative.

After this initial chartering, the East India Company's fiscal impact allowed it to enjoy a period of high political relevance under James I and during the beginning of Charles I's reign. The Company was fully oriented around turning a profit through several voyages to the Indies and the establishment of factories in the region where precious commodities could be acquired and transported back to London for sale. This model's profitability for the Crown lay in the imposition of import duties and customs that were directly paid to the royal coffers, giving the Stuart monarchs a significant source of income outside of the purview of Parliament's budget.[9] Official documentation from the First Letter Book of the Company places the annual income gathered by James I from the company in the year 1619 at £20,000.[10] Additionally, the special royal interest in the Company as a financial engine extended to the imposition of forced personal loans to the sovereign, which were quite taxing to the Company, but seen as necessary sufferances to ensure the preservation of monopoly powers.[11] The level of economic integration between the interests of the Crown and the Company points to a developing interdependence that would be significantly challenged as political tides began to change.

After the Company's founding, the Amboyna Massacre represents the next moment critical to understanding the EIC's domestic political involvement. This event and its long-term aftermath illustrate the role of foreign competition in influencing company policy in drastic ways that spilled over into the domestic sphere. The Amboyna Massacre occurred on the 27th of February 1623 on the island then known as Amboyna in the Spice Islands, and its status as a true massacre is dubious. The island hosted factories of both the East India Company and the Dutch East India Company (VOC). When the Dutch governor on the island uncovered an assassination plot, he seized, tortured, and executed the EIC chief factor Captain Gabriel Towerson, nine other English nationals, a Portuguese national employed by the EIC, and nine Japanese nationals employed by the VOC.[12] When news of this event reached England, the Company first sought redress through diplomatic means. Finding Dutch responses insufficient, the EIC initiated something akin to a public relations campaign to draw public attention to the events and vilify the Dutch perpetrators so as to inspire Parliament to retaliate against the VOC and the Netherlands at large.[13] This primarily took the form of an intensive pamphlet campaign that stoked anti-Dutch sentiments

Unknown. "Pamphlet about the Amboyna Massacre." Wikimedia Commons. c. 1700.

within the population of London and other English cities at the time.[14] Although this organized information campaign was unsuccessful in exacting the redress demanded at the time, it remained enough in the public eye for the Company's literature and pamphlets about the Amboyna Massacre to resurface many years later during the 1650's and 1660's Anglo-Dutch Wars.[15] The East India Company's ability to influence public opinion on such a pervasive scale leaves little doubt of the domestic influence it held throughout this complex period.

Uncertain Seas: Rise of Competition and Parliamentarianism

Challenges to the East India Company's monopoly in the first half of the 17th Century came not only from such foreign actors as the VOC, but also with ebbing royal support that culminated in the chartering of the rival East Indies trading company of the Courteen Association. Although the Crown and the Company had developed something of a mutual dependence up to this time, the relationship was not without its strains. Disputes over money emerged early on, as evidenced by the letters of the Court of Directors disputing James I's claims to more than £10,000 in prize money from a 1622 Company expedition to seize the port city of Ormuz.[16] Such monetary disputes carried over to Charles I's reign and were exacerbated by downturns in the Company's profits. When the Company refused a £10,000 loan to Charles, the rift between the two parties became painfully apparent.[17] This estrangement led Charles I to seek a more reliable source of income from the East Indies, and in 1635 he personally sponsored the efforts of a nobleman named Sir William Courteen to independently explore and trade in the East Indies.[18] This license violated the "perpetual" monopoly privileges that James I had extended to the Company in 1609,[19] but it was defended as an exploratory endeavour well within Charles I's royal prerogative to support.[20] The political and economic threat posed by the Courteen Association, coupled with the ramifications of its royal backing, would lead the East India Company to exist in a more uncertain climate and become more reliant on a different political body: Parliament.

The souring of relations between Charles I and the Company contributed to the rise of Parliamentarianism within the Court of Directors through the English Civil Wars, but Parliament's views of the Company were nevertheless coloured by an extensive history of ambivalence. The Company had long been unpopular with those elements of Parliament generally opposed to the monopoly rights exercised by the Crown, and the role the Company played in financing the monarchy also proved alienating.[21] In the 1624 Statute of Monopolies Act, Parliament directly attacked the EIC's monopoly rights, proclaiming, "All Monopolies, and all Commissions, Grants, Licences, Charters and Letters Patents heretofore made or granted, or hereafter to be made or granted, to any Person or Persons, Bodies Politick or Corporate whatsoever... are altogether contrary to the Laws of this Realm, and so are and shall be utterly void and of none Effect."[22] This statute hardly inhibited the Company's continuation or the granting of subsequent monopolizing power, which itself indicates the rift between royal and parliamentary authority that would explode into civil war in 1642.

During this period from 1642 to 1649, the Company, in spite of efforts to continue trade, found its ability to do so seriously hampered as it became more deeply embroiled in the burgeoning conflict between the King and Parliament. The Company's Court of Directors and its accompanying bureaucracy fractured into Royalist and Parliamentary camps, and as the Court Minutes of the East India Company from 1640-1643 shows, the Parliamentary supporters in the Court gradually attained full control of the Company.[23] Within these minutes, the extent of the Company's interactions with Parliamentary forces is revealed in countless correspondences referenced, and extends even to the degree that Company ordinances and demi-culverins were lent to the Parliamentary Lord's Committee of Safety as early as the 2nd of November

1642.[24] Without argument, by the time Charles I was deposed and executed in 1649, the internal structure and actions of the East India Company were decidedly in support of Parliament.

Entering the Interregnum period, the East India Company found itself in a political landscape dramatically altered from any that had existed before. Although the Company fully supported Parliament when it proclaimed a Commonwealth in 1649, the radical change in government offered no security. In spite of restructured leadership, the Company's legal existence remained intrinsically tied to a Royal Charter that was categorically invalid to the "Leveller" revolutionaries now coming into power, who espoused ideals of egalitarian social reform and the abolition of monarchical privilege.[25] However, the Company's support in the English Civil Wars and its potential to be an economic engine for the new Commonwealth cooled passions, and no move was made to dissolve the company. Instead, Parliament ceded to itself the ability to collect duties on EIC imports and pressed the Company to grant loans in the same capacity it had done for the Stuarts.[26] The Company, realizing its precarious political status, assented to these impositions. This delicate détente marks the early relationship of the Company and the new Parliamentary government of England from 1649 to 1653, but the status quo was not to last.

The momentary peace was shattered in 1653 by Oliver Cromwell's refusal to renew the Company's charter, marking another critical moment in the history of the EIC. The Charter, previously renewed by James I, was due to be re-issued in 1654, but the political inclinations of Parliament provided a convenient justification for Cromwell (by this time the Lord Protector of the Commonwealth and the accepted ruler of England) to refuse to do so. This resulted in a period of uninhibited access to East Indies trade for any English merchants, and signifies a low point in the political power of the company.[27] Interestingly, it was also in this period that the East India Company and the Courteen Association joined their assets; the lacklustre success and profits of the Courteen Association, by this time renamed as the Assada Company, led its stockholders to merge with the EIC in a venture known as "The United Joint-Stock."[28] This merger helped the East India Company persevere, but the years 1653 to 1657 proved remarkably unprofitable for any English traders, and import revenue shrunk to such an extent that Parliament's pragmatic need for funding forced it to reconsider granting monopolies.

The tumultuous period of Commonwealth rule wherein recognition was denied to the East India Company came to an end in 1657 when Oliver Cromwell provided the company with a charter, novel in that its authorization drew from the sovereignty of the nation rather than royal prerogative. While no extant copy is known to exist, much of its content has been reconstructed from later charters and from 17th Century commentary.[29] Notably, it ported almost all the same rights and language from preceding charters, apart from its appeal to popular sovereignty, and solidified the merger of the United Joint-Stock as a continuation of the East India Company.[30] This return to, and even strengthening of, the status quo ante bellum signifies a sharp rebuke of some of the republican and egalitarian ideals of the more radical factions of the Commonwealth, and was a prelude to the return of the East India Company as a Royal Charter company in the Restoration.

Restoration and Reinvention

After the return of the Stuart monarchy under Charles II in 1660, the East India Company was restructured on decidedly royalist and Tory lines, returning it to its historical roots, but with even greater privilege. This process of transforming the EIC started with Charles II's policy of Annihilation, so the recent 1657 Charter was discarded and a new charter laid out on the 3rd of April 1661. This 1661 Charter cited only the precedents of "Queen Elizabeth and King James, of Blessed memory," and glossed

van Honthorst William II, Gerard. "Prince of Orange and Mary Henrietta Stuart." Wikimedia Commons. c. 1650.

over the Interregnum affairs of the Company as follows: "We are given to understand that of late divers Disorders and Inconveniences have been committed, as well by Our own Subjects and Foreigners, to the great Prejudice of the said Company, and Interruption of their Trade, where upon they have humbly besought Us to grant and confirm their said Charters."[31] This charter included additional provisions not present in any of those preceding, including authorizing the Company to issue currency in its own name for use in its markets. The most influential and sweeping provision, however, addressed the administering of justice to interlopers. Namely, the Company was granted "full Power and Lawful authority, to seize upon the Persons of all such English, or any other our Subjects, in the East Indies" accused of interloping, and transport them to England for the administration of justice.[32] This clause would have long-lasting impact, but was contemporaneously intended to allow the Company to purge itself of republican influence and prevent the wrangling and disorder accompanying the operation of rival merchants such as the earlier Courteen Association.[33] This statute and the others contained in the 1661 Charter did place a remarkable amount of power at the disposal of the Company, but in doing so tied it more closely to the royal prerogative of King Charles II. With this new Charter and level of support of the monarchy also came continued forced loans levied on the Company by Charles II to the unprecedented tune of £120,000 in 1666-1667 and £150,000 in 1676-1678, but the reinvigorated Company was nevertheless able to flourish for many years under its monopoly rights.[34]

The legal case of East India Company v. Sandys, litigated between 1683 and 1685, is a prime example of the EIC's renewed political power under the Restoration monarchs. The case was prosecuted by the Company against an interloper merchant by the name of Thomas Sandys, who argued that "by an Act of Parliament made 15 E. 3. It is enacted, that the Sea shall be open for all Merchants to pass with their Merchandizes where they please, and that the Defendant by vertue of that Act, and according to the Common Law of England did Traffick within those places mentioned in the Declaration without any Licence."[35] The EIC defended its monopoly by arguing a 'high absolutist' view that land and the landed gentry were the basis of the economy, a stance well-associated with Sir Joshua Childs, the Governour of the Company at the time.[36] The notoriously staunch Tory Lord Chief Justice George Jeffreys presided over EIC v. Sandys, and his verdict was unsurprisingly in support of the Company and royal prerogative. He reasoned that "The King might prohibit any of his Subjects from going beyond the Seas at pleasure, and recall them again as he thought fit; and (do) that, as I have said before, without giving any reason."[37] Lord Chief Justice Jeffery's verdict, upholding the monopoly rights granted to the Company, offers a glimpse into the judicial atmosphere and the political economy of the nation during the Restoration and reveals just how actively the East India Company shaped it.

Returning at last to the 1693 Charter of William and Mary that opened this narrative, one finds a postscriptum appropriate to the fluidity inherent to the East India Company's domestic political involvement. After the Glorious Revolution led to another regime change in England and ushered in a more powerful Parliament, opponents of the Company found strong support from Whig elements of Parliament under the leadership of MP Thomas Papillion. Papillion even sponsored the creation of the Papillion Syndicate of interlopers to challenge the EIC monopoly and sent a petition to the King and Queen demanding the East India Company be dissolved.[38] The Monarchs, however, urged a compromise, most likely due to the company's now familiar ability to dispense loans and the influence of upwards of £200,000 worth of gifts to the Co-Regents and various MPs (which would much later be investigated as fraud).[39] The Company's efforts to convince the Crown of its relevance by fair means or foul paid off, and William and Mary re-chartered the Company on the 11th of November 1693. This charter not only recognized the full legitimacy of all previous Royal Charters, but it also acknowledged the importance the Company had carved out for itself as follows:

> Now Know Ye, That We considering how highly it Imports the Honour and Welfare of this our Kingdom, and our Subjects thereof, That a Trade and Traffique to the East-Indies should be continued, And being well satisfied that the same may be of great and publick Advantage, And being also desirous to render the same (as much as in us lies) more National, General and Extensive than hitherto it hath been...[40]

This level of validation for the effects of the East India Company on England's domestic prestige and prosperity should be seen as the consummation of the aspirations expressed as far back as the Company's original 1600 Charter.

Although the development of the East India Company's domestic political power was gradual and at times tenuous, it was nevertheless an evolution that resulted in the firm entrenchment of one of the world's premier mercantilist corporations that would rise to even greater prominence in Britain and the wider world in the following centuries. In the period from its inception in 1600 to its chartered status in 1693, the Company grew from being an Elizabethan experiment in monopolies and trade into a region previously unknown to English enterprise to become a permanent organization with enough capital

and power-projection to directly influence the political landscape of the Kingdom of England. This influence, seen through Royal Charters, in legal precedents, and within detailed correspondences and records, proved of such high calibre that it remained viable under the radically different contexts of the early Stuart Monarchy, the Commonwealth, the Restoration, and after the Glorious Revolution. Through all of these stages in England's revolutionary period, the East India Company proved its ability to convert commercial acumen into pragmatic domestic political influence, and its bureaucracy managed to navigate the volatile political regimes with even more deftness than its merchant fleets navigated the East Indies trade routes.

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[36] The Politics of the Public Sphere in Early Modern

Tracing the Posthumous Mythmaking and National Symbolization of Horatio Alger, Jr.

Abstract: This article explores how Horatio Alger, Jr., a moralistic children's author of middling success during the Gilded Age, became in the 20th century an American cultural symbol celebrating unrestrained capitalism and proving the viability of the rags-to-riches legend. In view of the contrasting content of his books as well as his own meager livelihood, how did Alger come to stand as a shibboleth of laissez-faire opulence? Examination of Alger's dramatic posthumous transformation in American culture underscores a broader process of cultural remembrance when one passes from life to legacy. It is this process of national symbolization which, in spite of contradictions in his writings and his life, ultimately canonized Horatio Alger in American culture as the patron saint of the rags-to-riches narrative.

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Contrary to popular belief, death begets movement. While the body is seized by rigor mortis, personage gains newfound mobility when it transforms into legacy. One can cultivate, manipulate, and construct a reputation during their own lifetime, but upon death that curatorship changes hands from the singular subject to the broader public. This changing of the reputational guard is ground-zero for misunderstanding historical figures; Che Guevara's likeness would not be sold on t-shirts at Hot Topic without it. But this process of posthumous reputation-building cuts deeper than commodifying a Marxist, as Guevara's position in Marxist thought is largely unaffected by his prominence in vaguely rebellious streetwear. This process strips factuality from one's life and wholly replaces it with fiction. Friedrich Nietzsche's sister Elizabeth famously doctored his manuscripts after his death, ascribing anti-Semitic and nationalist inflections that were contrary to his own beliefs. But Elisabeth Förster-Nietzsche's forgery is now widely known, and Nietzsche's reputation was reclaimed in the 1960s. Not all have had their reputation reclaimed by factuality. Horatio Alger Jr., the Gilded Age children's author and alleged creator of the 'rags-to-riches' narrative, is one such individual.

Born in 1832, Horatio Alger, Jr. was an unremarkable man. Deferential and effete in his bearing, Alger first attained prominence with his 1868 publication Ragged Dick, in which a young bootblack saves the drowning child of a prominent businessman and is rewarded with a clean suit and a job opportunity. With this, young Dick is uplifted from vagabondism to middle-class respectability, illustrating that moral behavior eventually pays dividends. Upon Ragged Dick's popularity, Alger templatized this narrative where middle-class respectability is earned by moral action and delivered by Providence. This arc, which eventually came to be known as the "Horatio Alger myth," was at the heart of nearly every subsequent book Alger wrote. A perennial, yet lacking, aspirant, Alger sought to write the next great American novel but never managed to abandon his templatized narrative structure. He made brief forays into the American West and to Europe in an attempt to mix things up, but they ended up merely providing a different backdrop to the same tired narrative. Eventually Alger passed in 1899, having written over 100 versions of the "Horatio Alger myth."

Since the 1920s, however, Alger has gradually transformed from a moderately popular Gilded Age children's author to a monolith of the American national identity, embodying bedrock elements such as economic self-reliance, rugged individualism, and free market capitalism as a means of social mobility. Throughout the 20th century and into the 21st, writers, politicians, and industrialists invoked Alger's name as a shorthand for the classic American success story: a meteoric rise from humble beginnings to massive monetary success through hard work and self-possession. But this contemporary reputation is wholly in conflict with the content of his books. Alger's novels describe a rise to the respectable middle-class, not to robber baron status, and it always came at the hands of a serendipitous patron rather than through self-possessed bootstrap-pulling. This article explores this dissonance between fact and posthumous fiction, investigat-

ing who or what reinvented Alger, rebranded the message of his books, and canonized him as the patron saint of laissez-faire capitalism. The end of the article examines how Alger functions today as an appropriated symbol of American national values.

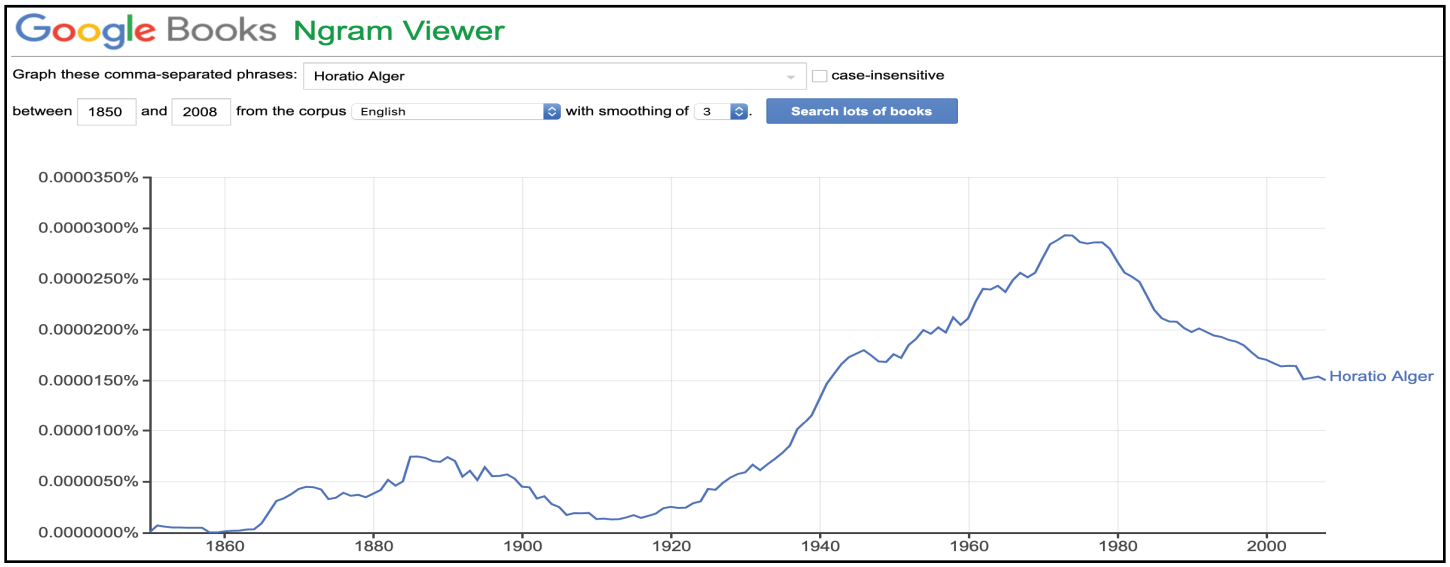
Alger's posthumous transformation unfolded in three stages. First, Alger's works fell out of popular readership starting in the late 1910s, creating a discursive vacuum in which Alger's personage and the message of his books were forgotten. A building must first be demolished in order for a new one to take its place, and Alger's absence from public thought cleared room for new development. Next, during World War II and the early stages of the Cold War, Alger was reintroduced to Americans by newspapers and politicians as a patriotic symbol whose stories captured America's national values. Alger's narrative became the American narrative during the '40s and '50s, as his books supposedly encapsulated "the hopes and beliefs of a nation," usually held in contrast with the similarly monolithic opposing values of the Axis powers and then the Eastern Bloc.[1] Finally, because Alger's literature continued to be unread, the reinvented Alger of the '40s and '50s was never cross examined against the content of his books. Alger thus crystallized into a cohesive national symbol, one which remains largely unchallenged today.

But why is it important to "reclaim Horatio" in the first place? Hardly anyone reads his books nowadays, and Alger's vestigial presence in American culture seems to be to America's benefit: the Horatio Alger Association, whose ethos is predicated on Alger's posthumous reputation as a success-worshipper, distributed $21 million in scholarships to students of financial need in 2019 alone.[2] Nonetheless, it is important to examine the dissonance between Alger during his lifetime and posthumous Alger for two reasons. First, there is the fundamental moral charge that one's legacy and principles should not be manipulated or co-opted. Nobody wants to symbolize something they did not stand for themselves, and Alger has been twisted and exaggerated by American culture to the point of self-contradiction. Second, Alger's reputational life after death functions as a case study for the broader process of posthumous mythmaking. While sensible on paper, the ethical charge that one's legacy should not be tampered with is simply unrealistic, as people are unavoidably warped and distorted when they are historicized. Because postmortem mythmaking is fundamentally unavoidable, we should familiarize ourselves with all versions of that process, from Guevara to Nietzsche. Alger is a particularly exaggerated form of this process, in both scope and severity: Alger was more widely known after death than he ever was during his lifetime, and some of the values he came to embody as a national symbol directly contradicted the content of his books. By examining how Alger's reputation transformed after his death and how Alger functions as a fixture of the American national identity today, one can shed light on how individuals are posthumously mythologized by large-scale historical context and single biographers alike.

Alger Readership, 1899-2008

To understand Alger's enigmatic status in American culture, one must first consider the trajectory of Alger's readership from 1899 to the present. Although consistently well-known during his lifetime, Alger's authori-

Google Ngram which charts the frequency of the term "Horatio Alger" appearing in printed sources from 1850-2008. Courtesy of author.



al popularity after his death in 1899 is vacillatory. As is common with recently-passed artists, Alger's book sales skyrocketed in those initial few years following his death.[3] However, his sales plummeted in the aughts, eventually bottoming-out around 1918. There was a trickle of readers during the 1920s, but the first Alger biography published in 1928 breathed new life into his readership. Alger slowly regained attention until 1945, and from 1951 onward his popularity steadily climbed toward its eventual zenith in the early 1970s. Since then, his fame has once again waned: there was a sudden drop in mentions of Alger's name in printed texts in the 1980s, and a steep decline followed. Now, references made to Alger are at their lowest point since before World War II.[4]

The Current Consensus: 1980-Present

The most recent entries in Alger historiography that address this question of posthumous transformation, Gary Scharnhorst's two biographies and annotated bibliography on Alger from the early 1980s, place the blame squarely on the first Alger biographer.[5] Published nearly 30 years after Alger's death, Herbert R. Mayes's Alger: A Biography Without a Hero (1928) was the first biography about Alger, and most of the subsequent biographies were rooted in Mayes's foundational work. A Biography Without a Hero was even used as the primary source for Alger's entry in the Dictionary of American Biography and Encyclopedia Britannica, canonizing Mayes's biography as the preeminent source of information on Alger.[6] It is tragic, therefore, that Mayes admitted nearly 40 years later that he fabricated much of the biography due to a lack of primary source evidence. Many of the subsequent biographies were therefore stripped of their veracity, as most drew heavily from Mayes's biography. Subsequently, Gary Scharnhorst's tripartite pieces on Alger from the 1980s aimed to reintroduce factuality into Alger historiography. Scharnhorst worked concertedly with Mayes himself in order to excise the falsehoods contaminating the historiography since 1928. Thanks to Scharnhorst's meticulous reparative work, Alger's personage is better understood now than ever.

In his attempt to explain Alger's posthumously ascribed reputation as a capitalist defender, however, Scharnhorst predictably pointed toward Mayes's fabricated biography as the epicenter of misinformation. This was only natural as the bombshell confession by Mayes came to light in 1972, a mere eight years before Scharnhorst began publishing his multiple works on Alger. With a revelation of this magnitude fresh in his mind, Scharnhorst identified Mayes's fabricated biography as the long-sought answer to explain how Alger's reputation had been transformed since his death. In explaining Alger's posthumous transformation from moralist to capitalist, Scharnhorst reasons that Mayes's "representation of Horatio Alger as a success-worshipper was wholly compatible with the view of Horatio Alger popular during the prosperous 1920s."[7]. Essentially, Scharnhorst blames Mayes's portrayal of Alger and the zeitgeist that received it, the laissez-faire booming-business 1920s. But Scharnhorst mischaracterizes Mayes's depiction of Alger. In his 1928 biography, Mayes portrays Alger as a mediocre author and rigid moralist with a soft spot for the downtrodden, not as a success-worshipper or cutthroat capitalist. Mayes's pathetic treatment of Alger is irreconcilable with Scharnhorst's claim that Mayes alone is responsible for Alger's bulwark-of-capitalism mythic reputation.

