
THE PROCEEDINGS

of

**The South Carolina
Historical Association**

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Robert Figueira and Stephen Lowe

Editors

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A Notice to Contributors Concerning Style

The editorial committee invites submission of manuscripts from authors of papers presented at the annual meeting. On the recommendation of reviewers and editors, manuscripts may be published in *The Proceedings of the South Carolina Historical Association*.

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An Interpretation of the Denmark Vesey Insurrection Scare

Lacy Ford

Public and private commentary on the alleged causes of the Denmark Vesey insurrection plot and recommendations for preventing future insurrections appeared with frequency in the Charleston press while the so-called “Vesey Court,” the body convened by Charleston Intendant (or mayor) James Hamilton to mete out “justice” in the matter of the insurrection plot, was still conducting its investigation and trials in July 1822.¹ As early as 19 July, one Charleston white publicly sounded the call for stricter laws controlling the city’s slaves, recommending specifically the tighter regulation of dram shops and slaves who hired out. In the weeks and months that followed this first proposal, a series of public meetings, letters-to-editors, newspaper editorials, grand jury presentments, pamphlets, petitions, and memorials gave an alarmed white public a chance to present its own piecemeal analysis of the aborted insurrection and to recommend appropriate remedial actions.²

In the course of this impromptu public analysis, white Charlestonians quickly arraigned all the usual suspects in matters of slave unrest, sometimes regardless of the “evidence” at hand. With the Vesey Court still deeply engaged in its work in July, equity chancellor Henry William DeSaussure identified the “great intercourse” that slaves in the port city enjoyed with the West Indies and their resulting communication with blacks “who have been engaged in Scenes of blood [in the West Indies],” as the primary cause of unrest.³ Many whites blamed slaves who hired out. Hiring out was a common practice among skilled slave artisans in the urban Old South, and it often proved lucrative to both slaveowners and the skilled slaves involved, but it also tended to remove these slaves from the watchful eyes of their masters.⁴ In August 1822, following the last Vesey-related execution, Charleston’s congressman, Joel Poinsett, attributed the plans of the “miserable deluded conspirators” to the “discussion of the Missouri question at Washington,” which, Poinsett contended, was understood by area slaves as a congressional consideration of “emancipation.”⁵ Other whites blamed troublesome slaves imported from other states through the active interstate slave trade, even though there was scant evidence that many slaves recently arrived from other states played a significant role in the alleged plot.⁶ The undeniable carelessness of the existing slave patrol system also came under attack.⁷ One observer called for an increase in parish patrols, funded by the state, and urged that these patrols routinely “visit every place of worship in the parish” on Sundays.⁸ A Charleston grand jury specifically complained that the “expensive dress” worn by some “persons of

colour” proved “subversive of that subordination” required by slavery, and other citizens blamed the recent alarm on the perceived “uppityness” of “favored” slaves who enjoyed the run of the city due to their masters’ lenience.⁹ Private citizens joined Charleston grand juries to file a chorus of complaints against dram shops, which sold spirits to slaves and often served as gathering places for free blacks and slaves, places allegedly frequented by Denmark Vesey and other accused insurrection leaders.¹⁰ A grand jury headed by Court member Robert Turnbull complained about the free black artisans and mechanics who took jobs from whites as well as about the “number of schools” in the city run by free blacks.¹¹ Other citizens identified the mere presence of free blacks as a dangerous anomaly in a society committed to racial slavery.¹² One citizen went so far as to recommend that the legislature “allow no free persons of color to remain in the state.”¹³

By early August, when the Vesey Court finally adjourned, the litany of complaints and list of remedies had evolved into an on-going battle to shape the public’s lasting impressions of the Vesey insurrection scare and to define appropriate remedial action, and more informed contributors openly entered the discussion. Soon after the adjournment, dueling commentaries penned by incumbent South Carolina Governor Thomas Bennett, a Charlestonian, and Charleston Intendant James Hamilton appeared. Governor Bennett won an apparent race with Hamilton to publish the first account of the scare when he distributed a circular letter on 10 August, only one day after the last execution of a condemned slave.¹⁴ Bennett, owner of the city’s largest rice mill and himself a former intendant, insisted that while Charleston had indeed experienced an insurrection scare, the scare had been blown out of proportion by local authorities, that the real threat presented by a handful of calculating slave and free black incendiaries had been easily discovered and thwarted, and that the port city was once again busy exporting valuable southern staples. A sharp critic of the Vesey Court throughout its existence, Bennett lamented that it had exaggerated both the scope and seriousness of the alleged plot, and he worried that the needless severity of the punishments it meted out had damaged the reputation of the state.¹⁵ To counter the emerging narrative, Bennett offered an explanation of the Vesey conspiracy that blamed the Court as much as black insurrectionists for the midsummer tragedy. The public mind, Bennett insisted, “was agitated by a variety of rumors, calculated to produce great excitement and alarm.” The Court’s actions then encouraged a “general impression . . . of a very extensive conspiracy,” and “greatly magnified” the threat of what in reality was very immature plot, which, “as soon as discovered . . . ceased to be dangerous.” In summarizing his views, Bennett insisted that “the scheme has not been general nor alarmingly extensive.”¹⁶ But Governor Bennett’s efforts to shape public perceptions of the scare were quickly trumped just a few days later, when James Hamilton published his own account, a forty-six page pamphlet, on the matter.¹⁷ Almost as soon as it appeared, the popular Hamilton’s pamphlet captured the

public imagination and became the source of the “received truth” about the scare among white Charlestonians.¹⁸ Hamilton presented the public with an overview of the insurrection scare diametrically opposed to Bennett’s. The intendant painted a picture of a bloodbath narrowly avoided by bold and timely action by city and state authorities, and of a relentless investigation that carefully and impartially followed every lead to its end. By Hamilton’s count, one hundred thirty slaves and free blacks had been arrested. Thirty five, including all “ringleaders” – except slave artisan Monday Gell, who survived by turning into a star witness for the prosecution and giving testimony implicating others to city authorities – received the death penalty, and thirty seven, including Gell, were banished from the state. The “most important object in uprooting a conspiracy,” Hamilton maintained, had been accomplished “by bringing to punishment the whole of the ringleaders”¹⁹ But it was Hamilton’s introduction to the pamphlet that carried the message he wanted both whites and slaves to hear. It declared: “there is nothing you are bad enough to do, that we are not powerful enough to punish.”²⁰

Hamilton also probed to find the presumed “causes of this conspiracy” in order to prevent future plots. He decisively identified black Christianity as the chief motivating force behind the alleged insurrection plot.²¹ “Religious fanaticism,” Hamilton asserted, had been a major influence on the conspiracy, and he called Charleston’s “African church” (an independent AME church founded in 1817 by free blacks and slaves with the encouragement and tolerance of many members of the city’s mainline and evangelical denominations) a “hotbed, in which the germ [of insurrection] might well be expected to spring into life and vigour.” Among “the conspirators,” Hamilton argued, “a majority of them [black insurrectionists] belonged to the African church, and among those executed were several who had been class leaders.” During the investigation, the African Church was broken up, “voluntarily,” as Hamilton euphemistically described it, with its property confiscated or destroyed, and its leader, Morris Brown, forced to leave the state.²²

In addition to slave Christianity, Hamilton blamed two phenomena he believed closely related to the growth of black Christianity: the increase in slave literacy and the “misguided benevolence” of a growing number of masters who believed that more lenient or paternalistic treatment of slaves and the inculcation of Christian teachings among them would produce more loyalty and obedience than harsh treatment did. Too many masters, Hamilton complained, were “not satisfied with ministering to the wants” of their slaves by providing “all the comforts of abundant food and excellent clothing”; they went further and not only “permitted” their slaves to learn to read and write, “but lent to such efforts their approbation and applause.” Hamilton insisted that this movement to encourage slave literacy and better treatment of slaves, the paternalist project to meliorate the harsher aspects of slavery led by Christian clergy and active laymen, had provided slaves the “facilities for

combining and confederating in such a scheme” through “the extreme indulgence and kindness, which characterizes the domestic treatment of our slaves.” After all, Hamilton pointed out, all of the slaves, except one, who were identified as “ringleaders” in the conspiracy ranked among the “most humanely treated negroes in our city.”²³ After publishing his account, which effectively countered Bennett’s controversial narrative, Hamilton moved on to other matters. During the fall, he campaigned successfully for reelection to the state legislature and as city intendant, and later he won a congressional seat representing the Beaufort area. As a diversion from campaigning for three separate offices, Hamilton also attended a Bank of the United States stockholders’ meeting in Philadelphia. Given his schedule, Hamilton, along with the other members of the Vesey Court, had asked the presiding magistrates, Lionel Kennedy and Thomas Parker, to draft a report detailing the Vesey investigation and trials. And, in late October 1822, the *Official Report* appeared.²⁴ It provided the fullest account of what the Court believed it had uncovered, or at least the account the Court wanted the public and posterity to believe. For some purposes at least, the most important fact about the *Report* was (and remains) that it tells the story that Hamilton and the Court wanted told. It shaped the public perception of events, and it was certainly intended to do just that. As such, it makes important points about the Vesey Court’s agenda, regardless of the larger historical truth of the document’s claims about the alleged insurrection and accused insurrectionists.²⁵

On the whole, the *Report* simply expanded on Hamilton’s earlier account, generally endorsing and elaborating on the intendant’s views.²⁶ It described the alleged conspiracy as wide-ranging, meticulously planned, and capable of much destruction and bloodshed. Without doubt, the *Report* concluded, the Vesey conspiracy was a plot whose sophistication and scope justified the swift and severe actions of the Court. “By the timely discovery of the plot,” the *Report* concluded, “South Carolina has been rescued from the most horrible catastrophe with which it has been threatened since it has been an independent state.” The report claimed that the revolt “could not possibly” have succeeded over the long term, but before it was suppressed, Charleston would probably have been “wrapped in flames – many valuable lives [would] have been sacrificed and an immense loss of property sustained by the citizens.”²⁷

Echoing Hamilton, the *Official Report* concluded that the insurrection conspiracy had been brewing for at least four years, or since “about the time the African congregation . . . was formed.” The report also identified the “African Church” as the chief source of black villainy. It noted that “a decided majority of the insurgents, either did or had belonged to the African congregation, among whom the enlistments were principally and successfully carried on.” The “African congregation,” the report continued, “was not only composed altogether of colored persons, but their Ministers were also colored . . .

The influence which such men and class leaders must necessarily acquire of the minds of ignorant blacks is evident." In such settings, "perverted religion and fanaticism" taught that slaves should seek "the freedom and privileges enjoyed by the whites."²⁸

The Court also highlighted the "melancholy truth" that all the leaders of the alleged insurrection, except Gullah Jack, enjoyed "not only the unlimited confidence of their owners," but also "had been indulged in every comfort, and allowed every privilege compatible with their situation in the community." As a free black, Vesey himself owned "a considerable estate," conducted "a good business as a carpenter" and "enjoyed so much confidence of the whites" that the community "discredited" charges against him until "proof of his guilt" became "too strong" to ignore. The report also emphasized that Vesey and his "ringleaders" confined their recruiting efforts "to Negroes who hired out or worked, such as carters, draymen, sawyers, porters, laborers, stevedores, mechanics, and those employed in lumber yards," those "who had certain allotted hours at their disposal." Following Hamilton's lead, the *Report* also emphasized the unique characteristics of the other "ringleaders." A "slave of great value," Peter Poyas enjoyed the "confidence of his master" and had earned a reputation for being "a first rate ship carpenter." Rolla Bennett, the "confidential servant of his master," often guarded Thomas Bennett's family when the governor was away. Ned Bennett also served the governor as a "confidential servant" and was credited with "general good conduct." Known as a "most excellent harness maker," Monday Gell "kept a shop on his own on Meeting street" and lived with "his time and a large proportion of the profits of his labor . . . at his own disposal."²⁹ In the minds of many whites, the fact that the putative leaders of the alleged insurrection came from the ranks of Charleston's most comfortable and autonomous slaves, slaves who some whites referred to as privileged, did not suggest that extending slaves more comforts and privileges promised to render them more loyal and obedient.

Out of the confusing initial flurry of public efforts to identify the "causes" of the Vesey plot, the work of Hamilton and the Court brought more focus, blaming the independent black church, misguided Christianity, slave literacy, and the leniency and tolerance of paternalistic masters as the breeding ground for the insurrection plot. Yet perhaps the most striking note about all of the incessant "interpreting" of the alleged Vesey conspiracy that characterized the many post-scare commentaries is the one explanation not advanced, the dog that did not bark, if you will, during the voluminous and animated post-scare discussion. Almost the only plausible interpretation not advanced during the extensive post-scare debate, yet an idea that had concerned almost every white in the city just two decades earlier, was the role that South Carolina's controversial reopening of the African slave trade between 1803 and 1807, and the importation of over fifty thousand slaves from Africa during that era, might have played in nurturing the insurrection

plot. A majority of Lowcountry leaders had opposed South Carolina's reopening of the foreign slave trade in 1803, and those leaders had argued forcefully and frequently that the increased danger of slave insurrection loomed as a likely consequence of reopening the overseas trade. Certainly the prominent role played in the alleged plot by slaves who likely entered the state during the brief period when the overseas trade was open could have invited Vesey-era Charlestonians to blame the champions of the reopened African trade very much as they did the leaders of the relatively young paternalist movement for creating a context for slave unrest. At least two of the plot's handful of alleged ringleaders, the intelligent Monday Gell and the intimidating Gullah Jack, were both Africans who had been in the country less than twenty years, so it was probable that they arrived as a result of the reopened trade. Gell, a skilled artisan who could read and write well, was accused by the Court as serving as the unofficial clerk of the insurrection. Governor Bennett went further, laying the primary responsibility for the plot's formation at the feet of Gell rather than Vesey. Bennett labeled Gell as "the most daring and active" of the conspirators. Gell, the governor explained, "could read and write with facility" and thus exerted "an extraordinary and dangerous influence over his fellows." As a slave allowed by his owner to "occupy a house in a central part of the city," Gell enjoyed "hourly opportunities" for the "exercise of his skill on those who were attracted to his shop by business or favor." It was in Monday Gell's shop, Bennett suggested, "that his artful and insidious delusions were kept in perpetual exercise."³⁰ The exotic Gullah Jack cultivated a city-wide reputation as a "conjurer," practiced voo-doo, believed himself indestructible, and told others that through the proper use of charms he could render them indestructible. Moreover, Denmark Vesey had likely approached this Angolan-born conjurer, a man James Hamilton described as "fifteen or twenty years in this country" and yet seemingly "untouched by the influences of civilized life," to recruit a company of African-born slaves for the rebellion. Vesey, Hamilton postulated, had "turned his eye to this Necromancer, aware of his influence with his own countrymen [Angolan-born slaves and free blacks], who are distinguished both for their credulous superstition and clannish sympathies."³¹ Yet not a single word of recrimination against those who had advocated the reopening of the African slave trade almost twenty years earlier appeared in any post-Vesey scare commentary.

The silence of anxious white Charlestonians, who handed out blame for the alleged insurrection plot liberally, even recklessly, on the plausible role of the state's reopening of the foreign slave trade, attracts the historian's attention. The omission grows even harder to understand when one notes that the very authorities who investigated the scare were painfully aware of the significant African ethnic component to Vesey's alleged organizational plan. According to Hamilton, Vesey appeared to recruit leaders based on their presumed appeal to various ethnic groups among slaves. Monday Gell,

the literate harness maker, was an Ebo, while Gullah Jack, the “conjurer,” appealed to the “Gullah” or Angolan slaves. Henry Drayton, an American-born slave, was assigned to recruit “country” (American-born) slaves and free blacks. The African ethnic and national loyalties of slaves had been reinforced by the arrival of a fresh cohort of Africans in the first decade of the nineteenth century. Yet in 1822, just fifteen years after the African slave trade was closed in South Carolina, when one of their earlier prophecies of doom had seemingly come so close to fruition, none of the political leaders who had opposed reopening the African slave trade on the grounds that it would enhance the danger of insurrection stepped forward publicly to declare “I told you so.”

Why then, the silence? Why the restraint among politicians? Why stretch the point in so many places and fail to consider such an obvious possibility? Historian Michael Wayne has suggested, based on his analysis of slave resistance in a different setting (the Natchez region of Mississippi and Louisiana), that slaveholders often worked hard to control the manner in which slave behavior, and especially slave resistance or rebellion or violence against whites, was “presented” or explained to the larger public.³² Slaveholders’ efforts to control the “presentation” of slavery certainly involved sending messages to the slaves about the futility of violent or manipulative action, but often the principal intended audience for the presentation was the local white community. This was especially true in places where significant opposition to or doubts about slavery as an institution existed, or, as was the case in the Lowcountry as well as the Natchez region, where fears about white safety ran deep due to the presence of large black populations.

Clearly, controlling the “presentation” of the Vesey scare was important to Charleston leaders, and since Hamilton and his allies easily won the early battle for control, it was Hamilton’s ideas, interests and agenda that dominated the presentation. The characterization of the insurrection as potentially very large and dangerous, for instance, made Hamilton’s successful quashing of it a more impressive achievement and easily explains that particular angle of the presentation. Moreover, it was also the strategy of presentation that helped keep the issue of the reopening of the foreign slave trade out of the post-scare discussion. The overseas slave trade had been permanently closed by federal action in 1808; however controversial and passionate an issue it had been nearly two decades earlier, by 1822 the African slave trade was moot. Pointing fingers at advocates of reopening the trade, and especially at whites from the South Carolina interior who had generally supported the reopening, would accomplish little now that the trade was closed, while doing so would have risked alienating potential allies for Hamilton’s crusade to push his aggressive post-scare political agenda through the state legislature.

And Hamilton and his Lowcountry supporters had certainly developed their own agenda for “reforming” methods of slave control in the Lowcountry; and they

wanted to use the opportunity presented by post-insurrection anxiety to push their agenda. They certainly believed that a crisis was a terrible thing to waste when it came to matters of slave control, even if they did not say so in so many words. Many of Hamilton's supposed "reform" proposals actually pre-dated the insurrection scare, but the opportunity for their enactment had been enhanced by the scare, which triggered desire among Lowcountry whites for stronger slave control measures. Thus, for those politicians like Hamilton, with an agenda to advance, it made little political sense to emphasize potential causes of the revolt that could not be remedied (or no longer needed remedy), like the reopening of the African slave trade, and that might anger potential allies. Instead, Charleston's politicians highlighted suspected causes of the rebellion that identified dangers they wanted to emphasize, and hence helped support the particular "reform" measures they championed.

