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## Joanne Pope Melish's Disowning Slavery: Gradual Emancipation and "Race" in New England, 1780–1860 (book review)

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the linguistic order of the divine and the demonic on its head: confessions of witchcraft became a license to speak *more*, while professions of innocence led to their ultimate silencing at the gallows (170). Later, when magistrates apologized for the role they had played in the cataclysm, they focused again on the powers of speech: they had “listened to the wrong witnesses, and then had unleashed the power of their own voices against” the innocent (177). In so doing, they undermined their own capacity for authoritative speech, inadvertently giving their children greater license to speak out against them. As the currency of speech was debased, it increasingly became a matter of private concern rather than state and church control: “The mission of governing the tongue passed from the sphere of law to the sphere of etiquette, where it largely remains today” (190).

This is a brilliant book, beautifully written, about the palpable power of language in a “hearful” society. In contrast to scholarship on the written word that evokes images of silent readers and introverted thinkers, Kamensky makes Puritan New England seem as noisy and verbally contentious as it probably was. Sometimes Kamensky seems to see (or hear) only speech everywhere: the decades-long battle between Puritans and Quakers was “at bottom a struggle over the cultural meanings of speech” (118). At other times, gender is called upon to explain too much: “By focusing on Hutchinson’s role in the controversy, the authorities were able to insist that a dramatic breach of gender roles—especially their verbal component—lay at the root of the Antinomian heresies” (77). But this is an argument-driven book of the best sort. Unerringly, Kamensky returns from vivid tales of verbal brawls, boasting, and besting to the important point she makes so well: speech in early New England was powerful, it was political, and it was thoroughly gendered.

**Kirsten Fischer**

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Joanne Pope Melish, *Disowning Slavery: Gradual Emancipation and “Race” in New England, 1780–1860*, Ithaca and London: Cornell University Press, 1998. Pp. 296 + xvi. Price \$35.00 (ISBN 0-8014-3413-0).

The image of North and South as opposites—one free, the other slave—still holds great power for shaping the way Americans see their history. But over the last generation, historians of slavery have begun to call this simple contrast into question. During the colonial period slavery was not confined to the Southern colonies but was both legal and common throughout the North. Indeed, over the course of the colonial period slavery grew more important in northern economies as market activity and the demand for labor increased. Only during the American Revolution did this process begin to be reversed. And even then it took an astonishingly long time for slavery to be eliminated in northern states. In 1810 there were still 27,000 slaves in “free” states. (See Ira Berlin, *Many Thousands Gone* [Cambridge, Mass.: Belknap, 1998], 228.)

Abolition took so long in the North because most states bowed to the interests of northern slaveholders and moved to end slavery only gradually. Between 1780 and 1804 all states from Pennsylvania northward, with the exception of Massachu-

setts, New Hampshire, and Vermont, enacted gradual emancipation statutes that had two principal features. First, slaves who were owned before the passage of these statutes remained slaves. A young slave born just a few years before passage of the New York statute in 1799, for example, could continue legally to be held in slavery in New York for decades into the nineteenth century. And many were. Not until 1830 did free Blacks outnumber slaves in parts of rural New York and New Jersey (see Berlin, 237). Second, children born of slaves after statutes were passed were not themselves slaves but would not immediately be free either. They were obligated to serve their parents' masters until they reached adulthood, in some states until eighteen or twenty-one, in others longer, ostensibly to repay their masters for the expense involved in raising them. This was truly abolition on the cheap. Slavery was abolished outright only in the Old Northwest Territory and in Massachusetts, New Hampshire, and Vermont. Even then, in Massachusetts and New Hampshire abolition came in the form of ambiguous court opinions that left the constitutional status of slavery in doubt for many years. All of this profoundly muddies the simple picture of North and South that we have previously held.

*Disowning Slavery* adds significant new dimensions to this emerging picture and makes it possible to begin to see it whole. A good deal of recent writing on northern slavery and gradual emancipation has focused on the Middle Atlantic. Older work had shown how Black people were held in various forms of temporary servitude in Ohio, Indiana, and Illinois following the abolition of slavery in that region by the Northwest Ordinance of 1787. But Pope Melish's book is devoted to New England where it has long been assumed that slavery was unimportant, mild, and short-lived. Previously, it might have been possible to believe that the long drawn out death of slavery and other forms of Black servitude in a place like Pennsylvania or the persistence of Black servitude in the states of the Old Northwest Territory were the result of peculiar local conditions. Pope Melish's book makes it clear that these were general features of emancipation in the North, integral aspects of the process of northern abolition. They characterized emancipation in Connecticut and Rhode Island as well as in New York, Pennsylvania, Indiana, and Illinois.