The precariousness of using a now-debunked biography as a source, as well as how said biography functions in this article, should be addressed before proceeding. The function of Mayes's biography in this article is not to act as a credible source of fact on Alger's life. Instead, it is Mayes's portrayal of Alger which is worthy of analysis. First, his portrayal functions as a representation of how Americans viewed Alger thirty years after his death. The elements of Alger that Mayes emphasizes, omits, or fictionalizes reflect Alger's figuration in 1920s and '30s American culture. Second, delineating Mayes's portrayal of Alger reveals how Scharnhorst apprehended the wrong suspect when he blamed Mayes for Alger's posthumous shift. This exculpation is not an attempt to excuse Mayes's academic dishonesty, but the blame he has received for posthumously transforming Alger.

Far from a capitalist celebrant, Mayes portrays Alger as a staunch moralist. Describing him as a "liberal man, most generous with his bounties...meek, unassuming, content to accept things as they came," Mayes's depiction of Alger portrays anything but a hardline capitalist, as Alger "without complaint...bore his share of the expenses, and sometimes more, and made no effort to interfere with established policies."[8] Contemporaries associated him not with unrestrained economy, but with moralism and upright citizenship. During his lifetime Alger "exuded a puritanical atmosphere that men could not help but associate also with him...No one saw him except as a preceptor of better moral standards," according to Mayes.[9] Contemporary sources seem to affirm this component of Mayes's portrayal of Alger, as one 1873 review celebrates Alger's Try and Trust (1873) as providing "good lessons" to his boy readership.[10] Another review from 1868 characterizes Ragged Dick as a more readable and engaging alternative to the "treatises on the nature of sin that so often find place [in Sunday-school libraries]."[11] Even after his death, a review celebrated Andy Grant's Pluck (1902) as being "full of good examples for boys."[12]

Alger's most noteworthy achievement, according to Mayes, was the role he played in dismantling the padrone

system in New York. A form of contract labor for Italian child immigrants, the padrone system incorporated young immigrants into a complex hierarchy of labor which largely centered around street performance and panhandling under the domination of a padrone, or boss. According to Mayes, Alger fought vehemently against this exploitative system of labor by producing a juvenile fiction entitled Phil the Fiddler (1872) which functioned as an opinion piece against the padrone system. "[B]ased on evidence accumulated during his [anti-padrone] crusade," Phil the Fiddler operated as "explosive propaganda" which "was, in a minor way, another Uncle Tom's Cabin. And it was ever the book that Alger cherished most."[13] It should be noted that the veracity of Alger's role in taking down the padrone system has been cast in doubt since Mayes's time.[14] Nonetheless, if Mayes was trying to create Alger's defender-of-capitalism reputation, it seems unlikely he would include, much less laud, Alger's dismantling of a system of unregulated labor which was presumably attractive to laissez-faire capitalists.

Given his depiction of Alger as a moralist and labor activist, it is clear that in Mayes's eyes, Alger's behavior was not that of a Gilded Age capitalist. Nor were the contents of his books, which at the time were not considered professors of get-rich-quick schemes; instead, they asserted that moral action would invariably produce monetary rewards for good behavior. This entitlement to wealth runs wholly contrary to the bootstrap-pulling narrative of grinding toward, and eventually earning, fortune. Years of hard-bitten labor form the base of the typical rags-to-riches story, but Alger's heroes never rise above their station through long-term laboriousness. Instead, they are meteorically uplifted by a wealthy benefactor as a reward for a single selfless act, such as saving a drowning child or rushing to an overturned carriage. Invariably, the child saved is the daughter of a rich businessman, or the carriage contained the businessman himself, and the courageous vagabond is handsomely rewarded for his moral action. However, the reward was handsome but never excessive, as Alger's books culminated in the protagonist attaining middle-class respectability under their patron's employ, not astronomical robber baron wealth through business ownership. The role of the wealthy patron in uplifting the protagonist further contravenes the self-possessed component of the contemporary rags-to-riches narrative.

In short, the contents of Alger's books hardly portray the rags-to-riches narrative they have come to represent. Entitlement to wealth according to good behavior conflicts with the rags-to-riches mentality that nothing is owed and one is responsible for their own making. The singularity of the heroic moment contravenes the years of hard work prescribed by the rags-to-riches narrative. The invariable and crucial role of the wealthy benefactor contradicts the independent, bootstrap-pulling elements of the rags-to-riches narrative. And the finish line for Alger's protagonists, middle-class respectability and solid employment under their benefactor, shares little with the trajectory of Carnegie and Rockefeller. All of this is to say, neither Alger nor his books were considered espousers of laissez-faire capitalism during their time.

Absence Paves the Way: 1899-1928

Mayes speaks little of the years following Alger's death other than emphasizing how by the 1910s, his books were stripped from the shelves and had fallen out of circulation.[15] Alger's formerly substantial readership, Mayes claims, was only possibly in the Gilded Age when "[t]ime was precious. The longer people worked, the more money they made." According to Mayes, parents during this time steered their children away from reading "uneconomic books" which "had nothing to do with money-making." Instead, "[w]hen boys wanted to read, they were told to read what would be entertaining and inspiring at the same time. They were told to read Alger."[16] From Mayes' view in the 1920s, it seemed the particular economic constraints and cultural mores of the Gilded Age made readers receptive to Alger's simple didactic tales of social mobility.

However, by the 1910s that appeal had waned, as Mayes asserts that Alger fell out of favor due to the economic turmoil of World War I which raised the prices of printing books. Mayes also raises the possibility that "the modern generation must have quick changes in literature and style," and Alger fell out of favor because he "never bothered to change his formula."[17] Subsequently, Mayes details Alger's denigrated stature in 1920s America by stating, "Today people ridicule what Alger wrote and left behind him. Trash, they say...Teachers have sneered his books out of their classrooms...the public library in Worcester, Massachusetts, banned his books from the shelves. Other libraries promptly adopted the same procedure."[18] A New York Tribune article from 1917 substantiates this trend, describing how "To-day a search for his stories is almost fruitless. Libraries everywhere have thrown out his works or are rapidly eliminating them from their shelves."[19] Alger was considered neither a great author nor a capitalist apologist in the 1910s and '20s; during this time, it seems he was hardly considered at all.

Alger's absence from public thought in the 1910s and '20s represents a crucial step in reputational reinvention. Distance begets fiction; that is to say, one's personage becomes increasingly malleable and susceptible to alteration the further you get from their lifetime. Alger could not have been reinvented in the mid-20th century if he was remembered without interruption from 1899 to the

present. As previously mentioned, the discursive vacuum of the 1910s and '20s represents Alger's reputational demolition crew, paving the way for his eventual reinvention. When his books fell out of common readership they began to be misinterpreted, as evinced by a 1928 article by Time magazine which mistakenly described how "Ragged Dick, Phil the Fiddler, and the heroes of every one of [Alger's] 119 books survived adversity, invariably achieved fame and fortune at the end of the last chapter."[20] Alger's books hardly ever culminated in "fortune" proper; instead, they usually rewarded their protagonists with a promising career path.

Beyond the misinterpretation of his books, it seems the public during this time had heard of Alger through other authors rather than through his own writings, as one reviewer of Mayes's biography acknowledges that "[t]he present generation are familiar with his work by hearsay largely."[21] While his books had fallen out of circulation, references to Alger could be found scattered throughout the literature of the 1910s and '20s. Authors such as Nathanael West, Ernest Hemingway, and most notably F. Scott Fitzgerald mentioned, alluded to, and satirized Alger and his works. Hemingway poked fun at Alger's books in The Sun Also Rises (1926), describing the naiveté of a man who "enter[s] Wall Street direct[ly] from a French convent, equipped with a complete set of...Alger books."[22] Fitzgerald's references to Alger are more numerous and nuanced than Hemingway's, as he portrays his characters' familiarity or unfamiliarity with Alger as contributive to their success in This Side of Paradise (1920) and "Absolution," an article he wrote for American Mercury.[23] Fitzgerald even modeled and named a character after Alger in the short story The Vegetable or From President to Postman (1923).[24] These references are not born out of sincere homage, however, as Fitzgerald satirized Alger's work Forging Ahead in an article of the same name, describing a naïve Yale student who pulls from the shelves "half a dozen dusty volumes of Horatio Alger, unopened for years."[25] Similarly, in 1934 Nathanael West wrote a Depression-era version of the Alger myth parodying Alger's authorial style.[26] As evinced by West and Fitzgerald's satire and Hemingway's outright scorn, Alger's portrayal in American literature during this time centered largely around poking fun at him and dismissing the naïve message of his books.

> "Alger's presence in public thought, scant though it was, was therefore based on a thin, shared understanding established in a time when people were not reading his work."

Thus, the public, although faintly familiar with Alger, knew of him mostly through reference by other authors rather than by actually reading his books. While his books were becoming increasingly rare, mentions of Alger's name began rising steadily around this time. The term "Horatio Alger hero" first appears in print around 1926 and gains usage during the same time that his books were being stripped from the shelves.[27] Alger's presence in public thought, scant though it was, was therefore based on a thin, shared understanding established in a time when people were not reading his work. This is the starting line for the contradiction between Alger's posthumous reputation as a capitalist apologist and the modest, moralistic content of his books.

Alger's Reintroduction: 1929-1953

America's reacquaintance with Alger came not through his own books, but through the symbolization of his name. Horatio Alger was reintroduced to American culture as a national symbol in the 1940s by popular media such as newspapers, magazines, radio, television, writers, and politicians. Alger became an American symbol out of wartime necessity, as the patriotic ardor of World War II wedded the characteristics of "the Horatio Alger hero--the potential greatness of the common man, rugged individualism, economic triumph in a fabled land of opportunity" with "the American way of life the war was waged to preserve."[28]

The public steadily began to consider Alger an important part of American culture in the years leading up to World War II. As an example, there is no mention of Alger in the first edition of Samuel Eliot Morison and Henry Steele Commager's The Growth of the American Republic (1930). However, in the subsequent 1937 and 1942 editions, Morison and Commager assert that Alger "probably had exerted more influence on the national character than any other writer except perhaps Mark Twain."[29] Carl Van Doren's The American Novel: 1789-1939 (1940) similarly portrays Alger as a tentpole of American literature, asserting how Alger's books "furthered the national legend that the simple commercial virtues lead men from rags to riches."[30] The rising usage of the term "Horatio Alger hero" further evinces Alger's increasing presence in American culture, as a 1939 New York Times article details how "[Alger's] imprint on American life is still clear after forty years; the papers al-

most every week report the success of some 'typical Alger hero' of the present."[31] Articles about Alger's supposed positive influence on American youth began appearing during this time as well, as magazines such as Esquire, Saturday Review, Time, New Republic, and The Atlantic Monthly published articles with sensationalist titles such as "A Monument to Free Enterprise" and "They Made Me What I am Today," describing how reading Alger's books as a child lays the groundwork for successful adulthood.[32] Nathanael West and Boris Ingster firmly asserted Alger's importance in American culture in 1940, declaring that "[o]nly fools laugh at Horatio Alger, and his poor boys who make good. The wiser man who thinks twice about that sterling author will realize that Alger is to America what Homer was to the Greeks."[33] By the outset of World War II, many considered Alger a vital part of American culture.

This union between Alger and American culture, first posited in print media, was affirmed by contemporary political figures. A 1940 radio dramatization of Alger's From Farmboy to Senator was immediately followed by an address from the New York governor Herbert Lehman, in which Lehman espoused Alger's successful wedding of virtue and industry. Lehman acknowledged that he had read Alger as a young boy, describing how he was "particularly interested [in Alger's books] because [Alger] showed in his books that the United States was a country of great opportunity for all, and he was always a steadfast advocate of the democratic principles on which our nation was created and which have made it great." [34] Governor Lehman's celebration of Alger as a quintessentially American author lent great credence to Alger's figuration as a symbol of all things American. Similarly, Vice President Henry Wallace published a collection of his papers and speeches under the title of his most famous speech, The Century of the Common Man (1943). Wallace devotes a chapter of the book entirely to Alger, titling the chapter "Horatio Alger is Not Dead." In this chapter, Wallace asserts how "[t]he spirit of free competition will and must continue to be one of our main driving forces." Wallace depicts Alger as a national emblem of "the spirit of free enterprise" who unwaveringly espoused "individual opportunity and achievement" in his books. So long as Americans remain fixated on "individual effort and progress," Wallace assured, "Horatio Alger is not dead in America and never will be."[35] Newspaper and magazine articles situated Alger next to the traits of Americanness; politicians such as Lehman and Wallace firmly wedded the two in service of America's wartime patriotism.

While Alger came to broadly represent all things American during World War II, mounting tensions with the USSR after 1945 engendered the celebration of free market capitalism in particular, framed as a central component of America's national identity. Alger was attached to this as well, as evinced by the creation of the Horatio Alger Association of Distinguished Americans in 1947 during the beginning stages of the Cold War. The association annually presents the "Horatio Alger Award" to approximately ten individuals, honoring their achievements and inducting them as lifetime members of the association. The first six recipients were all businessmen, and subsequent notable recipients include President Ronald Reagan, Associate Justice Clarence Thomas, and Colonel Sanders.[36]

Beyond celebrating conservative politicians, industrialists, and other beneficiaries of laissez-faire capitalism, the Horatio Alger Association also distributes a variety of need-based college scholarships each year. In 1953, the Horatio Alger Association gave $200 to five high school students chosen by the Horatio Alger Association committee "on the basis of financial need, scholastic ability, and an essay on 'The American Enterprise System and the Equality of Opportunity It Offers.'"[37] Essentially, students had to write an essay celebrating American laissez-faire capitalism in order to qualify for the scholarship. Similarly, a 1988 Congressional report details how the Horatio Alger Scholarship Program offers $5,000 to one graduating senior from each high school that hosts a "Horatio Alger Day." Schools are only qualified for the award if they host a "Horatio Alger Day," which requires the host school to "provide an audience of at least 1,000 Junior/Senior students for the keynote speaker provided by the Association. Schools not having a Junior/Senior population sufficient to meet this requirement will be required to extend invitations to neighboring schools to provide a minimum audience."[38] The Horatio Alger Association, by historically locking scholarships behind essays and keynote speakers celebrating laissez-faire, contributed to the evangelization of Alger's posthumous legacy.

The Association's two publications, The State of Our Nation's Youth (SONY) and Only in America Opportunity Still Knocks, similarly reflect its preoccupation with disseminating Alger as a national symbol. SONY attempts to quantify the moral stature of America's youth, framing the results as an affirmation that Alger's rags-to-riches narrative is alive and well today. "Nearly two-thirds of high school students and more than half of high school graduates feel hopeful and optimistic towards the country's future," the 2016 SONY cheerfully reports, and "nearly 9 out of 10 high school students and recent high school graduates attributed success in life to hard work and actions rather than luck."[39] The latter statement runs wholly in contrast with the content of Alger's books, which almost always depict a single moment of serendipitous luck that changes the protagonist's life. The Association's annual publication Only in America Opportunity

Still Knocks is similarly evangelical. In spite of its modest designation as a summary of each year's award ceremony, the publication is usually between 75-150 pages long and always includes an idealized biographical sketch of Alger as a national symbol.

In contrast with the discursive vacuum of the 1910s and '20s, Alger's name appeared with increasing regularity in the 1930s, '40s, and early '50s. Newspapers likened individual success stories to Alger's protagonists; magazines called for a renewed adherence to Alger's supposed principles.[40] Politicians framed Alger's literature as the gold standard encapsulation of America's national virtues, wedding the two in the process. Alger was nostalgically featured in postwar pulp fictions; his writings even entered the theater with a Chicago dramatic production of his book Struggling Upward.[41] Capped off by the creation of the Horatio Alger Association, the process which posthumously transformed Alger in popular culture reached its zenith in the mid-20th century.

Although Alger's legacy was definitively transformed the 1940s and '50s, not everyone immediately subscribed to Alger as a national symbol. Russell Crouse, who wrote the foreword to the compendium of Alger's republished books Struggling Upward, and Other Works (1945), illustrates that there were some during this time who resisted Alger's symbolization. Crouse's treatment of Alger is measured to say the least, as he is suspicious of the rags-to-riches narrative and disparaging of Alger's authorial merit.[42] This skeptical treatment received equal parts backlash and praise by reviewers, as some lauded his restrained depiction while others took offense to his cynicism toward the American Dream.[43] Other writers also noticed the transformation happening before their eyes, emphasizing the artificial nature of national mythmaking process in their writing. Left-leaning public intellectuals during the early stages of the Cold War such as Henry Steele Commager came to see Alger as the enemy, lambasting Alger's books as capitalist propaganda.[44] Crouse's foreword and the mixed reactions it received, as well as Commager's suspicion of Alger's reintroduction, illustrate that by 1945, Alger had not fully cemented his current place in American culture. Instead, people still wrangled with the dissonance between Alger the author and Alger the national symbol.

Crystallizing the New Alger: 1953-1973

It was not until the 1960s and '70s when Alger, as he was known in popular culture, solidified into a cohesive symbol in American culture. Ironically, this cultural crystallization was accomplished by the same phenomenon which kicked off this entire process of posthumous transformation: people were not reading Alger's books. John Cawelti, one of the first scholars of popular culture, recognized the dissonance between Alger's authorial reputation and literary content and blamed it squarely on a lack of readership. By 1965, Alger's legacy had become definitively separated from the content of his books, as Cawelti identifies how "Alger's contemporary position as a symbol of individualistic free enterprise has obscured the actual characteristics of his stories."[45] This separation between literary content and authorial reputation results from a lack of readership, evinced by a survey from the 1940s which gauged whether or not children were still reading Alger's books. The results were dramatic, as "only 1 percent of 20,000 children had read an Alger book."[46] Alger readership did not increase in the following years either, as mint condition copies of the 1945 republication of Struggling Upward, and Other Works could still be commonly found by 1970. The republication seemed not to enjoy broad readership between 1945 and 1970, suggesting that "Alger's books were hardly more popular in print than out of print."[47] This lack of readership, juxtaposed with the rising amount of press Alger was getting since the early 1940s, inevitably led to misunderstanding him. It is only "after his books were no longer published and popularly read," that Alger "acquired a reputation as an apologist for business success and a purblind defender of the faith of orthodox capitalism."[48] The sensationalist titles of Alger's books such as Fame and Fortune, Striving for Fortune, and From Farm to Fortune certainly suggest a different message than is actually contained within the pages. Reading the book titles without reading the books themselves, in concert with the reinvented Alger presented in the '40s and '50s, inevitably caused people to associate Alger with meteoric monetary success.

Although some scholars like Cawelti recognized the dissonance between Alger the national symbol and Alger the author and resisted the process, other writers such as Ralph D. Gardner actually contributed to the misunderstanding. As the helmsmen of Alger historiography during the 1960s and 70s, Gardner's seminal piece Horatio Alger, or the American Hero Era (1964) stands as a major event in Alger historiography. A "[p]rofoundly apologetic treatment of Horatio Alger," The American Hero Era hyperbolizes Alger's prestige during his lifetime, glosses over unsavory aspects of his life, and ardently defends Alger's authorial and stylistic merit.[49, 50] Drawing heavily from Mayes's biography in both fact and form, Gardner sources data from Mayes's debunked biography and perpetrates similar academic dishonesty by "invent[ing] dialogue, incidents, and documentation á la Herbert R. Mayes."[51]

In his biographical sketch of Alger, Gardner actively challenges contemporary critics such as Cawelti who took notice of Alger's posthumous transformation. Lamenting how "in recent years [Alger] has been inaccurately labeled

an unbusinesslike, impractical visionary," Gardner rails against the depiction of Alger that is actually in line with his books.[52] Alger was indeed an "impractical visionary" by virtue of the staunch moralism which characterized each of his books. He was almost certainly unbusinesslike as well, as Cawelti points out how Alger's books generated not CEOs, but obedient employees. Most of the books include some moment where the upstart employee is faced with a test of his loyalty, such as by protecting his patron's money from a street robber with his life. However, as Cawelti dryly points out, "[e]mphasis on fidelity to the employer's interests is perhaps the worst advice Alger could have given his young readers if financial success was of major interest to them."[53] Lashing out against the "inaccurate labels" which (accurately) portrayed Alger as a rigid moralist and poor businessman, Gardner dismissed Alger's actual personage in favor of Alger the national symbol.

But worse than Gardner's portrayal of Alger's life is his portrayal of Alger's posthumous life: Gardner glosses over the discursive vacuum of the 1910s and '20s, asserting instead that Alger was consistently popular after his death. Ignoring evidence from primary sources which describe how Alger's books were stripped from the shelves during the 1910s and '20s, Gardner claims that "[e]ven after his death in 1899, Alger titles were being read and reread, bought, borrowed, and swapped. Libraries displayed double rows of these fast-moving adventure tales. They were favorite gifts, awarded as school prizes and recommended in sermons...He was, without doubt, America's all-time best-selling author!"[54] Gardner goes on to assert how Alger has long stood as a "pivotal figure in our nation's literary heritage," further contradicting evidence of Alger's absence from public thought in the early 20th century.[55] The success of Alger's reinvention in the '40s and '50s was predicated on hiding the fact that he was reinvented at all, and in that sense, Gardner contributed heavily to Alger's posthumous transformation.

In view of his adherence to Alger the national symbol, it should not come as a surprise that Gardner was closely associated with the Horatio Alger Association. Gardner provided an abridged version of The American Hero Era tailored for the 1978 edition of Only in America Opportunity Still Knocks, illustrating just how similar Gardner's and the association's portrayals of Alger are.[56] Like the association, Gardner also played a role in evangelizing Alger the national symbol to the broader public: in 1961 he gifted several of Alger's books to the Children's Aid Society, asserting that Alger "had a lifelong influence on some of our great industrialists and other leaders."[57] This sentiment was affirmed in references to Alger by figures such as J. Edgar Hoover, who in his autobiography described how Alger's books shaped him as a youth.[58]

"Horatio Alger." Wikimedia Commons. 1868.

In spite of valiant efforts by skeptical academics such as Cawelti, Gardner's version of Alger won out in the end. Alger's posthumous fame reached its zenith in the early 1970s and contemporary sources affirm the peak of his stature in American culture.[59] A Forbes article from 1971 entitled "Weep Not for Horatio" celebrates with good feeling the fact that Alger and his ideals "[are] alive and well" in America at this time.[60] Another author describes how Alger's name is "synonymous with success. To be called 'an Horatio Alger hero' in America has been a badge of distinction" in 1970s America.[61] Alger's home in Massachusetts was even declared a national landmark in 1972.[62] By the early 1970s, Alger's posthumous reputation had solidified into a fixture of American culture.

Alger in America Today

So why is it that still today, despite the accurate biographical information now widely available, that Alger's reputation has not been reclaimed by factuality as Nietzsche's was? Scharnhorst argues that Alger's legacy remains distorted even today on account of the fact that "his fiction has not been read in light of accurate biographical information."[63] While this makes sense, reading Alger's books

is, in my mind, not a reasonable responsibility to assign to the general public. Frankly, the likelihood that anyone will rush to the shelves to read Alger's 100+ versions of the same story is next to zero.[64] Instead, the remedy lies in how people continue to invoke Alger's name today.

Alger retains contemporary presence in two forms. First, his posthumous legacy is still evangelized by the Horatio Alger Association, which stands today as one of the largest distributors of need-based scholarships in the United States.[65] Second, his name appears occasionally in newspaper articles, typically invoked either in puff pieces describing an individual's meteoric rise from poverty or in articles centered around social mobility and monetary success. The narrative puff pieces are usually entitled something like "____ is a real Horatio Alger!" or "The Story of ____: A True Horatio Alger Story," evincing the continued usage of his name as a widely understood shorthand for upward success stories.[66]

Alger's presence in articles on social mobility and success, however, is not so one-dimensional. A New York Times opinion piece from 1991, for example, examines the businessman's "mid-life crisis" as a product of disillusionment with the Horatio Alger myth. The myth, which promises "if you climb from rags to riches, a cornucopia of rewards--including peace of mind--will be yours," is challenged by the writer who points out that "[a]chieving career success has nothing to do with achieving psychological gratification."[67] Far from a symbol to aspire toward, Alger stands here as an emblem of an outmoded view on business and life accomplishments. Another op-ed piece by an American living abroad in London expresses the writer's doubts surrounding social mobility in America, lamenting that "[s]o long as Horatio Alger means anything to the American people, Karl Marx will just be another German philosopher."[68] Richard Reeves similarly considers Alger's influence on America's preoccupation with social mobility, describing the self-contradiction of a national ethos in which "Americans do have strong egalitarian instincts, but they go hand-in-hand with a fierce commitment to individualism."[69] His article culminates with a charge to his readers, asserting that "[i]t is now time to pay [Alger] more than lip service. Equal opportunity must and will remain the quintessential American ideal. The challenge is to live up to it."[70] While Alger is still being used as an idealized national symbol here, Reeves fruitfully invokes Alger the national symbol in order to highlight how America is failing to meet his posthumously-ascribed tenants. The most recent appearances of Alger in print have been in response to the Trump presidency, similarly using Alger the national symbol as a backlight to point out America's shortcomings. In these articles, Trump functions as a foil to the principles of Alger and, by extension, the American national identity.[71]

In recognizing Alger today, one needs to consider all parts of his life, both his Gilded Age biological life and posthumous reputational life. Alger today is neither Alger the author nor Alger the national symbol. Instead, he is now the sum total of these two identities, a product of both his life's work and the posthumous transformation he underwent in the mid-20th century. He was both a moderately successful children's author and a national shibboleth of success. But as disparate as these two identities may be, they are not irreconcilable. In fact, the two need to be held in conjunction when considering Alger, for isolating one from the other inevitably leads to misunderstanding both. In order to prevent other historical figures from succumbing to posthumous transformation, the individual needs to be considered against the backdrop of both their life and legacy. Failing to do so creates an incomplete, possibly fictitious rendition of them, best evinced by the case of Horatio Alger, Jr.