Central to Hamilton's post-scare agenda was the dismantling of the so-called "African church" and generally ending the influence of largely unsupervised black religious gatherings. Hamilton also pointedly blamed efforts to Christianize the slaves for creating the environment that spawned the Vesey plot, and he singled out the treachery of Charleston's black Christians, and their white facilitators, for special opprobrium, accusing them of providing both the inspiration and venue for the creation of the insurrection plot. But Hamilton's concerns on these points were not new concerns. Charleston city authorities had monitored and harassed the "African church" since its inception in 1817, and the city's AME congregation survived as long as it did only because it enjoyed a significant measure of support from white church leaders in the city, including Baptist pastor Richard Furman, Congregationalist Benjamin Palmer, and most of the city's leading Presbyterian ministers. Once the Vesey scare, as presented by Hamilton and his allies, indicted the African church for nurturing the plot, the city's white church leaders could no longer provide adequate cover for the AME church and, indeed, they had to distance themselves from it order to forestall an even more thorough-going crusade against the white Christian mission to the slaves. When painted in bold relief, the Vesey scare gave Hamilton and the anti-paternalists the upper hand in the Lowcountry's war between two cultures, one that pitted profit and security-minded slaveholders, wizened masters "bad" enough to do whatever it took to sustain slavery, against soul-saving and hardship-mitigating Christian paternalists, who were nonetheless supporters of slavery as a necessary evil in the short and intermediate terms.

The AME church in Charleston had been effectively destroyed even before the Court adjourned, so by the time Hamilton arrived in Columbia in late November 1822 for the annual session of the state legislature, he had crafted another plan to promote white security and slave control.³³ Once the legislative session began, Hamilton presented the Charleston agenda to the legislature. He sought to ban the importation of

slaves from other states for sale or hire, to banish from the state all free black males who had entered during the past five years, to prohibit masters from allowing slaves to hire out on their own time, and to tighten the “regulation and government” of free blacks generally.³⁴ Hamilton’s legislative program was at best only partially justified by the alleged “evidence” uncovered by his own investigation into the Vesey plot. Nothing in the investigation had indicated that the interstate slave trade had played a role, and, apart from the leadership role assigned Denmark Vesey, relatively few free blacks had played a major part in the plot. Moreover, Vesey had resided in the city for several decades, not five years or less. The proposed expulsion of recently arrived free black males apparently targeted those who came from the mother AME church, Bethel, in Philadelphia, to provide ministerial and logistical support to the Charleston sister church. The provision to limit the ability of slaves to hire out on their own time seemed most closely related to the evidence gathered that suggested that at least Gell’s recruiting focused on such skilled slave artisans; however, proposals to limit the activity of free black and slave artisans had circulated in the city for years, and they were aimed as much at protecting white artisans and mechanics from black competition as they were at slave control. Thus much of the post-scare analysis of causation often had less to do with actually bringing Lowcountry society toward a better understanding of the circumstances and potential causes of the alleged revolt – and thereby safeguarding the city against future attempts – than with using the scare as leverage to push preferred, and often pre-existing, political or legislative agendas. Political posturing masqueraded as insurrection analysis.

Despite prodigious efforts, Hamilton and the Charleston delegation got only a portion of their proposals approved by the legislature, in no small part due to interior and Upcountry opposition and indifference. The legislature did require all free blacks to find white guardians who monitored them, and, most importantly, passed the Seaman’s Act of 1822, which allowed local authorities to imprison free black sailors or ship employees arriving in South Carolina ports until their ships were ready to depart. This provocative measure, which had passed with little discussion, soon ignited international controversy and drew South Carolina into an early and prolonged confrontation with the federal government.³⁵ Moreover, the Seaman’s Act spawned the South Carolina Association as an extralegal enforcement arm of enforcing the control of slaves and free blacks in the Charleston area. The Association, which literally ran the government of Charleston when special security concerns arose, emerged not only as a hard-line defender of slavery, but as watchdog against politicians and clergy perceived as growing “soft” on the issue of slavery.

Surely twenty-first century Americans must not consider it more in the realm of the likely than the merely possible that political leaders might use the threat of a terrorist attack, or an attack itself, to promote agendas not linked by hard evidence to the threat.

Clearly, once the Vesey scare was discovered and thwarted, Hamilton had every incentive to build political capital from his success, perhaps even if it took some exaggeration and misrepresentation to do so. In fact, it might be said that if the Denmark Vesey plot had not been revealed, Hamilton might have invented it for his political use. While it is improbable that Hamilton, or anyone else in Charleston, could have invented the insurrection plot out of whole cloth if some type of plot at some stage of development had not actually existed, the balance of the evidence clearly points to the exaggeration of the plot and the misappropriation of its lessons by Hamilton, the Court, and their allies for their own political advantage. Certainly Hamilton's proposals for tighter control of slaves and free blacks often had little connection to the hard evidence actually uncovered by the so-called investigation. But the popular intendant played on the fear alive among Charleston whites and his reputation as a strong crisis leader to push a distinct political agenda.

The importance of how the questions related to slave behavior were presented to the larger community can also be illustrated through a brief comparison between Charleston's treatment of the Vesey scare, in which the alleged rebels took no lives, with the actual insurrection led by Nat Turner in Southside Virginia nine years later, an insurrection which, though brutally suppressed, took over fifty white lives before it was crushed. The contrast between the interpretations developed on the scene by local authorities in the Vesey scare and bloody Turner insurrection are striking. In Charleston during the Vesey scare, a scare in which not a drop of white blood was shed by slave rebels, local white authorities emphasized the breadth of the plot and the wide-ranging plans the rebel leadership had for brutalizing the white population, laying waste to Charleston, and freeing large numbers of Lowcountry slaves. They included an escape to San Domingo and even intervention by black troops from the West Indies as part of the alleged insurrection plan. In Southampton, Virginia, after a bloody rebellion that left dozens of whites dead or injured, local authorities took pains to explore, but soon dismissed, the possibility of a broader conspiracy. They portrayed Turner as a dreamer who had not crafted a comprehensive plan. The local investigation of Turner led to the conclusion that the original plot went no further than Turner and his six initial slave allies, who planned to recruit additional followers as their marauding proceeded. Oral reports hinted at some knowledge of the plan in other counties but confirmed that no general slave uprising was contemplated. Moreover, Turner appeared to have no plan beyond killing whites and proceeding to the town of Jerusalem to seize additional arms. There were no accounts of networks of communication running far across the countryside, no reliance on possible assistance from the Caribbean, no suggestion of a large plan to link up with other forces. Turner's alleged confession to an opportunistic local white attorney seeking literary fortune merely re-enforced the

emerging position of local authorities that Turner's rebellion, bloody and deadly as it was, remained a limited local conspiracy.³⁶

Moreover, the general emphasis of reports on Turner as an individual ran opposite to those publicized nine years earlier about Vesey. Hamilton portrayed Vesey as a man of extraordinary ability, an evil genius, a person of uncommon courage, vision, imagination, determination, flexibility, charisma, and organization, a commander who knew his enemy well and anticipated almost every contingency. As presented by Hamilton, Vesey's sheer brilliance rendered the plot he masterminded all the more dangerous, and, of course, Hamilton's feat in discovering and thwarting it all the more impressive. In Virginia in 1831, whites generally portrayed Turner as distressingly ordinary – a man of ordinary size and appearance, though admittedly of impressive intelligence and self-discipline, but a person with no apparent penchant for radical leadership before his bloody rebellion began. Whites portrayed Vesey as cold and calculating; Turner emerged in white accounts as an impulsive religious visionary moved to action by a sign from the heavens.

A relatively straight-forward explanation for the disparate interpretations offered by local authorities from the two locales is simply that Southampton authorities needed to calm the fears of a community shocked by the known atrocities perpetrated by Turner and his fellow insurgents, while white authorities in Charleston during the Vesey scare wanted to impress on the local population the nature and scope of the danger averted, if for no other reasons than to insure future vigilance and boost the popularity of city authorities. In Virginia, almost any other understanding of the insurrection, any interpretation that suggested a broader conspiracy among slaves in southeastern Virginia and northeastern North Carolina, any official suggestion that the rebellion quietly commanded the support of most slaves in the region, or that the revolt was led by a slave other than a fanatic, would have raised far greater concerns about white safety and the general stability of a slaveholding society. In Virginia, the strongest defenders of slavery had the most to gain from convincing the white public that Turner's insurrection was entirely local in nature and originated in the fanaticism of one religious leader. Gradual emancipation and the subsequent colonization, i.e., repatriation of former slaves, were ideas that still had a significant following among Virginia whites in 1831, and many Southside slaveholders feared that whites in the state might lack the resolve needed to sustain slavery in the face of pervasive danger.³⁷

Indeed, Nat Turner's rebellion proved especially difficult for slaveholders to explain in a manner that defused white fear and anxiety because it constituted an attack on "domestic" slavery. Unlike the Vesey scare, which threatened the destruction and takeover of civil authority in a major southern city, Turner's rebellion began, and ended as well, as an attack on isolated rural households where most victims were known to the slave rebels.³⁸ The domestic danger signaled by Turner's rebellion did not escape white Virginians.

As John Pleasants, editor of the Richmond *Constitutional Whig* noted in the weeks after the insurrection, “It will be long before the people of this country can get over the horror of the late scenes, or feel safe in their homes.”³⁹ Richmond lawyer Robert Pollard was more candid. “[E]very family that have slaves are in the power of those slaves,” he wrote, “they sleep in our houses—they in this way have the power of cutting our throats or knocking our brains out while we sleep.”⁴⁰ The need to buoy the confidence of area whites shaped the motives of local authorities in Southampton County as they portrayed the Turner rebellion, awful as it undeniably was, as one that was narrow in scope and ambition and easily put down once discovered.⁴¹

In Charleston in 1822, the political dynamics were radically different. In that year, the planter and civic elite in the heavily slave Lowcountry was fitfully coming to terms with both the growing northern criticism of slavery and the indigenous paternalist insurgency that challenged prevailing local notions that slaves were best controlled through a regimen of intimidation and strict regulation. The paternalists’ argument for more benign treatment of slaves and ministering to their spiritual needs appeared to many members of the Lowcountry elite as an ideology too weak to control so vast a slave population. Enlarging the threat posed by Vesey allowed the Lowcountry elite to disband the thriving AME church in Charleston and launch a full-fledged, if ultimately unsuccessful, counter-attack against the paternalist insurgency. And the local elite’s interpretation of the Vesey scare prepared the state for a politics centered on the defense of slavery, a politics that reinforced tendencies toward consensus latent in the Palmetto state’s body politic, tendencies easily mobilized for radicalism by perceived threats against slavery.

In the end, both the Virginia Southside and the Carolina Lowcountry presentations of slavery succeeded in rallying a preponderance of local whites behind the presenters’ cause. In Virginia, the attempt to minimize the Turner insurrection failed to prevent a full-scale debate on the questions of gradual emancipation and colonization at the next session of the Virginia legislature, but the Southside did remain united enough and loyal enough to slaveholding to block any action against slavery, though a number of votes on related questions were close. In the Charleston area, the South Carolina Association, the product of Hamilton’s post-scare crusade, emerged to cultivate a pro-slavery radicalism in the Lowcountry that would influence the area’s politics down to the decision to secede in 1860. In the shorter term, the movement provided much of the leadership for the state’s nullification campaign of the 1828–1832 era, a campaign for which sitting Vice President John C. Calhoun served as political theorist, but for which the indomitable James Hamilton was unquestionably the chief political mobilizer.⁴²

But it was another Charlestonian of the era, James Petigru, Hamilton’s friend and law partner, but determined political opponent, who offered the most compelling

testimony to the success of Hamilton and his allies' particular "presentation of slavery" and its lingering influence on the Lowcountry. At the height the nullification controversy, Petigru, an outspoken Unionist, ridiculed the Charleston nullifiers' hyperbolic claims that federal policy and anti-slavery advocates had reduced the slaveholders themselves to a condition of political slavery. Petigru expressed himself as "devilishly puzzled to know whether my friends are mad or I beside myself," as he mocked the Nullifiers' rhetorical claims of enslavement. "That we are treated like slaves, that we are slaves in fact, that we are worse than slaves and made to go on all fours are stories that seem to me very odd and make me doubt whether or not I am under some mental eclipse," he wrote.⁴³ Petigru need not have worried about his own sanity. But his own wry brand of precocious political psychoanalysis was again perceptive thirty years later when he remarked during the secession crisis that while "the asylum is in Columbia," the "lunatics are all over the state." "And," Petigru complained to fellow Unionist Benjamin F. Perry of Greenville, "why should one put himself to the pains of speaking to the insane if he has not the power of commanding a straitjacket for them."⁴⁴

NOTES

1. Adapted from Chapters 9, 10, 11, and 13 of Lacy Ford, *Deliver Us from Evil: The Slavery Question in the Old South* (New York: Oxford University Press, 2009) © Oxford University Press, Inc. Used by permission of Oxford University Press.
2. For examples, see the Charleston *Southern Patriot*, 21 August 1822; and the Charleston *Mercury*, 19 and 20 August 1822.
3. Henry W. DeSaussure to Joel Poinsett, 6 July 1822, Poinsett Papers, Historical Society of Pennsylvania, Philadelphia, PA.
4. Charleston *Mercury*, 30 October 1822.
5. Joel Poinsett to President James Monroe, 22 August 1822, James Monroe Papers, Library of Congress, Washington, DC.
6. Charleston *Southern Patriot*, 19 July 1822; "Presentments of the Grand Jury, Charleston District," reported in the Charleston *Gazette*, 15 October 1822.
7. "Presentments of the Grand Jury, Charleston District," reported in the Charleston *Gazette*, 15 October 1822.
8. "An Observer" to Charleston *Courier*, 10 July 1822.
9. *Ibid.*
10. "Communication from 'An Old Inhabitant,'" Charleston *Southern Patriot*, 5 and 19 July 1822; for examples of concern over the threat dram shops presented to the control of slaves and free blacks, see the Charleston *Southern Patriot*, 19 July 1822, and the Charleston *Courier*, 31 January 1823.
11. Charleston *Courier*, 31 January 1823.
12. *Ibid.*, 13 November 1822.

13. *Ibid.*, 13 November 1822. These opinions were advanced in a letter drafted for the *Courier* and addressed to members of the legislature by “A Native Citizen.”

14. The Charleston *Courier* published Bennett’s circular on 23 August, and one of the republic’s leading political newspapers, *The National Intelligencer*, obtained the circular, and published it on 24 August. The *Intelligencer* editors claimed they had acquired the letter “accidentally,” but because the subject was of “so pervading an interest,” they decided not to withhold it from publication. The *National Intelligencer*, 24 August 1822, 2. Two weeks later, another national publication, *Niles’ Weekly Register*, also obtained and published Bennett’s letter, introducing it with the same caveat. See *Niles’ Weekly Register*, 7 September 1822, 9–11.

15. *The National Intelligencer*, 24 August 1822, 2.

16. *Ibid.*

17. [James Hamilton], *An Account of the Late Intended Insurrection Among a Portion of the Blacks Of the City* (Charleston: A. E. Miller, 1822). Bennett’s circular letter, dated 10 August 1822, certainly became public before Hamilton’s account, and even the publication of Bennett’s circular by the *The National Intelligencer* on 24 August 1822 seems to have pre-dated the publication of Hamilton’s pamphlet. Hamilton’s *Account* was likely in circulation before the *Niles’ Weekly Register* picked up Bennett’s letter on 7 September 1822.

18. Hamilton’s bold statements about the fairness of the Court’s procedures are directly contradicted by much of the surviving evidence, including Bennett’s complaint to Hayne and the manuscript version of the trial report, which both suggest that such claims were blatantly false and that Hamilton knew they were false when he made them. Indeed, Hamilton knew, even if the bulk of Charleston’s white population did not, that Governor Bennett had forcefully, if futilely, complained about the Court’s procedures as early as late June, and that he had eventually taken his complaints to the state attorney general. But the very secrecy of the proceedings Hamilton defended provided the talented intendand an opportunity to shape the public understanding of the alleged conspiracy he claimed to have unraveled and punished, and to do so while basking in the praise of the Charleston press for his bold and decisive action. Hamilton, *An Account of the Late Intended Insurrection*, 30; Michael P. Johnson, “Denmark Vesey and His Co-Conspirators, Part I,” *William and Mary Quarterly* 58 (2001): 936–39.

19. Hamilton, *An Account of the Late Intended Insurrection*, 28–29.

20. *Ibid.*, inside front cover, “To the Public.”

21. William W. Freehling, “Denmark Vesey’s Antipaternalistic Reality,” in William W. Freehling, *The Reintegration of American History: Slavery and the Civil War* (New York: Oxford University Press, 1994), 34–58. This argument closely parallels points first made by Freehling in “Denmark Vesey’s Peculiar Reality,” in Robert H. Abzug and Stephen E. Maizlish, ed., *New Perspectives on Race and Slavery in America* (Lexington: University Press of Kentucky, 1986), 25–50.

22. Hamilton, *An Account of the Late Intended Insurrection*, 29–30.

23. *Ibid.*, especially 29–30.

24. Lionel H. Kennedy and Thomas Parker, *An Official Report of the Trials of Sundry Negroes Charged with an Attempt to raise an Insurrection On the State of South Carolina; Preceded By an Introduction and Narrative; and in an Appendix, a report on the Trials of Four White Persons, on Indictments for Attempting to Excite the Slaves to Insurrection* (Charleston: James R. Schenk, 1822).

25. Both Johnson, “Denmark Vesey and His Co-Conspirators, Part I,” especially 941–48, and Freehling, “Denmark Vesey’s Antipaternalistic Reality,” 56–57 note differences between the “official” public transcript of the trials published by Parker and Kennedy in October and the original manuscript source prepared by

clerks during or very shortly after the trials, though they attribute different levels and kinds of interpretive significance to the discrepancies. Freehling considers the published report a generally reliable transcription of the manuscript evidence with the exception of a decision to exclude testimony about the planned poisoning of wells from the published version. Johnson finds the *Official Report* thoroughly “sanitized” by the Court for public consumption and different from the surviving manuscript in many particulars.

26. Kennedy and Parker, *An Official Report*, *passim*.

27. *Ibid.*, 40.