*Disowning Slavery* has three main ambitions. The first is to show that slavery in New England was more important economically than had previously been recognized. It was precisely because of its economic importance there, as well as elsewhere in the North, that the process of eliminating it was so painful, and especially in southern New England, took so long. Though she relies a good deal on anecdotal evidence Pope Melish builds a convincing case for the importance and surprising persistence of slavery in parts of New England. In 1800, there were still 1,488 slaves in New England (7).

She shows that "[t]he years of greatest growth [in the number of slaves held in New England] between 1700 and 1750 coincided with an increase in agricultural productivity, the expansion of local and regional markets, widespread entrepreneurial activity, and the development of craft enterprises into manufactories" (19). Slaves were one answer to the heightened need for labor that accompanied expanding markets, an answer that colonial New Englanders did not shy away from. In making her argument Pope Melish has taken on one of the last remaining bastions

of an older view of slavery. In New England, it has frequently been urged, slavery was mainly a form of economically irrational conspicuous consumption. Pope Melish shows that slavery in New England was important precisely because it supplied an important component of the productive labor that made market growth possible in the region during the eighteenth century.

The second main ambition of *Disowning Slavery* is to show that the process of gradual emancipation itself played an important role in the way that Black people came to be viewed during the nineteenth century as an inferior, degraded "race." The characteristics of "slave" came to be inscribed onto Black people through the process of gradual emancipation and transposed into a new naturalistic language of race. Here Pope Melish makes one of her most important contributions, identifying an important aspect of the process by which a thoroughly "racialized" citizenship was created in most northern states during the first half of the nineteenth century.

Finally, *Disowning Slavery* sets out to explain how this entire history came to be erased and replaced with the myth of a New England that had always been "free" and "White." And here the book again makes a significant contribution by linking this process to the "imperialistic" ambitions of the New England region that sought to make its values the values of the entire nation.

This is a very important book that adds immeasurably to our understanding of slavery and gradual emancipation in the North during the first half of the nineteenth century, but it also has weaknesses. The principal one, I think, is that it tends to overstate its case, failing to give due weight to the crosscurrents and countercurrents that were simultaneously at work and to the wider cultural framework. Let me give a few examples.

Pope Melish seems to argue that the process of emancipation in New England helped to forge a culture that denied even the possibility that Black people could become citizens (78, 162). This argument, in fact, works very well for most of the rest of the North where Black people were either excluded entirely from the suffrage or admitted to the suffrage under more stringent requirements than those imposed on White men. But in parts of New England, and this was true nowhere else in the North, Black people were admitted to the suffrage on an equal basis with Whites. After 1841 only Connecticut among the New England states denied Black people the suffrage on the same basis as Whites. Obviously, there must have been significant countercurrents at work in New England producing this outcome, but we are told practically nothing about them.

Second, take the issue of the kidnapping and sale out of state of Black people. These were terrible problems in New England, especially during the transition. But legislatures in these states moved to try to do something about them, passing statutes that prohibited the practices. And Pope Melish mentions these statutes (102). But because they do not seem to have accomplished their goal, she concludes that "the perception of children and adults of color as 'available' for kidnapping and sale out of state seems to have been widespread" (103), leaving the impression that this was the entire story. But the very fact that popularly elected legislatures had passed such statutes in the first place would seem to suggest that there must also have been significant popular sentiment running in the opposite direction. Would

it not be truer to say that sentiment in New England seems to have been deeply and bitterly divided on these issues?

One final point. Pope Melish argues that “slavery had provided a fixed role, status, place, and identity in the social structure for persons of color. . . . Emancipation . . . offered a kind of expulsion from this structure without providing a new place or a new structure to accommodate the new category of free persons. . . . Whites felt little obligation to devise new language and a new set of practices for establishing relations with a new class of persons, a class whose existence they could imagine only with reference to the former enslaved status of its members” (88).