Endnotes

[1] Steward Holbrook, "Horatio Alger, Jr., and Ragged Dick," New York Times Book Review, 2 July 1944, pp. 9, 12.
[2] Horatio Alger Association, "Horatio Alger Association to Award $21 Million in Scholarships in 2019." Accessed 1 May 2019, https://horatioalger.org/haa_home_slideshow/horatio-alger-association-awards-21-million-in-scholarships-in-2019/
[3] Gary Scharnhorst and Jack Bales, Horatio Alger, Jr.: An Annotated Bibliography of Comment and Criticism (Metuchen, N.J. and London: The Scarecrow Press Inc., 1981), 26.
[4] See Figure 1 (page 6).
[5] Carol Nackenoff's The Fictional Republic: Horatio Alger and American Political Discourse (New York and Oxford: Oxford University Press, 1995) is technically the most recent addition to Alger historiography. However, because the focus of The Fictional Republic is on situating Alger's literature within the time period it was written rather than tracing Alger's posthumous transformation in American culture, and because Nackenoff draws most of her biographical information from Scharnhorst's preceding works, I believe Scharnhorst's books are sufficiently emblematic of the current state of Alger historiography.
[6] Gary Scharnhorst and Jack Bales, The Lost Life of Horatio Alger, Jr. (Bloomington: Indiana University Press, 1985), xxi.
Scharnhorst and Bales, An Annotated Bibliography, vii.
[7] Scharnhorst and Bales, Annotated Bibliography, 59.
[8] Mayes, Alger: A Biography, 49, 116.
[9] Ibid., 117.
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[11] "Literature," Putnam's, NS 2 (July 1868), 120.
[12] "Books for Young People," Literary News, 23 (December 1902), 378-379.
[13] Mayes, Alger: A Biography, 145.
[14] Mayes, Alger: A Biography Without a Hero (1978 edition), vii.
[15] Mayes, Alger: A Biography, 38.
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[19] Harold M. Harvey, "Alger's New York: A Story for Old Boys," New York Tribune, 28 January 1917, sec. 5, pp. 3-4
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[21] Milton Byron, "New Biography" rev. of Alger: A Biography Without a Hero by Mayes, Outlook, 11 April 1928, 598.
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[25] F. Scott Fitzgerald, "Forging Ahead," Saturday Evening Post, 30 March 1929, pp. 12-13, 101, 105.
[26] Nathanael West, A Cool Million, or The Dismantling of Lemuel Pitkin (New York: Covici-Friede, 1934.)
[27] Horatio Alger, Ragged Dick; Or, Street Life in New York with the Boot-Blacks., ed. Gary Scharnhorst (Petersborough, Ontario, Canada: Broadview Press, 2017), 32.
[28] Gary Scharnhorst, Horatio Alger, Jr. (Boston, Twayne Publishers, 1980), 144.
[29] Samuel Eliot Morison and Henry Steele Commager, The Growth of the American Republic, 2nd ed. (New York: Oxford University Press, 1937), 287-288.
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[32] Saturday Review, 1 September 1945, 15-16; Atlantic Monthly, CLXXII (November 1943), 115-17; New Republic, 1 October 1945, 441.
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[45] John G. Cawelti, Apostles of the Self-Made Man (Chicago, University of Chicago Press, 1965), 108.
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[47] Scharnhorst, Horatio Alger, Jr., 144.
[48] Ibid., 117.
[49] Scharnhorst and Bales, Annotated Bibliography, 62.
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Jefferson's Tactics during the Virginia Education Debate of 1816-1819

Abstract: In the Virginia Education Debates of 1816-1819, Jefferson and his supporters developed an array of strategies to persuade different members of the Republican-dominated Virginia legislature to prefer the University of Virginia over statewide primary schools despite the plan's elitist undertones. They reoriented the ideological debate around fears that primary school centralization would spur tyrannical state overreach, along with worse educational outcomes. However, Jefferson and his team also elicited the Virginian political elite's broader fears about maintaining their predominance in a rapidly-shifting early republic. They rallied caucus unity by evoking early leaders' 'crisis mentality' concerns that Republican division could allow Federalist ideology to persist and eventually destroy the Union. Moreover, Jefferson advertised the university as a foundation for long-term ideological supremacy, allowing Virginia to curate a Republican, Virginian curriculum to combat the 'corrupting' Federalist influence Northern universities had on the future governing elite.

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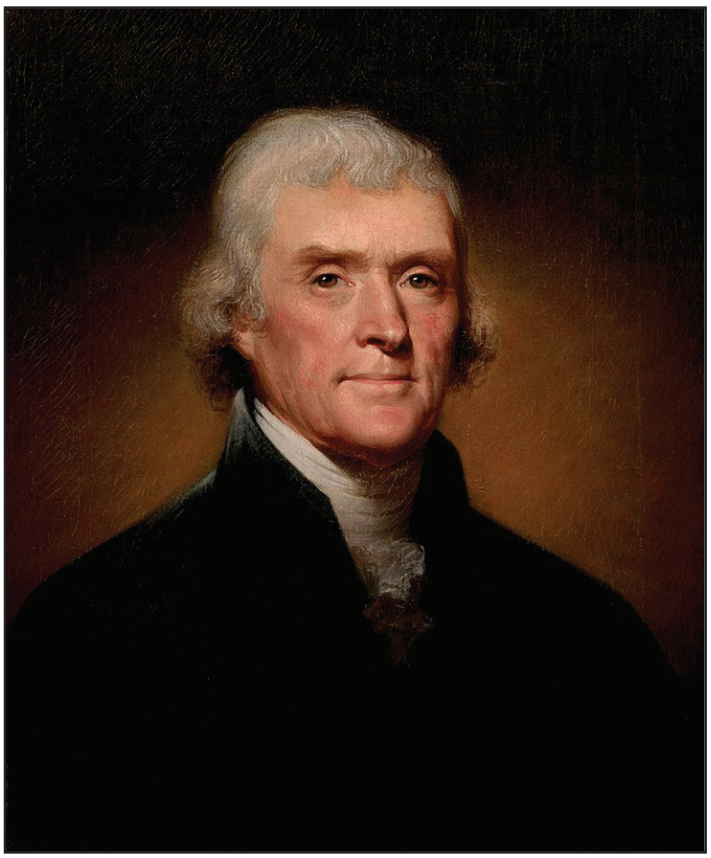
When selecting his gravestone's inscription, Thomas Jefferson "wish[ed] most to be remembered" by three titles: "Author of the Declaration of American Independence, of the Statute of Virginia for religious freedom [*sic*], and Father of the University of Virginia."[1] Generations of Americans know this epitaph for what is absent—mention of the presidency. However, the third listing—the creation of the university— is featured in another well-known anecdote: America's president of Enlightenment ideals and republican values bequeathed the gift of secular higher learning to his beloved home state. As the story goes, he dedicated his final public hours to crafting the knowledgeable citizenry he considered integral to the republic.

But this narrative belies how the episode transpired. Despite its egalitarian legacy, Jefferson's "capstone" emerged at great detriment to everyday Virginians. The state's inadequate educational system left many of its citizens without access to elementary schools, let alone tuition to attend them.[2] While Jefferson fought for systemic reform early in his career, his fixation on a state university grew to consume his post-presidency efforts. When opportunity for reform finally arrived, Jefferson ensured that his university was chosen over primary institutions.

After the War of 1812, Virginia endowed a "Literary Fund" with $600,000 to address its educational shortcomings. The proposed three-tiered system would create primary schools in every community, regional secondary schools, and a central university, while offering scholarships to advance the strongest students at each level. These efforts were spearheaded by Charles Fenton Mercer, a leading Federalist in the nation's Republican epicenter. While Jefferson first extolled Mercer, the fleeting alliance ended when it became evident that the Literary Fund could not underwrite the entire proposed system. Forced to decide which level to support, Mercer proposed prioritizing "the education of the poor," while Jefferson preferred his university.[3] Upon hearing of the divergence, Jefferson wrote to inform Joseph Cabell, the young President of the state Senate and a staunch ally, that Mercer "must fail."[4]

Despite Jefferson's determination, even his closest associates warned him that their plan's "prospects" were "by no means flattering."[5] The Republicans dominating Virginia's legislature confronted an awkward and unique predicament: Federalists, criticized as elitists (or even royalists) since the Washington Administration, had suggested sacrificing investment in the gentry to improve the common citizen. Initial enthusiasm for a university soon dissipated. When forced to support either the university or the state's nearly absent primary schooling, most favored the latter.

Nevertheless, the University of Virginia triumphed over primary schools. Jefferson, Cabell, and a cadre of political allies subdued a diverse opposition even without, as they themselves acknowledged, any "real public support."[6] Moreover, they did so without the traditional anti-Federalist refrains Jefferson had honed for years. Jefferson's tactical approach, and its success, demonstrates his pro-



Peal, Rembreandt. "Thomas Jefferson." Wikimedia Commons. 1800.

found understanding of what motivated Southern politicians and how to alleviate the anxieties plaguing Virginian Republican elites.

Jefferson and his supporters developed an array of strategies to persuade different members of the Republican-dominated Virginia legislature to prefer the University of Virginia over statewide primary schools despite elitist undertones. They reoriented the ideological debate around fears that primary school centralization would spur tyrannical state overreach, along with worse educational outcomes. However, Jefferson and his team also elicited the Virginian political elite's broader fears about maintaining their predominance in a rapidly-shifting early republic. They rallied caucus unity by evoking early leaders' 'crisis mentality' concerns that Republican division could allow Federalist ideology to persist and eventually destroy the Union. Moreover, Jefferson advertised the university as a foundation for long-term ideological supremacy, allowing Virginia to curate a *Republican*, *Virginian* curriculum to combat the 'corrupting' Federalist influence Northern universities had on the future governing elite.

This article first introduces the initial challenges Virginia's education system faced in the early 1800s, as well as the main actors of Virginia's education debate and Jefferson's and Mercer's contending proposals. It then isolates the aforementioned three strands of argument in turn, analyzing the ideological and contextual foundations for the argument before examining each case's tangible political impact.[7]

Background: Setting the Scene for the Battle Over Virginia Education

Virginia had played an outsized role in America's early history. After Jamestown housed one of England's first successful New World ventures, Virginia emerged as an early leading voice during the imperial crisis.[8] The state's defiant appeal for self-determination was then immortalized when Patrick Henry demanded liberty or death in St. John's Church in Richmond.[9] In 1776, a year after Henry's soliloquy, Virginia adopted its state constitution before the Declaration of Independence was ratified. The May Convention, as it became known, established Virginia as an independent polity that crafted its own alliances and agreements.[10] After the Union's consolidation, Virginia's past autonomy translated into a feverish defense of state discretion over internal affairs—a tenet Democratic Republicans soon adopted.[11] Virginia's booming plantations and robust population, along with the state's firm control of the early presidency, placed it at the fore of the early republic's economic and social spheres.

Nevertheless, Virginia's educational infrastructure lagged behind that of its peers. Even its proud statesmen acknowledged that while "mass education in Virginia before the revolution placed her with the foremost of her sister colonies,"[12] the domain had since been neglected. While educational infrastructure had arisen somewhat organically in Northern states, most Virginia counties lacked a primary school in 1800.[13] This difference was a matter of geography. Diffuse Southern agrarian populations lacked the population density of New England townships, making the founding of community schools far less logistically and financially feasible. Educational shortcomings soon became a source of embarrassment for the state's leaders. Then-Governor James Monroe used his last two annual addresses in 1801 and 1802 to implore the state legislature to address the issue, as did Governors William H. Cabell and John Tyler, Sr. four times between 1806 and 1810.[14]

These entreaties were finally answered in 1810, when Charles Fenton Mercer entered Virginia's House of Delegates. Elected from Loudon County at thirty,[15] Mercer already boasted well-established Federalist bona fides. In 1806, he gave a defiant, pro-Federalist speech celebrating George Washington's birthday, calling the president "a perfect hero."[16] Mercer hoped showing his "zealous love"[17] for the original Virginia Federalist would help destigmatize his party by re-emphasizing its link to the nation's

patriarch. Combined with a lack of competition, such messaging allowed him to quickly climb his party's mantle. He used this platform to elevate his signature issue: education. Before he even entered office, Mercer drafted the "bill to appropriate certain escheats, penalties, and forfeitures to the encouragement of learning."[18] This document first proposed a statewide literary fund dedicated to public education. The bill soon passed and, after a delay during the War of 1812 (when Mercer earned the rank of Lieutenant Colonel), Mercer requested $600,000 from the state treasury.[19] By now, he had attracted Jefferson's attention.

While early Virginia had ignored education, Thomas Jefferson had not. His passion for education policy had existed since his earliest days in politics. Considered "the face of an American Enlightenment" for his avid intellectualism, he frequently echoed Francis Bacon's refrain that "knolege [*sic*] is power...safety, and...happiness."[20] Virginia's educational landscape had concerned Jefferson since the state's beginnings. In 1779, he proposed "A Bill for the More General Diffusion of Knowledge" to address the matter.[21] Jefferson's pyramidal system was built around *wards*, geographic units smaller than counties that divided the state along the lines of existing militia jurisdictions.[22] Each ward would house a primary school. Tuition paid by those with sufficient means would sustain a school that "even the most indigent" could attend for three years.[23] The best pupils would earn scholarships to secondary grammar schools shared by multiple wards. Finally, the most adept secondary students could attend a state university.[24] The young Jefferson considered this plan meritocratic, designed to cultivate "the best and most promising genius" throughout the state.[25] However, the statehouse was not convinced. Only the bill's sections on elementary schools passed the legislature, and even that amended version simply deferred decisions to create the schools to local courts, where measures stalled.[26]

While Jefferson's original plan failed, he never forgot educational reform. In 1779, he redesigned the curriculum of the College of William & Mary.[27] Using the Land Ordinance of 1785, he designed communities in the Northwest with "common school[s]" at the center of "townships."[28] During the Washington Administration, he tried to convince the Cabinet to found a national university by resettling the faculty of the University of Geneva to the United States.[29] As president, he founded the National Military Academy at West Point and attempted to establish a civilian counterpart.[30] Through it all, he never forgot his original ambition: establishing the flagship state university that was "constantly in view."[31] While he bided his time, he recruited other education advocates into the Virginia legislature.[32] Particularly important was Joseph C. Cabell, who would become President of the Senate by 1816.

With Mercer's emergence, Jefferson's decades-awaited "favorable moment" had arrived.[33] Jefferson circulated a public letter reiterating his three-tiered model, and Mercer soon crafted legislation for his literary fund around the 1779 initiative.[34] Overjoyed, Jefferson and his cohort promised to do "anything, in [their] power to promote" the plan.[35] They even supported Mercer's nomination to chair the literary fund's committee despite his Federalist affiliation.[36]

Disagreements arose when it became evident that funding was insufficient.[37] While Jefferson desired a university, Mercer preferred diffuse elementary schools. Without this initial access to education, Mercer asserted, provincial Virginians could never reach their potential.[38] Moreover, he argued that state education for the less fortunate was integral to the state's compact with its citizens. If these citizens were expected to pay the state, both through taxation and by fighting in battle when its security was threatened, the state's duties must also be fulfilled.[39]

In February 1817, Mercer proposed a new "General plan of education for the state" that dedicated the entire literary fund "to the establishment of a school in each township."[40] Only "the surplus that may remain" after primary and secondary concerns would reach a university.[41] Jefferson immediately recognized that the proposal's provisions for "the primary schools alone...would exhaust" the fund and called on Cabell to stop the bill by any means necessary.[42] After Cabell frantically orchestrated the bill's tabling,[43] Jefferson's faction took time to regroup.

Part of Jefferson's panic arose from his unfamiliar position: opposed to Federalists, yet himself susceptible to being considered elitist. As the first party system solidified during Jefferson's own national ascendance, Republicans had established partisan dominance by better adapting to a democratizing politics. Symbolically and rhetorically, they embraced the common voter, at least in public. They became masters of ceremonies, claiming events from feasts to the Fourth of July as "Democratic Republican events."[44] The chasm between Jefferson's stance and his party's principles created the dissonance of this last political battle. Jefferson, who had built a career, a party, and a dynasty around shielding the common man from a 'monarchical' opponent, was aligned with the elite. Further complicating the situation, esteemed Republicans rallied behind Mercer's position, which appeared more consistent with their ideology. Chief among these advocates was Governor Wilson Cary Nicholas (1814-1816), who urged increased allocation towards Mercer's priority.[45] Jefferson's stance forced broader questions about which constituency could claim the common man. Overcoming

these concerns would require inventive arguments, arousing the innermost concerns of the Virginian Republicans. However, if anyone understood the psyche of the early Southern politician enough to succeed, it was Jefferson.

Against Centralized Tyranny

Mercer's emphasis on grassroots education, though not traditionally associated with Federalists, stemmed from one of the party's foremost fears: the uneducated masses. In the early nineteenth century, Virginia expanded the franchise beyond its prior exclusively high threshold for property ownership.[46] This initiative threatened not only Federalists' aspirations for Virginian office, but also their conception of the fabric of democracy. Like his fellow Federalists, Mercer thought only a select few were capable of participating in representative government. However, realizing the floodgates of suffrage had irreversibly opened, he intended to offer "the rabble"[47] the tools needed to effectively navigate civil society. While Republicans had claimed the mantle of popular politics since 1800, Federalists instead sought to improve the "moral and intellectual condition" of those they feared.[48] In light of this goal, Mercer believed investment in primary schools was more sound than investment in a university that would benefit the already-educated elite.[49] The fact that the absence of a primary education plan represented a deep-seated fear in his Federalist psyche merely made his legislative success more urgent.

Unable to levy his traditional attacks on oft-pompous, monarchical Federalists, Jefferson sought a new form of advocacy. This proved difficult; allegations of elitism disarmed many of his apparent options. Concerns of high taxation rang hollow. Mercer's retort, dismissing these critics as "the sons of opulence... complain[ing] that the children of poverty are taught at their expens [*sic*]," [50] only further fueled the legislature's "discontent."[51] The Jeffersonians did themselves no favors in evading these allegations, either. Seemingly oblivious to the consequences, one senator proposed striking primary schools from the record altogether.[52] Years of conditioning by Republicans' own barbs against Federalists only made the allegations harder to dismiss. In the end, Jefferson decided that his ideological approach would invoke another deep-seated Virginian political aversion: government overreach.

In a letter to Cabell, later spread throughout the legislature, Jefferson explained how centralized management of primary schools was tantamount to tyranny. His critique stemmed from concern for his proposed education system's essential building block: the ward.[53] Drawn along militia boundaries, these wards purported to offer better coordination than larger, diffuse counties (which Jefferson considered cumbersome). Jefferson idealized wards as "the most fundamental" level of government.[54] A structure encompassing individuals with pre-existing social linkages could perfectly embody "the principles and exercise of self government."[55]

Establishing the ward as a small-government ideal also allowed Jefferson to portray centralized assistance for primary education as a disturbing, corrupting force. His critique of consolidated state authority mirrored that which he had levied against the federal government since at least the Virginia and Kentucky Resolutions. To Jefferson, preventing tyranny was a matter of preventing any one office, and its corrupted holder, from overpowering and stifling others. This imperative called for "a gradation of authorities."[56] This appeal regulated state-local relations as it did its federal-state counterpart. Consolidating power was not conducive to "a good and safe government," even when the attracting entity was the Old Dominion.[57] In a letter penned anonymously for the *Enquirer*, Jefferson warned that Mercer's plan would increase the statehouse's "capacity for evil."[58] Dedicating the literary fund to a university instead would free local schools from the Board of Education's coercion. The juxtaposition between the two worlds Jefferson depicted was striking. Locally driven schools would advance the agrarian, republican ideal; wards' self-governance moved towards "the administration of every man's farm and affairs by himself."[59] Richmond's interference, on the other hand, would establish a precedent leading to state control of "all our farms, our mills, and merchants' stores," exactly what Virginians had treasured as individual rights since the imperial crisis.[60] By evoking such apocalyptic harms, Jefferson hoped to link Mercer's proposal, supposedly drafted to assist the indigent, to the very destruction of liberty.

Even if primary school centralization didn't facilitate tyranny, Jefferson insisted that it would generate worse educational outcomes due to the comparative inattention schools would receive. Regardless of the Board of Education's bureaucratic magnitude, overseeing hundreds of wards would inherently dilute its focus on each one.[61] Instead, Jefferson argued, an elementary school would receive more valuable care when governed by its own community, both for tailored student attention and parents' vested stake in providing high-level resources for their children.[62]

Importantly, Jefferson believed each ward could financially sustain a primary school of its own. The single-house, unitary schools called for by Virginia's plan would require "nothing better than a log house" and a single teacher's salary.[63] Jefferson dismissed the possibility of any funding shortcomings, claiming that any "deficiency" even in the poorest areas "would require too trifling a contribution" from the community to merit worry.[64] Once Jefferson had established the feasibility of both localized

and centralized funding options for primary education, he believed the former far superior. Moreover, even if a ward decided against funding a school, Jefferson believed it better that the community "remain without" than be compelled to establish one.[65] After all, the counterfactual was autocratic.

Nevertheless, a state university merited central support, in spite of how such a structure would imperil primary schools, because it could not exist without such funds. Jefferson's insistence that Virginia's university house professors "in the first order" entailed substantial salaries.[66] These costs, compounded by ambitious architectural plans and land costs, would command a considerable sum.[67] Jefferson's extensive previous ventures in higher education equipped him with the authority necessary to make this claim. While centralization was portrayed as a necessary evil, it was nonetheless unavoidable in order for the state to access access higher learning in the first place.

Of course, this entire advocacy depended upon wards having sufficient funds, resources, and energy to provide their communities with education. Cabell himself privately doubted whether diffuse Virginian populations, particularly those on the western frontier, possessed sufficient wealth for even a log cabin and teacher's salary.[68] In hindsight, evidence concurs; rural wards lacked the means for even unitary schoolhouses decades after the education conflict.[69] Jefferson had also conveniently omitted the fact that two years of private subscriptions alone had raised over $50,000 for his university.[70] If private markets provided for either of the two choices at hand, it was certainly the in-state finishing school for the proud Virginia gentry. If we offer Jefferson the benefit of the doubt and assume sincerity in his reasoning, his miscalculation simply stressed that the retired planter, to whom patronizing the sciences meant sponsoring excavation campaigns to discover new mastodon skeletons,[71] was divorced from Virginia's realities. A more cynical reading would suggest that Jefferson exploited his ethos to make arguments appealing to a fear of centralized tyranny. This ideological argument gave his proponents a philosophical underpinning linking their votes to the Republican ideology their constituencies embraced. The day Jefferson's letter aired in the *Enquirer*, Cabell noted the "very happy effect" it had appeared to make on the House of Delegates, the chamber where Mercer's reach was greatest.[72] While persuading the chamber would require more work, the centralization argument provided the ideological defense prerequisite to later successes.

The Politics of Crisis and Calls for Unity

Jefferson was well aware that early American legislators were driven by more than doctrine. While leaders of any era must reckon with personal interest, the nation's first generations of politicians bore the additional responsibility of navigating the norms of a previously nonexistent democratic culture.[73] Forced to differentiate between legitimate and illegitimate, acceptable disagreement and sedition, these men at times saw dissent itself as threatening to the American Experiment. Aware that the homogenous Virginia legislature could pass his plan without a single Federalist vote, Jefferson espoused Republican unity in the face of existential Federalist threat. He garnered support from partisans originally hostile to his plan by reminding them that the party came first. After all, the price of division could be the Union.

> "Forced to differentiate between legitimate and illegitimate, acceptable disagreement and sedition, these men at times saw dissent itself as threatening to the American Experiment."

Leaders at the turn of the nineteenth century could be excused for considering the Constitutional system fragile. Those living through the republic's incipient decades had witnessed British colonial rule, the Continental Congress, and the Articles of the Confederation all before Washington's inauguration. Without relevant precedent, their every decision led the nation further into uncharted territory. With no knowledge of whether their next decision would lead the country to collapse, these leaders were governed by a fear of failure.

This sense of national fragility was fostered by what Joanne Freeman refers to as a "climate of crisis."[74] Elected officials constantly encountered circumstances for which the Constitution lacked specific provisions. Seeing each action as establishing precedent, leaders considered divergences from the true—that is, their own—interpretations of the document as existential threats to the Union. This crisis mentality cast partisan clashes not as legitimate differences of opinion, but rather attempts to undermine the country.[75] New measures fueled this apocalyptic mindset nearly annually, and crisis sentiment quickly became commonplace. In 1790, Henry Lee predicated an entire proposal on the conditional: "If the gov-

ernment should continue to exist."[76] These tensions constantly lurked behind everyday politics.