28. *Ibid.*, 13–15. The Court also noted that it “was also about this time [of the formation of the African church], that class meetings of the colored people had become so common as they now are; each class having a colored preacher or leader.” These meetings, the Court lamented, were “held usually at night . . . avowedly for religious instruction and worship” and “no white person attended.” That “inflammatory and insurrectionary doctrines . . . were inculcated at these meetings or some of them, was positively proved,” the Court claimed, and it believed that black class meetings were “used as places of rendezvous and rallying points” as the alleged insurrectionists planned their revolt for the summer of 1822. Clearly the Court deliberately presented a forceful argument that the spread of Christianity among blacks, when unaccompanied by proper white supervision and control, created an environment where slaves and free blacks spawned and incubated insurrection plots. The *Official Report* maintained that the “great impropriety of allowing meetings of any kind to be held solely by slaves . . . must forcibly strike every reflecting mind.”

29. *Ibid.*, 17, 28–30; Hamilton, *An Account of the Late Intended Insurrection*, especially 28–30.

30. *The National Intelligencer*, 24 August 1822, 2; “Message # 2 of Governor Thomas Bennett to the Senate and House of Representatives of the State of South Carolina, November 28, 1822,” S828, South Carolina Department of Archives and History, Columbia, SC.

31. Martha Richardson to James Proctor Screven, 16 September 1822, Arnold-Screven Papers, Southern Historical Collection, University of North Carolina, Chapel Hill, NC. Richardson wrote on 16 September that the “trials have been published in small pamphlet I have read.” It seems more plausible that she read Hamilton’s concise account than the Court’s *Official Report*, which all evidence suggests was not published until early November, though doubtless some prominent individuals, and especially the members of the Court who approved the final version, had seen drafts at earlier times. Moreover, evidence from the Court’s report also put Monday Gell and Gullah Jack every bit as much at the center of the rebellion as Vesey. Vesey’s West India connections origins dated to the 1780s, a period long before the revolutions in San Domingo. Yet Vesey’s presumed connection to and contact with the Caribbean received significant attention in post-investigation commentary, while the comparatively recent arrival of Monday and Jack, likely as part of the reopened slave trade of the 1803–1807 era, received little or no attention.

32. Michael Wayne, “An Old South Morality Play: Reconsidering the Social Underpinnings of the Proslavery Ideology,” *Journal of American History* 77 (December, 1990): 838–63; on this point, see also Christopher Morris, “The Articulation of Two Worlds: The Master-Slave Relationship Reconsidered,” *Journal of American History* 85 (December 1998): 982–1007.

33. Robert Tinkler, *James Hamilton of South Carolina* (Baton Rouge: Louisiana State University, 2004), 47–48; Virginia Louise Glenn, “James Hamilton, Jr., of South Carolina: a biography” (Ph.D. dissertation, University of North Carolina, Chapel Hill, 1964), 138–215.

34. South Carolina General Assembly, *House Journal*, 1822, 58, 100, 105, South Carolina Department of Archives and History, Columbia, SC; see also the Charleston *Mercury*, 11 December 1822. That Hamilton

asked for no additional legislation limiting the Christian mission to the slaves or efforts to promote slave literacy suggests both that the Charleston clergy, led Richard Furman and the Charleston Bible Society, had perhaps persuaded the intrepid Hamilton to moderate his demands, and that Hamilton had calculated that such restrictions of the Christian mission to the slaves would face tough sledding from legislators from the Upcountry, where the evangelical movement was growing stronger by the day.

35. "An Act for the Better Regulation and Government of Free Negroes and Persons of Color; and for Other Purposes, *South Carolina Statutes at Large, 1822* (Columbia, SC: A.H. Johnston, 1836–41), 7: 461–62; *Charleston Mercury*, 11 December 1822. Additionally, the legislature also funded the Charleston delegation's request for \$100,000 appropriation to build an arsenal or "citadel" to enhance the city's ability to protect itself against insurrection and invasion.

36. Virginia Governor John Floyd disagreed, arguing that the plot was more extensive. Compare Thomas Ruffin Gray, *The Confession, Trial and Execution of Nat Turner* (Petersburg: John B. Ege, 1881), 7–20 with John Floyd to James Hamilton, 19 November 1831, John Floyd Papers, Library of Congress, Washington, DC.

37. Lynchburg *Virginian*, 21 November 1831. It is hard to see why Gray had a special stake in minimizing the scope and significance of Turner's insurrection. The 1830 census showed him owning no slaves and while he doubtless hoped to acquire slaves as his wealth increased, his short-term opportunity lay in playing up interest in the Turner insurrection rather than playing it down. On the larger political context in which the revolt occurred, see Allison Goodyear Freehling, *Drift to Dissolution: The Virginia Slavery Debate of 1831–1832* (Baton Rouge: Louisiana State University Press, 1982), especially 36–81. In fact, the Old Dominion was just emerging from a difficult and divisive state constitutional convention in which eastern Virginians had done their best to stymie democratic reform proposals advanced by western egalitarians. The efforts of eastern conservatives to retain as much power as possible in Virginia politics was motivated to a significant degree by their desire to keep slavery beyond the taxing power and "whitening" desire of westerners less committed to the protection of the peculiar institution over the long term.

38. William W. Freehling, *The Road to Disunion* (New York: Oxford University Press, 1990), 1: 178–81. To be sure, the alleged Vesey plot threatened to rally slave domestics against their masters and their masters' families in some instances, but in the main the plot was allegedly concocted by largely autonomous slaves and free blacks who planned to overthrow local authority in Charleston and seize control of the city, if only briefly.

39. Richmond *Constitutional Whig*, 29 August 1831.

40. Robert Pollard to William C. Rives, 30 January 1832, William C. Rives Papers, Library of Congress, Washington, DC.

41. See Ford, *Deliver Us From Evil*, 348–53.

42. Lacy K. Ford, *Origins of Southern Radicalism* (New York: Oxford University Press, 1988), 126–53; Tinkler, *James Hamilton of South Carolina*, 105–45.

43. James Louis Petigru to William John Grayson, c. 1832, in James Petigru Carson, *Life, Letters and Speeches of James Louis Petigru: The Union Man of South Carolina* (Washington, DC: W. H. Lowdermilk, 1920), 79–80. Petigru was commenting on a speech given by Hamilton's ally, Henry Laurens Pinckney, and later published as *An Oration Delivered in Charleston on July the Fourth . . .* (Charleston: A. E. Miller, 1833).

44. James Louis Petigru to Benjamin F. Perry, 8 December 1860, quoted in Julius Griffen Campbell, "James Louis Petigru: A Rhetorical Study" (Ph.D. dissertation, University of South Carolina, 1960), 146; Sally Edwards, *The Man Who Said No* (New York: Coward-McCann, 1970), 64–66.

Sacrificial Saints

Ancilya Barnes

The opening passage of the anonymous third-century hagiography of Sts. Perpetua and Felicitas claims that the account has been recorded as evidence of God's favor of the martyrs, stating that God declared, "I will pour out my Spirit upon all flesh and their sons and daughters shall prophesy and on my manservants and my maid-servants I will pour my Spirit, and the young men shall see visions and the old men shall dream dreams."¹ The text also insists that its account be shared so that those who are weak in their faith are reminded that "supernatural grace was [not] present only among men of ancient times, either in the grace of martyrdom or of visions."² As the hagiographic *vita* makes clear, one of its major goals is to demonstrate that God is an active participant in the lives of the martyrs, which is evident through their visions, dreams, and, ultimately, their deaths.

In recent decades, scholars have put a great deal of effort into explaining the role of the martyrs in the development of early Christianity, including how martyrdom fitted within the broader context of Greco-Roman "pagan" religious sacrifice. While Robert Daly has stressed the break between traditional blood sacrifices and Christian martyrdom, Guy Stroumsa has emphasized the threads of continuity between the Jewish sacrificial traditions and early Christian martyrdom.³ Like Stroumsa, Ingvild Gilhus has also addressed ritual parallels, particularly between the pagan sacrificial traditions and early Christian martyrdom, while George Heymen has demonstrated the use of traditional sacrificial discourse to maintain power and create Roman identity among Christians as they adapted the polysemous character of sacrificial language, creating a marker of Christian identity.⁴ No scholar to date, however, has examined the continuous belief in the explicit supernatural participation in both pagan sacrifices and Christian martyrdoms. Therefore, this essay argues that the Greco-Roman tradition of sacrificial ceremonies, particularly the perceived role of the divine, must be examined before it is possible to reconstruct a more complete understanding of the cult of the martyrs and its influence on the development of the early Church. When early Roman texts describing sacrifices, such as Macrobius's *Saturnalia*, are compared to Christian hagiographies, particularly the passion of Sts. Perpetua and Felicitas, the continuity of earlier beliefs that centered on divine participation in sacrificial rituals becomes quite evident in the cult of the saints. Therefore, it is necessary to examine the role of the divine in traditional religious sacrifices prior to Christianity before scholars can better

explain the functions of martyrdom in the development of early Christianity. This study does not, however, presume to offer any definitive conclusions regarding the suggested interrelationship, but instead to indicate further avenues whereby scholars may work in the future.

Throughout the early centuries of the Common Era, Romans performed numerous kinds of sacrifices in a wide variety of rites. Among the offerings to the gods were libations, fruits, and grains, but the most important events called for blood sacrifices. Sacrificial victims could include pigs, goats, sheep, heifers, and even bulls, depending on the event and the cult. Because cults and their practices were so varied in the ancient Roman world, this essay will focus on the blood sacrifices that were most often performed, particularly those offered on behalf of the state, as these were the events that were recognized by the largest audience. Sacrifice was such an important aspect of pagan religious practice well into late antiquity that the late fourth-century Roman grammarian, Macrobius, claimed that the word “heifer” (*vitula*), which was the animal often used in sacrificial practices, and “exuberant rejoicing” (*vitulatio*) were interchangeable terms.⁵ Sacrifices took place in open spaces on altars set up in front of temples, which allowed for the involvement of the community on whose behalf they were performed and for the participation of the divinity to whom they were offered. Although it was not always the case, sacrificial victims were typically chosen to match the gender of the god or goddess to whom they were presented.⁶ Macrobius gives an account of a sacrifice to Apollo that included a bull and two white she-goats, each of which had gilded horns.⁷ While some gods received castrated male victims, others – such as Mars, Neptune, and Janus – could only receive animals that were entirely intact.⁸ Likewise, the fertility goddesses Tellus and Ceres were offered pregnant cows.⁹

Regardless of the animal or its gender, Romans believed that the divinities who received the offering participated in the sacrificial ritual from beginning to end. The ritual began with an official salutation to the gods that included an initial gift of wine and incense, after which the celebrants extended an invitation to the chosen deity to join the sacrificial banquet.¹⁰ Once the salutation was complete, the victim was consecrated by sprinkling it with salted flour (*mola salsa*), pouring wine on its brow, and running a knife along its spine.¹¹ Most importantly, the victim had to demonstrate that it consented to its fate on the altar, which was done by bowing its head in agreement. The victim’s acknowledgement of its willing participation was a crucial aspect of the event, because it was evidence of divine communication and that the deity had accepted it as a suitable choice for the ritual. In his *De Divinatione*, Cicero noted that “the choice of a sacrificial victim is guided by an intelligent force, which is diffused throughout the universe.”¹² Echoing Cicero’s views, Macrobius explained that the sacrificial offering of a

heifer was “an offering of joy,” and any animal that struggled at the altar should never be sacrificed.¹³ Instead, he claimed that the animal should surrender itself calmly during the ritual observances to be an acceptable gift. Because the gods were believed to be active participants in sacrificial ceremonies, Macrobius claimed that an animal that resisted its fate at the altar was deemed to be “unwelcome to the god.”¹⁴ Consequently, the ceremony was discontinued, as it was clearly not divinely sanctioned, and a new sacrifice was chosen only after proper religious authorities were consulted on the matter. If, however, the animal stood quietly at the altar, the ritual continued, because it was acceptable to the deity.¹⁵ Thus, it could be presumed that the deity participated in the ceremony to such a degree that he or she directly communicated his or her divine will directly through the sacrificial victim.

Once the animal demonstrated that the god or goddess deemed it worthy of sacrifice, the victim was slaughtered, but the sacrificial body continued to act as a medium between the supernatural realm and humanity, for the deity communicated through signs inscribed on the sacrificial body.¹⁶ In fact, Macrobius claimed that the purpose of a sacrifice was both to give an offering to the deity and to ascertain the divine will.¹⁷ Consequently, when Romans besieged cities, they offered up a prayer and sacrifice to the divine protector of the city, asking that the deity accept the Romans under his or her protection.¹⁸ After the sacrifice, augurs read the entrails for signs that the god or goddess had agreed to the request.¹⁹ Cicero noted that the same divine powers that sanctioned sacrifices were also responsible for restructuring the victims’ viscera just before they were killed, allowing the entrails to communicate the omens of the gods.²⁰ As corroboration, he insisted that when Caesar first processed in purple raiment and sat on a golden seat in demonstration of his position as perpetual dictator, the ox that was sacrificed during the ceremony had no heart when its insides were examined.²¹ On the following day another sacrificial animal was missing a portion of its liver.²² Cicero asserted that the gods were trying to inform Caesar of his impending death. In addition, Cicero stated that divine messages appeared in a variety of other ways, including through birds, dreams, portents, stars, and even frenzied utterances, noting that the failure to interpret such signs properly did not negate their validity.²³ Thus, visions, omens, and sacrifices were inseparable in traditional cult practices and served as avenues of communication between the gods and humanity.

In the Christian tradition, beliefs centered on sacrifice began with the crucifixion of Jesus, and his earliest followers accepted his connection to the divine. As Dale Martin has demonstrated, however, Paul and his fellow Jews, Greeks, and Romans had a decidedly different view of the relationship between the soul and the body than their modern counterparts.²⁴ There was no such dichotomy or distinct separation of

the soul and body as there came to be in the post-Cartesian enlightenment.²⁵ Instead, the ancients believed that particles of micro-matter, or *pneuma*, constructed everything, including the air and even one's spiritual material. *Pneuma* resulted in the senses, which were physical responses to the invisible matter that existed all around the individual. *Pneuma* made both smell and sight possible as it came into contact with the nose and eyes in the same way that the wind could be felt but not seen. Consequently, it was impossible to know where the *pneuma* of the soul ended and the body began, because *pneuma* literally infused the body and the world surrounding it. Most importantly for Christians, these spiritual particles connected believers' souls to God. The bond was quasi-physical, because divine *pneuma* infused their souls, uniting them all in Christ. For Christians, Jesus's performance of miracles, the crucifixion he endured, and his resurrection were all evidence of God's divine power infusing his earthly *pneuma*. After his death, his body continued to be a medium through which the divine interacted with humanity, as Christians believed that the eucharistic elements were transformed into the body and blood of Jesus. Likewise, Christians accepted that the martyrs were able to withstand the tortures they faced because of the supernatural power that infused their bodies via *pneuma*, thus making the divine intrinsically involved in their martyrdoms.²⁶

As the new Christian cult spread throughout the empire and soon even made its way to Rome, sacrificial offerings continued to be a central concern for its believers. The refusal to perform sacrifices on behalf of the emperor and the state was for imperial authorities one of the most common crimes Christians committed.²⁷ Prosecutors often claimed that Christians were atheists because of their unwillingness to participate in the imperial religion.²⁸ As a result, the offenders were sentenced to death as non-believers and, consequently, became the ultimate sacrifices on behalf of their own religion. By the middle of the third century, the cult of the martyrs had achieved real prominence among Christians. In the eyes of believers, the martyrs' ability to maintain their faith while enduring the torture and pain of their persecution was evidence of their divine connection, just as it had been for Jesus. Consequently, claims of the martyrs' bonds with their God fill the pages of early Christian hagiographies, including those of the passion of Sts. Perpetua and Felicitas. According to this hagiographic account, the persecutions of these two young women resulted from their and their three fellow catechumens' refusal to perform the sacrifice required to demonstrate loyalty to the state.²⁹ Appearing as traitors and atheists, they were imprisoned. Unwilling to compromise her faith, Perpetua even renounced her family, including her newborn infant, who the text noted would surely die without his mother's care.

George Heymen has demonstrated that rhetoric surrounding early Christian martyrdom maintained pre-Christian notions of what he terms a "noble death."³⁰ As

Perpetua's hagiography illustrates, however, her connection to the divine gave her the fortitude to endure such a fate.³¹ During her imprisonment she had four visions.³² The first came to her after asking God in prayer whether she would be condemned to execution in the arena or freed.³³ In response, she was given a vision in which she was shown a ladder lined with torture instruments that she ascended unscathed. Once she reached the top of the ladder, she entered a heavenly realm. Through her vision, Perpetua learned that she would ultimately have to suffer in the arena before entering a blessed afterlife.

Perpetua had three additional visions, each of which involved physical transformations. The first involved her deceased younger brother, Dinocrates.³⁴ When she first saw him, his face bore the disfigurements of the disease that had taken his life when he was only seven years old. In the vision, the young child was also too small to drink from the pool of water for which he thirsted. Upon awakening from this dream, Perpetua prayed continuously for Dinocrates. A short time later, she had another vision in which she saw that Dinocrates's face no longer had the vivid marks of his fatal illness, and only a scar remained in their place. Moreover, he was able to drink all that he needed and to play as a child plays. Thus, she concluded that Dinocrates was transformed in the afterlife through her supplications to God. He was no longer afflicted with the physical ailments that had taken him to the grave or the suffering that had followed.

During the final vision, Perpetua saw herself in an arena preparing to face off with an Egyptian gladiator. When she looked down, she realized that she had become a man.³⁵ She was oiled down in the typical gladiatorial fashion before battle and subsequently defeated her Egyptian foe. While the vision of the ladder had foretold Perpetua's future condemnation to the arena, the gladiatorial visions foreshadowed her victory over death. Perhaps more importantly, in the same dream Pomponius the deacon led her to the arena where he told her, "Do not be afraid. I am here, struggling with you."³⁶ While Perpetua's supernatural connection gave her prophetic insight, her own and Dinocrates's bodily transformations communicated God's sacred omens and divine presence. Thus, visions, portents, and bodily transformations constituted integral parts of her Christian martyrdom, just as Cicero claimed they had long been in the Roman sacrificial tradition prior to Christianity.