In fact there was a traditional language and set of practices ready to receive the newly freed. It was the language and practice of dependency. In the early nineteenth century neither the very poor, nor women, nor children were generally considered to possess the capacity to govern themselves. Indeed, this was the reason that paupers were placed at the legal disposal of towns that supported them, and women and children were placed under the legal control of husbands and parents. In many states those who were too poor to pay taxes or who required poor relief were excluded from the suffrage. And everywhere women were denied the suffrage on similar grounds. Though they might be White, none of them were capable of full republican citizenship. Full republican citizenship was by no means universally available even to adult White males during the first half of the nineteenth century.

When Black people were emancipated there *was* a place in the dominant White imagination ready to receive them. It was among the traditionally “unruly poor” and the dependent. Indeed, the indented statuses of various sorts into which Black people were often placed were statuses that had been designed in many cases and still frequently occupied by poor Whites during this period. Pope Melish acknowledges that there were such statuses and that White people frequently occupied them. But her object in mentioning them is only to show that Black people were treated worse. She does not seem to recognize that the legal subordination of White people during the period has to affect the shape of the story she seeks to tell.

While all members of the dependent classes occupied structurally similar legal statuses, they were not viewed as an undifferentiated mass. Women occupied one kind of legal status because of their special circumstances, the poor another, children another. Blacks, I think it may be fair to say, came to occupy yet another, distinct sub-category of dependency reserved for the “Black race.” The cultural remapping that took place in the wake of emancipation did not take place against a blank slate. It was negotiated through the medium of the traditional language and practice of dependency. This places a different gloss on the process. Black people were certainly set apart and subjected to unequal treatment in most of the North. And it is fair to say that they were treated worse than any group of White people. But it is simultaneously true that large numbers of White people were subjected to similar if not quite as bad legal and political treatment during the period. The admittedly unique experiences of Black people should have been explicitly analyzed against the background of these more general cultural assumptions about the proper way to deal with the “unruly poor” and the dependent.

Having said all of this let me make clear that *Disowning Slavery* is an invaluable contribution to the emerging picture of slavery and emancipation in the Amer-

ican North. Pope Melish has made it difficult for New Englanders ever to see their history quite the same way again.

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Linda K. Kerber, *No Constitutional Right to Be Ladies: Women and the Obligations of Citizenship*, New York: Hill and Wang, 1998. Pp. xxiv + 405. Price \$25.00 (ISBN 0-8090-7383-8).

Linda Kerber has written a carefully reasoned and highly intelligent book that aims to shift the standard debate on citizenship. Rather than focus on the expansion of rights over time, she turns our attention to the more sober but equally crucial subject of civic obligation. The choice makes sense given that her study is deeply concerned with women's problematic relationship to the state. From the perspective of feminists, the political history of women in America is anything but triumphant: white women were denied the vote until 1920, and states continued to find ways to exclude poor and noncaucasian women long after the passage of the Nineteenth Amendment; women were long excluded from military service and are still subject to combat restrictions; women were not included in jury service on an equal basis until 1975, and exemptions based on sex were not challenged as violations of equal protection until the late 1980s. Women have been burdened with numerous civil disabilities derived from marital status and normative rules upholding sexual difference, and they are not considered constitutional equals with men as demonstrated by the 1982 defeat of the Equal Rights Amendment and its failed revival more recently. Kerber's argument unmask the liberal conceit that progress was—and is—inevitable.

The primary value of this compelling collection of essays, which center on representative cases, is its comprehensive treatment of a two-sided standard: obligation and liability. Kerber demonstrates that citizenship has been based on the presumption that the typical citizen must be capable of performing certain duties and must as well avoid the liability of becoming a burden or danger to the nation state. American citizenship has never simply guaranteed the blessings of life, liberty, and the pursuit of happiness, but it has instead provided a legal means for the exercise of state power in regulating who belong and who fall outside the full guarantees of due process, equal protection, and political standing. American citizenship, then, has used obligations to divide the population into classes, prescribing, even coercing, some to perform certain tasks, and excluding and penalizing others, for often dubious or prejudicial reasons.

Kerber identifies five essential obligations: paying one's taxes; avoiding vagrancy—or the obligation to work and not be a fiscal burden on the state; jury service; military service; and loyalty (or refraining from treason). Each of these obligations raises different and necessarily complex issues, yet for Kerber the common thread is gender, and the legacy of coverture as it continues to influence the ways in which women's duties are differently defined. In theory, *feme covert*, or married wom-