The period's prevailing crisis mentality emboldened politicians to take drastic measures. Despite their aversion to active politicking, incipient Federalists and Republicans turned to tactics they would have otherwise dismissed as populist demagoguery. Belief that their opponents had "forsaken the public good" justified taking any measures to defeat them.[77] Inaction could herald the end of the American Experiment. In this climate, partisan loyalties changed from the dynamic, ever-shifting allegiances of the 1790s into more entrenched cleavages.[78]

As the first party system solidified, crisis mentality also fueled an explicit imperative of party unity. While Jefferson's inaugural message that "We are all Republicans, we are all Federalists," initially appeared conciliatory, it was actually a sweeping declaration of a Republican mandate.[79] To Jefferson, a "mighty wave of public opinion" had endorsed the Republican Constitutional interpretation.[80] This message reinforced the Republicans' sentiments: breaks with Republican ideology were illegitimate. Jefferson echoed this claim later in his presidency, positing that the only split independent of "great evil" was between "moderate and ardent republicanism."[81]

Appeals for Republican unity were particularly effective in Virginia. Considered the "least faction-ridden of the colonies," it was renowned for a substantial majority already favoring the party of Jefferson.[82] While they originally welcomed the Washington Administration—due in part to its namesake's heritage—Virginia's Republicans viewed Adams's Federalist reign with horror. The crisis became particularly salient in 1798, when the Sedition Act prohibited criticism of the federal government. Republicans saw this as a prodigious infringement of free speech. The Act's partisan nature became especially unacceptable in light of its one exemption: criticism of Vice President Jefferson.[83] Leading Virginians became hysterical; John Taylor even proposed secession.[84] The anxiety of 1798 powered the Election of 1800's urgency. When Jefferson finally won the presidency, Virginia's collective relief sparked "spontaneous" celebrations in the street.[85] Moving forward, Virginians believed they bore the responsibility of defending the 'true' Constitution—that is, the Republican reading of the document. The next three presidents, all Republicans, and countless other party elites calling the state their home reinforced this prejudice. Moreover, crises easily roused Virginia's planter class, whose preeminent economic and political power meant they had more to lose from a failed republic than any other interest group. The fact that planters constituted an inordinate share of the state-house also made legislators' backgrounds incredibly homogenous, even for the time period.[86] Such a uniform group failed to challenge its members' pre-existing biases, creating a positive feedback loop of validation quite conducive to panic.

Even as Republicans filled both the White House and the statehouse, the fear of Federalists persisted in Virginia. This anxiety was best reflected in the ostracism those in the political minority endured. Republicans denied Federalists social roles, like prestigious positions in local militias.[87] In a series of op-eds published in the *Richmond Enquirer*, John Taylor defended such exclusion, arguing that individuals could not be dissociated from their political principles. A failure to do so, he alleged, had toppled republics as grand as Rome.[88]

Where Jefferson's appeals to Republican tenets failed, alarmed calls for unity succeeded. Jefferson frequently stoked his correspondents' visceral responses to crisis. He reminded them of Federalist strongholds where the party's control far outpaced its vote share.[89] He particularly emphasized Federalists' "possession of the bench," where judgements were not beholden to the popular will.[90] The implications of this rhetoric were clear. Even if Federalists were an extreme minority, they could seize power the moment solidarity broke. Even in Virginia, Republicans could never be complacent. Even if a given Federalist proposal appealed, the costs of lending them political capital were too high. Even if deference to the Republican line required compromising one's preferences, this threat demanded categorically partisan behavior. The sacrifice of an enticing policy was worth preserving the republic.

This line of argument was particularly powerful in converting dissenting voices from Virginia's West. Tension between the West's small landowners and the East's traditional planter elite dated back to the state's formation. When the eastern planters drafting Virginia's constitution established voting qualifications, they set landholding requirements that excluded most of the west's small-plot settlers.[91] A gerrymandered assembly marginalized western voices even further. Westerners quickly grew confrontational, penning condemnations of the "unbalanced representation" by 1803.[92] In 1816, western delegates caucused at Staunton, resolving "almost unanimously" that the status quo unacceptably infringed upon their rights.[93] Westerners saw Jefferson's national university as yet another plan to concentrate power in the east.[94] Diffuse, poor western communities were the ones where his proposed self-funding would deny primary education. The "Tramontaine [*sic*] interest" then fell behind Mercer's plan, with many central Virginians sympathetic to their plight.[95]

Upon hearing of western support for Mercer, Jefferson appealed to unity to silence this brewing sectionalism.

Unknown.. "UVA Rotunda." Wikimedia Commons.

Republicans who adopted the west's advocacy became "dishonest enemies" of the state, willing to precipitate disaster and "sacrifice the public good to a local interest."[96] Anyone placing western interests over Republican ones was beholden to Federalists, who were weaponizing the region.[97] He and his colleagues linked westerners seeking more representation to the same "powerful *private interests*" that had driven Federalists since Hamilton.[98] He even alleged that Mercer's plan itself was advanced by a conspiracy of "some artful man beyond the ridge," compounding the evils of both factions by blending them.[99]
An awesome array of Republicans soon rallied behind Jefferson. Even James Monroe, the sitting president, joined the university cause. When Jefferson requested "the benefit of [Monroe's] name" behind the university preference to "silence cis-montaine [*sic*] competition... and ensure us against schism," Monroe understood the stakes.[100] The president, who had well internalized the politics of crisis, left Washington to meet with crucial swing delegates at Monticello and discourage faction.[101] Soon, solidarity emerged from disparate corners of the party. Delegates from central Virginia soon diversified appeals that originally stemmed from the Tidewater.[102] "The appearance of local feelings and interest" that had almost derailed Jefferson's proposal soon abated in the presence of a far more profound force: partisan cohesion.[103]

The poignancy of appeals for unity was perhaps best evidenced on the day Jefferson's plan finally passed the House of Delegates. Briscoe G. Baldwin, a delegate from Staunton, spoke at length against establishing the Charlottesville university, instead preferring an alternative west of the Blue Ridge.[104] His appeal even tapped into his (and his region's) honor, insisting that such an alternative would endow the west with a respect and dignity constantly refused.[105] Nevertheless, after a vote confirmed Charlottesville as the location for any state-sponsored university, Baldwin promptly called on his western allies "to dismiss local feelings, & to unite with the majority."[106] In "a most eloquent appeal," Baldwin explained that "the interest of state unity" must defeat the dangers of faction, silencing the latent, sinister, and disproportionately pow-

erful Federalists Jefferson had warned of.[107] According to Cabell, Baldwin's speech garnered "universal applause" and left "a great part of the House...in tears." The next day, the bill passed easily.[108]

Long-Term Ideological and Virginian Supremacy

Senator Christopher Tompkins from Mathews County had represented a significant obstacle to Jefferson's university for over a year. Unmoved by arguments about centralization, he believed Republicans ought to unite around another policy. However, after Cabell gave him a personalized letter from Jefferson in January 1818, Tompkins changed his perspective. The senator promised Cabell that he would do "anything in his power to promote" the university, even at the expense of Mercer's primary schools.[109] After all, he had "a son whose education he wished to be completed at that place."[110] Jefferson understood that, while elite Virginian statesmen had to contend with their weak elementary school system, they also reckoned with the reality that Virginia's meager university offerings led many young gentlemen to complete their education elsewhere. To politicians still wed to the notion that only the gentry could rule, this reality meant exposing the Old Dominion's future leaders to what they saw as the irresponsibly liberal (and pro-abolition) politics of elite Northern universities. Jefferson's university offered a solution to this dilemma, a node of ideological control that could train the scholars, justices, and politicians that would propagate the Virginia political tradition.

By the Era of Good Feelings, many Virginia statesmen believed the state faced a crisis of leadership. To the elites of the revolutionary generation and their progeny, many of the state's new generation of leaders were inadequately prepared to govern. Explaining to Jefferson why he missed the "Old Government," Governor John Tyler alleged that the new crop was rife with corruption, solely seeking to "gratify Ambition [*sic*]."[111] As a result, these new representatives were often unwilling to vote for what was "right"—that is, consistent with their purported Republican ideology—when alternatives were more "popular."[112] Jefferson's own allegations went further, arguing that the next generation's ideology itself had become warped.[113] To the Virginian elite that had internalized crisis mentality, this tendency was dangerous.

To explain this leadership dilemma, Jefferson pointed to many of these statesmen's educations in Northern universities that promoted arguments challenging the Virginian political vantage. Perhaps the only force outmatching Virginia's political power in early America was Virginians' belief that they hosted the state's only legitimate political tradition.[114] Accordingly, elites feared the wealthy youths who would soon govern the state adopting non-Virginian principles.[115] Nevertheless, the lack of a viable in-state university all but guaranteed exposure to these Northern ideals.[116] As Virginia's elite went north to universities like Harvard and Yale, Jefferson believed their introduction to Federalist-infested ideology had compromised their ability "to percieve [*sic*] the important truths" of governance.[117] Charles Fenton Mercer himself, who graduated from The College of New Jersey (now Princeton University) in 1800,[118] was a byproduct of this trend. Jefferson framed the problem in existential terms; the "canker" of North-bound students was "eating on the vitals of our existence...If not arrested at once, it [would] be beyond remedy."[119]

These concerns intensified not only as new generations of statesmen began to enter the legislature in masses, but also as regional tensions surrounding abolition heightened. While the Missouri Compromise would not occur until 1820, debates about expanding slavery beyond the original colonies had already begun. Particularly up North, where nascent abolitionist factions had emerged, the position had entered mainstream dialogues.[120] Anxieties over abolition loomed particularly large in Virginia. Its gentry's economic power was predicated upon slavery. Moreover, fears of slave rebellions had become particularly salient in the wake of Gabriel's Rebellion in 1800, aggravating racialized anxieties and converging desires for absolute control over state affairs.[121] Thus, from the Virginian perspective, ideas spread in Northern universities did not only violate states' discretionary authority under the Tenth Amendment;[122] they also threatened Virginia's power itself. Creating another option became an urgent matter.

> "Perhaps the only force outmatching Virginia's political power in early America was Virginians' belief that they hosted the state's only legitimate political tradition"

Understanding the salience of these fears, Jefferson and his allies provoked officeholders' concerns that a Northern educational influence could indoctrinate their successors against their fundamental tenets. Virginians cited the decisions of Federalist Chief Justice John Marshall as

"undeniable proof of the bad State of Morals" corrupting intellectual circles outside of the Old Dominion.[123] (To Republicans who confidently controlled Virginia's state house, these unpopular federal judicial decisions that overrode the state's electoral will were a particular sticking point.)[124] The Jefferson-directed Rockfish Gap Commission, which constructed the final proposal for a state university, invoked the preservation of Virginian ideals as a crucial reason for the university's construction, which could "improve" students' "morals and faculties."[125] Jefferson's supporters also wrote anonymous columns in local papers to circumvent Mercer's accusations that the university's wealthy supporters were merely acting out of self-interest. Under the pseudonym of "A Farmer," the famed Republican judge Spencer Roane argued that the lack of a state university endangered Virginians' glorified agrarian ideal.[126] If Virginia's future leaders continued to be educated up North, he said, they would accept the policies of government overreach defining Federalist legislation.[127] After the university had won sanction, Joseph Cabell listed Roane's advocacy as one of the campaign's most invaluable resources, as it emphasized the power of elite education to dictate the agenda of the future.[128]

While emphasizing the danger of exporting elite education, Jefferson offered the University of Virginia as a bulwark protecting Virginian ideology for years to come. Through a distinctly *Virginian* higher education, a future politician could "understand...duties to his neighbors and country and...discharge with competence the functions confided to him."[129] Exposing students to the Republican ideology of carefully curated professors[130] would produce "a revolution of opinion."[131]

The appeal of shaping future leaders in a Virginian mold is evident in the case of Colonel Charles Yancey. Originally, Yancey supported Mercer's proposal over Jefferson's, fearing that abandoning primary education would unjustly disadvantage rural citizens, "putting them on a different footing from the people of other counties."[132] However, Jefferson appealed directly to Yancey, arguing that Virginia's future leaders educated in the North had left the state infected with "the tax of toryism, fanaticism, and indifferentism."[133] Instead, Jefferson implored Yancey to consider the University "a germ from which a giant tree may spread itself" and the Republican legacy.[134] Supporting the university might cost some Virginians primary access in the short run, but it was also the only way to preserve, or even spread, Republicanism after their demise.[135] With their very ideology in the balance, legislators like Yancey aligned behind the university.[136]

Conclusion

By November 1818, the proposed University of Virginia finally appeared "beyond all danger" of losing out to Mercer's primary schools.[137] However, many who had approved the measure soon developed misgivings about the political battle that had transpired. In a series of essays run in the *Enquirer*, an author calling himself "A Constituent"—later discovered to be future Virginia governor William Branch Giles—accused Virginia's Republicans of forsaking their constituents by failing to empower the populace.[138] To an extent, his diagnosis was correct. In the aftermath of years of exhausting debate on the topic, the Virginia statehouse abandoned primary education almost altogether, shifting from fully funding primary schools throughout the state to not even offering "regulations regarding teachers, students, and facilities."[139] Giles argued that the legislature had allowed the identity of the actors on both sides of the dialogue to cloud the issue, letting political concerns supersede beneficial policy.[140] Even some of Jefferson's key partners indicated remorse. For example, while James Monroe never explicitly renounced his actions during the education debate, he later admitted that he endorsed Jefferson's project without knowing the policy's specific implications. Jefferson's shrewd political appeals were enough to make even leading voices cast their ideologies aside.[141]

While Jefferson's tombstone was carved in 1826, the university he produced shaped Southern history well after his passing. Documents promoting a Southern ideology were placed at the center of the school's curriculum, exacerbating the country's increasing sectional schisms. (For example, the Virginia Resolution was established as one of the six fundamental texts of its legal coursework.[142]) Moreover, the sectionalism UVA students studied drove their political lives as alumni. Benjamin Franklin Stringfellow became the Missouri Attorney General and a prominent member of the "Border Ruffians" who instigated the clashes of "Bleeding Kansas" in an attempt to ensure the state would join the Union as a slave state.[143] Senators like Robert M.T. Hunter (D-VA) and Robert Tombs (D-GA) actively seceded from the union.[144] Even the author of Jefferson's first comprehensive biography, George Tucker, was influenced by the curriculum the Sage from Monticello curated.[145] Moreover, UVA's model, along with its impact, was replicated. Many other Southern states copied the template laid out in the Rockfish Gap Report.[146] The University of Virginia was thus a critical agent in the ascendancy of the famed sectionalist "fire-eaters," like John Calhoun, and, eventually, Confederate secessionists, by offering a template for the universities that would foment such ideologies. Understanding how Jefferson espoused the anxieties of the statesmen of his own age to establish the university in the first place offers further insight into the underlying Southern political psychology that fueled these later generations' growth.

Ironically, Jefferson's campaign to propagate the Re-

publican tradition was almost derailed by, of all things, a Federalist promoting accessible education for the masses. However, Jefferson drew on a lifetime's study of the dimensions of Virginian politics to succeed in his final bout. By reframing the decision between Mercer's elementary school and Jefferson's university preferences as one between centralized tyranny and local control, Jefferson provided sympathetic statesmen ideological cover. Then, Jefferson and his associates awakened Virginians' deepest partisan fears of losing their political hegemony—and slaveholding power. Preventing Federalists from leveraging dissent to encroach upon Republican power in the near future thus necessitated party unity. Meanwhile, the need to foster a new generation of Republicans to perpetuate their worldview necessitated the creation of a prominent Virginia finishing school for the future. With all these tactics, Jefferson secured the "triumph of the university," convincing the Virginia legislature of the imperative of putting party above policy, and helping shape the country's history for decades to come.[147]

Endnotes

[1]Thomas Jefferson, memorandum, ca. 1826, *Thomas Jefferson Papers*, Library of Congress.

[2]William Arthur Maddox, *The Free School Idea in Virginia Before the Civil War* (New York: Columbia University Teachers College, 1918), 46.

[3]Joseph Cabell to Thomas Jefferson, December 24, 1818, in *The Papers of Thomas Jefferson*: *Retirement Series*, J. Jefferson Looney, ed., 13 vols. (Princeton: Princeton University Press, 2018), 13:515.

[4]Thomas Jefferson to Joseph C. Cabell, October 24, 1817, in ibid., 12:133.

[5] Joseph C. Cabell to Thomas Jefferson, January 5, 1818, in ibid., 12:318.

[6]General John Harwell Cocke, 1826, in George Green Shackleford, *Jefferson's Adopted Son: The Life of William Short* (Lexington: University Press of Kentucky, 1993), 174.

[7]This work contributes to broader literature surrounding the establishment of the University of Virginia by analyzing how the political tactics employed in this legislative debate interacted with pre-existing Republican ideology and the period's partisan tensions. Particularly, it engages with how Jefferson and his allies convinced Republicans to vote against Mercer's proposal despite the fact that his policy was more intuitively attuned to the Republican disposition of preferring the "common man" over the elite. It examines how the Republicans were able to attack a Federalist policy when, frankly, it did not appear very Federalist, and how Jefferson weaponized the broader early partisan context to outweigh initial ideological proclivities. Outside of this junction, there exists ample literature on the University of Virginia's founding. On the influence that the Missouri Crisis and sectional tensions surrounding slavery had on the establishment and formative years of the institution, see Merrill D. Peterson, *Thomas Jefferson and the New Nation* (New York: Oxford University Press, 1970); Cameron Addis, *Jefferson's Vision for Education, 1760-1845* (New York: Peter Lang, 2003). On religious opposition to the secular University of Virginia's establishment, see also Addis, *Jefferson's Vision for Education*. On Jefferson's previous educational initiatives, see Harold Hellenbrand, *The Unfinished Revolution: Education and Politics in the Thought of Thomas Jefferson* (Newark: University of Delaware Press, 1990); Robert M.S. McDonald, ed., *Thomas Jefferson's Military Academy: Founding West Point* (Charlottesville: University of Virginia Press, 2004). On the intellectual development of Jefferson's philosophy of education and the state's role in educational provision, see Annette Gordon-Reed and Peter S. Onuf, *"Most Blessed of the Patriarchs": Thomas Jefferson and the Empire of the Imagination* (New York: Liveright Publishing Corporation, 2017); James J. Carpenter, "The Ultimate Defense of Liberty: Thomas Jefferson's Philosophy of Education," in M. Andrew Holowchak, ed., *Thomas Jefferson and Philosophy: Essays on the Philosophical Cast of Jefferson's Writings* (Lanham: Lexington Books, 2014). On the debate over whether Jefferson's educational ideology was crafted to embrace or obstruct rising democratic tides, see James Carpenter, "Thomas Jefferson and

the Ideology of Democratic Schooling," *Democracy & Education*, 21(2) (2013) and Holowchak, "Jefferson and Democratic Education," *Democracy & Education* 23 (2014). On Jefferson's thoughts on self-government, the balance between state and federal power, and territorial expansion, see Onuf, *The Mind of Thomas Jefferson* (Charlottesville: University of Virginia Press, 2012). On Jefferson-era political tactics, see Noble E. Cunningham, *The Jeffersonian Republicans in Power: Party Operations: 1801-1809* (Chapel Hill: University of North Carolina Press, 1963); Robert Hofstadter, *The Idea of a Party System: The Rise of Legitimate Opposition in the United States, 1780-1840* (Berkeley: University of California Press, 1970); Sidney M. Milkis, *Political Parties and Constitutional Government* (Baltimore: Johns Hopkins University Press, 1999). On early Virginian politics, including contemporary perspectives on Jefferson throughout his life, see Onuf, *Jefferson and the Virginians: Democracy, Constitutions, and Empire* (Baton Rouge: LSU Press, 2018); Kevin R. C. Gutzman, *Virginia's American Revolution: From Dominion to Republic, 1776-1840* (Lanham: Lexington Books, 2007).

[8] Kevin R. C. Gutzman, *Virginia's American Revolution: From Dominion to Republic, 1776-1840* (Lanham: Lexington Books, 2007), 7.

[9] Ibid., 8.

[10]Ibid., 1. Virginia's state-centrism carried over well into the early United States. Virginian statesmen tended to refer to the Old Dominion as "the nation." For more, see Peter Onuf, "From Colony to Territory: Changing Concepts of Statehood in Revolutionary America," *Political Science Quarterly* 93 (Autumn 1982) 447-459.

[11] Gutzman, *Virginia's American Revolution*, 7.

[12]Nathaniel Francis Cabell, "Introduction," in Nathaniel Francis Cabell, ed., *Early history of the University of Virginia: as contained in the letters of Thomas Jefferson and Joseph C. Cabell, hitherto unpublished; with an appendix, consisting of Mr. Jefferson's bill for a complete system of education and other illustrative documents; and an introduction, comprising a brief historical sketch of the university, and a biographical notice of Joseph C. Cabell* (Richmond: J.W. Randolph, 1856), xvii.

[13] Alfred James Morrison, *The Beginnings of Public Education in Virginia,1776-1860: Study of Secondary Schools in Relation to the State Literary Fund* (Richmond: D. Bottom, 1917).

[14] N. Cabell, *Early history of the University*, xviii.

[15] Douglas R. Egerton, "To the Tombs of the Capulets: Charles Fenton Mercer and Public Education in Virginia, 1816-1817," *The Virginia Magazine of History and Biography* 93 (April 1985), 155.

[16] Charles Fenton Mercer, "Oration delivered by Charles Fenton Mercer, Esq., at the Episcopal church, on Saturday, the 22nd instant," *Alexandria Daily Advertiser*, February 26, 1806.

[17] Ibid.

[18] Egerton, "Tombs of the Capulets," 157.

[19] Joseph Cabell to Thomas Jefferson, February 21, 1816, in *Retirement Series*, 9:496.

[20] Amanda Louise Johnson, "Thomas Jefferson's Anglo-Saxon Genesis: A Romance," *Modern Philology* 114 (February 2017), 681; Thomas Jefferson to George Ticknor, November 25, 1817, in *Retirement Series*, via Thomas Jefferson Foundation.

[21] Maddox, *The Free School Idea*, 12.

[22] Thomas Jefferson to Joseph Cabell, February 2, 1816, in *Retirement Series*, 9:437.

[23] Thomas Jefferson to Peter Carr, September 7, 1814, in ibid., 7:639.

[24] Ibid.

[25] A Bill for the More General Diffusion of Knowledge, June 18, 1779, in *Papers of Thomas Jefferson*, 2:530.

[26] N. Cabell, Introduction, in N. Cabell, ed., *Early History of the University*, xvii.

[27] Ibid., xviii. While he met one of his most valued mentors, William Small, during his studies at –William & Mary, Jefferson was a frequent critic of his alma mater. For further inquiry into Jefferson's relationship with the college, see Cameron Addis, *Jefferson's Vision for Education, 1760-1845* (New York: Peter Lang, 2003). On top of his ideological concerns, part of the reason Jefferson did not consider William & Mary a sufficient higher learning institution for Virginia was its size; classes had merely fifty students. See Egerton, "Tombs of the Capulets," 157.

[28] See Onuf, "From Colony to Territory."

[29] See Jennifer Powell McNutt and Richard Whatmore, "The Attempts to Transfer the Genevan Academy to Ireland and to America," *The Historical Journal* 56 (June 2013), 345-368.

[30] See Robert M.S. McDonald, ed., *Thomas Jefferson's Military Academy: Founding West Point*, (Charlottesville: University of Virginia Press, 2004).

[31] Thomas Jefferson to Marc Auguste Pictet, February 5, 1803, in *Papers*, 39:456. Even at this early stage, Jefferson was inquiring into the subjects taught and distribution of work amongst professors at Geneva.

[32] Isaac A. Coles to Joseph Cabell, 1807, in N. Cabell, ed., *Early History of the University*, xxx. Coles, Jefferson's secretary, convinced Joseph Cabell to enter the statehouse upon Cabell's inquiry to the president surrounding education reform.

[33] Jefferson to Pictet, February 5, 1803, in *Papers*, 39:456.

[34] Cabell to Jefferson, February 21, 1816, in *Papers*, 9:498.

[35] Ibid.

[36] Ibid., Egerton, "Tombs of the Capulets," 158.

[37] Thomas Jefferson to James Madison, November 15, 1817, in *Retirement Series*, 12: 193.

[38] Joseph Cabell to Thomas Jefferson, December 24, 1818, in *Retirement Series*, 13:515.

[39] Charles Fenton Mercer, *A Discourse on Popular Education*, (Princeton: D.A. Borrenstein, 1826), 62.

[40] *Sundry Documents on the Subject of a System of Public Education for the State of Virginia* (Richmond: State of Virginia, 1817), 33, in Egerton, "Tombs of the Capulets," 161. Mercer's amended proposal also now proposed coeducation, further differentiating it from Jefferson's original model, as well as substantially increasing the associated cost of primary schools. Even if primary education would not have consumed the Literary Fund's entirety before these adjustments, now it certainly would.

[41] *Sundry Documents*, 33.