These divinely willed physical transformations were not, however, limited to Perpetua's visions. According to her hagiographic biography, Perpetua refused to perform a sacrifice even when put on trial, despite her father's pleas on behalf of her infant. Unwilling to abandon her Christian convictions, she was condemned to the arena, just as her vision had foretold. At this point, the text claimed that her infant no

longer desired to nurse and that Perpetua's breasts did not become inflamed or painful, despite the immediate weaning of the child.³⁷ Just as God had communicated his will to her via a vision, he also transformed her body as necessary so that she could fulfill his will. Moreover, he altered the physical needs of the infant who no longer relied on his mother for sustenance.

According to the hagiographic account, on the day Perpetua and Felicitas finally entered the arena, a charging wild heifer was the first danger they faced.³⁸ The text noted that the heifer was the animal of choice so that "their sex might be matched with that of the beast."³⁹ In recent scholarship, historians have debated the symbolic role of the heifer in the story. Brent Shaw maintains that a bull was often used in the arena for adulterers, making a cow an extension of this humiliation for the Christian women.⁴⁰ While he acknowledges that the latter were likely not viewed as adulterers, he claims that the cow fulfilled the same function of humiliation. Joyce Salisbury agrees that the use of a cow was an attempt to mock the women, but she maintains that the heifer played an additional role of underscoring the weakness of the condemned women's gender, which was a hurdle the women had overcome to endure the tortures of the arena. Therefore, any strength these women martyrs exhibited in the arena was evidence of the divine presence that accompanied them.⁴¹

When viewed through the lens of the traditional sacrificial tradition, however, one can argue that the heifer had an additional symbolic significance. As Macrobius made clear, the heifer was a joyful offering.⁴² According to the hagiographic text under discussion, the martyrs were eager to enter the arena. While Perpetua had ignored in prison the pleas of her father on behalf of her infant, the pregnant Felicitas prayed that she would give birth to her as-yet unborn child. She was only in her eighth month of pregnancy and feared that she would not have the child in time to enter the arena; current law forbade capital punishment of pregnant women.⁴³ Much to her great relief, her prayers were answered, and she gave birth just in time to join her fellow martyrs. The text noted that "the day of their victory dawned, and they marched from the prison to the amphitheater joyfully as though they were going to heaven with calm faces, trembling, if at all, with joy rather than fear."⁴⁴ The martyrs willingly and "joyfully" (*bilares*) entered the arena to fulfill God's plan as it had been revealed to Perpetua. Thus, the heifer was not only symbolic of the youthful females in the amphitheater, but one can argue that the hagiographic account makes it emblematic of much more. The heifer also embodied the traditional notions of the divinely sanctioned and willing sacrificial victim.

Perhaps most importantly, Perpetua's hagiographic *vita* further claims that once the martyrs were in the arena, Perpetua entered into a sort of trance such that she did

not initially realize that she had been attacked by the heifer until after it had happened and she was helping Felicitas to her feet.⁴⁵ After the heifer's charge, Perpetua paused to readjust her hair in an effort to maintain her modesty, at which point the heifer refused to attack the martyrs again and was removed from the arena.⁴⁶ Because the animal was unable to finish the job, a gladiator was sent into the arena to dispatch of the women.⁴⁷ He, too, failed at first, leaving Perpetua ultimately responsible for guiding the sword to her own throat. Perpetua's quasi-suicidal facilitation has left scholars confounded with the text, as they have tried to reconcile the martyr's action with Christian theology.⁴⁸ Salisbury notes that human sacrifice, particularly in the form of self-sacrifice or suicide, was a long-standing tradition in Carthage dating back to the mythic Dido.⁴⁹ She claims that the act of women sacrificing themselves was particularly prominent at turning points in Carthaginian history such as the destruction of Carthage at the end of the Third Punic War, which was framed with the death of general Hasdrubal the Boeotarch's wife, who killed her children and herself out of shame brought about by his cowardice and defeat in war.⁵⁰ Finally, Salisbury theorizes that the crowd shouting "well washed" (*salvum lotum*) when Perpetua's comrade Saturus was drenched in his own blood from a leopard's bite may have recalled a ritual exclamation that took place during a traditional Carthaginian human sacrifice to the god Saturn.⁵¹ While Salisbury is likely correct on both accounts, this present study suggests also placing these martyrdoms within a context of traditional views of sacrifice that centered on the divine will.

If read in this light, it is also possible to argue that a contemporary Roman audience would have understood from the text that when the gladiator came into contact with the martyr, her supernatural connection became so obvious to him that he was unable to slay her as his hand trembled. Her *pneuma* was so infused with divine power that the gladiator could feel it without touching her. Also, Perpetua's martyrdom could be construed as an act to which the sacrificial victim willingly consented and in which she facilitated her own violent death where others failed. She had been mentally and physically transformed to such a degree that she felt neither fear nor pain and was the only one capable of performing God's will.

When traditional beliefs concerning religious sacrifices are compared to early Christian martyrdoms such as Perpetua's, a continuity of ideas centered on sacrifice becomes more evident. Perhaps Christians adopted and adapted pagan notions of the divinely sanctioned sacrifice, including victims' willingness to go to the altar. Like Macrobius's heifer, witnesses could have seen the saintly sacrifices as offerings of joy. From this perspective, the body of the martyr would also be used as a slate for inscribing the messages of the supernatural in the same manner as sacrificial bodies had long

been used to understand divine omens. Furthermore, such a reading of Christian hagiographies within the context of the prior sacrificial tradition would allow for a more complex understanding of the texts. For example, the heifer in the arena could symbolize more than the martyrs' gender. It also could represent their enthusiasm to fulfill God's will as they offered themselves up joyfully as a sacrifice. In this connection the heifer would underscore the martyr's supernatural connection via *pneuma* in that Perpetua did not feel the beast's attack. Likewise, when situated within the broader historical context of ancient sacrifice, Perpetua's facilitation of her own violent death no longer conflicts with Christian theological scruples against suicide. Instead, she becomes the epitome of the Christianized, no longer pagan, sacrifice. She was a sacrifice of joy that was divinely transformed as she entered the arena, where it had already been revealed to her that she would defeat death. Once she entered the arena, God's power infused her, protecting her from either pain or fear as she carried out the divine will. Just as the divinely sanctioned victims of pagan sacrifices stood willingly at the altar as a sign of supernatural participation and approval of the ritual, so too did Perpetua fulfill her role in the arena. The power of the deity coursed so strongly through her body that only the martyr herself could complete her sacrifice. Not only would Christian martyrs have adopted thereby a traditional pagan sacrificial motif, but also they would have trumped it when – as sacrificial victims themselves – they facilitated their own deaths.

While the suggested parallels are striking, they admittedly remain somewhat speculative, for explicit and intended connections between the templates of pagan sacrifice and Christian martyrdom are still to be found. While much research remains in order to identify such linkages, this study suggests that they exist and hopes thereby to prompt such further investigation.

NOTES

1. *Acts of the Martyrs*, trans. Herbert Musurillo (Oxford: Clarendon Press), 8.4, 107: "diebus, dicit dominus, effundam de Spiritu meo super omnem carnem, et prophetabunt filii filiaeque eorum; et super seruos et ancillas meas de meo Spiritu effundam; et iuuenes visiones videbunt, et senes somnia somniabunt." According to Musurillo, this passage was borrowed from Acts 2: 7–18 and paraphrased the prophet Joel 2:28. Tradition asserts that Perpetua, an upper-class young woman and mother, and her servant Felicitas were martyred in Carthage in Roman North Africa in 203 for repeated refusal to sacrifice to the imperial cult. There are two versions of the text, one in Greek and one in Latin, and most scholars agree that the Latin text, which is the most complete, was likely the earlier text from which the Greek version was copied. For an excellent discussion of the textual relationship of the two, see Rex D. Butler, *The New Prophecy & "New Visions": Evidence of Montanism in the Passion of Perpetua and Felicitas* (Washington, DC: The Catholic

University Press, 2006). The authorship of the text has also attracted a great deal of scholarly attention, because a portion of it claims to have been written by Perpetua herself, which, if this is actually the case, would make it one of the earliest such texts written by a Christian woman. Additionally, a second anonymous editor wrote a portion of the passion that provided an eyewitness account of the events that took place in the arena and an introduction to the early narration. For more on Perpetua as the author, see Brent Shaw, "The Passion of Perpetua," *Past & Present* 139 (May, 1993): 3–45; William Farina, *Perpetua of Carthage: Portrait of a Third-Century Martyr* (Jefferson, NC: McFarland & Company, 2009); and Thomas Heffernan, "Philology and Authorship in the *Passio Sanctarum Perpetuae et Felicitatis*," *Traditio* 50 (1995): 315–25. Like Shaw and Farina, Heffernan holds that Perpetua is the likely author of her portion of the text, but he believes she related it orally to the editor, making it no less authentic. The identity of the editor has, likewise, drawn a great deal of speculation, often centering on Tertullian, a Carthaginian exegete and contemporary of Perpetua. Scholars who have accepted Tertullian as the likely editor have largely done so based on the comparability of the vocabulary used in the text and in Tertullian's other writings. See, for example, Armitage Robinson's introduction to *The Passion of S. Perpetua* in *Texts and Studies: Contributions to Biblical and Patristic Literature*, vol. 1, part 2 (Cambridge: Cambridge University Press, 1891), reprinted Kraus in 1967 and W.H. Shewring, "Prose and Rhythm in the *Passio S. Perpetuae*," *Journal of Theological Studies* 30 (1928): 56–57. Tertullian's role in crafting the text, however, is a highly contentious claim, and many scholars have made equally strong cases against him as the editor, including Julio Campos, "El autor de la *Passio SS Perpetuae et Felicitatis*," *Helmantica* 10 (1959): 357–81; William Tabbernee, *Montanist Inscriptions and Testimonia: Epigraphic Sources Illustrating the History of Montanism*, Patristic Monograph Series 16 (Macon, GA: Mercer University Press, 1997); and Timothy Barnes, *Tertullian: A Historical and Literary Study* (Oxford: Clarendon Press, 1971).

2. *Acts of the Martyrs*, 8.5, 107: "ut ne qua aut inbecillitas aut desperatio fidei apud ueteres tantum aestimet gratiam diuinitatis conuersatam, sive in martyrum siue in reuelationum dignatione."

3. Robert Daly, *Sacrifice Unveiled: The True Meaning of Christian Sacrifice*, trans. Susan Emanuel (London: T&T Clark International, 2009); Guy Stroumsa, *The End of Sacrifice: Religious Transformations in Late Antiquity* (Chicago: University of Chicago Press, 2009). See also Daniel Boyarin, *Dying for God: Martyrdom and the Making of Christianity and Judaism* (Stanford: Stanford University Press, 1999); Glen Bowersock, *Martyrdom and Rome* (Cambridge: Cambridge University Press, 1995); and Christel Butterweck, "Martyriumssucht" in *der Alten Kirche?* (Tübingen: J.C.B. Mohr, 1995). Boyarin, Bowersock, and Butterweck all address the role of martyrdom within the Roman empire, but not the continuity in both the pagan and Christian traditions of the role of the divine.

4. Ingvild Saelid Gilhus, *Animals, Gods and Humans: Changing Attitudes to Animals in Greek, Roman and Early Christian Ideas* (London: Routledge, 2006). She argues (188) that "the martyrs not only refused to sacrifice, they also usurped the role of the sacrificial animals," meaning the martyrs became the new Greco-Roman sacrifices. However, Gilhus does not address the role of the divine and the continuity of belief in

supernatural involvement in both the pre-Christian and Christian sacrificial traditions. See also George Heymen, *The Power of Sacrifice: Roman and Christian Discourses in Conflict* (Washington, DC: The Catholic University of America Press, 2007), who is only interested in pointing out the break or differences between the earlier Greco-Roman practices and Christian martyrdoms. He does not acknowledge the parallels, particularly the intrinsic involvement of the divine in each.

5. “. . . ut ‘vitula’ dixerit pro vitulatione, quod nomen esse sacrificii ob laetitiam facti superius expressimus”; see Macrobius, *Saturnalia*, trans. Jeffrey Henderson, Loeb Classical Library (Cambridge, MA: Harvard University Press, 2011), 3.2.15, pp. 194–95.

6. John Scheid, *An Introduction to Roman Religion*, trans. Janet Lloyd (Bloomington: Indiana University Press, 2003), 80; Gilhus, *Animals, Gods and Humans*, 115.

7. Macrobius, *Saturnalia*, 1.29, p. 119. While more than one animal may have been offered at a time to a god, such as the two she-goats and the bull, the bull was the most important sacrifice and matched the gender of the god.

8. Scheid, *Roman Religion*, 80; Gilhus, *Animals, Gods and Humans*, 115.

9. Scheid, *Roman Religion*, 81.

10. Scheid. *Roman Religion*, 82; Gilhus, *Animals, Gods and Humans*, 116–18.

11. Scheid. *Roman Religion*, 83; Mary Beard, John North, and Simon Price, *Religions of Rome, Vol. 1: A History* (Cambridge: University of Cambridge Press, 1998), 36.

12. Cicero, *De Divinatione*, trans. W. A. Falconer, Loeb Classical Library (Cambridge, MA: Harvard University Press, 1923), 1.52.118, pp. 350–53: “Sed distinguendum videtur quoniam modo. Nam non placet Stoicis singulis iecorum fissis aut avium cantibus interesse deum (neque enim decorum est nec dis dignum nec fieri ullo pacto potest), sed ita a principio inchoatum esse mundum, ut certis rebus certa signa praecurrerent, alia in extis, alia in avibus, alia in fulgoribus, alia in ostentis, alia in stellis, alia in somniantium visis, alia in furentium vocibus. Ea quibus bene percepta sunt, ei non saepe falluntur; male coniecta maleque interpretata falsa sunt non rerum vitio, sed interpretum inscientia. Hoc autem posito atque concessio, esse quandam vim divinam hominum vitam continentem, non difficile est, quae fieri certe videmus, ea qua ratione fiant suspicari. Nam et ad hostiam deligendam potest dux esse vis quaedam sentiens, quae est toto confusa mundo, et tum ipsum, cum immolare velis, extorum fieri mutatio potest, ut aut absit aliquid aut supersit; parvis enim momentis multa natura aut adfingit aut mutat aut detrahit.” Falconer’s translation: “But it seems necessary to settle the principle on which these signs depends. For, according to the Stoic doctrine, the gods are not directly responsible for every fissure in the liver or for every song of a bird; since, manifestly, that would not be seemly or proper in a god and furthermore is impossible. But, in the beginning, the universe was so created that certain results would be preceded by certain signs, which are given sometimes by entrails and by birds, sometimes by lightnings, by portents, and by stars, sometimes by dreams, and sometimes by utterances of persons in a frenzy. And these signs do not often deceive the persons who

observe them properly. If prophecies, based on erroneous deduction and interpretations, turn out to be false, the fault is not chargeable to the signs but to the lack of skill in the interpreters. Assuming the proposition to be conceded that there is a divine power which pervades the lives of men, it is not hard to understand the principle directing these premonitory signs which we see come to pass. For it may be that the choice of a sacrificial victim is guided by an intelligent force, which is diffused throughout the universe; or it may be that at the moment when the sacrifice is offered, a change in the vitals occurs and something is added or taken away; for many things are added to, changed, or diminished in an instant of time.”

13. See n. 5 above. Macrobius, *Saturnalia*, Henderson 3.2.15, pp. 194–95 and Macrobius, *Saturnalia*, trans. Percival Vaughan Davies (New York: Columbia University Press, 1969), 3.4.8, pp. 206.

14. Macrobius, *Saturnalia*, Henderson 3.5.8, pp. 40–41: “. . . ut si hostia quae ad aras duceretur fuisset vehementius reluctata ostendissetque se invitam altaribus admoveri, amoveretur quia invite deo offerri eam putabant.”

15. *Ibid.*

16. Heymen, *The Power of Sacrifice*, 39.

17. Macrobius, *Saturnalia*, Davies 3.5.5, p. 205.

18. Macrobius, *Saturnalia*, Davies 3.9.7–9, p. 218.

19. *Ibid.*

20. Cicero, *De Divinatione*, 1.52.119, pp. 352–54.

21. *Ibid.*, “Quod ne dubitare possimus, maximo est argumento quod paulo ante interitum Caesaris contigit. Qui cum immolaret illo die quo primum in sella aurea sedit et cum purpurea veste processit, in extis bovis opimi cor non fuit. Num igitur censes ullum animal, quod sanguinem habeat, sine corde esse posse? Qua ille rei novitate nonperculus cum Spurinna diceret timendum esse ne et consilium et vita deficeret: earum enim rerum utramque a corde proficisci. Postero die caput in iecore non fuit. Quae quidem illi portendebantur a dis immortalibus ut videret interitum, non ut caveret. Cum igitur eae partes in extis non reperiuntur, sine quibus victima illa vivere nequisset, intellegendum est in ipso immolationis tempore eas partes, quae absint, interisse.” Falconer’s translation: “Conclusive proof of this fact, sufficient to put it beyond the possibility of doubt, is afforded by incidents which happened just before Caesar’s death. While he was offering sacrifices on the day when he sat for the first time on a golden throne and first appeared in public in a purple robe, no heart was found in the vitals of the votive ox. Now do you think it possible for any animal that has blood to exist without a heart? Caesar was unmoved by this occurrence, even though Spurinna warned him to beware lest thought and life should fail him – both of which, he said, proceeded from the heart. On the following day there was no head to the liver of the sacrifice. These portents were sent by the immortal gods to Caesar that he might foresee his death, not that he might prevent it. Therefore, when those organs, without which the victim could not have lived, are found wanting in the vitals, we should understand that the absent organs disappeared at the very moment of immolation.”

22. Ibid.

23. Cicero, *De Divinatione*, 1.52.118, pp. 352–53; see texts in n. 12 above.

24. This is, indeed, the thesis of this study. Dale Martin, *The Corinthian Body* (New Haven, CT: Yale University Press, 1995).

25. Martin, *The Corinthian Body*, esp. 4–6.

26. Many scholars, including Paul Bradshaw, have done a fine job of demonstrating how the early eucharistic doctrine derived, at least in part, from the ancient notion of *anamnesis*, which is loosely defined as a collective remembrance of Jesus's life and death via participation in the eucharist. While there is not a great deal of agreement as to what, exactly, Christians were specifically remembering – e.g., the Last Supper, the Crucifixion – most scholars of early Christianity agree that Christians performed the eucharist as a ritual of collective Christian memory. See Paul Bradshaw, *The Search for the Origins of Christian Worship: Sources and Methods for the Study of Early Liturgy* (Oxford: Oxford University Press, 2002) and *Eucharistic Origins* (Oxford: Oxford University Press, 2004); Nils Alstrup Dahl, *Jesus in the Memory of the Church* (Minneapolis, MN: Augsburg Publishing House, 1976), especially 11–29. Another scholar notes that “ritual anamnesis makes the ritual participant an effective and self-aware part of the memorial of remembered events;” see Lawrence E. Sullivan, *Memory Distortion: How Minds, Brains, and Societies Reconstruct the Past* (Cambridge, MA: Harvard University Press, 1995), 388. Thus, the belief in the physical bond of Christian *pneuma* was reinforced through the ritual memorial performed via the *anamnesis* of the eucharist that emphasized the collective Christian identity.

27. Beard, et al, *Religions of Rome*, 239–44.

28. James Rives, *Religion in the Roman Empire* (Malden, MA: Blackwell Publishing, 2007), 183–99.

29. *Acts of the Martyrs*, 3, 6, and 15. Because Perpetua's is one of the earliest female martyrdoms and her *passio* may have been written in part by her (see n. 1 above), there is an extensive corpus dealing with her. For examples of some of the most recent historiography, see the works of Butler and Farina mentioned in n. 1 above; Jacqueline Amat, *Passion de Perpétue et de Félicité: suivi des Actes* (Paris: Editions du Cerf, 1996); Peter Habermehl, *Perpetua und der Ägypter oder Bilder des Bösen im frühen afrikanischen Christentum* (Berlin: Akademie Verlag, 2004); Carolyn Osiek, “Perpetua's Husband,” *Journal of Early Christian Studies* 10 (2002): 287–90; Erin Ronsse, “Rhetoric of Martyrs: Listening to Saints Perpetua and Felicitas,” *Journal of Early Christian Studies* 14 (2006): 283–327; Joyce Salisbury, *The Blood of the Martyrs: Unintended Consequences of Ancient Violence* (New York: Routledge, 2004); Gail P.C. Streete, *Redeemed Bodies: Women Martyrs in Early Christianity* (Louisville, KY: Westminster John Knox Press, 2009); Ross Kraemer and Shira L. Lander, “Perpetua and Felicitas,” in *The Early Christian World*, ed. Philip F. Esler (New York: Routledge, 2000), 2: 1048–68; and Cecil M. Robeck, Jr., *Prophecy in Carthage: Perpetua, Tertullian, and Cyprian* (Cleveland, OH: The Pilgrim Press, 1992). The recent work on Perpetua largely focuses on her connection to Montanism and prophecy; this article attempts to address her martyrdom within the context of pagan sacrifice in hopes of adding an additional level of inquiry and understanding to the extant corpus of source texts about her.

30. Heymen, *The Power of Sacrifice*, 164–76, *passim*. See also Carlin Barton, “Honor and Sacredness in the Roman and Christian Worlds” and Carole Straw, “‘A Very Special Death’: Christian Martyrdom in its Classical Context,” both in Margaret Comack, ed., *Sacrificing the Self: Perspectives on Martyrdom and Religion* (Oxford: Oxford University Press, 2002), 23–43.

31. The fortitude of the martyrs has also been a popular topic among recent scholars with Perpetua at the forefront of the discussion for female martyrs. Shaw argues that her intense gaze challenging the audience was

“a sign of Perpetua’s rejection of the legitimacy of the onlookers’ voyeurism” (see “The Passion of Perpetua,” 4). Likewise, Joyce Salisbury notes that while Perpetua went willfully to the arena, she clearly displayed her contempt for the crowd as she stared it down; see idem, *Perpetua’s Passion: The Death and Memory of a Young Roman Woman* (New York: Routledge, 1997), 138. Also, Farina points out that the fortitude of her gaze is often interpreted as her being a “true spouse of Christ and darling of God” (see *Perpetua of Carthage*, 13). Additionally, Streete claims that the martyr’s body is a center for a power discourse, resulting in Perpetua and her fellow martyrs defeating the world; not only is she bound to Christ and God (two male figures who trump her father and husband), but also she is an unruly woman whom society is unable to put back in her proper social place, which results in a triumph of the Christian Kingdom over Roman Society (*Redeemed Bodies*, 64–72).

32. For more on dreams in early Christianity, see Salisbury, *The Blood of the Martyrs*, 75–90.

33. *Acts of the Martyrs*, 4.

34. *Ibid.*, 7.

35. *Ibid.*, 10.

36. *Ibid.*, 10.4, pp. 116–17: “Noli pauere. Hic sum tecum et conlaboro tecum,”

37. *Ibid.*, 6.

38. *Ibid.*, 20.

39. *Ibid.*, 20.1, pp. 128–29: “Puellis autem ferocissimam uaccam ideoque praeter consuetudinem comparatam diabolo praeparauit, sexui earum etiam de bestia aemulatus.”

40. Shaw, “The Passion of Perpetua,” 3–45.

41. Salisbury, *Perpetua’s Passion*, 143–44.

42. Macrobius, *Saturnalia*, Davies 3.2, p. 206.

43. *Acts of the Martyrs*, 15, pp. 122–23: “Circa Felicitatem uero et illi gratia domini eiusmodi contigit. Cum octo iam mensium uentrem haberet (nam praegnans fuerat adprehensa), instante spectaculi die in magno erat luctu ne propter uentrem differretur (quia non licet praegnantes poenae repraesentari) et ne inter alios postea sceleratos sanctum et innocentem sanguinem funderet.” My translation: “And concerning Felicitas, she truly was granted the same favor of the Lord, because at the same time she was arrested, she had already been pregnant eight months, and with the day of the spectacle rapidly approaching, she was indeed with great sorrow lest that it be postponed [for her] because of her womb (as it was not legal to display the punishments of the pregnant) and lest afterwards she pour out her holy and innocent blood among wicked criminals.”

44. *Ibid.*, 18.1, pp. 124–27, with quoted passage on 124 and 126: “Illuxit dies uictoriae illorum, et processerunt de carcere in amphitheatrum quasi in caelum hilares, uultu decori, si forte gaudio pauentes non timore”

45. *Acts of the Martyrs*, 20.6.

46. *Ibid.*, 20.

47. *Ibid.*, 21.

48. Salisbury, *The Blood of the Martyrs*, 189–201.

49. Salisbury, *Perpetua's Passion*, 52–57 and 144–45.

50. *Ibid.* 54.

51. *Ibid.*, 145. See also James W. Halporn, ed., *Passio Sanctarum Perpetuae et Felicitatis*, Bryn Mawr Latin Commentaries (Bryn Mawr, PA: Bryn Mawr Commentaries, 1984), 56.

**“Democracy in Black and White”: Wil Lou Gray,
Black Illiteracy, and Progress in
South Carolina, 1930–1938**

Mary Mac Ogden

When asked about her views on race relations in South Carolina, Wil Lou Gray claimed, “I was like everyone else. I didn’t think about it.”¹ Despite Gray’s statement, apparently she did think about race, and often. In every report between 1919 and 1935 as the supervisor of adult schools for the South Carolina Department of Education, Gray argued that the state could not prosper unless it gave equal attention and support to black education. Her pleas brought race and illiteracy center-stage as impediments to state progress.

From her state supervisory position and through programs designed to provide educational opportunities for black adults, Gray, in the 1930s, used adult education as a portal to carry out a sustained and shrewd attack against the racism, illiteracy and political lethargy commonplace in South Carolina. Brought up in a white, upper-class household in South Carolina, Gray had been reared to accept the prevailing gender, class, and racial mores of her region. Yet Gray proffered a perspective on black life that defied the dominant regional narrative of black racial inferiority. Regional progress on race relations depended upon whites’ envisioning black people as fully human with similar potential. This paper examines projects led by Gray in the 1930s that reveal she was instrumental in this process. In 1931, with the assistance of northern academics and a Carnegie Foundation grant, she conducted an educational experiment, herein called the Seneca study, that proved there was little difference in the learning capacity of black and white adults in favorable environments.² In 1935 she led four thousand black men and women on a one-day pilgrimage to the State House, and from 1934 to 1937 she held opportunity schools for black adults – four-week residential camps for adult illiterates – at Voorhees Technical College in Denmark, South Carolina. In addition to the three R’s, the curriculum at these summer camps focused on African heritage and identity. In the context of Depression-era South Carolina, where race violence, poverty and illiteracy shaped the lives of many African Americans in the state, her work marked a radical departure from the status quo.

Gray offered a unique portrayal of African Americans that had the potential to change white perceptions of race during an important transitional period in American history. Despite having come of age during the height of the Jim Crow era in the South, she produced her influential projects at a time when eugenics, scientific racism, segregation, and racial violence were widely accepted, and when democratic institutions and values in the United

States were sorely tested due to the global economic crisis.³ Against this backdrop, Gray, with her tests and measurements, determination, and fearlessness, promoted democracy and social justice by casting aside stigmas assigned collectively to black people and revealing the individual black person's experience and humanity.⁴ Gray declared, "*Illiteracy in South Carolina is today chiefly a negro problem. . . . It is the duty of the State to provide all its people with an elementary education which makes for better living.*"⁵

Gray was part of an intellectual current in the South that prefigured the monumental policy changes of the 1950s, and her work in this period demonstrates the range of the Long Civil Rights Movement. Historians have recently started to uncover significant civil rights activism in the decades before the 1950s, particularly among labor unions, the NAACP, and the Communist Party. Her work reveals the significant role that a handful of white women also played in these early decades, as they deviated from the racism that stifled the vast majority of white southerners.⁶

In 1931, amid the despair and social crisis of the Depression years, Gray conducted an experiment to test the ability of adult illiterates to learn to read and write at two co-educational summer camps, one for whites at Clemson College and the other for blacks at nearby Seneca Institute. Gray's report on the experiment found little variance in the learning abilities of black and white adults and challenged the widespread idea of innate differences in the mental capacities of the two groups.⁷ By segregating the black and white student groups at different schools, by excluding race from her vast list of research questions, and by funding the experiment with money from the Carnegie Foundation, Gray demonstrated her awareness of regional race politics and the necessity to adhere to customary practices in order to make any gains for black adult students.

By the early thirties, teaching universities across the nation produced scholarship related to adult education. In 1932, Columbia University, Vassar, the University of Michigan, and Ohio State received funds from the American Association of Adult Education to conduct research in adult education. Formed in 1926, the American Association of Adult Education served two purposes: to disseminate information on developments in the field through its publication, *The Journal of Adult Education*, and to fund research and scholarship. The organization's main effort, however, was to "supply a medium of exchange for teachers and administrators actually in contact with adults," and by the early thirties, the Association had direct contact with more than five hundred local, state, national, and international organizations.⁸ Gray served as a member of the executive board of the Association in 1931.⁹

Gray was well known across the nation for her work with adult learners and her signature opportunity schools. "She is one of the most outstanding women in the

South. . . [H]er contributions even to adult education is [*sic*] not only state wide but nationwide. Indeed, she has much to contribute even to China and India and every country of the world facing the dire dilemma of illiteracy,” wrote Mabel Carney, a professor at Teachers College, Columbia University.¹⁰ In 1921 Gray held the first opportunity school for seventeen white women at Tamassee, South Carolina, and expanded the school in subsequent years to include men and black students. She used her position as state supervisor of Adult Education to bolster public and state tax support for her programs.¹¹ The South Carolina General Assembly was less inclined to supply money for her schools, and for the most part, funding for opportunity schools was a blend of state money and contributions from “college authorities, church societies, patriotic organizations, civic clubs, textile officials, . . . public spirited citizens” and, in Gray’s words, “faith.”¹²

Between 1921 and 1946, numerous state colleges hosted opportunity schools and enrollment doubled each year. Opportunity schools for black students took place in 1931 at the Seneca Institute in Seneca, South Carolina and in 1934, 1935, 1936 and 1937 at Voorhees Technical School in Denmark, South Carolina.¹³ In the summer of 1930, Gray submitted an application to the American Association of Adult Education for a subsidy of five thousand dollars to conduct an educational experiment at her summer opportunity school and received the money from the Carnegie Corporation. The purpose of the study was to discern the learning capacity of black and white adults with varied levels of education when taught in a “favorable” environment.¹⁴ It also aimed to prove the effectiveness of adult elementary education on illiterate adults and provide a model for other states. William Gray of the University of Chicago and J. Warren Tilton, a psychologist from Yale, directed the testing of the students and used materials designed by Edward L. Thorndike, a psychologist at Teachers College, Columbia University. Wil Lou Gray used the study to promote her belief that the “lack of popular education is an expensive and increasing liability which can and which should be turned into rich assets.” She wanted all citizens of South Carolina, black or white, to receive tax supported literacy education as needed, an unpopular and controversial idea at the time. Gray understood that the white state government, already slow to support literacy education for white adults, was even more unwilling to support education for black adults, and hoped that her study would justify and encourage such spending.¹⁵

From July 23 to August 22, a combined summer school took place at Clemson College and the Seneca Institute. The five thousand dollar grant paid two thousand dollars for the salaries of William Gray and Tilton, who had been selected for the study by Thorndike, and two thousand for scholarships – twenty dollars each, for fifty black and fifty white participants. The remaining money paid for materials and testing supplies. Morse Cartwright of the American Association for Adult Education asked that the grant

be made as an allocation against the Adult Education Experimental Fund, which contained sixteen thousand dollars of grant money from the Carnegie Corporation from 1930 to 1931, because "South Carolina's program seems to be the outstanding state demonstration in the campaign against adult illiteracy."¹⁶ Teachers were paid one hundred dollars with board provided by the state.¹⁷ To accommodate the racial demands of the region, the "colored Baptists" loaned the Seneca site to Gray for the black students' housing.¹⁸

Of the 288 pupils who attended, only the Carnegie-funded students were tested, and these students ranged in age from fourteen to seventy. The school day lasted from 7:30 a.m. to 11:00 p.m. with free time for exercise and chapel incorporated into the schedule. Gray noted that the first week was hard for many of the black students because they were older and struggled with eyestrain or poorly adjusted eyeglasses.¹⁹ Out-of class time was also different for the black students. Because some of them worked as cooks, many participated in cooking classes that focused on every aspect of the meal from cost analysis to nutritional value. Also, the black students led their own vespers. Here they sang spirituals "as only the colored race can" according to Gray, and recited from newspapers and current events. Due to lack of equipment at the Seneca site, moving pictures were absent in the curriculum provided the black students. A local theater manager, however, invited them to attend his movie house on Saturdays, and there, many students saw a "talkie" for the first time.²⁰ A local paper reported the event and observed, "The Richardson theatre gave them a special show and invited the entire school as their guests. All accepted except some members of the Holiness church, these thought this kind of entertainment a sin, so they refused the invitation. It was an interesting study in psychology to hear the reaction of those who had never seen, or heard, a play given on the screen."²¹

To determine the I.Q. of each student, verbal and non-verbal tests were given to the Clemson and Seneca experimental groups during the month-long session. According to the first chapter of the Seneca study report, published after the experiment was completed, numerous educational research questions were addressed that considered the impact of gender, age, income, previous schooling, and occupation on the intelligence and learning capacity of illiterate adults. These factors explained in part the differences between the black and white students' intelligence test scores. Although the study was clearly designed to determine whether or not race affected educational capacity, none of the research questions, as written, addressed race. The conspicuous absence of race in the questions is interesting because the two experimental groups of equal size were differentiated by race. It is possible that Gray purposely omitted questions about race to neutralize potential controversy about the study locally. It was not until the end of the report that Gray debunked the myth of racial difference in mental capacity, concluding that there was "little difference between the learning ability of whites and Negroes."²²

The average age of the fifty-five students at Seneca was thirty-eight with an average seven months of previous schooling; private donors paid the tuition for five additional participants.²³ The black students were about thirteen years older than their white counterparts. The average wage of the twenty-six black students reporting salaries was \$1.50 per week, with occupations listed as farmers, cooks, mechanics, laundresses, and one midwife. A local paper reported, "One man who is attending the school has 15 children but quit his job just to learn to read and write. Another earning \$10.00 each week as a cook quit his job to learn to read and write."²⁴ None of the Seneca students worked in the mills, yet thirty of the students came from Oconee County, a cotton and textile center in the upstate where the study took place. In contrast, two-thirds of the white students at Clemson worked in the textile industry and made an average salary of \$9.04 per week.²⁵ Half of the Seneca participants were orphans; twenty-seven came from homes where there were ten to seventeen children; and, as a group, the participants averaged three children each. The Seneca group read the same materials and took the same tests and measurements as their Clemson counterparts.²⁶

The next year, the *Peabody Journal of Education* reviewed the study as a "quantitative treatment of the results of short course schools for adults," and "a bit of definitive evidence in a field marked by many and diverse opinions."²⁷ Eight years later, Gray summarized the 1931 summer experiment: "In 1931 . . . the Carnegie Corporation of New York City gave the school 5000k [sic] to finance an experiment to determine the learning ability of adult illiterates under favorable conditions. The findings of those four work-filled weeks were published in a book and sent all over this country and several foreign ones. We still have a feeling of pride when we see this book and remember the service we were able to render."²⁸

It is important to consider the curriculum used to educate the students at Seneca in relation to the findings of the experiment. All of the reading and writing material used at the Seneca site was racially and class biased, with everything from advertisements to etiquette lessons reflecting a white, upper-middle-class lifestyle. For example, Seneca student Katy Smith in her class scrapbook wrote above a picture of a table set for a wealthy individual, "An attractive table makes the meal more appealing." Beneath the picture itself, the caption read, "The dark beauty of Ebony and the clearness of Crystal are graciously combined in this setting for a formal luncheon. The Millefleur cutting on the square base tumbler is matched on the crystal service plate. The embroidered organdie cloth is Florentine."²⁹ It is unlikely that any of the students at either Seneca or Clemson could comprehend, much less find value in, this information. How the black students understood and retained the teaching materials used by the instructors at Seneca probably influenced the outcome of the tests administered during the term.