[42] Thomas Jefferson to Joseph Cabell, October 24, 1817, in *Retirement Papers*, 12:133.
[43] Joseph Cabell to Thomas Jefferson, December 3, 1817, in *Retirement Papers*, 12:233.
[44] Simon P. Newman, *Parades and the Politics of the Street: Festive Culture in the Early American Republic* (Philadelphia: University of Pennsylvania Press, 1999), 190.
[45] Wilson Cary Nicholas, "Address of Gov. Wilson C. Nicholas to Senate and House, 4 Dec. 1815," in *Journal of the* House (Richmond: State of Virginia, 1815), 7, in Gutzman, *Virginia's American Revolution*, 158.
[46] Gutzman, *Virginia's American Revolution*, 102.
[47] Charles Fenton Mercer, *An Exposition of the Weakness and Inefficiency of the Government of the United States of North America* (n.p., 1845), 76, in Egerton, "Tombs of Capulets," 168.
[48] Mercer, *Discourse*, 8.
[49] Thus, despite his party's reactionary reputation, Mercer reflected the broader trend of "a political elite adapting—not abandoning—aristocratic attitudes and practices of the past to the demands of an increasingly empowered populace." See Joanne Freeman, "The Election of 1800: A Study in the Logic of Political Change," *Yale Law Journal* 108 (1999).
[50] Mercer, *Discourse*, 4.
[51] Joseph Cabell to Thomas Jefferson, December 24, 1818, in *Retirement Series*, 13:515.
[52] Ibid. The fact that the young Senator William S. Archer, who proposed the motion, was the nephew of Congressman Joseph Eggleston, only furthered impressions of elitism.
[53] Thomas Jefferson to Joseph C. Cabell, January 17, 1816, in *Retirement Series*, 9:439.
[54] Ibid.
[55] Ibid.
[56] Thomas Jefferson to Joseph Cabell, February 2, 1816, in ibid., 9:438.
[57] Thomas Jefferson to Joseph Cabell, January 17, 1816, in ibid., 9:439.
[58] *Richmond Enquirer*, February 18, 1817.
[59] Jefferson to Cabell, January 17, 1816, in *Retirement Series*, 9:439.
[60] Ibid., 9:438.
[61] *Richmond Enquirer*, February 18, 1817.
[62] Ibid.
[63] Jefferson to Cabell, January 17, 1816, in *Retirement Series*, 9:439.
[64] Ibid.
[65] Ibid.
[66] Thomas Jefferson to William Maclure, November 2, 1817, in *Retirement Series*, 12:166.
[67] Jefferson demanded that the university "import a stone cutter from Italy," and personally undertook an extensive search for a qualified "palladio." See "Minutes of the Board of Visitors of the Central College, 28 July 1817," July 18, 1817, in *The Papers of James Madison, Retirement Series,* (Charlottesville: University of Virginia Press, 2009)1:98); as well as Thomas Jefferson to James Madison, December 20, 1817, in *Retirement Series*, 10:337.
[68] Joseph Cabell to Thomas Jefferson, August 4, 1816, in *Retirement Series*, 10:294.
[69] Maddox, *The Free School Idea*, 186.
[70] Thomas Jefferson to James W. Wallace, October 30, 1817, in *Retirement Series*, 12:150.
[71] Jefferson to James W. Wallace, October 30, 1817, in *Retirement Series*, 12:150.
[72] Joseph Cabell to Thomas Jefferson, February 21, 1816, in *Retirement Series*, 9:498.
[73] Richard Hofstadter, *The Idea of a Party System: The Rise of Legitimate Opposition in the United States, 1780-1840* (Berkeley: University of California Press, 1970).
[74] Freeman, "The Election of 1800," 1959.
[75] Ibid., 1959-1964.
[76] Henry Lee to James Madison, April 3, 1790, in ibid., 1965.
[77] Ibid., 1971.
[78] Ibid., 1965-1978.
[79] Thomas Jefferson, "First Inaugural Address," March 4, 1801, in *The Papers of Thomas Jefferson*, Barbara B. Oberg, ed., 42 vols. (Princeton: Princeton University Press, 2006), 33:149.
[80] Jefferson to Joseph Priestley, March 21, 1801, in *Papers*, 33:394.
[81] Thomas Jefferson to Thomas Cooper, July 9, 1807, in Hofstadter, *Party System.*
[82] Hofstadter, *Party System*, 47. In 1800, only a third of Virginian voters allied with Federalists. See Gutzman, *Virginia's American Revolution*, 113-129.
[83] Gutzman, *Virginia's American Revolution*, 137.
[84] Hofstadter, *Party System*, 115.
[85] Gutzman, *Virginia's American Revolution*, 137. However, we know that at least some of these celebrations were coordinated by Jefferson and then-Governor James Monroe. See Freeman, "Election of 1800," 1975.
[86] Ibid., 138.
[87] Ibid., 135.
[88] John Taylor, "A pamphlet, containing a series of letters, written by Colonel John Taylor, of Caroline, to Thomas Ritchie, editor of the *Enquirer*, Richmond in consequence of an unwarrantable attack made by that editor upon Colonel Taylor," (Richmond: E. C. Stanard, 1809).
[89] Thomas Jefferson to John Taylor, July 21, 1816, in *Retirement Series*, 10:264.
[90] Ibid.
[91] Joe Geiger, *State of Convenience: The Creation of West Virginia* (Online: West Virginia Division of Culture and History, 2018.)
[92] Ibid.
[93] *Farmer's Repository*, Charles Town, September 11, 1816, in ibid.
[94] Thomas Jefferson to James Madison, April 13, 1817, in *Retirement Series*, 11:257.
[95] Ibid.
[96] Thomas Jefferson to Joseph Cabell, October 24, 1817, in ibid., 12:134.

[97] Joseph Cabell to Thomas Jefferson, January 24, 1816, in ibid., 9:399. (Emphasis original.)
[98] Ibid.
[99] Joseph Cabell to Thomas Jefferson, January 22, 1818, in ibid., 12:382.
[100] Thomas Jefferson to James Monroe, December 13, 1817, in ibid., 12:256.
[101] Thomas Jefferson to James Monroe, April 13, 1817, in ibid., 11:257-258.
[102] Joseph Cabell to Thomas Jefferson, February 19, 1819, in *The Thomas Jefferson Papers at the Library of Congress: Series 1: General Correspondence* (Washington: Library of Congress), Microfilm Reel 051.
[103] Joseph Cabell to Thomas Jefferson, December 8, 1818, in *Retirement Series*, 13:473.
[104] "Briscoe Baldwin," in *Encyclopedia of Virginia Biography* 4, 65-6.
[105] *Richmond Enquirer*, January 19, 1819.
[106] Joseph Cabell to Thomas Jefferson, January 18, 1819, in *Retirement Series*, 13:583.
[107] *Richmond Enquirer*, January 19, 1819.
[108] This performance also won Baldwin an appointment to the Select Committee on the University. See Joseph Cabell to Thomas Jefferson, December 8, 1818, in *Retirement Series*, 13:473.
[109] Joseph Cabell to Thomas Jefferson, January 5, 1818, in ibid., 12:317.
[110] Ibid.
[111] John Tyler to Thomas Jefferson, May 12, 1810, in ibid., 2:385. Tyler was so desperate to reinvigorate the "honor" of the Virginia legislature at the time of writing this letter that he even asked Jefferson, who had just concluded his presidency, to run for state representative.
[112] Ibid.
[113] Thomas Jefferson to George Tichnor, November 25, 1817, in ibid., 12:204.
[114] Virginia-centrism saturated these statesmen's rhetoric and worldview. Virginians oriented the country's history and the politics of the day around itself. The state's leaders spoke of interests and traditions of "the nation" when discussing state-specific affairs. The constant grafting of the Virginian experience onto all early Americans didn't just showcase the state's collective egotism. It also impeded Virginians' capacities to empathize with the experiences of those elsewhere in the country. As a result, opinions stemming from the divergent circumstances encountered in less agrarian states—particularly more industrial New England counterparts—were viewed as illegitimate. Virginia's national political dominance, spearheaded by the six successive presidential terms of Jefferson, Madison, and Monroe, further entrenched these tendencies. See Onuf, "From Colony to Territory," 449; Jefferson to Joseph Priestley, March 21, 1801, in *Papers*, 33:393.
[115] Another important factor in Jefferson's calculation was that he and other Virginian elites believed that only the state's elite could govern. Even Jefferson's public reinvigoration of his education proposal encouraged the separation of people's futures by their family backgrounds. Even after separating the people into "two classes... the laboring and the learned," Jefferson further divided those whose merit allowed them to enter university. Only those who had their own personal fortunes could aspire towards public office and influence "the future of the state." (The rest would work as professionals.) Along with Virginians' particular reticence to abandon "noble behavior" of their old British elite—the Virginia gentry was perhaps the most emulative of British wealthy culture of any state's elite before the Revolution—this caution was attributable to an argument of incentives. If someone required an office-holder's wage to survive, they were more likely to succumb to corruption or abandon their principles to remain in office. This aversion to leaders without family fortunes was well-entrenched even in the establishment of the Constitution. Madison's famous "Federalist 10" plays on this fear to garner support for the new document: placing power on a national level could "dilute out" localized, populist leaders and "hand the reins back to men of renown." (See Thomas Jefferson to Peter Carr, September 7, 1814, in *Retirement Series*, 7:636-642; Gutzman, *Virginia's American Revolution*, 3).
[116] While some Virginians attended the College of William & Mary, the institution's small size and what considered inadequate resources led many to send their children north. Even Jefferson, the institution's most famous living alumnus at the time, was a frequent critic of the school. As time progressed, William & Mary fell even further behind. (See Cameron Addis, *Jefferson's Vision for Education, 1760-1845* (Peter Lang: Berkeley, 2003), and Egerton, "In the Tombs of Capulets," 157.)
[117] Thomas Jefferson to George Tichnor, November 25, 1817, in *Retirement Series*, 205.
[118] *Washington Federalist*, October 7, 1800.
[119] Thomas Jefferson to James Breckenridge, February 15, 1821, in *Retirement Series*, accessed via *Founders Online*, National Archives.
[120] Gutzman, *Virginia's American Revolution*, 135.
[121] Ibid.
[122] Ibid. 137. For further inquiry into Jefferson's political analysis on states' rights, see M. Andrew Holowchak, ed., *Thomas Jefferson and Philosophy: Essays on the Philosophical Cast of Jefferson's Writings.*
[123] John Tyler to TJ, May 12, 1810, in *Retirement Series*, 2:385.
[124] Ibid.
[125] Rockfish Gap Commission, "Rockfish Gap Report of the University of Virginia Commissioners," August 4, 1818, in *Retirement Series*: 13:218. While the report was technically authored by the entire commission, Jefferson had in fact pre-written the entire document before the commission met. (See Joseph Cabell to Thomas Jefferson, November 18, 1818, in ibid., 13:398.
[126] *Richmond Enquirer*, January 6, 1818. For how we know Roane "wrote the Essay signed a Farmer," see Joseph Cabell to Thomas Jefferson, February 19, 1819, in *Library of Congress Papers: Series 1*, Microfilm Reel 051.
[127] *Richmond Enquirer*, January 6, 1818.
[128] Joseph Cabell to Thomas Jefferson, February 19, 1819, in

Library of Congress Papers: Series 1, Microfilm Reel 051.
[129] Rockfish Gap Commission, "Rockfish Gap Report."
[130] Jefferson spent years searching for professors with political ideologies very specifically mirroring his own. The importance of this endeavor was evident in how the former president stubbornly insisted on the selection of his nominees even after they seemed politically unpopular. For example, Jefferson spent years trying to appoint Professor Thomas Cooper, whose distaste for the Marshall court endeared him to Jefferson, despite Cooper's anti-religious reputation potentially carrying political costs for the university's prospects. See Addis, *Jefferson's Vision for Education*.
[131] Thomas Jefferson to Joseph Cabell, June 27, 1810, in *Retirement Series*, 2:489.
[132] Joseph Cabell to Thomas Jefferson, March 5, 1815 , in ibid., 8:317.
[133] Thomas Jefferson to Charles Yancey, Jan 6 1816, in ibid., 329.
[134 Ibid., 328.]
[135] Ibid.
[136] Ibid. This argument about promoting future Republican hegemony also likely exacerbated distrust of the Federalist Mercer. If one believes that the University of Virginia is the only way to counter the ideological hegemony of Northern institutions, it only requires a small logical link to believe that Mercer wanted to assist these supposedly Federalist universities.
[137] Francis W. Gilmer to Thomas Jefferson, November 26, 1818.
[138] *Richmond Enquirer*, January 3, 1819.
[139] Gutzman, *Virginia's American Revolution*., 153.
[140] *Richmond Enquirer*, January 22, 1819.
[141] Gutzman, *Virginia's American Revolution*, 155.
[142] James Madison to Thomas Jefferson, February 8, 1825, in *Retirement Series*, 3:472.
[143] Chapman Brothers, *Portrait and Biographical Record of Buchanan and Clinton Counties, Missouri; Containing Biographical Sketches of Prominent and Representative Citizens, Together with Biographies and Portraits of All the Presidents of the United States* (Chicago: Chapman Brothers, 1893), 171. On Bleeding Kansas, see Nicole Etcheson, *Bleeding Kansas: Contested Liberty in the Civil War Era* (Lawrence: University Press of Kansas, 2004).
[144] "HUNTER, Robert Mercer Taliaferro, (1809-1887)," *Bibliographical Directory of the United States Congres*s, (Online: U.S. Senate Historical Office); "TOMBS, Robert, (1810-1885)," *Bibliographical Directory*.
[145] "TUCKER, George, (1775-1861)," *Bibliographical Directory*.
[146] Cameron Addis, "28. Jefferson and Education," in Francis D. Cogliano, ed., *A Companion to Thomas Jefferson* (Walden: Wiley-Blackwell, 2012). States like Georgia and South Carolina requested official copies of the report from Thomas Ritchie, Editor-in-Chief of the *Richmond Enquirer*, upon first reading the document.
[147] Francis W. Gilmer to Thomas Jefferson, November 26, 1818, in *Retirement Series*, 13:429.

The Nembe-Brass and the Royal Niger Company, 1856-1895

Political Transformations and the Emergence of Colonialism in the Niger Delta

Abstract: In 1856, the Nembe-Brass Kingdom in modern-day Nigeria signed a treaty with British traders to regulate the region's thriving, African-dominant trade. But by 1895, the desperate Nembe-Brass violently attacked the British commercial headquarters, by then an oppressive colonial force. This article examines the breakdown of diplomatic and eventually militaristic interactions between the Nembe-Brass and the British in the period between these two contrasting events, as the Nembe-Brass responded to increasing trade violations and the establishment of a British colonial footing in Nigeria.

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On January 29th, 1895, King Frederick William Koko led the desperate Nembe-Brass Kingdom of modern-day Nigeria in a violent attack against the headquarters of Britain's Royal Niger Company (RNC) at Akassa. The attack mobilized 22 war canoes and 1,500 soldiers from different parts of the Ijo Nation.[1] These soldiers destroyed the company's warehouses and offices and burned down the depot. They captured about 70 white RNC men, killed 25 on the first day of the attack, and executed more on Isikara Sacrifice Island the next day. In response, the British civil servant Sir Percy Anderson, under instructions from the British Foreign Office, organized a counter-attack under the command of Admiral Bedford and Sir Claude MacDonald with additional support from British naval troops already stationed on the Gold Coast.[2] Soldiers from the Nembe-Brass and Ijo Nation fought the RNC's British troops fiercely in the Niger Delta for several days in February 1895 until the British troops finally took control of Akassa. From there, the British captured the towns of Ogbolomabiri, Bassambiri and Okpoama, where they killed around 2,200 people, largely youths and senior citizens.[3]

In the years leading up to King Koko's attack on Akassa in 1895, the RNC had pushed the Nembe-Brass out of their palm oil and kernel markets following years of prohibitive trade fees, wildly restrictive regulations, and unanswered calls to respect previous trade agreements. However, these violence-inducing conditions marked a drastic change from the relationship between the Nembe-Brass and British traders less than half a century ago.

Von Herkomer, Hubert. "Sir George Goldie." Wikimedia Commons. 1898.

In 1856, the Nembe-Brass signed a trade treaty with British traders in the Niger Delta that formalized the already thriving trade between Africans and Europeans. With this treaty, the African leaders strategically expanded their trade by agreeing to protect European traders from exactions in exchange for *comey*, an official trade duty paid by the European trader to the chiefs of the Nembe-Brass.[4]

What changed between 1856 and 1895 in southern Nigeria that so drastically shifted the balance of power and drove the Nembe-Brass to attack their former trade partners? The utter disintegration of this trading partnership should be understood in the context of a Royal Charter that the British government granted to the Royal Niger Company in 1886. This charter empowered the RNC to exploit its royal powers in order to cut out the Nembe-Brass from their traditional economic roles as middlemen on the Niger Delta. The increasingly desperate Nembe-Brass resorted to violence only when European colonial ambition eliminated the possibility of redress through negotiation, characterizing larger patterns of African resistance and European imperialism in the early phases of African colonialism.

This breakdown of the relationship between the Nembe Brass and the chartered British company fit within concurrent developments in African resistance to colonization. Ghanaian academic Adu Boahen argued that Africans devised three main strategies to respond to European colonialism: submission, alliance, and confrontation.[5] Complicating the traditional categorization of Africans as either collaborators or resisters, most African nations combined multiple or all of these strategies, moving from one to another as the political climate changed and as chiefs re-evaluated the strategies most likely to preserve sovereignty.[6] Across Africa, kingdoms often dropped alliance in favor of confrontation—in a sense, the path of the Nembe Brass as economic treaties and formal negotiations gave way to violent attack. The Nembe-Brass' trajectory of resistance was situated among similar processes unfolding across the continent; far from being an isolated event, the resistance against the British at Akassa united the Nembe-Brass with other groups who had also reached the point of violent resistance. For example, King Koko mobilized men led by Chief Joseph Alagoa, Edmund Natebo, Thomas Ockiya, and Daniel Opuene from the Nembe-Brass for his attack, but the neighboring Bassambiri also contributed men, led by Chief Christopher Warri, Felix Smoke Amabebe, Stephen Iboromo, and Youpele Ebifa.[7] Violent resistance emerged at varying times for different states after other combinations of resistance failed, but Boahen notes that all African states regardless of size and structure eventually adopted the military option.[8]

Early Trade: The 1856 *Comey* Treaty

In the initial phase of peaceful collaboration, the 1856 *Comey* Treaty systematized the mutually beneficial trade roles between an economically dominant Nembe-Brass and Europeans dependent on their goodwill. In the early 1800s, the British traders who arrived to trade in palm oil and kernel on the Niger River depended heavily on local chiefs. These chiefs brought down produce from the hinterland to the traders and were crucial to ensuring the protection of the European newcomers.[9] In the 1850s, the emergence of treaties such as the *Comey* Treaty coincided with the shift in the Atlantic economy from the slave trade to "legitimate trade" in material goods. This shift to "legitimate trade" intensified the desire of African states to sign treaties that could help the growth of a lucrative legitimate trade replacement.[10] In this context, the treaty signed on November 17th, 1856 began by stating in Article One that "the Kings and Chiefs of the countries connected in trade with the Rio Bento duly appreciating the benefit of the legitimate traffic, hereby guarantee that from this date forward they shall not engage in or sanction the exportation of slaves from this country."[11] Far from indicating any sort of defeat or European power imbalance, this treaty served as a tool for the economically resilient Nembe-Brass to strategically reorient their economy. Accordingly, Article Two of the treaty laid out the *comey*, or taxation, amounts that European vessels would pay to the Nembe-Brass. Specifically, "vessels of two masts" were to pay "two puncheons worth of goods," with "vessels of three masts to pay three puncheons worth of goods to each King."[12] This systematization of regulations reflected a symbiotic trade relation and an African-dominant economic structure. Forty years later, after attacking the RNC's headquarters in Akassa, representatives of the Nembe-Brass continued to express this desire for peaceful trade, stating that "We do not want, nor expect, certain markets entirely to ourselves" and emphasizing that "We are quite ready and willing to trade alongside white men."[13] The deliberate African drive for dynamic trade permeated the origin of the relationship between the Nembe-Brass and the RNC and defined the expectations of commercial relations with the RNC.

The Imperial Process

In 1886, the British Government granted a Royal Charter to the Royal Niger Company that fundamentally changed the conditions of British trade relations with the Nembe Brass. British trader Sir George Goldie set the conditions for this Royal Charter in 1879, when he amalgamated various British firms in the Niger Delta into the United Africa Company (UAC).[14] A colonial administrator, Goldie is largely considered to have played a crucial role in the founding of British Nigeria. He persuaded firms to amalgamate into the UAC by advocating for the unity of British companies against foreign competitors and hostile

tribes.[15] This strategy pivotally bolstered British trade; rather than negotiating with British supercargoes as individual traders, the Nembe-Brass traders were forced to bargain with a united British firm no longer weakened by competition against other European firms in the region.[16] This economic unification of British firms in the Niger Delta paralleled a political process that strengthened the British presence in Nigeria: the 1884 Berlin Conference negotiations, which officially recognized British status of the Niger territories.[17]

By 1884, several local nations including the Nembe-Brass had signed treaties with the United African Company. But in the Berlin Conference, the British used these treaties to their political advantage, making the case to the other European countries that the treaties indicated some type of ownership over the area.[18] These steps in the imperial process were repeated across Africa. In general, the first stage of the "Scramble" consisted of a treaty of exclusive trading rights between an African ruler and a European colonial power.[19] Signing bilateral treaties between the imperial powers (such as at the Berlin Conference) came next, followed by European conquest and colonial occupation.[20] In this broad three-step process, the 1856 treaty with the Nembe-Brass, although signed in a time of healthy and African-dominant trade, could be capitalized on to advance colonial ambitions. The European approach to negotiation actively situated itself in this imperial context, a context and approach that were entirely incompatible with the Nembe's attempts to peacefully resolve their grievances through official channels. The subsequent diplomatic frustration lead directly to the violent conflict in 1895, characterizing the colonial process at work in Africa.

The exploitation of treaties to advance European political ownership wreaked particular harm in light of the respect that the Nembe-Brass continued to place on treaties. Even after they attacked Akassa in 1895, the Brass Chiefs demanded only that the conditions of the 1856 treaty be honored. Writing to the British government, the Brass Chiefs implored that "We humbly submit that we have a right, confirmed by our Treaty, to go and trade freely in the places we have traded at for all these generations. We are ready to pay to do so, but let us pay a fair duty."[21] This continued reference to the treaty suggested that the British violation of the 1856 Treaty sanctioned the Nembe-Brass' 1895 assault, and speaks to the assumed legal value that the Nembe-Brass attached to the treaty. In the "Kirk Report," by British administrator Sir John Kirk following the attack, the Chiefs even emphasized that they had been faithful to the treaty's demands on them; in this way, they underscored the way that their demands after the attack on Akassa revolved around upholding the existing treaty. They noted that after the abolition of the slave trade, the 1856 treaty was made "to the effect that they should discontinue that traffic, and enter into a legitimate one" in exchange for *comey* taxes from the Europeans.[22] The Chiefs asserted that "this they agreed to; so that from that time to now we have not shipped a single person, but have traded only in palm oil and kernels."[23] The centrality of this information in the post-attack report forty years later indicates how the trust placed in treaties was critical to the African understanding of the devolution from trade to violence by 1895, and ultimately left them vulnerable to the colonial ambitions that informed the British use of treaties.

"We humbly submit that we have a right, confirmed by our Treaty, to go and trade freely in the places we have traded at for all these generations. We are ready to pay to do so, but let us pay a fair"

Implications of the Royal Charter: Establishment of Colonial Structure

After using the 1856 treaty to make a case of political ownership at the Berlin Conference, the British government was unprepared to immediately provide costly direct administration. Instead, the Royal Charter introduced British indirect rule in Nigeria, initiating a colonial policy later developed by British imperialist Frederick Lugard.[24] On July 10th, 1886, the Royal Charter renamed the United Africa Company the "Royal Niger Company." Through the Royal Charter, the newly christened RNC could now establish British governmental services such as a Court of Justice and an armed constabulary, at no cost to the British government.[25] Significantly, the Charter also authorized that "customs duties and charges...shall be levied and applied solely for the purpose of defraying the necessary expenses of government, including the administration of justice, the maintenance of order, and the performance of treaty obligations."[26] This turned into a financial imposition that pressed heavily on the Nembe-Brass. The charter defined a "before" and an "after" period leading up to the 1895 attack because, according to historians Nietie Inyang and Manasseh Edidem Bassey, "the obtaining of a charter meant that the company was

not just a trading concern; it had conferred on it certain powers of government and law making, as well as powers to raise and maintain an armed force for the effective pursuit of its trade as well as for the maintenance of law and order."[27] In these ways, the Royal Charter granted powers to the RNC that facilitated the transition from a peaceful trade relation to violent attacks.

As the Charter took effect, the introduction of the RNC's territorial jurisdiction and administrative powers made 1886 an economic turning point for the Nembe-Brass and consequently produced the origins of violence between the RNC and native Africans. In terms of the economic shift, territorial jurisdiction led to defined borders around the area considered to be under the chartered governance powers of the RNC. The Nembe-Brass traded outside of the company's territory, and as "foreigners," were required to pay £50 a year for a licence to trade, and £10 for each station they traded in.[28] Trading in spirits within the company's territory cost an additional £100. This extra tax was virtually included—Sir John Kirk noted in his report that these territorial licenses compounded so frustratingly for the Nembe-Brass because without trade in spirits, "trade in the Delta is at present impossible."[29] Kirk implicated the Charter's new jurisdictions in his evaluation of the 1895 attack, stating that "all the disabilities under which the Brass people now labour arise...from their having been originally placed outside the jurisdiction of the Company."[30]

The other administrative powers conferred to the RNC in 1886 allowed the RNC to actively and violently enforce this economic burden. Now empowered to "administer justice and to maintain order," the RNC signed treaties and fought wars in areas around the Niger River, using force without hesitation.[31] Although the Nembe-Brass made a formal complaint to Major MacDonald, the British Special Commissioner sent to investigate the RNC, the effect of the Charter meant that the company was within its legal rights to impose and enforce its taxes, despite the clear economic frustration imposed on the Nembe-Brass.[32] These new legal rights, rooted in territorial jurisdiction and administrative enforcement, resulted in the crucial economic shift after 1886.