Despite the biased curriculum, the commencement exercises at Seneca were racially sensitive and reflected the interests of the black students. At the final program, a group of students presented to the audience a booklet called "The Story of My Race," and they sang a "farewell group of spirituals" at the conclusion of the program. "Every one," claimed Gray, "left the Seneca Institute with a feeling of satisfaction."³⁰ Olema Wiggins, a student at Seneca, wrote to Gray after the summer program ended, "I have found no one so intensely interested in us as a race as you. All I can say will not express my gratitude to you for the interest you have in us."³¹ Additionally, the overall health of the Seneca students changed while in residence at the summer school. The local paper reported, "The pupils were given a medical examination at the beginning of school at which time each was weighed. On weighing the same pupils at the end of the month a gain of 11 pounds was noted."³²

Gray's 1931 study put in scientific terms the idea that race alone did not determine an adult illiterate's ability to learn. This result proved the power of democracy in education where equal opportunity meant equal potential for all people. With her scientific analysis as backing, Gray turned every argument against funding black education, and adult education, on its head and made the state's illiterate liabilities, both black and white, a point of national discussion. Numerous journals published her findings, dispensing this idea to a wide professional audience.³³ Through science, Gray crafted a new conception of black potential.

Furthermore, Gray's Seneca study offered audiences outside the South virtual encounters with southern black culture as proxies for the actual. As a cultural text, the Seneca study conceptually linked a broad-based, literate audience in an image of black life that was positive and fostered a progressive view of South Carolina and its people.³⁴ Her work demonstrates that the printed word is more than just a reflection of what a culture believes or thinks it knows: it generates perceptions as well. Her 1931 experiment demonstrates how change came to the South piecemeal and from different sources, always in the shadow of tradition and often by indirect means.

The following year Gray attempted to secure funds for another study but was refused because "the activities of the [Carnegie] Corporation . . . had to be sharply curtailed."³⁵ For the next five years, she continued to seek support, urging the governor, private clubs, and local philanthropists to fund adult education for both races, using her study to bolster her call for tax supported opportunity schools.

In the wake of the success of the Seneca study, the economic crisis of the times took a toll on Gray's work, and she struggled to overcome depleted state appropriations for adult schools. But despite the lack of money, in 1935, 18,746 students enrolled in adult night schools. Of these, 8,643 were black, more than double the 3,523 black pupils taught in 1919, the first year Gray started her work as the state supervisor.³⁶

In the early months of 1935 Gray organized three massive field trips she deemed *pilgrimages* for adult students enrolled across the state. Gray wrote, "In order to foster State pride and to provide interesting drill, the spring work was centered on the study of South Carolina. As part of the project, pilgrimages to old cemeteries, to county seats and to cities were encouraged."³⁷ In March she led one thousand white students, teachers and organizers to Charleston on a trip that cost three dollars per person for lodging, sightseeing, and entrance into two gardens. A month later, on Sunday 7 April, she led six thousand white students representing every county in the state to the State House and the Township Theater. After the exercises of the day, vespers were held at four of the city's churches. Gray wrote, "The pupils returned home with a new idea about State government as well as increased State pride and a store of happy memories."³⁸

A week later, on 14 April, Gray led about four thousand black students on the same tour of the State House to the white students. At the end of the day, wrote Gray, "a pageant titled *Vanguards of Our Race* was presented at the Auditorium. . . . This told the story of the Negro's contributions to poetry, science, literature, music, and inventions. Dr. Channing Tobias, Negro leader, made a stirring address."³⁹ A Georgia native, theologian, and nationally recognized leader, Tobias served as the senior secretary of the YMCA's Colored Work Department from 1923 to 1946, as associate director of the Commission on Interracial Cooperation, and on the YMCA's Executive Committee of the National Interracial Conference.⁴⁰ His participation in the event reveals Gray's knowledge of and connection to professional African Americans involved in reform and uplift campaigns across the nation.⁴¹ Equally, it illustrates Tobias's interest in the pilgrims' progress and his support of Gray's efforts. The YMCA no doubt was a critical link between the two. At the end of the pilgrimages, both black and white students brought a penny to Columbia as an expression of their appreciation. "The contribution will be invested in a tree planted in the Capital Square under which a seat will be placed," wrote Gray.⁴²

A pilgrimage is a journey to a sacred place or shrine that has moral significance. Although segregated, the pilgrimages of 1935 were Gray's effort to democratize public space by claiming state monuments and sites for all the citizens of the state, black, white, poor, dispossessed, and illiterate at a time when most South Carolinians struggled to put food on the table. In these mass public spectacles, thousands of pilgrims paid homage to the state under Gray's guidance. They displayed their claim to state sites and history by physically engaging in public spaces filled with important state relics, although the monuments excluded reference to the history of the black students.⁴³

In preparation for the pilgrimages, Gray sent a checklist to teachers expected to attend with their students. It provided the location of bus pick-ups and public bathrooms and directions to meeting points. Students were reminded to bring a penny



to help beautify the Capital Square and to leave the city clean “with no evidences of lunches” at the end of the event. One important pre-pilgrimage directive was the location where pilgrims and their teachers were to assemble at the start of the event. The white students and teachers were to meet at the piazza of the State Teachers Association building on Senate Street. The black students and teachers were to meet at the “Side Road Entrance, State Office Building, Corner Senate and Sumter.” Despite these different rallying points based on race, all students were asked to learn “Carolina” and the “Star Spangled Banner,” so they could perform them at a pageant at the end of the day.⁴⁴

Gray’s checklist symbolizes the contradictions that defined her life and work. On the one hand, she followed the rules. The spatial segregation of her black and white pilgrims showed she did not violate Jim Crow. And by having her students sing the state and national anthem, she demonstrated that patriotism and civic commitment were not only important components of her citizenship education curriculum, but also that, despite South Carolina’s endemic racism, segregation, poorly funded schools, and political lethargy, that curriculum had led her pilgrims to descend upon the capital, penny in hand, to show pride and respect for a state that had dealt them a hard hand.

On the other hand, she broke all the rules. For while hers was a pilgrimage to pay homage to the state, it was equally a protest against the state's apathy about the polity's real needs, especially the needs of illiterate, black adults. The pilgrimage was an organized spectacle intended to force the state to see the pilgrims, black and white, as devoted citizens hungry for opportunity. The event was a radical act carried out by Gray, teachers, and adult students – black and white – from across South Carolina. Gray put faces – thousands of faces – on illiteracy and forced the state to notice. Her message was simple: the pilgrims desired civic participation, loved the state, and demonstrated citizenship training in action. This training that came by way of adult education, a field the state needed to fund. The pilgrimage was a wake up call for the state, It was disguised as a tribute and delivered by Gray in the form of thousands of pilgrims to the State House door. The event captures the complexity of her actions and their hidden meanings.

Black adult education was not a priority for politicians and white citizens, and Gray struggled to raise funds and provide opportunities for black students during her tenure as the supervisor of adult schools. Black schools were notoriously underfunded and poorly equipped. Gray held summer opportunity schools at Voorhees Technical College in Denmark, South Carolina, for black students in 1934, 1935, and 1936, and by 1937 federal money was used to supplement the costs of the program.⁴⁵

In 1936 Governor Olin Johnston wrote to Gray, "Now is the logical time to begin our renewed efforts for the eradication of this menace to our State's welfare. Looked at from every angle, illiteracy is expensive . . . we still have 36,000 white and 156,000 colored illiterates who, themselves, in 1930 admitted they could not write their names."⁴⁶ Gray wrote to *Charleston News and Courier* editor William Watts Ball, "If illiteracy is to be eradicated, better educational opportunities must be given the Negroes. Is it fair to spend \$42.25 a year on the white child and \$8.70 on the Negro? Can such inequalities produce a decent standard of living under a democratic society?"⁴⁷ In 1936 the NAACP made a documentary to convey to a national audience what "separate but equal" looked like in South Carolina. The film canvassed school facilities, public school transportation, and statistics on the disparity in funding between black and white schools. Grim shots of pitiful places brought to the big screen and to a national audience the deplorable state of black education in South Carolina.⁴⁸

That same year a fourth opportunity school for black adults was held in July. Fifty-three students representing many of the counties in the state enrolled in the program at Voorhees. Thirty-nine of the students were women. The motto of this 1936 program, "If you want to be somebody and try to be somebody, I am sure others will help you,"⁴⁹ reflected the core theme of the statewide literacy campaign that had been conducted in the media for over a decade. For example, the *Barnwell* paper urged its citizens to "teach . . . your cook, your washerwoman, your hired man anyone who can't

write. Remember, Negroes are citizens of our state and our rating in illiteracy is judged by total, not by white illiteracy” conveying in its call to arms its assumptions about black occupations.⁵⁰ Likewise, a white Barnwell County literacy campaign organizer revealed the implicit condescension in working with black illiterates when she proclaimed, “Every thinking person knows something of the problems which the Negro confronts in trying to adjust himself to the exigencies of life in a white civilization of America, and of the handicaps growing out of his position here . . . I do believe that because of this effort put forth on his behalf you will find him a better citizen as well as laborer.”⁵¹

Like the 1935 summer school, a central theme of the 1936 opportunity school at Voorhees was the home and how to maintain it. A model home was built to teach the black students what a “good” home looked like and the items it housed – things like books, music, health habits, and morality.⁵² The curriculum focused on African heritage, health education, home repair, and domestic training. Students at Voorhees responded positively to the program. John Graves wrote, “We have made fans about the colored people we have talked about.”⁵³ Another student, Frankie Walker of York, wrote that she loved the dress she made at the school and declared, “I am going to do all I can to teach someone else the things that I have learned.” As a sign of support, Modjeska Simkins visited the site.⁵⁴

An important development at the 1936 opportunity school, as opposed to the first black opportunity school held at Seneca five years earlier, was Gray’s use of a curriculum that highlighted the African American experience. Although African heritage was a component of the closing program at Seneca, the core curriculum reflected white, upper class values. At Voorhees in 1936, the curriculum addressed practical needs of students that related to home economics and health. Closing ceremonies highlighted the traditions and heritage of the African American past in the South. The students performed a pageant that depicted the trials, advancements, and contributions of African Americans. Episode 1 was titled “African Background” and Episode 2 “Slavery.” In this scene students sang the spirituals *Steal Away*, *Nobody Knows the Trouble I’ve Seen*, *Old Black Joe*, and *Freedom*. Episode 3 was titled “Freedom,” and the music included patriotic melodies like *America*, *We are Climbing Jacobs Ladder*, *Give me that Old Time Religion*, and the *Negro National Anthem*.⁵⁵ Five months later Gray received a Christmas letter from an “old Negro woman” aged sixty-eight named Emma Gilliard of Hartsville, South Carolina. In a display of the skills she had learned, she wrote, “I like my school fine.”⁵⁶

The following year, again at Voorhees, Gray held a fifth summer opportunity school for black illiterate adults. In preparation for the event, Gray asked the staff of the college to prepare for more students than actually attended. At the end of the session, the president of the college, J. E. Blanton, wrote to Gray and requested that the state reimburse his school seventy-five dollars for the loss it took as a consequence of her inadequate estimations.⁵⁷

A week later he wrote, "It will give us a great deal of pleasure to cooperate in the future" and informed her that the financial problem had been resolved.⁵⁸ The financial issues at this camp did not end, however, with Blanton. A black teacher returned a check to Gray's office and explained it bounced when she attempted to cash it. It is unclear whether Gray paid the teacher, but it is clear that black teachers, institutions, and students endured a great struggle to get money and support from the state for their efforts to advance black literacy. "Much of South Carolina's illiteracy is accounted for by the high percentage of Negro population," claimed Gray, who turned to philanthropist Bernard Baruch for support when the state cut appropriations for adult education in 1939. She explained to him that the lack of money for adult education was the reason South Carolina remained the most illiterate state in the Union in 1930, and she lamented that the state planned to appropriate a mere fifteen thousand dollars in 1940.⁵⁹ Gray appealed to Baruch to fund a study specifically aimed to help blacks, 26.9 per cent of the illiterate population (156,065). "Because Negro illiteracy is the major problem, we will concentrate on that group," she wrote and asked for ten thousand dollars.⁶⁰

With the emergence of New Deal divisions like the National Youth Administration, Gray's work to promote black education gained momentum. In 1938 she invited fellow statesman Mary McLeod Bethune to speak at the Washington Street United Methodist Church. Bethune was the director of Negro Affairs in the National Youth Administration from 1936 to 1944 and chair of the informal black cabinet that met with Roosevelt to direct policy for social change. The congregation, particularly the women of the church, endorsed Gray's request for Bethune to speak at a Sunday evening service. Gray received the blessing of pastor J. W. Shackford, but many church members, specifically the race-baiting demagogue Coleman Blease, adamantly opposed the invitation. Despite their protest, the meeting occurred as planned, and Gray asked the ushers to treat kindly the black visitors in the congregation. At the end of her speech, Bethune said, "she could only feel in her heart what Queen Esther had experienced when the king granted her request to honor her people, gratitude to God."⁶¹

Although Gray claimed not to think about things like race, her actions reveal that she did. That she did anything to advance educational opportunities for African Americans in South Carolina is significant. By adhering to separate but equal her efforts did not directly agitate against regional race practice, but she did make her state recognize that black education was critical to the advancement of the state through the Seneca study, pilgrimages, and opportunity schools.⁶² Equality of opportunity was the first step toward a more democratic state, and Gray worked to achieve this end in her work during the 1930s.

When Gray is viewed through a modern lens, it can be argued that she did not do enough to undermine the structural and social inequalities black South Carolinians

struggled against in their daily lives. Despite decades of work on behalf of black people in the years before the modern civil rights movement began, Gray's efforts to advance black educational opportunities are overshadowed by the fact that she established the South Carolina Opportunity School in 1947 as a white-only institution. In a 1974 interview, civil rights activist and fellow South Carolinian Modjeska Simkins claimed she never forgave Gray for calling the year-round school the "opportunity" school and opening it to whites only.⁶³ Simkins recalled a meeting where "Miss Wil Lou was doing a whole lot of talking and heaping accolades upon herself and what she had done." Simkins leaned over to a friend and said, "I think we ought to get this old sister right now, because she doesn't need all that praise, because she couldn't see that opportunity was needed by all youth in South Carolina." The friend was Alice Spearman Wright.⁶⁴ Wright asked Simkins to respect Gray, who she argued had done the best she could with the vision she had. Simkins claimed:

She knew I'd run roughshod, you know . . . I think she has done a good work as she saw it . . . a person can be the product of his time and his environment, you know . . . it seemed to me that she should have felt that black youth needed opportunity as well as white youth. And I've never forgiven her for not being able to see that.⁶⁵

Race ideology complicated Gray's efforts to eradicate illiteracy in South Carolina and required ingenuity in the way she advanced educational opportunities for black adults. Countless black teachers and professionals supported Gray's work, and their help made her vision possible. "Among my choicest memories of cooperation is that of my Negro co-workers . . . without such assistance, I could have done nothing," wrote Gray.⁶⁶ In recognition of her service to the black race, South Carolina State College in Orangeburg awarded Gray a certificate of merit, a loving cup, and flowers at the Seventh Annual Conference on Adult Education and the Negro on 6 April 1949.⁶⁷

Reflecting on black educational progress, Gray wrote Dr. William Cooper of the Hampton Institute, "We should not attempt to measure progress by days and months, but rather by years and decades."⁶⁸ Gray's efforts in the 1930s to advance black literacy reveal the mechanics of progress in a passive, racist state. Gray, through the Seneca study, the pilgrimage of 1935, and opportunity schools for African American men and women in the thirties, initiated a shift in perception about black potential that must be considered a stepping-stone in the path of regional progress. These projects demonstrate how Gray, when viewed collectively with other southern writers, activists, and educators, worked to effect change in the decades that preceded the policy changes of the fifties and sixties. Gray devoted her career to the advancement of literacy for all people, despite race or caste, and used her work to forge a new direction in the mindset of her region.

NOTES

1. Wil Lou Gray, Interview, 14 June 1974, Southern Oral History Collection, Wilson Library: University of North Carolina, Chapel Hill, NC.
2. William Gray, Wil Lou Gray, and J. W. Tilton, *The Opportunity Schools of South Carolina – An Experimental Study* (New York: American Association for Adult Education 1932) (hereafter *Experimental Study*); “Reviews,” *Peabody Journal of Education* (November 1932): 188; Morse A. Cartwright, “Research Projects and Methods in Educational Sociology,” *Journal of Educational Sociology* 5, no. 8 (1932): 514; “Educational News and Editorial Comment,” *The Elementary School Journal* 33, no. 1 (1932): 3; “Educational News and Editorial Comment,” *The School Review* 40, no. 7 (1932): 481–96.
3. For a history of the eugenics movement in the South see Edward J. Larson, *Sex, Race, and Science: Eugenics in the Deep South* (Baltimore, MD: The Johns Hopkins University Press, 1995). Larson argues that clubwomen were the chief advocates of the eugenics movement in the South. He suggests their support led to the establishment of institutions for the feeble minded (epileptics, insane, retarded and criminally insane) in every southern state by 1921. He further states that once the institutions were established, southern clubwomen advocated forced sterilization of the feeble minded inside these institutions. Louisiana was the only southern state where this legislative aim was thwarted by Catholic legislators, who found the idea morally reprehensible.
4. Peterkin meant struggle as a universal, ongoing process of change in the world. “What and Why I have Written?” Unpublished sketch by Julia Mood Peterkin, Folder 28-613-7, Julia Mood Peterkin Papers, South Carolina Historical Society, Charleston, SC (hereafter JMP Papers).
5. 1924–1925 Superintendent of Adult Schools annual report outline, Box 24, Wil Lou Gray Papers, South Caroliniana Library, University of South Carolina, Columbia, SC (hereafter Wil Lou Gray Papers).
6. See Pat Sullivan, *Days of Hope: Race and Democracy in the New Deal Era* (Chapel Hill: University of North Carolina Press, 1996); Jacquelyn Dowd Hall, “The Long Civil Rights Movement and the Political Uses of the Past,” *Journal of American History* 91 (2005): 1233–263; Glenda Gilmore, *Defying Dixie: The Radical Roots of Civil Rights, 1919–1950* (New York: W.W. Norton and Company, 2008).
7. For a summary analysis of Gray’s experiment see James Truett Willis, “The First Fifty Years Of The South Carolina Opportunity School” (PhD Dissertation, University of Georgia, 1973); William Gray, Wil Lou Gray, and J. W. Tilton, *Experimental Study*.
8. Cartwright, “Research Projects and Methods in Educational Sociology,” 514.
9. L. L. Bernard, “Culture and Environment II. The Continuity of Nature and Culture,” *Social Forces* 9, no. 1 (1930): 44; Cartwright, 514.
10. Director Rural Education to Frank Bachman, 11 December 1925, Wil Lou Gray Papers. Gray received a Master of Arts degree in Political Science from Columbia University in 1911 and pursued graduate study in education at Teachers College in 1916 and 1924. See Wil Lou Gray Resume, n.p. document held by author. For a summary history of her work see Mabel Montgomery, *South Carolina’s Wil Lou Gray* (Columbia, SC: The Vogue Press, 1964).
11. Gray served as the supervisor of adult education for the South Carolina Department of Education from 1919 to 1947. Her position grew from her role of field secretary for the South Carolina Illiteracy Commission formed during World War I. In 1919 there were only two supervisory positions in adult

education in the nation, one in South Carolina and the other in New York. She was a leader in a field few knew anything about, and in the interwar period carved a niche for adult education in the state educational system, which led to the establishment of the South Carolina Opportunity School in 1947 (now the Wil Lou Gray Opportunity School). See M. S. Knowles, *The Adult Education Movement in the United States* (New York: Holt, Rhinehart and Winston, Inc., 1962); Norfleet Hardy, *Farm, Mill, and Classroom: A History of Tax-Supported Adult Education in South Carolina to 1960* (Columbia, SC: R. L. Bryan Co., 1975), 44. Gray was actually appointed in 1918 but assumed her position in January of 1919. Gray's official title at the time was State Supervisor of Night Schools and later Adult Education Supervisor. See George M. Smith, *Documents on the Early Beginnings of the SC Opportunity School and Land Acquisition of Vacated Army Air Base in West Columbia* (May, 1999), The Wil Lou Gray Opportunity School Archive, West Columbia, SC.

12. Wil Lou Gray, "South Carolina's Program for Belated Learners," *Journal of the Association of University Women* 23 (1930): 84; WLG to Dr. J. B. Nash, 21 April 1930, Wil Lou Gray Papers.
13. *Sixty-third Annual Report of the State Superintendent of Education of the State of South Carolina*, 1931 (South Carolina Department of Archives and History [SCDAH], Columbia, SC), 76–87.
14. *Experimental Study*, 19.
15. *Ibid.*, 87.
16. Morse Cartwright to F. P. Keppel, 21 January 1931, Carnegie Corporation Collection, Rare Books and Manuscripts Library (New York: Columbia University) (hereafter CCNY).
17. Grant application, "Training Illiterates to Read," CCNY.
18. Box 3, Wil Lou Gray Papers; see *Sixty-third Annual Report of the State Superintendent of Education of the State of South Carolina*, 76–87.
19. *Experimental Study*, 32.
20. *Ibid.*, 89.
21. Carrie McCully Patrick, "Negro School to Close at Seneca," *The State*, n.d., in Opportunity Schools Scrapbook, The Wil Lou Gray Opportunity School Archive, West Columbia, SC.
22. "The Beginning of the Opportunity School as written by Dr. Wil Lou Gray in 1923," in Smith, *Documents on the Early Beginnings of the SC Opportunity School*, 32.
23. Two hundred eighty-eight students attended the summer camp, almost double the experimental one hundred. See Box 4, Folder 267, Wil Lou Gray Papers.
24. Untitled clipping dated 27 July 1931, paper unknown, Opportunity Schools Scrapbook, The Wil Lou Gray Opportunity School Archive.
25. Box 2, Folder 137, Wil Lou Gray Papers.
26. *Sixty-third Annual Report of the State Superintendent of Education of the State of South Carolina*, 76–87.
27. "Reviews," *Peabody Journal of Education* (November 1932): 188.
28. Box 4, Folder 267, Wil Lou Gray Papers.
29. Box 24, Wil Lou Gray Papers.
30. *Experimental Study*, 90.
31. Olema Wiggins to WLG, 19 August 1931, Box 3, Wil Lou Gray Papers.

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32. Untitled clip dated September 1931 in Opportunity Schools Scrapbook, The Wil Lou Gray Opportunity School Archive.
33. "Reviews," 188; Cartwright, "Research Projects and Methods in Educational Sociology," 514; "Educational News and Editorial Comment," *The Elementary School Journal*, 3; "Educational News and Editorial Comment," *The School Review*, 481–96.
34. For movie scripts as cultural texts, see Larry May, *The Big Tomorrow: Hollywood and the Politics of the American Way* (Chicago: University of Chicago Press, 2000) and for "print-capitalism" see Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (New York: Verso, 1981).
35. Keppel to WLG, 11 January 1932, CCNY.
36. *Ibid.*, 48. General Assembly Reports and Resolutions, 1920, Superintendent of Education Report, Vol. II, "Report on Adult Education," SCDAH, 205.
37. *Ibid.*, 49.
38. *Ibid.*
39. *Ibid.*
40. Biography of Channing H. Tobias located at <http://special.lib.umn.edu/findaid/html/ymca/yusa0007.phtml> (accessed 5 December 2010).
41. There was a large black professional class in Columbia at the time. See Darlene Clark Hine, "The Corporeal and Ocular Veil: Dr. Matilda A. Evans (1872–1935) and the Complexity of Southern History," *Journal of Southern History* 70 (2004): 3–34.
42. *Ibid.*, 50.
43. The grounds of the South Carolina State House contain numerous Confederate monuments and the Confederate flag is present near a Confederate monument on the grounds of the capital.
44. Box 4, Folder 220, Wil Lou Gray Papers.
45. Hardy, *Farm, Mill and Classroom*, 96–97, n39; State Superintendent of Education Report, *Seventy-First Annual Report*, 1938–1939, 37.
46. Olin Johnston to Wil Lou Gray, 17 December 1936, Box 4, Folder 217, Wil Lou Gray Papers.
47. Wil Lou Gray to William Watts Ball, 27 January 1938, attached report "Annual Report of Wil Lou Gray, Supervisor of Adult Schools," 1937, 6, William Watts Ball Papers, Duke University Special Collections. This is also quoted by Alethea Washington, "Current Trends and Events in Negro Education: Rural Education," *Journal of Negro Education* 7, no. 1(1938): 99.
48. *A Study Of Educational Inequalities In South Carolina* (1936), documentary film located at http://www.archive.org/details/naacp_south_carolina (accessed 10 January 2010).
49. Folder 214, Box 4, Wil Lou Gray Papers.
50. "Our Chance to Stand Higher," n.d., newspaper clipping, Illiteracy Scrapbook, Wil Lou Gray Papers, Box 24.
51. Newspaper clipping, n.d., Echoes Illiteracy Scrapbook, Wil Lou Gray Papers, Box 24.
52. Folder 214, Box 4, Wil Lou Gray Papers.
53. John Graves to Wil Lou Gray, 19 July 1936, Folder 214, Box 4, Wil Lou Gray Papers.

54. Folder 214, Box 4, Wil Lou Gray Papers.

55. Ibid.

56. Emma Gillard to Wil Lou Gray, 10 December 1936, Folder 216, Box 4, Wil Lou Gray Papers.

57. J.E. Blanton to Wil Lou Gray, 3 September 1936, Folder 215, Box 4, Wil Lou Gray Papers.

58. J.E. Blanton to Wil Lou Gray, 16 September 1936, Folder 215, Box 4, Wil Lou Gray Papers.

59. In 1919 the state appropriated \$25,000 for her work and increased the amount over the course of the twenties. However, the amount declined between 1930 and 1940 to only \$15,000. See General Assembly Reports and Resolutions, Report on Adult Education, 1930–1940.

60. Wil Lou Gray to Bernard Baruch, 2 October 1939, Folder 262, Box 4, Wil Lou Gray Papers.

61. Archie Vernon Huff, *Tried By Fire: Washington Street United Methodist Church, Columbia, South Carolina* (Columbia, SC: R. L. Bryan Co., 1975), 99; Archie Vernon Huff, interview by author, 31 July 1995. Dr. Huff relayed to me the actual story Gray told to him. He said that Coleman Blease so objected to the visit by Mary Bethune that he slammed his gold handled cane on the floor of the sanctuary foyer and said, "I will not worship with a goddamn nigger in the pulpit."

62. See Leon Fink, *Progressive Intellectuals and the Dilemmas of Democratic Commitment* (Cambridge, Mass.: Harvard University Press, 1997) for a discussion of the relationship between Clark and Gray. See also Katherine Mellen Charron, *Freedom's Teacher: The Life of Septima Clark* (Chapel Hill: University of North Carolina Press, 2009).

63. Interview, Modjeska Simkins, Southern Oral History Collection, University of North Carolina, by Jacquelyn Dowd Hall, transcript located at <http://docsouth.unc.edu/sohp/G-0056-2/G-0056-2.xml> (accessed 5 January 2008). Simkins referred to the South Carolina Opportunity School established in 1947 known today as The Wil Lou Gray Opportunity School. Gray's year round adult school was for whites only.

64. See Marcia Synnott, "Crusaders and Clubwomen: Alice Norwood Spearman Wright and Her Women's Network" in Gail Murray, ed., *Throwing Off the Cloak of Privilege: White Southern Women in the Civil Rights Era* (Gainesville: University Press of Florida, 2004).

65. Interview, Modjeska Simkins.

66. Wil Lou Gray to Dr. William Cooper, 14 April 1949, Miller F. Whittaker Library, Archives and History Center, South Carolina State University, Orangeburg, SC.

67. Program, Seventh Annual Conference, Adult Education and the Negro, South Carolina State College, Orangeburg, South Carolina, 6 to 9 April 1949, Miller F. Whittaker Library, Archives and History Center.

68. Gray to Cooper, 14 April 1949. For information about the organization of the tribute see William Cooper to Miller F. Whittaker, 7 March 1949; Whittaker to Cooper, 16 March 1949; Program, Seventh Annual Conference, Adult Education and the Negro, 6 April 1949.

Thomas Sumter and the Battle for State Sovereignty: A Research Note on Founders, Fathers and Federalism

Thomas Lynwood Powers

“Fourscore and seven years ago, our fathers brought forth on this continent a new nation,” Abraham Lincoln famously asserted in his 1863 Gettysburg Address. Then, as now, the image of a new nation, conceived and delivered like a baby by a remarkable group of men, was sufficiently stuck in the public mind for politicians to tug on it every now and then (however strange the idea of a baby with an all-male parentage might be), having become one of those “mystic chords of memory” to which Lincoln had referred in an earlier speech. According to that image, the Fathers who gave birth to that baby in 1776 fought a Revolutionary War to protect it and wrote a Constitution to secure it. Now, Lincoln argued, “we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure.” The Constitution apparently had not saved the baby after all. Out of somewhere had come forces seeking to dismember it.

In fact, that great Civil War was not entirely what Lincoln said it was that day at Gettysburg, because the birth of that nation was not as he had described it. Rather than being “brought forth” in 1776, it evolved through a series of steps, many of them random and hesitant and not directed along any particular path. It was attended along the way by serious controversies over its nature and direction, controversies that did not end with the adoption of the Constitution of 1787, nor begin with the Virginia and Kentucky Resolutions of 1798 or the Nullification Crisis of 1832 or the Compromise of 1850. The issue of federalism, the relationship of state sovereignty and central authority, was there from the shadowy beginnings of the American Union.

We need to remember that the “Founding” of a new nation was not necessarily on the minds of all those individuals and groups who took those early steps, from participating in a boycott of British goods to declaring independence to risking their lives on a battlefield.

In fact, few people were even thinking of independence, much less seeking it, when the colonies started working together to resist British imperial reform measures following the Seven Years’ War. Whatever individual hopes or dreams might be, the common goal was reform of the Imperial¹ system and repeal of what were considered unconstitutional acts of the Imperial government, not the conception of a new nation. Indeed, the very idea of colonial unity had been anathema, associated as it was with attempts by British authorities to force individual and nearly autonomous colonies

into a cohesive system. Essentially, a common policy of resistance was entered into because it would more efficiently protect the individual autonomy of each. But there was a paradox in this arrangement: collective action drew them closer together and in the process compromised the very autonomy it had set out to preserve.

And so it went, step by step, as colonies came more and more to act together in the face of each new British provocation. Then, in the wake of the Intolerable Acts of 1774, the colonies took a bigger step than perhaps they intended with the creation of the Continental Congress. In its first session, the Congress created a unity beyond a common forum for discussion and recommendation when it devised the Continental Association and recommended that the governments in each colony adopt it. The resolution called for a continent-wide boycott of British goods and laid out a system that each colony should adopt as a means of enforcing it. More to the immediate point, it also contained a provision that any colony that did not participate fully in both the boycott and the enforcement system would itself be boycotted by the other colonies.² For the first time, a central authority of colonial origin had issued a common instruction to all the colonies with some compulsive power behind it. But even then, the order and the threat came from individual colonies working together. The Continental Congress was in no sense a government, and it had no power over the colonies.

Nonetheless, after the fighting in Massachusetts in April of 1775, Congress began exercising *de facto* some of the powers of a sovereign government. In June of that year it raised its own army, commissioned George Washington to command it, and began to direct combat operations against Imperial forces. In July it established a continental Post Office. In August it appointed commissioners to make treaties with Indian tribes. Also in August, it authorized the invasion of Canada. It provided for the creation of a navy in October and in November established a Secret Committee of Correspondence to begin communications and negotiations with foreign nations.³ All these things are normally the actions of sovereign governments. A major step, and one that later would be cited in opposition to evolving theories of states' rights, would come in May of 1776 when the Second Continental Congress advised the colonies to form new governments arising from the people and having no connection with the "legal" government of the Crown.⁴

So far, so Lincoln. All seemed to be moving, if by somewhat unsteady steps, toward a united nation, Independence, the Constitution, and the present.

But this narrative fails to explain why independence was declared only after more than a year of warfare; or why the resolution of independence, when it did come, did so at the instruction of a state government, rather than by initiative of Congress itself; or why the verbiage of that resolution makes it clear that the resolution was the act of thirteen "free and independent states." If this needed to be clarified any further, that

same resolution also contained a provision to *create* a confederation of these newly independent states.⁵ Such an entity simply did not exist when independence was declared. No “new nation” was “brought forth” in 1776, not even a confederation.

A confederation was hardly a new idea. Benjamin Franklin had introduced such a proposal earlier in the Continental Congress’s history. A confederation had the great advantage of offering a way out of an increasing dilemma: if Congress was claiming to speak for the people, or for the colonies as a whole, by what authority did it do so? Without some form of framing document, Congress remained simply a debating and recommending society, occasionally assuming powers that had not been delegated to it. This was hardly a comfortable position for those who had long been protesting “usurpation” by the British government! Worse, the war effort was increasingly beset by embarrassments deriving from Congress’s lack of governmental power and its reliance on sovereign states to whom it could only “earnestly recommend” actions for all to take, to varying degrees of compliance. It was obvious that what had now become a rebellion needed to have a firmer legal standing.

Early in 1776, radicals like John Adams were still speaking of the necessity of forming a confederation before declaring independence.⁶

It has ever appeared to me that the natural course and order of things was this: for every colony to institute a government; for all the colonies to confederate, and define the limits of the continental Constitution; then to declare the colonies a sovereign state, or a number of confederated sovereign states . . . But I fear we cannot proceed systematically, and that we shall be obliged to declare ourselves independent States, before we confederate, and indeed before all the colonies have established their governments.⁷

As Adams feared, the course of events overtook best-laid schemes. Independence was declared before confederation could be achieved. Thus, it was never clear whose independence was declared. It was fairly obvious that “the states” constituted a whole for purposes of foreign relations, though even here, it should be noted that South Carolina in 1779 felt perfectly competent to offer to withdraw from the whole and make its own separate peace with the empire.⁸ But for purposes of internal administration, each state continued to act as an independent republic with little or no coordination either with each other or with Congress.

It was in the fighting of the war that the question “whose independence was declared?” is least satisfactorily answered. Congress continued to command the Continental Army. The states continued to command their own militias and state troops,

but no formal provision was ever made for allocating command priority *among* these formations.⁹ Did Continental officers automatically command all state forces on the field with them? Could a state colonel outrank a Continental colonel while in his own state, but not when out of state? Did any Continental officer automatically outrank any state officer of whatever grade? Though almost everyone had his own idea of how these things should go, there was never a definitive decision about this. The war was very much an *ad hoc* one, with command relationships decided separately for each military circumstance, often on the basis of personal agreements among Continental and state commanders. While occasionally this might not have mattered very much, the great majority of large-scale conflicts involved joint action of Continental forces and those of one or more states, thus enlarging the probability of command conflicts.¹⁰

The adoption of the Articles of Confederation in March of 1781 finally gave some structure to the entity called “The United States of America,” but even this was a very loose and vague structure. The Articles stated explicitly that “Each state retains its sovereignty, freedom and independence, and every power, jurisdiction and right, which is not by this Confederation expressly delegated to the United States, in Congress assembled.”¹¹ Continental command over state military forces was not one of those powers delegated, expressly or otherwise, by the states to Congress. And it should be noted that the Articles went into effect only some seven-and-one-half months before Cornwallis’s surrender at Yorktown brought an end to further major offensive operations in the war. Nearly the entire war was fought before there was any such legal entity as “The United States of America.” All of it happened in the absence of any clear line of authority uniting the military efforts of Congress and the sovereign states.

To be sure, plenty of people, especially in the Continental Army, recognized the danger and absurdity of this arrangement. But no alterations of it could get through Congress, itself the creature of the states, which would stand to lose any power shifted to a common agency. So the stand-off continued. Nationalists, sure that centralized military authority was the only path to victory and independence, seethed in frustration; while defenders of the continuing sovereignty of the states worried that centralization would threaten the very autonomy for which, in their view, the war was being fought.

It was in this ambiguous miasma that Thomas Sumter conducted his military career. In many ways, Sumter’s public life illustrates both this ambiguity and its continuation well into the nineteenth century. His first major command was given to him by the Colony of South Carolina in February of 1776, when he was named commandant of the Second Rifle Regiment (also called the Sixth South Carolina). He became a Continental officer while still commanding the same regiment when it (along with the other five formations of South Carolina’s regular army) was transferred in September of that year to Continental

service. As a Continental officer, he was in the thick of some of the most vigorous conflicts between state and Continental authority: the Georgia-Florida campaigns of 1777–1778.¹² In 1778, when his severely diminished regiment was brought back to Charleston and consolidated with Francis Marion's Second, Colonel Sumter resigned his commission and his connection with Continental authority and returned to his home.