Monopolism and the Eruption of Violence

This turning point ushered in violent conflict between the RNC and the Nembe-Brass, indicating a departure from the peaceful relationship of the 1850s and marking the origin of the violence that culminated in the attack at Akassa. In the post-attack Kirk Report, the Nembe-Brass chiefs pointed to the Charter as a crossroads in their relationship with the British traders, claiming that "for some time after the Charter was granted they drove us away from our markets" and pleading that "all we now ask is only to be allowed to trade at those markets where we...used to trade at before the Charter was granted to the Company."[33] Following this recognition of the market changes since 1886, the Chiefs told Sir John Kirk that "over 100 persons have been killed by the Company since the Charter was granted to them and up to the present time," specifically demarcating the Charter as the beginning of this violence.[34] Much of this violence resulted from the Brass attempting to bypass the prohibitive new economic changes: Sir John Kirk wrote to the Marquess of Salisbury that "canoes from Brass had undoubtedly been fired upon by the Company's officials on the Niger and people shot" but that this had occurred when the Brass "had been trading in the Niger territories in violation of the Company's Regulations, which must have been well known since they were so often complained against."[35] The 1886 Royal Charter is so crucial to the subsequent conflict because the powers it legally granted to the RNC resulted in an economic shift that then forced the emergence of violence between native and British traders in the Niger Delta.

Specifically, the Charter provoked violence because it provided the RNC with the monopolistic powers to deprive the Nembe-Brass traders of their traditional role as economic middlemen. In his report, Sir John Kirk declared unequivocally that "the Brass people are by nature traders, never producers."[36] In their economic role "they have been called 'middlemen,' but this is no disparagement, for the Liverpool trader is after all nothing but a middleman himself."[37] As middlemen, the Nembe-Brass collected credit from merchants and then bought products—first slaves, then palm products in the 19th century—from producers to deliver to Europeans at a high profit.[38] This trade setup had encouraged the Nembe-Brass to sign earlier treaties with European traders, such as the *Comey* Treaty in 1856. However, when George Goldie established the United African Company in 1879 and set out to control trade along the Niger, his path to this goal meant attempting to change existing arrangements specifically by circumventing coastal middlemen such as the Brass.[39]

This proved particularly disastrous for the Brass because they depended on their role as middlemen both economically and traditionally within their society. In the Kirk Report, the Brass Chiefs explained that "we do not grow our own food with the exception of a few plantains. Our soil is too poor. We get our yams, etc, and our cattle from the Mger—chiefly from Aho and Onitsha."[40] As a result, Sir John Kirk's note that he has "shown how impossible it would be for the Brass people to pay taxes and duties to both Administrations, and carry on trade at a profit" indicated a measure of economic desperation within the Brass nation by the 1890s.[41] Moreover, being cut out of markets proved especially devastating because of the established

Barnes, Robert. "King Koko in His War Canoe." Wikimedia Commons. 1895.

and time-honored place of middlemen in the psyche and identity of the Nembe-Brass. Brass Chiefs Karemma, Thomas O'Kea, and Nathaniel Hardstone wrote to the British Government after the attack that "Traders we are, have been, and always will be," and referred to the "markets in which we and our forefathers had traded for generations."[42] This sense of trade as integral to Nembe tradition and identity exacerbated the economic stress of being cut out of established markets. Market restrictions threatened not only the Brass livelihood, but also the very nature of Brass society, intensifying the pain and frustration that drove the 1895 attack on Akassa.

Rather than any unwelcome British imposition into the Niger Delta economy, it was the shift from mutually beneficial trade to an oppressive, monopolistic structure that catalyzed violence by the 1890s. As Sir John Kirk wrote, even the £160 annual cost of a trade license "is an amount that would make trading by individual natives impossible, and would of itself practically exclude them from their old markets on the Niger."[43] Historian Michael Crowder has explained that, following the granting of the Charter, "the company now controlled the trade of the hinterland where the middlemen of the Delta states as well as the Liverpool traders used to make their living" but, notably, "this would have been acceptable if the company had not exercised monopolistic powers."[44] Royal Charters were granted across Africa, but the devolution of the relationship between the Nembe-Brass and the RNC from 1856 to 1895 involved both increased chartered powers and the exploitation of those powers to target the Brass' role as economic middleman in Niger Delta trade.

Diplomatic Manipulation and Failure

In response to these monopolistic violations, the Nembe-Brass consistently tried to resolve their issues through negotiation and official channels of communication with the British government. The 1895 attack on the RNC headquarters in Akassa marked the culmination of repeated attempts to inform the British of grievances and to seek peaceful resolutions that would restore earlier trade. In a letter to British Commissioner Sir C. MacDonald, the Chiefs of Brass emphasized the British Government's full knowledge of the Brass' grievances in the years leading up to the attack. They noted that, although they continued to report violence against the Brass by the RNC soldiers, "we have explained all these to you before."[45] As they described the brutal treatment of native women, the Chiefs asserted that "we have before informed you of the cruel oppressions done us by the Niger Company. You are fully acquainted with the same."[46] Years before the attack on Akassa, the Nembe-Brass had repeatedly lobbied for changes and reported their grievances through official channels of negotiation. At the first sign of treaty violation, the Brass chiefs "complained to the Consul, but with no effect."[47] The Brass continued to inform the British consuls of their complaints in 1884 and after, but official channels offered them no redress.

When the Nembe-Brass resorted to violence in 1895, then, they framed their attack as the result of recognizing that redress through peaceful appeals to the consuls had failed as a strategy.

The Brass Chiefs explained that "it is only in self-defense, and with a view to have our wrongs inquired into, that we have done this thing."[48] Moreover, after the attack, they reassured the British government that "We fervently hope and pray that some arrangements may be arrived at which will enable us to pursue our trade in peace and quietness."[49] The attack, though paradoxically violent, thus represented a shift in strategy to work towards the same goal of eventually restoring a peaceful market.

But rather than work to resolve the Brass complaints through these official and peaceful channels, the British consuls evaded promises of market reforms and manipulated the Nembe-Brass' trust in the negotiation process. After asking Consul Hewitt to restore the markets before they would renew the treaties, the consul, according to the Brass Chiefs, "induced" the Brass to sign interim treaties.[50] Between 1889 and 1891, the Brass Chiefs lodged further protests with MacDonald when he returned to establish the government of the Niger Coast Protectorate. In the following years, the Brass Chiefs wrote that "since then we have seen the Major many times, and he has always told us to be patient, but latterly things have gone from bad to worse, and the markets that we have are quite insufficient to maintain us."[51] Historian Joe Ebiegberi Alagoa has argued against past views of the 1895 attack as an act of "irresponsible savagery" by describing it instead as "a conflict caused by long standing grievances made known to government and company officials for many years."[52] Sir John Kirk's report centralized this point directly after the attack, repeatedly noting the times in which the Brass Chiefs attempted to first convey their demands peacefully to the British government. Each time, they were met with manipulation and disregard. Perhaps best exemplifying this trend, the British consul declared to the Brass chiefs that there was "nothing to do on the Niger Company's matter again" on his very last visit before King Koko led his attack on Akassa in 1895.[53]

Conclusion

The period between 1856 and 1895 should be considered a crucial transformation in Nigerian colonial history, witnessing the transition from peaceful trade and strong African kingdoms to the launch of warfare against encroaching British colonial economic and political oppression. When King Frederick William Koko and the Nembe-Brass attacked Akassa after years of reporting their grievances to British consuls, the resulting conflict at first served to cement British power in the region. The RNC and the Niger Coast Protectorate counterattacked the Nembe and destroyed large parts of the city in a huge defeat for the Brass.[54] But Koko's attack was effective in that it revealed the extent of Royal Niger Company's activities. The resistance led the British Foreign Office to revoke the company's Royal Charter four years later, citing that "the situation created towards other firms by the commercial position of the Company, although strictly within the right devolving upon it by Charter, has succeeded in establishing a practical monopoly of trade."[55] Moreover, the Nembe-Brass carried out what many believe to be the first organized community resistance against imperialists apart from South Africa's Afrikaners, and they renewed struggles for economic and political freedom across Africa. The transformations that took place in the late 19th century were thus both specific to the Nembe-Brass and the RNC as well as representative of the larger history of early colonialism taking root in Africa—transformations that are critical to the contextualization of the imperial processes that unfolded soon after throughout the 20th century.

Endnotes

[1] Ambily Etekpe, *African Political Thought & Its Relevance In Contemporary World Order* (Port Harcourt: Harey Publication, 2009), 89.
[2] Ibid.
[3] Ibid, 90.
[4] Toyin Fayola, *Colonialism and Violence in Nigeria* (Bloomington: Indiana University Press, 2009), 43.
[5] Adu Boahen, *African Perspectives on Colonialism* (Baltimore: J.H.U. Press, 1994), 50.
[6] Ibid.
[7] Joe Ebiegberi Alagoa, *The Small Brave City-State: A History of Nembe-Brass in the Niger Delta* (Ibadan: Ibadan University Press, 1964), 90.
[8] Boahen, *African Perspectives on Colonialism*, 50.
[9] Joe Ebiegberi Alagoa, *The Small Brave City-State: A History of Nembe-Brass in the Niger Delta* (Ibadan: Ibadan University Press, 1964), 75.
[10] Ibid.
[11] "Fragments of the *Comey* Treaty of 1856," in: Alagoa, *The Small Brave City-State: A History of Nembe-Brass in the Niger Delta*, 132.
[12] Ibid.
[13] John Kirk, *Report by Sir John Kirk on the Disturbances at Brass: C. 7977* (Great Britain: Colonial Offices, 1896).
[14] Nietie Inyang and Manasseh Edidem Bassey, "Imperial Treaties and the Origins of British Colonial Rule in Southern Nigeria, 1860-1890," *Mediterranean Journal of Social Sciences* 5, no 20 (2014): 1946-1953.
[15] Alan C. Burns, *History of Nigeria* (London, 1956), 148.
[16] "Fragments of the *Comey* Treaty of 1856," in: Alagoa, *The Small Brave City-State: A History of Nembe-Brass in the Niger Delta*, 132; Inyang and Bassey, "Imperial Treaties and the Origins of British Colonial Rule in Southern Nigeria, 1860-1890," 1946-1953.
[17] Alan C. Burns, *History of Nigeria* (London, 1956), 159.
[18] Fayola, *Colonialism and Violence in Nigeria,* 6.
[19] Boahen, *African Perspectives on Colonialism*, 34.
[20] Ibid.
[21] "Letter from Chiefs of the Brass District to the British Government, June 8, 1895," in: Worger, *Africa and the West: A Documentary History,* 171.
[22] Kirk, *Report by Sir John Kirk on the Disturbances at Brass: C. 7977*.
[23] Ibid.
[24] Ibid.
[25] Ibid.
[26] "1886 Royal Charter of the Royal Niger Company," in: Burns, *History of Nigeria*.
[27] Inyang and Bassey, "Imperial Treaties and the Origins of British Colonial Rule in Southern Nigeria, 1860-1890," 1946-1953.
[28] Michael Crowder, *The Story of Nigeria* (London: Faber and Faber, 1962), 190.
[29] Kirk, in: Crowder, *The Story of Nigeria*, 190.
[30] Kirk, *Report by Sir John Kirk on the Disturbances at Brass: C. 7977*, 2.
[31] Fayola, *Colonialism and Violence in Nigeria*, 6; "1886 Royal Charter of the Royal Niger Company," in: Burns, *History of Nigeria*.
[32] Burns, *History of Nigeria,* 163.
[33] Kirk, *Report by Sir John Kirk on the Disturbances at Brass: C. 7977*.
[34] Ibid.
[35] Ibid.
[36] Ibid.
[37] Ibid.
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[40] Kirk, *Report by Sir John Kirk on the Disturbances at Brass: C. 7977*.
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[42] "Letter from Chiefs of the Brass District to the British Government, June 8, 1895," in: William H. Worger, *Africa and the West: A Documentary History* (Oxford: Oxford University Press, 2010), 171.
[43] Kirk, *Report by Sir John Kirk on the Disturbances at Brass: C. 7977*.
[44] Crowder, *The Story of Nigeria*, 189.
[45] Kirk, *Report by Sir John Kirk on the Disturbances at Brass: C. 7977*.
[46] Ibid.
[47] Ibid.
[48] Ibid.
[49] Ibid.
[50] Kirk, *Report by Sir John Kirk on the Disturbances at Brass: C. 7977*.
[51] "Letter from Chiefs of the Brass District to the British Government, June 8, 1895," in: Worger, *Africa and the West: A Documentary History,* 171.
[52] Alagoa, *The Small Brave City-State: A History of Nembe-Brass in the Niger Delta*, 97.
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[54] Fayola, *Colonialism and Violence in Nigeria,* 44.
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World War I and German-American Identity in German-language Newspapers in Chicago

Abstract: This article uses German- and English-language newspapers in Chicago to investigate German-American identity in the early years of World War I. It finds that German-American elites made a strong and self-conscious effort both to promote identification with Germany and to argue that Americans who supported Germany and the Central Powers were no less patriotic than those who supported the Allies. Even as the sinking of the Lusitania polarized opinion, German-Americans did not stop trying to engage with the wider public, both in their own newspapers and in English-language papers.

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By the time the United States entered World War I, it was difficult to be a German-American. Anti-German hysteria and nativist American nationalism attempted to denigrate and suppress German-American culture. These tales of wartime prejudice and division occupy such a prominent place in the history of German-Americans that it can be hard to believe the extent to which German-Americans were comfortable being both German and American, or the ways in which other Americans both tolerated and opposed these sentiments. Chicago is a particularly apt place to investigate such tensions, as it hosted a large German population (in 1910, 19.5% of the city was German-born) with at least two large German-language newspapers, but was far from an ethnic enclave, making the city a site for potential conflict.[1] Examining English and German-language newspapers from the city can shed light on both differences in perspective and the construction of German-American identity.

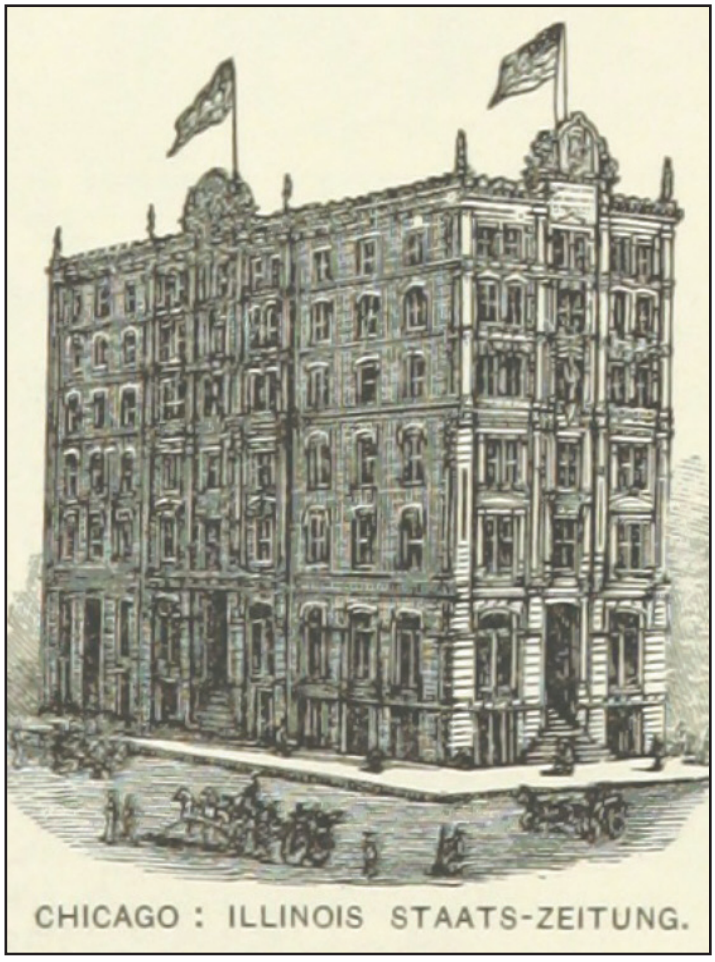
When studying tensions between German-Americans and non-German-Americans in Chicago, comparing the city's English- and German-language newspapers provides insight into the priorities of each community, giving numerous examples of how they expressed their own views and even how the different presses interacted with each other. A focus on the assassination of Franz Ferdinand, the outbreak of war, and the sinking of the Lusitania allows a comparison of the newspapers' different biases and priorities in covering these divisive incidents. The German press, as might be expected, expends both more ink and more emotion on news of Germany and matters of German-American identity. Indeed, the Illinois Staats-zeitung (ISZ) and the Abendpost, Chicago's main German-language dailies, were unabashedly pro-German throughout their war coverage. What is more surprising, however, is the way Chicago's German-American press supported an identity that involved bonds of loyalty to both America and Germany. Although the sinking of the Lusitania resulted in a dramatic upswing of anti-German sentiment, English-speaking newspapers did not entirely exclude German-American voices. Through the early days of the war, the German newspapers of Chicago continued to engage with the English-speaking press in a desperate effort to convince them of Germany's righteousness while also promoting a particular ideal of German-American identity to their readers.

Chicago's German-American Community

In order to understand how Chicago's German-Americans engaged with non-German citizens and with their own identity, it is first necessary to look at Chicago's German-American community and examine the divisions that underlay the category of German-American. Chicago's German-Americans differed in religion, occupation, class, and politics. The community included Germans of Catholic, Protestant, and Jewish faith and prior to World War I, they had little record of voting as a bloc. Overall, Chicago's German-Americans were notably less homogeneous than other European immigrant communities.[2] These divisions, however, did not prevent the formation of a cohesive ethnic community. Germans tended to settle on the North and Norwest sides of Chicago, with a few scattered settlements on the South Side. Germans were especially concentrated between North and Fuller avenues and in the Lincoln Park and Lakeview neighborhoods. In 1910, five of Chicago's then thirty-five wards were over one third German, indicating a high degree of ethnic concentration.[3]

Erik Kirschbaum, a journalist and writer specializing in German-American themes, argues that, despite this concentration, German-American culture had declined significantly by the early twentieth century. He cites a steady decrease in the founding of German-language publications. Although there were certainly many in the community who fought to keep German-American culture and identity alive, "the breakdown of Deutschtum was beginning to be evident at about the Turn of the Century [sic]."[4] In 1910, for example, the census counted 314,063 Chicagoans born in Germany or Austria as compared to 415,450 who were born in the United States to German parents.[5] Counting both first- and second-generation immigrants as German-Americans reveals a total German-American population of 729, 513, or a full third of Chicago's 1910 population.[6] However, it also reveals a community increasingly made up of German-Americans who had never been to the old country and might not even speak German. Ensuring these American-born children stayed connected to their German roots was an important goal for the Chicago German-language newspaper the Illinois Staats-zeitung. The paper ran a regular feature called "German for Americans," which contained simple grammar lessons and practice exercises. Anyone who needed such lessons would not be able to read the newspaper, making it unlikely that it was intended for Anglo-American adults. Instead, it was almost certainly meant as a means of preserving German culture among native-born children. In fact, one ISZ article identifies preserving the German language among children as a reason for the newspaper's existence.[7]

Sweetster, Moses Foster. "CHICAGO, ILLINOIS STAATS-ZEITUNG." Wikimedia Commons. 1891.



Thus, the opinions and biases of Chicago's German-language press were not simply the natural outgrowth of German-American popular opinion, but a project aimed at reinforcing a slowly splintering community. Several scholars have pointed out that the German-Americans who ran the newspapers were not necessarily representative of the broader German-American community. Publishers of German-language papers, such as Horace Brand, who ran the Illinois Staats-zeitung, tended to be rich, somewhat chauvinistic, and very concerned about the Germanness of German-Americans.[8] It must not be forgotten that, though newspapers such as the ISZ may have been widely circulated, their content was often determined by elites with opinions and goals different from those of the general populace. Chicago's German-language newspapers cannot be read as a repository of average German-American opinions, though they can offer clues. Instead, they reveal an attempt by certain members of the community to use World War I alongside other issues to promote a particular kind of German-American identity, one based on ties to the Fatherland back in Europe, confidence in the value of German culture, and a belief that Chicago and America at larger could support communities of truly German German-Americans.

German-Language Newspapers and the Onset of War

It is therefore unsurprising that Chicago's German-language newspapers gave more coverage, importance, and sympathy to events in Europe than did English-language papers. Chicago's German-American press differed not only in being politically pro-German but in the emotional weight given to events in German-speaking Europe. The German-language papers were written by and for a population that viewed Germany not in an abstract political sense, but as a cultural or literal homeland. Comparing newspaper coverage of Franz Ferdinand's assassination makes clear the difference in emphasis. While German papers tended to emphasize the tragedy of the event and solidarity between German leaders, the English-language papers wrote less and focused on the potential impact in international relations.

On July 1, 1914, three days after the assassination, the

event was still shocking, front page news for the prominent Chicago German-language newspaper Abendpost. "More and More Gruesome! The Conspiracy to Murder the Successor Couple," blared the headline, trying to catch the attention of German-Americans already appalled by the event.[9] The Abendpost was not unusual in using a gruesome murder to sell copy. However, the continued reportage on the assassination of the Archduke and the focus on details rather than political consequences set the Abendpost apart from English-language newspapers.

This striking contrast is best shown in the way the Tribune covered the initial assassination. The Tribune called Franz Ferdinand "feared and disliked" in their headline, while the second sentence of a front page article says that, while it may seem heartless to say so, "it is impossible to deny the fact that his [Franz Ferdinand's] disappearance from the scene is calculated to diminish the tenseness of the situation and to make for peace both within and without the dual empire."[10] The Tribune's lack of reverence for the deceased Austrian heir and willingness to jump to high politics immediately after acknowledging the Archduke's death betrays an entirely different set of priorities than Chicago's German-language newspapers. The difference is not so much a matter of being for or against Germany and Austria-Hungary. After all, the Tribune hoped that Ferdinand's death would bring peace to Austria-Hungary. Rather, it is the question of whether each newspaper expected its readers to care about a German royal family as people.

> "It cannot be known how many of Chicago's German-Americans felt ambivalent about the coming war, but the enthusiastic action of some gave the appearance of agreement among the German-Americans."

While the Tribune published articles about the potential political consequences of the assassination and then largely dropped the matter, the ISZ published front page articles on Ferdinand's funeral procession and Serbia's likely responsibility for the act until the fifth of July.[11] That both the Abendpost and the ISZ were preoccupied with following the course of the funeral and determining the details of the murder suggests a response of grief and personal interest rather than a purely political goal. Although the anti-Serbian sentiment potentially stoked by such coverage might have helped garner support for the war later, at this stage neither paper called for war, which, as evidenced by the Tribune headline, still seemed far from inevitable. Instead, the German-American newspapers were emphasizing a connection to Germany and Austria that could unite Chicago's German-American community.

Thus, merely calling Chicago's German-language press pro-German oversimplifies its goals and priorities. While the Abendpost and ISZ certainly did favor Germany in their coverage, as became especially apparent with the sinking of the Lusitania, this was not simply a political bias. Instead, it reflected the very real familial, cultural, and personal connections that many German-Americans had to the old country, and how those connections could unify the community. News about the Austro-Hungarian or German royal families, even news as tragic as an assassination, was one way the ISZ and Abendpost could appeal to Chicago's entire German-American community, overcoming regional and religious differences. These ties to the countries of Germany and Austria-Hungary rather than specific regions fed into a unique German-American identity. While the mainstream American press often considered German-Americanism synonymous with political support for Germany, the reality was more nuanced. Chicago's German-language press promoted the idea of a common German culture that could unite the different groups that made up Chicago's German-American community through a common connection to the old country.

One of the most explicit expressions of German-American identity and nationalism came from a meeting of the Deutsch-Amerikanischer Lehrerbund (German-American Teachers League), covered by both the ISZ and the Abendpost. A German-American named Henry Buttmann spoke before the first meeting about teaching German in American schools. It was not a political question, he claimed. Children would benefit from knowing two languages and "since German is, after English, the most important and most spoken culture-language[12] of the world."[13] But there was also another reason, one specific to German-Americans. Buttmann proclaimed that, as German-Americans, they wanted their children to understand "that they should preserve Germanness through the common connection of our mother tongue."[14] German-Americans did have a sense of themselves as a minority ethnic group and wanted to preserve their language and community. However, they did not believe that Ger-

man culture should be limited to those of German birth, or that this culture derived its value solely from its place in their community. Buttmann was not merely proposing that German children learn German, but that the language be taught in American schools. He argued for teaching it not just on the basis of Chicago or America's German community, but as the second most important "culture-language" in the world. Indeed, only two days later the ISZ justified the value of German newspapers in teaching children German, since German and English "rule almost the entire globe."[15] German-Americans did not see their culture merely as one among many, but as a crucial influence on America and the world.

However, while German chauvinism certainly did exist in America, and was sometimes even expressed by explicitly referring to other cultures as lesser, it is important to examine how German-Americans harmonized the German part of their identity with loyalty to the United States.[16] In Buttmann's speech to the German-American Teacher League, he placed German as second to English. The goal, as he expressed it, was not to recreate Germany in the United States, but to give Americans access to German culture and ensure that German-American children could keep their heritage. German-Americans truly saw themselves as both German and American and could combine both parts of their identity in surprising ways. A case in point is a Fourth of July article demanding a relaxed immigration policy and an end to political machines. The article compared the Fourth of July to celebrations of the Battle of Leipzig, a victory against Napoleon which had similar nationalist resonances, though it did not prevent Napoleon from later returning. Both victories, the author argued, were incomplete. The American Revolution would only be complete after President Wilson stopped "playing the despot" by allowing more immigrants into "this classical land of human rights" and political machines ceased to control democracy.[17] Written in German, the article drew from both German and American history to address a politically engaged German-American audience. The goal of relaxing immigration restrictions had special significance to a community with a large immigrant contingent. Political machines' subversion of free elections, on the other hand, was a problem relevant to everyone who agreed on democracy as a basic American value. The writer expected German-Americans to be concerned about both issues.

Before America entered World War I, Chicago's German-American community did not see a conflict between loyalty to Germany and loyalty to the United States. Both the German-American press and the German parts of Chicago manifested their support for Germany and Austria. Upon the outbreak of the war, German flags "streamed from almost every building along North Avenue, the main street of Chicago's German belt."[18] Two thousand young men gathered at a large German saloon on the North Side and volunteered to fight for Germany.[19] A mass meeting of the National German-American Alliance was attended by up to ten thousand people and declared its full sympathy for the German and Austrian emperors, though it decided the club should not take an active part in the war. More mass meetings of the same kind followed on the North Side.[20] These mass meetings and the prevalence of flags in a geographically concentrated ethnic community could give the appearance of unanimity among the German-American community. It cannot be known how many of Chicago's German-Americans felt ambivalent about the coming war, but the enthusiastic action of some gave the appearance of agreement among the German-Americans. Newspaper articles blaming Russia for the expansion of the war, promising financial support for those young men who went to fight, and advertisements of suitcases "for men who are going to war" also helped to create the impression of a community dedicated to supporting Germany in both printed word and public deed.[21] Although one mass meeting was cancelled out of respect for Wilson's appeal support of neutrality, perhaps indicating that leaders feared seeming too partisan, similar events continued throughout 1914 and 1915. There was a "Germany Forever" rally on December 11th, 1914 and a four-thousand strong crowd for Bismarck Day on April 11th, 1915.[22] At least a portion of Chicago's German-Americans continued to enthusiastically and publicly support Germany through the early years of the war.

Both of Chicago's major German-language publications were overly optimistic about how compatible this support for Germany could be in an America that was sympathetic toward the Allies. The ISZ, for example, posted several notices in late July and early August directing citizens of Germany, Austria-Hungary, or Switzerland to report to their respective consulates if they have military service obligations.[23] One article even anticipated that immigrants returning home to fight would reduce nativism, because their absence at factories would show the United States' dependence on foreign labor, without considering what such an event would do for nativist perceptions of immigrants' loyalty to the United States.[24] The Abendpost went even further, writing that only after a German victory could there be "a strong, true, and independent Americanism," freed from Anglo-Saxonism.[25] Such a statement was already naïve in 1914, but as the war went on, and especially after the sinking of the Lusitania, Chicago's English-language press would make an issue of German-American loyalty and even the validity of German culture.

The story of German-Americanism in the English lan-

guage press of Chicago, however, is not a story of unalloyed German-bashing. Although the Chicago Daily Tribune published several opinion pieces that called German-Americans disloyal or worse, though it did not always do so explicitly. A 1914 article in the Tribune is a good example of earlier and less explicit portrayals of Germans as disloyal. Criticizing a professor who discussed anti-German sentiments, the article compared "German-American disputants" to German military strategists and ended by saying that "with many hyphenated Americans, the hyphen is not a tie but a division."[26] By linking German-Americans who participated in civil discourse to the German military and calling hyphenated identities divided, the article presented a politically defined idea of German-American identity. The article did not explicitly call German-Americans disloyal partisans but came very close. However, the idea of German-Americans as a politically defined and disloyal group was by no means universal during the early war years. The Tribune also printed an editorial criticizing the common position among German-American leaders that the U.S. should not export arms to Britain by calling it "a bit of good intention with unconsidered consequences" rather than attacking German-Americans.[27] In this way, they were willing to entertain disagreement with popular German-American views without imputing disloyal motives to the whole ethnic group.

The Lusitania: The Beginning of the End for Chicago's Deutschtum

After the sinking of the Lusitania, both German- and English-language newspapers changed how they covered war news, German-Americans, and the validity of German culture. While the German press frantically published articles denying German wrongdoing in both German and English, the Tribune made itself a battleground. The newspaper published editorials that not only questioned German loyalty but the very idea of German culture or civilization. The Tribune's view of the Lusitania incident is made clear by a short article from the day of the sinking about a German-American who rejoiced at the news. The article states sardonically that a "'neutral' torpedoed the German's jaw with his right."[28] The Tribune's editorial staff had little sympathy for anyone who did not mourn the sinking and used scare quotes to indicate that Americans were neutral in name only. But while that particular German may have earned scorn for celebrating a loss of civilian life, the paper soon began to publish articles attacking German identity more broadly. Two days after the sinking of the Lusitania, it published a translated article by a Belgian claiming that " there is no German civilization."[29] Denying the civilized nature of a country that many German-Americans felt great affection for was a clear attack on German-American identity. Another article denied that Germany had a culture, calling German Kultur[30] "the enemy of culture," defining Kultur as utilitarian and materialistic. Although the author feigned objectivity, saying that being a materialist may be either worse or better than being a visionary, the article was in fact a full-throated attack on German and German-American identity. By denying that German-Americans' culture was really culture, he was attempting to delegitimize perhaps the chief unifying idea of the German-American community and one of the chief lenses through which they saw their engagement with the United States.

However, the Tribune also gave some space to suitably moderate German-Americans. Slightly less than two weeks after the sinking, the Tribune did print an editorial by a German-American on the sinking. The author of the editorial focused on the danger of letting Americans travel on a ship carrying munitions, such as the Lusitania, and criticized efforts to drag America into the war "as a catspaw for the English mercenaries."[31] Writing for an English-language newspaper, the author was careful to keep the focus on American lives rather than debating the righteousness of the attack, which might open him to charges of loyalty to Germany. Moreover, he concluded the editorial by recounting his immigrant father's service and death in the civil war, clearly feeling a need to assert his and/or his family's place place in American history and give an example of immigrant loyalty. His status as a true American was under rhetorical attack, and he needed to defend it as part of his political argument.

Chicago's German-American press, on the other hand, was focused on frantically arguing that Germany did no wrong in sinking the Lusitania. Throughout early May of 1915, a flurry of articles argued that Americans had been adequately warned of the war zone the German government had proclaimed, that Germany had the right to attack a ship flying the British flag and carrying munitions, that the Lusitania was a British auxiliary cruiser, and that American passengers had relinquished their neutral status by stepping aboard.[32] For some time, the ISZ had been printing a few English language articles each edition, announced on the front page with the header "Be Fair! Read Our Articles Printed in American Language Daily on Page Four."[33] In 1914 these English articles had been advertised as the "German View" of the war, but as the war progressed a more neutral title was needed.[34] These articles became entirely devoted to the Lusitania, with a mix of articles from earlier papers translated from the German and original English articles, sometimes from outside authors.

The ISZ also carried an advertisement for The Fatherland, a newspaper meant to bring the German perspective on the war to English-speaking Americans. The advertisement urged ISZ subscribers to "read it, let your

children and especially your American friends and neighbors read it."[35] Although it acknowledged that non-German-Americans were unlikely to read it of their own accord, the advertisement and the very existence of the newspaper still urged for engagement between English- and German-speaking communities. Even as public opinion against Germany intensified and German-Americans became subject to increased suspicion and derision, politically active German-Americans still hoped to influence American politics.

Both the hope and impossibility of being taken seriously in American politics became clear when the Friends of Peace, a pro-neutrality organization with a large German-American contingent, held its national convention in Chicago. The convention was held September 5th, 6th, and 7th of 1915, only a few months after the sinking of the Lusitania. The organization's goal was promoting peace and keeping America out of the war. Since the United States was unlikely to enter the war on Germany's side, preventing intervention or support of the Allies was an important goal for supporters of Germany as well as for simple pacifists.[36] The Tribune reported that even pro-German delegates had moved against a resolution to support banning American arms sales to Allied powers, indicating both political sensitivity on the part of at least some German-Americans involved in the convention.[37] But an article the next day stated that the crowd had cheered upon hearing that a German submarine had torpedoed the passenger liner Hesperian, tarring the organization with a pro-German brush.[38] Moreover, almost all speakers were said to have attacked England.[39] Both the event and the organization were seen as pro-German.

The convention was, in many ways, a physical embodiment of the struggle of Chicago's German-language press, but played out in the physical space of the city. German-American newspapers and activists were trying to convince other Americans that they ought to be neutral rather than supporting the Allies and hoping for a German defeat. They mobilized extensively to do so, even bringing former Secretary of State William Jennings Bryan to Chicago.[40] By then, however, the gulf of suspicion, mistrust, and disagreement between German- and Anglo-Americans had grown too wide. Many of Chicago's German-American leaders still believed that they could promote a German-American identity that included strong ties to Germany and still be accepted as part of America. But even when talking in English, they still were not speaking the same language - much like the English-language articles in the ISZ. Nativists, nationalists, and supporters of the Allies could not accept the idea of Americans supporting Germany.

Ultimately, examining the German and English-language press of Chicago in the early days of World War I reveals a community confident in its loyalty and ties to both German Europe and to America, and increasingly under attack by non-German-Americans who saw a contradiction in their dual identity. Hopes for German culture to take a prominent place in broader American culture were dashed as an ostensibly neutral America became increasingly intolerant of support for Germany, and even of German culture in general. The sinking of the Lusitania was a watershed, facilitating both an advance in anti-German sentiment and a desperate drive by Chicago's German-language newspapers to gain readership outside their ethnic community and affect politics more broadly. It is clear from the newspapers that one of America's largest German-American communities was undaunted by anti-German prejudice in their effort to celebrate a dual identity and win support for Germany. That effort, however, was decidedly unsuccessful. The United States entered the war against Germany. As for German culture, "there exists hardly a more apt description of the fate of 'Deutsche Kultur' in the United States than the word eradication."[41]

Endnotes

[1] Leslie V. Tischauser, The Burden of Ethnicity: The German Question in Chicago, 1914-1941 (New York: Garland Publishing, 1990), 1.
[2] Richard Paul Albares, "The Structural Ambivalence of German Ethnicity in Chicago," PhD diss., University of Chicago, 1981, 2.
[3] Andrew Jacke Townsend, "The Germans of Chicago," PhD diss., University of Chicago, 1927, 13-15
[4] Erik Kirschbaum, The Eradication of German Culture in the United State: 1917-1918 (Stuttgart: Akademischer Verein Stuttgart, 1986), 41.
[5] Townsend, 5.
[6] U.S. Bureau of the Census, Population of the 100 Largest Urban Places: 1910, Published online June 15th, 1998, https://www.census.gov/population/www/documentation/twps0027/tab14.txt (accessed June 10th 2019).
[7] Illinois Staats-zeitung, July 3rd 1914.
[8] Frederick C.. Luebke, Bonds of Loyalty: German-Americans and World War I (DeKalb: Northern Illinois University Press, 1974), 150; Tischauser, The Burden of Ethnicity, 39-43.
[9] "Immer Schauriger! Die Verschwörung zum Thronfolgepaarmorde," Abendpost (Chicago, IL) July 1, 1918. All quotations from the Abendpost and the Illinois Staats-zeitung are originally in German and translated by the author unless otherwise noted. Unfortunately, Abendpost issues for the days immediately following the assassination are not available.
[10] "Tragedy Will Bring Peace for Austria?" Chicago Daily Tribune (Chicago, IL) June 29th, 1914.
[11] See Illinois Staats-Zeitung (Chicago, IL) July 1st, 1914 – July 5th, 1914.
[12] In original "Kultursprache," a term which might also be translated as "civilized language."
[13] "Empfang der deutschen Lehrer," Illinois Staats-zeitung, July 1st 1914.
[14] "Empfang der deutschen Lehrer," Illinois Staats-zeitung, July 1st 1914.
[15] Illinois Staats-zeitung, July 3rd 1914.
[16] Kirschbaum, The Eradication of German Culture, 48.
[17] "Independence Day," Illinois Staats-Zeitung July 4th, 1914
[18] Tischauser, The Burden of Ethnicity, 7.
[19] Tischauser, The Burden of Ethnicity, 7.
[20] Townsend, The Germans of Chicago, 70.
[21] Illinois Staats-zeitung, August 1st 1914; August 2nd 1914; August 3rd 1914
[22] Tischauser, The Burden of Ethnicity, 12; Townsend, The Germans of Chicago, 73.
[23] Illinois Staats-zeitung July 29th, 1914; August 3rd, 1914; August 4th, 1914
[24] "Brauchen Wir Einwander?" Illinois Staats-zeitung, August 1st, 1914
[25] Abendpost, August 30th, 1914, quoted in Tischauser, 7
[26] "In Darkest America," Chicago Daily Tribune (Chicago, IL) Oct. 10th, 1914
[27] "The Best Editorial of the Day: Our Exportation of Arms," Chicago Daily Tribune Jan. 21st, 1915.
[28] "Crowd Beats Up German Who Cheers Loss of Boat," Chicago Daily Tribune May 8th, 1915.
[29] Emile Verhaeren, "The Impertinence of Kultur," Chicago Daily Tribune, May 9th, 1915.
[30] "Kultur" is German for culture. Since the article uses the word to contrast German "Kultur" with what the author considers real culture, I have left the distinction intact.
[31] E. Namsirp, "Voice of the People: From a German-American," Chicago Daily Tribune, May 19th, 1915.
[32] See Illinois Staats-zeitung, May 8th, 1915 – May 15th,1915.
[33] See, for example, Illinois Staats-zeitung, May 10th, 1915.
[34] See Illinois Staats-zeitung, August 10th, 1914.
[35] Illinois Staats-zeitung, May 9th, 1915.
[36] Tischauser, The Burden of Ethnicity, 18-21.
[37] "Peace League Stops Talk on Arms Embargo," Chicago Daily Tribune, September 5th, 1914.
[38] "Peace Friends Cheer Attack Upon Wilson," Chicago Daily Tribune, September 6th, 1914.
[39] Townsend, The Germans of Chicago, 81-2.
[40] Ibid.
[41] Kirschbaum, The Eradication of German Culture, 15.

Exposing Hypocrisy & Imparting Titillating Sexuality in Antebellum New York City

Abstract: This paper explores evolving notions of masculinity, sexuality, and critiques of hypocrisy in 1830s-1850s New York City by looking to the ephemeral and understudied flash publications with particular attention paid to "The Magic Night Cap." Urban Antebellum American society was rapidly changing through industrialization yet simultaneously attempting to hold on to pre-industrial morals and social scripts. Previously conservative market values existed in tension with industrious go-ahead market attitudes. These market changes exuded through all factions of life, marking particular changes in family structure, daily life, and attitudes towards sex. Although geared towards an audience of working and middle class men, flash publications were enjoyed by a large body of individuals, women included. Despite their popularity, flash publications sparked anxieties and backlash, which lead to their criminalization and destruction. This paper works to expose a sector of print rich with insights into Antebellum cultural shifts that have previously fallen through the cracks of scholarship.

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> Scenes of horrible debauchery, of atrocious licentiousness, are daily and nightly enacted in the very heart of this great city, which, if generally known, would excite universal astonishment, disgust and wrath ... these splendid palaces of sin, with their obscene midnight orgies, are patronized and supported by men of wealth, reputed respectability and piety—men advanced in life, who have grown-up sons and daughters—men who... steal away from their homes and places of business in order to gratify their sensuality by reveling in the society of the beautiful but lascivious women who assemble in the gilded halls of guilty pleasures... Ah! were we permitted to lift the curtain entirely from before the hidden vices of city life, how would many people start, and shudder, and wonder![1]"
>
> [Night Cap, 1855]

The passage above, an excerpt from the serialized work of fiction, "The Magic Night Cap: A Story for Husbands and Wives" by George Thompson, condemns the sexual vices of wealthy men and paradoxically brings its reader to similar heights of sexual interest and excitement. Not only did Thompson author the piece, he was also the original editor of the *Broadway Belle, and Mirror of the Times* in which "The Magic Night Cap" was published in 1855 in New York City. The *Belle* falls under the classification of a sporting weekly. Published primarily in the 1830s to 1850s, sporting weeklies helped establish the new sporting man culture, which had little to do with actual sports and was far more concerned with crafting new notions of manliness and sexuality. These sporting weeklies—also known as penny papers, penny press, and flash papers—are the satirical, erotic foil to the moral reform papers of the 1830s. They circulated erotic, sensational accounts of urban vice and elitist hypocrisy, combatting dominant antebellum social scripts.

Although "The Magic Night Cap" was published in serialized form within a sporting weekly, it also falls into the classification of a "city mystery" novel. City mystery novels, also referred to as sensational novels, contrast the popular sentimental novel, similarly mirroring the form subversion of the penny papers. In many ways, "Thompson's crime-filled fiction [is] the literary equivalent of the penny newspaper."[2] Beyond his contributions to sporting weeklies, Thompson was a poet, essayist and, most importantly, one of America's earliest and most prolific authors of sensational fiction. Both sensational city mystery novels and sporting weeklies subvert dominant Victorian values and, with strong erotic themes, concern class differences and the nature of urban experiences.

Though primarily read by the new urban working and middle class, flash publications were geared towards a white audience. Even as Thompson's writings in the *Belle* and other publications were "critical of political and religious authorities as well as economic inequality," they were often extremely racist. In fact, "some of [Thompson's] fiction perpetuated the worst racial and ethnic stereotypes of his time."[3] Although at times the flash publications were politically scathing of injustices and societal

hypocrisies, they also often employed racism, anti-immigrant prejudice, and sympathy for the white U.S. born working poor which was typical of the nativist movement in antebellum America. Although Thompson's political affiliation is unknown, he did endorse a politician by the name of George Law who was a contender for the presidential nomination of the Know-Nothing Party in 1856.[4] However, this apparent inconsistency in the paper's political consciousness does not undermine its role in criticizing the growing corruption within market capitalism. The papers were dually inflected by their environment while working to critique it; as money-making operations born of the capitalist go-ahead spirit, the papers are necessarily about, and informed by, the attitudes they sought to expose. The papers comfortably bear this sort of inconsistency, which is emblematic of the same societal hypocrisy that gave birth to the hypocritical elites they aimed to uncover.

Alongside ambiguities in the papers' political positions, their ephemeral nature, criminalization, destruction, and—for the sensational novels—exclusion from the American canon have also contributed to their lack of scholarship. But perhaps the largest factor in their scholarly neglect can be attributed to their pornographic themes and content. Failing to see deeper substance beyond strong erotic themes, many scholars have previously overlooked the city mystery genre and the sporting weekly newspapers. Yet, the delivery of eroticism to the readership cannot be overlooked, as sporting weeklies and city mystery novels extended accounts of urban vice and sexuality to working-class and middle-class populations that did not have the financial means to engage in the sort of activities often described in the publications: primarily high-end commercial sex steeped in fantasy. By looking closely at examples of anti-elitist, anti-clerical, and domestically parodical themes in "The Magic Night Cap," this paper aims to address the features of political engagement, class consciousness, and sexuality in flash publications that have gone largely unrecognized by previous scholarship. Together, the flash publications of the 1830s-1850s, as demonstrated by "The Magic Night Cap," reveal a much larger discussion about elite hypocrisy and changes in sexual practices and attitudes in the mid-1800s. Unveiling a newly evolving urban underworld in New York City, sporting weeklies and sensational novels challenged dominant antebellum social and sexual scripts. In the process, antebellum flash publications extended new urban sexual fantasy to the working- and middle-class readership, granting them entry into the economically inaccessible realm of sensational urban sexuality.

Framework of The Study

"The Magic Night Cap" has the capacity to link two print cultures—sporting weeklies and sensational novels—together. Concerned with similar subjects, these two forms of print lend themselves best to analysis when joined under the term flash publications. Furthermore, the analysis of flash publications in this study is compounded with excerpts and advertisements that were published alongside "The Magic Night Cap." Thus, this work is concerned with the historical, textual, and supplemental reading of the extant segments of "Magic Night Cap."[5] This work intends to challenge dominant discourses of antebellum New York City by focusing on publications that did the very same thing.

History of sexuality scholar Patricia Cohen, American urban and social history scholar Timothy Gilfoyle, and American studies and American history scholar Helen Lefkowitz Horowitz, together principally classify the distinctive character of flash press as papers containing a "defense of active, male heterosexuality... [and] favorable coverage of prostitution and other illicit sexual behaviors." Cohen et al. identify eleven distinct characteristics of the flash press that emphasize the ambiguity, deceit, and satire that typify these publications.[6] The flash papers symbolize an emerging genre of American publication as they bring a new form of sexual speech into an accessible and popular format that marks the formation of a distinct urban sexual subculture. Although Cohen et al.'s analysis of flash publications is astute and insightful, they mistakenly separate papers of the 1850s, like *The Broadway Belle* or *Venus Miscellany*, from earlier flash press weeklies, citing a shift in content from political critique towards unbounded eroticism. The content of the later sporting weeklies is not that thematically different from earlier flash weeklies. Political critiques are far from abandoned, instead they merely shift in practice, including more forthright sexual references. This is emblematic of larger societal shifts in attitudes and discourses on sex as well as the increased solidification of middle-class values and culture.

Cohen et al. define the overarching themes and ideologies held in the flash weeklies of the 1840s as "libertine republicanism." Although seemingly paradoxical in name, libertine republicanism displays the hypocrisies and contradictions of the Victorian era and shows the variety of values during the time period, best understood by looking at class stratification. Republicanism during this time period was "critical of patriarchy, privilege, luxury, and corruption."[7] The flash press often used sexual slander as a means of assailing the powerful.[8] In fact, Cohen et al. identify "attacks on religion, priests, convents, civil officials, and influential citizens [as reflective of] an unsystematic but nonetheless fervent anticlericalism and anti-statism."[9]

Shifting beyond the confines of flash publications, law professor Donna Dennis discusses obscene publications

Rowlandson, Thomas.. "A Sketch of Nature." Wikimedia Commons. 1784. https://commons.wikimedia.org/wiki/File:Thomas_Rowlandson_-_A_Sketch_from_Nature.jpg

in general. Dennis charts the regulation of erotic materials published in 19th century New York City and argues that the success of erotic publications, despite the burgeoning efforts to criminalize and prosecute them, conveys antebellum America's daring notions of sex, gender, and desire. Dennis' contributions substantiate claims of flash publications' subversive nature and political capacity.

Specializing in Thompson's work in particular, Kimberly Gladman and literary critic and New Historicist David Reynolds are the only scholars to transcribe and publish Thompson's work outside of special collections. Reynolds and Gladman center their studies on the political subtexts of Thompson's work and suggest that—beyond humorous and sensational entertainment—it exposes "the prevailing fluidity of American life, which particularly victimized the urban poor."[10] Similar to the findings of Cohen et al. on flash papers, Reynolds and Gladman elevate the political and social capacities of Thompson's work and of the larger genre of city mystery novels. Pulling Thompson's work into the scholarly realm, Reynolds and Gladman legitimize the study of erotic literature in Victorian America.

A Broad Sketch of "The Magic Night Cap"

"The Magic Night Cap" begins with a pair of newlyweds from wealthy families set in their "nuptial chamber." The characters, Estelle and Albert, are fully overtaken by domestic bliss and their love for each other. Thompson refrains from describing their first sexual encounter entirely, but still intimates a vivid picture of what unfolds. Estelle undresses and wears only a gold necklace with Albert's portrait attached. Soon after, "excessive rapture [takes] possession of their souls."[11] The scene breaks with asterisks denoting the passage of time and Albert watches his sleeping bride, fretting that she will leave him to love another:

> She is a creature of the wildest impulses, the most extravagant caprices—what if she were to fancy some one else—what if another were to supplant me in her affections! Oh, perdition! what madness. what torture is there in the idea of some *rival's* reveling in her bewildering embraces, and feasting upon those charms which should be sacred to me alone! Would that I possessed the power of rendering myself *invisible*. so that I could be with her at all times and follow her wherever she might go, while she remained utterly

> unconscious of my presence! Yes, I would sell my very soul for such a gift![12]

That is exactly what occurs. As soon as Albert finishes speaking those words, the room is illuminated with "strange, unearthly light" and a green-eyed monster identifying himself as Jealousy, the "willing companion of the suspicious husbands," emerges.[13] Although Jealousy comments on how soon Albert requires his services after marriage, Jealousy reports that:

> There is not one true and virtuous woman in the whole world. Your wife, who sleeps there by your side, loves your friend Rupert; and at the very first opportunity she will grant all he desires Nay, never scowl nor shake your head, man; you shall convince yourself of the truth of my words by ocular demonstration—that is, provided you will agree to my terms.[14]

The terms—to which Albert quickly agrees—require him to give Jealousy "the happiness of [his] life" in exchange for a Night Cap, "red as blood, and adorned with strange hieroglyphics."[15] The nightcap renders its wearer invisible, but Jealousy reminds Albert, "hereafter you are my slave, and I shall be constantly hovering near you, ready, at all times, to whisper suggestions in your ear, and to prompt you how to act."[16]

Tanner, H.S. "New York, 1842." Wikimedia Commons. 1842. https://commons.wikimedia.org/wiki/File:New_York,_1842.jpg?uselang=fr

For the remainder of the extant work, Albert—with the invisible guise of the night cap—sees his pious housekeeper, Mrs. Loveit, in bed with his coachman, Miles, and visits an "undress" party at the "Palace of Voluptuous Delights." Other vignettes follow auxiliary characters. Estelle visits a French dentist resulting in an extended sexual metaphor of getting her cavity filled. A scene when Miles goes to the market (situated with real New York street names) to purchase goods (e.g. legs of mutton) reads much like a prostitution guide to the city, which were popular at the time. Another chambermaid named Lucy visits a "Spiritualist" meeting which places a disparate group (women's rights advocates, anti-slavery believers, Quakers, church leaders, Irishmen, and more) together, breaking out in a pugilistic fight. The term spiritualist, used here, has multiple meanings. Besides the common association with religious beliefs, the term also refers to those in the 1850s who constituted a part of New York's radical fringe that found sex to be the most important facet of life for both women and men. They subsequently pushed sexual radicalism and sometimes "free love."[17] But, before delving deeper into "The Magic Night Cap," the work must be situated within the historical context from which it sprung.

Effects of the Market Revolution: As Evidenced by Flash Publications

The themes and events in "The Magic Night Cap" can be most accurately interpreted when compounded with Victorian societal changes from economic shifts of the Market Revolution. The Market Revolution, which occurred primarily from 1800 to the 1850s, dramatically restructured many different arenas of American life. Through major advancements in technology and transportation, the main mode of industry shifted from the previously dominant model of yeoman-farming towards specialized wage labor based outside of the home. As industry grew, the newly created workforce deserted the domestic sphere for labor outside the home. This shift is marked by increased urbanization, increased reliance on wage labor, class stratification, shifts in who constituted the work force, and the subsequent growth of the working and middle class. In an idealized middle-class family, the market sphere was to be navigated by the man of the family with the domestic sphere overseen by the wife. However, this ideal was rarely achieved in the reality of most working-class families, as women and children frequently needed to supplement family incomes by venturing into the workforce themselves.

The separate spheres ideology that placed men in the market and women in the home hinged upon domestic ideals of marriage. Thompson strongly subverts these ideals from the opening scene by showing young lovers on their wedding night and shrouding the scene in jealousy, distrust, and extra-marital desire. In fact, Albert first uses the cap the morning after their wedding. His new wife Estelle, believing herself to be alone, takes a miniature of Albert's friend, Rupert, out of a secret drawer and kisses, embraces, and lusts over his likeness. Although she wears a portrait of her husband publicly around her neck, her duplicitous and secret desires are exposed. Almost all of the characters in Thompson's work and in "The Magic Night Cap" exhibit sexual desires—most of which are outside of prescribed notions of respectable morality (extramarital sex, miscegenation, group sex, incest, child sex, rape, and gay sex). In this case, the character of Jealousy undermines the ideal of companionate marriage with Estelle's extramarital desire, further subverting notions of antebellum domesticity.

Beyond the subversion of marriage, Thompson's work also threatens the domestic ideal of careful childrearing. George Thompson tells how he himself was reared by an urban landscape in his autobiography *My Life: Or the Adventures of Geo. Thompson; Being the Auto-Biography of an Author*. The autobiography, in which Thompson claims to be truthful and candid, more closely resembles sensational fiction.[18] Thompson crafts a story of city-upbringing complete with pious characters carrying on affairs, revenge killings, con men, and even describes multiple instances upon which Thompson was held in jail. Orphaned at a young age, Thompson lived with his uncle at Thomas street, near famous New York City brothels, until leaving home at the age of twelve, surrounding himself with "fast" youth, and "acquiring knowledge of the world."[19]

The thought of youth being exposed to and corrupted by a new city landscape was perhaps one of the most troubling aspects for antebellum society to reconcile, as the most significant impacts of the Market Revolution were seen in changes to the family structure. As men left the home to labor, the home as the major organizational site of the family was destabilized, and the traditional patriarchal family structure began to lose its authoritative role in shaping the lives of children.[20] More importantly, as family ties weakened, traditional controls over young working men declined as they left the home and ventured into the increasingly corrupt market. Traditional moral obligations that were previously respected in the economic arena were thrown out in favor of a go-ahead spirit. During this period, America and the American ideal became indelibly associated with fast ambition and individualism. The ideal American go-ahead man was marked by the constant pursuit of securing more capital. In fact, "rising from laborer to entrepreneur was the path to manhood."[21] This new type of market participation favored capital gains even when secured by questionable means over past emphases placed on morality in market ventures. As such, this new form of individualistic market participation and the constant search for more capital remade individual selfhood, national culture, and daily family life in the antebellum era.[22]

The go-ahead model of manhood is exposed in sporting weeklies and pulp fiction both explicitly and tacitly. The editor's note in the first publication of *The Broadway Belle* authored by George Thompson finishes as such:

> The paper will always be original throughout, independent in its tone, warm in its praises, just in its rebukes, impartial in its criticisms, fearless in its display of the NAKED TRUTH, witty in its jokes, and spicy without being obscene. We have tact—we have talent—we have experience—we have capital; and "go a-head" is our motto.[23]

Although the elites were the pinnacle of success for the go-ahead model, it was an aspiration that trickled down through class barriers. Thompson undoubtedly wanted to secure working-class, middle- class, and elite readers alike. By promising originality, warmth, impartiality, wit, allure, tact, talent, experience, and capital, Thompson promises a paper that can be useful to all, despite class differences. Additionally, by citing the go-ahead ideal as their motto, the paper places itself on the vanguard of new American ideals—a motto that was embraced across classes.

The go-ahead model of economic pursuit and ideal manhood also extended into new formations of sexual activity. Every tendril of society was ripe for exploration and pursuit, as expressed through the urban male heterosexuality rampant in the flash press. This go-ahead male sexuality often co-existed with simultaneous participation in respectable society.[24] This sort of hypocrisy is a main characteristic of the particular historical moment in which the flash weeklies and the sporting weeklies were situated. American society was rapidly changing through industrialization yet simultaneously attempting to hold on to pre-industrial morals and social scripts. In fact, historians of American Victorianism "have defined sentimentalism, the cult of feelings that dominated middle-class literature and culture from 1830 to 1870, as a form of hypocrisy... [and as] a technique for evading harsh social realities of expansive industrial capitalism."[25] The hypocritical societal tension of moral self-restraint and immoral individualistic economic ventures is indicative of both market shifts and shifts in attitudes towards sex.

Themes of hypocrisy abound in sensational literature and sporting weeklies. In another fictional piece that Thomp-

son wrote—published in the *Belle* in 1858—entitled "The Magic Cloak, or, the Demon of the Bottle," Satan fesses up to his contributions to the city's sins:

> I have been actively engaged in coining lies for politicians, who cannot carry on their vocation without a profuse supply of such articles. Then I have been making up large quantities of double dyed hypocrisy for the use of certain persons with five thousand dollar salaries, and professing Christians who profess about as much real piety as I or you do. I have so been employed in whispering foul temptations into the ears of men whom the world regard as honest, and women reputed to be chaste ... The highest magnates in the land are entirely under my control, and I do with them as I will. Oh, I have not been idle, I promise you![26]

"I have so been employed in whispering foul temptations into the ears of men whom the world regard as honest, and women reputed to be chaste ... The highest magnates in the land are entirely under my control, and I do with them as I will. Oh, I have not been idle, I promise you!"

Pushing themes of hypocrisy, flash publications complicate the notion of a civilized city by uncovering an urban underworld. By featuring city elites who move freely between the two worlds, flash publications emphasize the close proximity of the seemingly disparate realms.

Much of the antebellum population at the time of publication, and subsequent historians studying the era, placed flash publications on the margins of respectability. Yet, the economy on which publishers and writers like George Thompson depended upon was not that separate from other sectors of the ever-evolving and increasingly specialized economy. In fact, flash publications were contentiously received as they exposed sexual vice that was occurring in—and as consequence of—the new urban landscape.

Cap of Invisibility: Window into an Urban Underworld

"The Magic Night Cap" principally centers on the unmasking of an urban underworld by means of the "cap of invisibility." The concept of a magic nightcap is not Thompson's creation; it is an object that harkens back to folklore and mythology. In classical mythology, the Cap of Invisibility similarly turns the wearer invisible. It is also known as the Helm of Hades, Cap of Hades, or the Helm of Darkness. In the Greek epic poem, *The Shield of Herakles,* Perseus uses winged sandals from Athena and the "war-cap of Hades, which confers terrible darkness"[27] to kill Medusa. The manner in which Perseus is made invisible is of great interest: the Cap of Hades encloses Perseus in darkness. As suggested by its name, the cap is an object of the underworld. With a cap of invisibility, one "may be at liberty to retire into oneself, or to indulge one's desires, but there is the danger of retreating ever further away from mankind."[28] The nightcap in "The Magic Night Cap" has a similar effect: in being invisible, Albert sees the vices of those in the city and within his very own home. The dark and relatively undocumented sides of desires and practices of those all around Albert are revealed. Beginning with signing away his happiness, Albert retreats further and further from mankind as he once understood it, as his invisibility renders the hypocrisies of those around him visible and he sees his surroundings as what they truly are: licentious. It is worth noting that the working-class characters in "The Magic Nightcap" do not need such a tool to see the amoral happenings of their surroundings. This reveals the disparate urban sectors that the classes inhabited. Whereas upper-class individuals could avoid unruly and unkempt parts of town, the middle-class and especially working-class populations saw the grit and the grime upon which the city was truly built.

Market Shifts Within Prostitution Practices

Commercial sex, although not new at the time, steadily grew and became more specialized in the 19th century. The number of prostitutes within New York City, estimated at 1,850 to 3,700 in the 1830s swelled to estimates of 6,100 to 12,000 in the 1850s.[29] This increase in numbers does not necessarily mean an increase in prostitution rates, as the urban population as a whole steadily grew at the same time. Even still, beginning in the 1840s brothels followed suit with other sectors of the booming economy and became increasingly specialized.[30] They began to sell a sexual experience steeped in fantasy. This new model of brothel sold sex in "genteel, well-furnished heterosocial spaces."[31] In the same *Belle* publication that holds the sec-

ond installment of Chapter 3 of "The Magic Night Cap," is a piece titled, "The Fashionable Courtezan." Also authored by George Thompson, the piece reports on the life of a high-end prostitute named Nina. When describing a typical night, Nina states:

> When evening approaches, I dress for company; and, as my wardrobe is extensive and fashionable, I usually contrive to present quite a tolerable appearance, particularly as my taste in matters of dress is acknowledged to be faultless. The company begins to arrive, and as a matter of course, I strive to render myself as agreeable, attractive and fascinating as possible.[32]

Nina indicates a shift in a new model of brothels that were able to attract wealthier clients by "adopting material signifiers and behaviors associated with middle-class gentility."[33] In this new iteration of high-end brothels, the commercial and transactional nature of prostitution was downplayed while fantasy took center stage. Rather than just sex itself, brothels began to invest in fine interiors, sophisticated dress and upscale parlors to put forth imagined scenes of upscale women expressing sexual and social interest. Not all venues or sectors of commercial sex underwent these changes; this sort of experience was not financially available to the urban working class.

This sort of elite and fantastical urban sexual subculture is included time and time again in Thompson's work and in flash publications in general. In a scene in "The Magic Night Cap," Albert, with his invisible guise, watches women and men venture into a hidden party by means of private doors concealed in stores around town. Depending on the theme of the night, those visiting the space are instructed by an attendant as to whether it is a full dress, undress, or gauze party, where the latter necessitates that all visitors dress in a simple transparent garment. The space requires a large entrance fee of 20-50 dollars per visit, thus not only is this space secret, but it is only accessible to those with large sums of money to spend. These parties may or may not have actually happened as no evidence exists of them today. Yet, beginning in the 1840s opera houses and theaters did hold performances in the nude.[34] Regardless, commercial sex in the 1800s underwent market shifts, resulting in the creation of a new form of an upscale urban sexual commodity steeped in fantasy.

Although not all city inhabitants could engage in the sexual subculture of New York City, the sporting weeklies (for 1 or 2 cents) and the sensational novels (for 12 to 25 cents) offered pieces of the new fantastical realm of sensational urban sexuality to their readers. Thus, just as flash publications aired the hypocritical dissonance between the classes' abilities to realize and indulge urban sexual freedom, they also offered the opportunity to satisfy one's individual pleasure to readers across classes.

Flash Publication Readership

The primary readership of sporting weeklies and sensational literature was found in the new urban working- and middle-class populations of the Northeast. In fact, the printing and publishing industries were some of the largest employers in the economy of 1840s New York. New York City served as the epicenter for erotic publishing, although similar publications were seen in different cities.[35] Even though other major US cities were home to spin-off penny papers, the inspiration and basis of the papers flowed out of New York City. Yet, small bases of the New York publications' readership did extend outwards from the city. In the *Belle,* in a weekly spread titled, "Editor's Chit-chat with His Readers and Correspondents," submissions from readers come from Lowell, Boston, Brooklyn, Rochester, Cleveland, and more. In addition, sensational novels like Thompson's—although primarily produced and published in New York City and Boston—were available for purchase through the mail.

Even though flash publications extended outwards, they were largely centered in Northeastern cities like New York City and Boston, and for good reason; Antebellum Americans who read and reflected on the new literature about sex, like the flash publications, were part of a robust society in the midst of great change. Americans living in the Northeast were "among those who experienced the most profound transformation of daily life,"[36] which is reflected in the contents of the flash publications. Furthermore, the large readership and impact of the flash publications were heavily tied to new printing technology, means of distribution, and increased literacy rates which made their work cheap and widely available. The flash publications were appreciated by an increasingly mobile readership transformed by market changes.

Although the pornographic themes of "The Magic Night Cap" and flash publications at large were geared towards arousing a male readership, women also constituted part of the readership. But, it is misleading and far too simplistic to suggest that Thompson's work or the penny papers were only designed for male readers; a claim like that oversimplifies both the aims, content, and responses to the work.[37] Female readers cannot be dismissed on the grounds of the pornographic themes in the texts. Compounded with steep advances in literacy rates, women increasingly became readers and "constituted a new audience for public prints and a new market for reading."[38] The broadening market in the advancing urban setting brought women out of the domestic sphere onto the streets to engage in the market either by laboring themselves or to purchase goods.[39]

Market shifts and changing attitudes towards sex evolved for women too. This is reflected in the flash publications. Beyond Estelle's extramarital lust for Rupert, many other female characters in the work undermine antebellum ideals of womanhood and sexual or moral purity. Albert finds Mrs. Loveit, his housekeeper, whom he believed to be a "woman of piety and excellent moral character," in bed with his coachman. Instances of female sexual impurity and nonconformity no doubt served to entertain male readers yet also offered new possibilities for the female audience as "women who read Thompson's fiction would have found their sex represented in complex ways."[40]

In the piece, "The Fashionable Courtezan," mentioned earlier, the prostitute Nina describes her interactions with men who frequent her place of work:

> I never ... permit undue liberties to be taken with my person. When a visitor becomes so heated with wine of amativeness as to forget that he is a gentleman, I am not slow to remind him that I have not ceased to be a lady. "Hands off" is my motto, and should be with every woman of my class who wishes to be treated with any degree of respect, and who desire to preserve herself...No *real* gentleman, even when intoxicated, will abuse a woman.[41]

Not only were women in flash publications frequently afforded sexuality that was unavailable under respectable societal norms, in many cases, women were shown in control of their sexuality and their surroundings.

The Criminalization, Destruction and Dismissal of Flash Publications

Flash publications, by increasing visibility of commercial sex, slandering city elites, and exposing a practice that was previously sequestered to a private sphere, necessitated legal action. Moral vice was overlooked as long as it was sequestered to private venues. However, the penny papers violated community norms of decency by exposing commercial sex in the city and implicating recognizable city figures in sexual vice. The relatively cheap papers and their heightened dissemination fueled significant societal anxieties about their effects.

Dennis observes that before flash publications began to take off, "obscenity prosecutions in antebellum New York tended to occur only sporadically."[42] Concerns over obscenity regulation often occurred in distinct moments, not uniformly across time or in scale. City officials often overlooked erotic publications in the late 1700s and early 1800s. However, the flash press was unlike previous erotic publications: it inhabited an extremely public realm, exposed an urban underworld and the sexual vices of the city elite, and was principally associated with the new working and middle class. A large factor precipitating obscenity prosecutions against the flash press was an intense anxiety about how this new medium of communication "evaded elite conceptions of privacy."[43] Public outrage over the licentious content of flash publications—as well as antebellum fears and anxieties over moral corruption—fueled advances in the legal grounds for halting the publication of erotic materials.

Legal grounds for the prosecution of lewd materials based in common law began around the first publications of sporting papers, in the early 1830s. It was not until decades later that criminalization was solidified. The Comstock Law of 1873 was a federal statute that made it illegal to send "obscene, lewd or lascivious," "immoral," or "indecent" publications through the mail.[44] The statute's main and lasting goal was to criminalize the sale and distribution of information about or products for contraception or abortion, especially through the federal mail system. Many sporting weeklies published such advertisements on contraception, abortion, and treatments for sexually transmitted infections, so the aim of preventing the sale of contraceptive materials also extended to hinder the sales of flash publications at large.

The Comstock Law also made it a misdemeanor for anyone to sell, give away, or even possess an obscene book, pamphlet, picture, drawing, or advertisement. As a result, "many publications containing sexual content were suppressed or destroyed,"[45] and many materials "crucial to the understanding of antebellum sexual attitudes are absent from rare book collections and archives."[46] With much of the historical deliberations on antebellum sexuality hidden, lost, or destroyed, sporting weeklies, penny papers, and sensational fiction are an extremely rare and valuable basis of study.

On the one hand, the criminalization and destruction of flash publications confirms their subversive power. But, it also helps explain their lack of proper scholarship. Flash publications— despite their mass production during publication—have not stood against time unscathed. This is due, in large part, to their transient nature. As mentioned earlier, sporting weeklies and city mystery novels were "appreciated by an increasingly mobile readership undergoing rapid lifestyle changes early in the industrial and transportation revolutions."[47] These flash publications were read and enjoyed by a readership on the run. They were sold largely on the streets of New York City, made to shimmer brightly in the eyes of the reader: to shock and to captivate against the ever louder and busier bustle of the working- and middle-class landscape. The penny papers in particular were meant to be bought, consumed on the go, perhaps shared, tossed away, and replaced by the following weekly publication, starting the process

over again. Printed on cheap newsprint, even a large portion of the papers held in the AAS, that have made it to the present day, are marked with folds, splotches, or disfiguring tears.

In addition to their ephemeral nature and their criminalization, the lack of proper scholarly attention to flash publications can also be attributed to canonization efforts. In particular, city mysteries "violated traditional canons of critical taste."[48] During the era of the New Criticism, sensational literature was pushed aside as American literature struggled to gain viability. Although city mysteries like Thompson's possess "some of the very characteristics—paradox, irony, and ambiguity—[that] the New Critics prized," sensational literature was disregarded and forgotten under the elevation of writers like Melville, Hawthorne, and Dickinson.[49] The works included in the American canon of the New Criticism like *Moby Dick* and *The Scarlet Letter* also employ sexual metaphors to present political critiques, albeit far more understated than the sexual content in Thompson's work.

Conclusion

Aligning with market shifts, the content of the flash weeklies pushed individualism and freedom yet also espoused themes of hypocrisy similarly seen in broader societal shifts. Some iterations of individualism constituted critiques of privilege and hierarchy—often done by implicating city elites in sexual vice afforded to them by social and financial status. At the same time, a similar configuration of freedom based on the right to satisfy one's own individual pleasure was afforded to the readers across classes. The dissonance between the classes' abilities to realize and indulge such freedom and the arenas in which different classes could do so indicates antebellum hypocrisy itself. Challenging notions of elite privacy, exposing an urban underworld of "go-ahead" sexuality, and affording sexual titillation to the working-class and middle-class populations of New York City, flash publications were an incendiary and provocative voice in a period of societal and market hypocrisies.

Endnotes

[1] George Thompson, "The Magic Night Cap: A Story for Husbands and Wives," in *The Broadway Belle, Mirror of the Times,* (January 22, 1855), 1.

[2] George Thompson, David S. Reynolds, and Kimberly R. Gladman, *Venus in Boston: And Other Tales of Nineteenth-Century City Life* (Amherst: University of Massachusetts Press, 2002), xxxi.

[3] Thompson, Reynolds, and Gladman, *Venus in Boston,* xx.

[4] Thompson, Reynolds, and Gladman, *Venus in Boston*, xxi.

[5] All of the excerpts included from "The Magic Night Cap" cited in this paper have been transcribed from microfilm scans of the *Belle* and contain any original typos. More importantly, "The Magic Night Cap" is not complete. It was originally serialized in the very first publication of the *Belle* on January 8, 1855. The January 15, 1855 publication is unaccounted for, which contained Chapter 2 of the story. Similarly, Chapter 4, published in the February 5, 1855 paper is missing as well. In the March 12, 1855 publication the following was published in the paper: "*This great story will be continued in the 'Bowery Boy' next week. It will not be continued in the Belle. The 'Bowery Boy' will be a two cent paper—the first number of which will be issued on Monday next. Therefore, those who wish to wear the Magic Night Cap, must read the Bowery Boy and crack his whip*." Thus, excerpts of "The Magic Night Cap" used in this study constitute the extant work.

[6] Patricia Cline Cohen, Timothy J. Gilfoyle, and Helen Lefkowitz Horowitz, *The Flash Press: Sporting Male Weeklies in 1840s New York* (Chicago: University of Chicago Press, 2008), 10.

Coverage of sporting events and theater
Malicious gossip tidbits submitted by readers
Stories condemning immoral men
Reports from regular correspondents detailing sexual scandals
Anticlerical themes
Coverage of criminal underworld activity, such as gambling, abortion, or confidence games
Critical coverage of prostitution and other illicit sexual behaviors
Rough populism or republicanism critical of hierarchy and privilege
Cartoon lithographs with sexual and ribald themes
A defense of active, male heterosexuality
Favorable coverage of prostitution and other illicit sexual behaviors

[7] Cohen, Gilfoyle, and Horowitz, *The Flash Press*, 55.

[8] Ibid., 57.

[9] Ibid.

[10] Thompson, Reynolds, and Gladman, *Venus in Boston,* xi.

[11] George Thompson, "The Magic Night Cap: A Story for Husbands and Wives," in *Broadway Belle and Mirror of the Times* (January 8, 1855), 2.

[12] Ibid.

[13] Ibid.

[14] Ibid.

[15] Ibid.

[16] Ibid.
[17] Helen L. Horowitz, *Attitudes Toward Sex in Antebellum America: A Brief History with Documents* (Boston: Bedford/St. Martin's, 2006), 22.
[18] Thompson, Reynolds, and Gladman, *Venus in Boston*, 318.
[19] Ibid., 321.
[20] Karen Halttunen, *Confidence Men and Painted Women: A Study of Middle-class Culture in America, 1830-1870* (New Haven: Yale University Press, 1982), 12.
[21] Scott Sandage, *Born Losers: A History of Failure in America* (Cambridge, MA: Harvard University Press, 2006), 27.
[22] Ibid.
[23] George Thompson, "The Editor's Bow," in *The Broadway Belle* (January 1, 1855).
[24] Cohen, Gilfoyle, and Horowitz, *The Flash Press,* 13.
[25] Halttunen, *Confidence Men and Painted Women,* xiv.
[26] George Thompson, "The Magic Cloak, or, the Demon of the Bottle," in *The Broadway Belle* (November 6, 1858), 1.
[27] Hesiod, *Hesiod: The Works and Days; Theogony; The Shield of Herakles,* trans. Richmond Lattimore (Ann Arbor: The University of Michigan Press, 1959), 204.
[28] Michael Haldane, "From Plato to Pullman: The Circle of Invisibility and Parallel Worlds: Fortunatus, Mercury, and the Wishing-Hat, Part II," *Folklore* 117, no. 3 (2006): 268.
[29] Timothy J. Gilfoyle, *City of Eros: New York City, Prostitution, and the Commercialization of Sex, 1790-1920* (New York: W.W. Norton, 1994), 58.
[30] Katie M. Hemphill, "Selling Sex and Intimacy in the City: The Changing Business of Prostitution in Nineteenth-Century Baltimore," in *Capitalism by Gaslight: Illuminating the Economy of Nineteenth-Century America,* ed. Brian P. Luskey and Wendy A. Woloson, 1st ed. (Philadelphia: University of Pennsylvania Press, 2015), 169.
[31] Ibid.
[32] George Thompson, "The Fashionable Courtezan," in *The Broadway Belle* (January 29, 1855), 4.
[33] Katie M. Hemphill, "Selling Sex and Intimacy in the City," 170.
[34] Timothy J. Gilfoyle, *City of Eros*, 127.
[35] Paul Erickson, "Economies of Print in the Nineteenth-Century City," in *Capitalism by Gaslight: Illuminating the Economy of Nineteenth-Century America,* ed. Brian P. Luskey and Wendy A. Woloson, 1st ed. (Philadelphia: University of Pennsylvania Press, 2015), 195.
[36] Helen L. Horowitz, *Attitudes Toward Sex in Antebellum America,* 2.
[37] Thompson, Reynolds, and Gladman, *Venus in Boston,* xxxviii.
[38] Ibid.
[39] Helen L. Horowitz, *Attitudes Toward Sex in Antebellum America,* 4.
[40] Thompson, Reynolds, and Gladman, *Venus in Boston,* xxxviii.
[41] George Thompson, "The Fashionable Courtezan," in *The Broadway Belle* (January 29, 1855), 4.
[42] Dennis, *Licentious Gotham,* 8.
[43] Ibid., 59.
[44] "Act of the Suppression of Trade in, and Circulation of, Obscene Literature and Articles of Immoral Use," Library of Congress § Section 211 (1873).
[45] Horowitz, *Attitudes Towards Sex in Antebellum America,* vii.
[46] Ibid., 2.
[47] Thompson, Reynolds, and Gladman, *Venus in Boston,* xxix.
[48] Ibid., xxviii.
[49] Ibid.