There he might have stayed but for the actions of the invading Imperials in 1780. Burned out of house and home by the invaders, he recruited volunteers and rode to the outskirts of Charlotte, finding there others of similar mind and purpose. These forces, acting without any authority but their own (for the state's militia system had collapsed along with the rest of its government upon the Imperial takeover) elected Sumter their general, and pledged to follow him to "Liberty or Death."¹³

Without legal authorization for their existence, these all-volunteer forces fell into the category of bandits and other such criminals, outlaws who could expect only summary executions if captured. Seeking that authorization, Sumter went into North Carolina, where Governor John Rutledge was in exile, and received from him a commission as Commander of the South Carolina militia. Thus, it was purely under state authority that Sumter fought for the remainder of his military career. No Continental officer was in his chain of command. And because the militia, broken though it was at that point, was the only agency of Rebel authority inside the occupied state, Sumter's authority covered civilian as well as military jurisdictions.¹⁴

By this time, Congress had re-formed a Continental Army of the Southern Department to replace the one surrendered at the Fall of Charleston and had placed Horatio Gates in command of it. A Continental division constituted the core of this army, but the great majority of it was to be state forces from North Carolina, Virginia, and – hopefully – South Carolina. But simply saying that these states would supply troops did not make it so. Gates was forced to beg the governors of those states for troops as well as for the supplies to sustain them. He had no authority to directly command state forces himself, and he did not seek it. He sought cooperation where possible. Where that did not work, he asked the Governor of North Carolina to give Continental General William Smallwood a second commission as general in that state's militia. That gave Smallwood the necessary authority to command the militiamen who constituted the bulk of the forces with which he was assigned to defend Charlotte at the end of 1780.

Smallwood's case is only one example of Gates's efforts to command a composite force lacking a clear locus of authority. In seeking to defend North Carolina after the defeat at Camden, Gates divided his front into sectors and delegated nearly complete authority to the sector commanders. Smallwood commanded the center; North Carolina militia general Henry Harrington, the east. Sumter was allocated responsibility for the

western sector. The Gamecock's fabled lack of cooperation with Continental authority was nowhere to be seen here. Throughout Gates's tenure as Commander of the Southern Department, both before and after Camden, Sumter and Gates cooperated effectively and without serious disagreement. Sumter reported directly to Governor Rutledge, but he corresponded frequently with Gates and his staff.¹⁵ Sumter had no problem cooperating with Gates because Gates understood the limits of his command authority and respected the independent power of the sovereign states and their military establishments.¹⁶

The same cannot be said of Gates's successor, Nathanael Greene. Greene was an active Nationalist who assumed for the present what he hoped to secure later: that national authority always trumped state authority. Naturally, this meant that state military units came under his command whenever he wanted them to. As some of his letters to state governors show, he was not reluctant to assert his own authority over the civilian governments of those states whenever he thought necessary, even to the point of threatening to employ troops against them.¹⁷ While this attitude now seems unexceptional, it was not so at the time, and there were many who refused to acknowledge its legitimacy, including Thomas Sumter.

It is Sumter's relationship with Greene that has led to charges that Sumter was uncooperative and even insubordinate to higher authority. There is no question that Sumter sometimes refused to follow Greene's orders and often frustrated his plans. But this relationship must be seen in context. When Greene led his army into South Carolina in the spring of 1781, the Articles of Confederation had only just been proclaimed. The Constitution of 1787 had not yet been written. The relationship of states to Congress and the meaning of the phrase "The United States of America," were still matters of vigorous debate. Greene's ideas of what ought to be were not matched by the reality of what was.

But Greene was not one to worry about such things. Frequently citing "the Great Laws of Necessity" and insisting that unity of effort must prevail over all other considerations, he began sending orders to Sumter even before he re-entered the state. He expected Sumter to obey unquestioningly. The Gamecock's refusal to do so quickly convinced Greene that the former was an obstacle rather than an ally.

As commander of South Carolina's military – and for a time the highest-ranking authority, military or civilian, inside the state – Sumter was not disposed to surrender his state to such an assumed but unfounded authority as Greene's. Whatever he was fighting for, it did not include the disappearance of South Carolina as a "free and independent state." Unlike someone like Francis Marion, who held a commission from the Continental Congress, Sumter reported only to his state government. No Continental officer, Greene included, was in his chain of command. Only when that government, in the person of Governor John Rutledge, ordered him to "cooperate" with Greene

did Sumter do so, and even then he reserved the right to interpret Greene's orders his own way. Greene was no Gates, and Sumter did not understand "cooperate" to be synonymous with "subordinate." Whatever else may have motivated Sumter's behavior toward Greene, he stood on the firmer legal ground in insisting that the sovereignty of his state and its institutions be recognized.¹⁸

After the war, Sumter's battle for state sovereignty continued in other fields. An Anti-Federalist, he opposed the Constitution of 1787, which finally did more firmly define the relationship of states to the central government, shifting great power from the former to the latter. Defeated there, as on earlier battlefields, he shifted his position to fight for the same cause from within the new structure, winning election to the First Congress. As congressman, he insisted that the new legislature first take up proposed amendments to the Constitution rather than postponing them indefinitely in favor of attending to such things as the creation of an executive cabinet and a federal judiciary. Ratification of the Constitution, he argued, had been achieved only with the promise of the speedy addition of amendments dealing with reservations the states had expressed when they approved it. But when the Bill of Rights finally emerged from the committee to which it had been sent, Sumter took a resolute stand against it, claiming that it did not at all reflect the promises made. The committee draft ignored some crucial amendments advocated by state governments and ratifying conventions, which were aimed at protecting at least a vestige of state sovereignty.¹⁹ Instead, the draft was nearly all about protection of individual rights from Federal infringement, rights that the Constitution gave the Federal government no power to infringe upon in the first place. The lone sop to state sovereignty was what would become the Tenth Amendment, which opponents disdained for saying tautologically that undelegated powers were reserved.²⁰ Though an early advocate of amendments, Sumter spoke and voted against the Bill of Rights.

Having failed to protect state sovereignty through rejection of or amendment to the Constitution, Sumter turned to political action. An early and vigorous opponent of Alexander Hamilton's centralizing program, he helped institutionalize his approach as a member of Thomas Jefferson's Democratic-Republican Party, soon achieving a reputation as the most hard-line of states' rights advocates. Jefferson once noted that Sumter was a firmer Jeffersonian than Jefferson himself. John Randolph, as extreme an advocate of states rights as could be found in Congress, declared that "If I had to vote by proxy, and the welfare of the country depended on that single vote, I would make Thomas Sumter my proxy."²¹ Sumter continued in his states' rights position through his career in the House of Representatives and in the Senate, retiring from public life in 1810.

But his battle did not end there. Sumter remained a popular and influential figure in the state. For the most part, he resisted speaking out on the issues of the day,

but occasionally he contributed a comment or two in defense of state sovereignty. As the Tariff and Nullification issue grew, his perspective was sought, and he provided it in an October 1830 letter published in several newspapers in the state and nationally in *Niles's Weekly Register*. As could be expected, he lined up firmly on the side of the pro-nullification faction, deploring the excess power now exercised by the Federal government and insisting that, though a convention elected directly by voters might be useful, the legislature by itself possessed the authority to nullify a Federal law. His last few public writings show that the devotion to the cause of state sovereignty had not waned with his bodily vigor.²² Nor had the cause itself.

Just as Sumter was retiring from Congress, young John C. Calhoun was entering it. Calhoun would be instrumental in renewing, developing, and expanding the cause; in essence, picking up the banner of the Gamecock. In later years, it would be fashionable to attribute the roots of Calhoun's ideas to those of John Taylor of Caroline, John Randolph, Nathaniel Macon, and the team of Thomas Jefferson and James Madison. But in fact, the lineage goes back much farther than that. As Thomas Sumter's career demonstrates, the Lincolnian narrative of a united American People fighting for their "new nation" under George Washington's leadership was never an accurate description of a far messier reality. That narrative was itself a *post facto* description by those nationalists who saw their cause victorious with the Constitution of 1787, entrenched with the Hamiltonian program, and hallowed by the romantic rhetoric of men like Daniel Webster and Abraham Lincoln. This narrative misses the *ad hoc* nature of colonial protest and of the Revolutionary War. It also misses the ambiguous and continuing character of the relationship of "free and independent states" to the Continental Congress and subsequent central authority. In fact, the cause of state sovereignty preceded independence, preceded confederation, endured through the Constitution, survived the "great civil war" and Reconstruction, and continues to inform our present politics. Rather than a recurring aberration, it has been a persistent parallel throughout the long evolution of American nationhood. Lincoln's baby was not "brought forth" by "Founding Fathers" at a "Founding moment" in 1776, nor even in 1787. It evolved out of an anti-government protest. And it was twins!

This perspective naturally raises some questions for further study. For one, it challenges the underlying idea that nationalist ideology underlay the revolutionary movement. Is that challenge misplaced? For another, it suggests that the "Persistent Localism," which T.H. Breen found in early colonial New England, was spread far more broadly than that region. Was it? This possibility leads naturally to another: does this essay's use of a southern perspective and southern sources exaggerate the power of localism and diminish that of nationalism, which may have been far stronger in

northern colonies? Further, and more specifically, are there other and better ways to interpret the career of Thomas Sumter, whose personality may have played a greater role in his behavior – particularly his wartime behavior – than any other cause? Finally, for the moment, might it be that Mao, John Shy, and numerous other military historians are right and that the experience of fighting a “people’s war” forged a unity and a “new nation” that overcame localism, only to split again in controversies over the Hamiltonian program? If the latter, then Lincoln may not have been so far wrong after all.

The water’s fine. The author invites other interested scholars to jump in!

NOTES

1. Because so many Americans supported the Crown in this struggle and saw themselves as doing so for patriotic reasons, the terms “British/American,” “Patriot/Loyalist,” and even “Whig/Tory” seem inadequate and rather confusing as labels for the two sides in what had turned out to be a war. Herein, those who wished to preserve the British Empire are referred to as “Imperials”; while those who sought first autonomy within that empire and then independence through secession from it are denoted “Rebels.” Where specific labels are warranted, as in the use of “British” for the actions of Parliament or the ministry, or of “Continental” to refer specifically to those of Congress, they are so used.
2. “Journals of the Continental Congress - The Articles of Association, 20 October 1774,” [http://avalon.law.yale.edu/18th century/contcong 10-20-74.asp](http://avalon.law.yale.edu/18th%20century/contcong%2010-20-74.asp) (accessed 31 January 2012).
3. *Journals of the Continental Congress, 1775, passim*. There are several online resources for the Journals, including the Library of Congress (<http://memory.loc.gov/ammem/amlaw/lwjc/link.html>) and selected volumes on Google Books (http://books.google.com/books/about/Journals_of_the_Continental_Congress.html?id=3vEMAAAAIAAJ, and on other links). The most accessible is probably the 1904 edition of *Journals of the Continental Congress, 1774-1789* (Washington: Government Printing Office, 1904) at Openlibrary.org, http://openlibrary.org/books/OL13503260M/Journals_of_the_Continental_Congress_1774-1789 (all accessed 1 February 2012).
4. *Journals of the Continental Congress*, Volume IV (Washington, Government Printing Office, 1906), (<http://memory.loc.gov/II/IJc/004/0300/03420342.tif> (accessed 31 January 2012).
5. “Journals of the Continental Congress - Resolution of Richard Henry Lee; 7 June 1776,” [http://avalon.law.yale.edu/18th century/contcong 06-07-76.asp](http://avalon.law.yale.edu/18th%20century/contcong%2006-07-76.asp) (accessed 31 January 2012).
6. Robert Middlekauff, *The Glorious Cause: The American Revolution, 1763–1789* (New York: Oxford University Press, 2005), 327.
7. Letter, John Adams to Patrick Henry, 3 June 1776. In Edmund C. Burnett, ed., *Letters of Members of the Continental Congress* (Washington: Carnegie Institute, 1921), 1:417, <http://www.archive.org/stream/lettersofmembers01burnuoft#page/n5/mode/2up> (accessed 31 January 2012).
8. It is not the purpose of this paper to go into a detailed investigation of this issue. A good treatment, with reference to several contrasting primary and early secondary sources, may be found in Edward McCrady, *History of South Carolina in the Revolution, 1775–1780* (New York: Macmillan, 1901), 352–75.
9. This term is used here to mean those military forces raised by a state and commanded by officers appointed by state authority, but not operating within the normal militia system. There were many different versions

of these forces, and no attempt can be made to classify all of them here, but examples might include “select militia” formations, such state “regular” forces as the 1st through 6th South Carolina regiments of 1775–1776, and Thomas Sumter’s “state troops” of 1780–82.

10. See David K. Wilson, *The Southern Strategy: Britain’s Conquest of South Carolina and Georgia, 1775–1780* (Columbia: University of South Carolina Press, 2005), 66–67.

11. *Articles of Confederation*, Article II.

12. For details on this conflict, see Martha C. Searcy, *The Georgia-Florida Contest in the American Revolution, 1776–1778* (Tuscaloosa: University of Alabama Press, 2003), *passim*.

13. This story is told in more detail in several places, including Walter Edgar, *Partisans and Redcoats: The Southern Conflict that Turned the Tide of the American Revolution* (Columbia: University of South Carolina Press, 2003); Robert D. Bass, *Gamecock: The Life and Campaigns of General Thomas Sumter* (New York: Holt, Rinehart and Winston, 1961); Anne King Gregorie, *Thomas Sumter* (Columbia: The R.L. Bryan Company, 1931); and McCrady, *History*.

14. It should be noted that even if Rutledge had, on his own initiative, wanted to place Sumter, and thus the entire South Carolina militia, under Continental control, he lacked the power to do so. Though vested in exile with *almost* all the powers the state legislature would normally exercise, that body had specifically forbidden him to place state forces “under Continental discipline.” For more on this point, see this author’s “In Defense of General Thomas Sumter,” *Southern Campaigns of the American Revolution*, 5 no. 2 (2008): 31–34, <http://www.southerncampaign.org/newsletter/v5n2.pdf> (accessed 31 January 2012, and hereafter cited “In Defense of General Thomas Sumter”), and in the paper of similar name presented to the South Carolina Historical Society at its 2008 annual meeting.

15. See the relevant correspondence in The Horatio Gates Papers, 1726–1828. Microfilm Edition (Sanford, NC: Microfilming Corporation of America, 1978), especially Reels 11–12.

16. Though rooted in necessity, Gates’s policy toward state forces was rooted in his own attitudes and preferences. For more on this and related points, see this author’s “Horatio Gates: Department Commander, August–December, 1780” presented to the South Carolina Historical Association Annual Meeting at the University of South Carolina Upstate on 7 March 2009.

17. This point is developed further in Mark A. Clodfelter, “Between Virtue and Necessity: Nathanael Greene and The Conduct of Civil-Military Relations in the South, 1780–1782,” *Military Affairs* 52, no. 4 (October 1988): 169–75.

18. For more detail and discussion on this matter, see the author’s “In Defense of General Thomas Sumter.”

19. A common theme to which Sumter specifically referred was the absence of a proposed amendment barring the Federal government from collecting direct taxes and reserving the power of direct taxation to state governments. This was, of course, the constitutional issue that had set off the colonial resistance movement in the first place.

20. Sumter at this point apparently was not using the later argument that the powers of the Federal government had been delegated to it by the states, rather than through the Constitution itself by “We the People of the United States.”

21. See Bass, *Gamecock*, Chapter 18.

22. Bass, *Gamecock*, Chapter 19, and Gregorie, *Thomas Sumter*, Chapter 11.

“On the Bridge Near Harpers Ferry at Midnight”: The Journal of the Rev. Josiah P. Smeltzer

Karl Rohr

On 30 August 1900 the *Lutheran Visitor* featured a front-page story about one of the former residents of Newberry, South Carolina. An unidentified person had apparently shown the editors the journal of the Rev. Dr. Josiah P. Smeltzer, who had been president of Newberry College from 1861 to 1877. The editors included excerpts from the journal that emphasized what they considered Smeltzer’s “heroic sacrifices” during the Civil War, and they urged readers to use Smeltzer’s hardships as inspiration for their own lives.¹ On 16 September the editors of the *Newberry Observer* ran a story about the journal, “A Voice from the Past,” again spotlighting specific incidents of Smeltzer’s relentless labor:

It is well known to many citizens of our city who were residents here in those days that Dr. Smeltzer performed a work of self-denial as the head of the college and pastor of the Lutheran congregation, both of which then had a struggling existence. No part of Smeltzer’s journal has ever before been published.²

The journal caused a brief stir in that late summer of 1900, no doubt resurrecting hazy memories of the pious, bearded, bespectacled, scholarly, and intensely driven man who arrived in Newberry in the spring of 1861. But just as quickly as the journal surfaced, it retreated again into obscurity, this time for more than a century. It appeared again in 2007, when a relative of Smeltzer located the journal among family possessions and thought it appropriate that the journal return to the college that Smeltzer carried through Civil War and Reconstruction. The well-traveled journal returned to the same college that included Smeltzer’s most significant achievements and the years of his greatest inner confusion.

Smeltzer, a Maryland native who pastored several Lutheran congregations in Virginia for eleven years before shouldering the stressful burden of keeping Newberry College alive from 1861 to 1877, left a multifaceted written record of a life of educational and spiritual service. Few have ever known of the journal’s existence, and those who saw it probably found it curiously constructed. Readers today can become exasperated at Smeltzer’s long gaps between entries, and his descriptions of the extraordinary events he saw are agonizingly brief. “I have not given the particulars as these will be recorded in history, only my impression at the time,” Smeltzer wrote of John Brown’s raid on Harpers Ferry, an event that would have a profound influence on his congregations and his own future.³ Indeed, his impressions of history seem secondary to the introspective

moments he recorded as he tried to make sense of a God that constantly challenged him and a world that became ever more baffling.

Scholars can approach the journal from several angles. Surely it is an important contribution to an understanding of southern Lutheranism. Smeltzer was a member of the tight circle of influential South Carolina Lutheran pastors, which included the founder of Newberry College, the formidable John Bachman of Charleston.⁴ While Smeltzer did not reach the intellectual heights and scholarly renown of Bachman, who was a gifted naturalist, scientist, and theologian, he shared a formative role with Bachman in the establishment of the Southern Lutheran General Synod and leadership of a southern Lutheran seminary. The journal is also valuable for its intimate look at a pastoral life. Smeltzer's massive and meticulous pastoral records provide a rare chronicle of daily scriptural texts, baptismal records, weddings, and funerals of a Lutheran pastor in the south in the antebellum Civil War and Reconstruction eras.

But anyone who reads the journal closely will notice a shift in Smeltzer's goals after John Brown's raid. The upheaval he witnessed affected his future path, and he became ever more immersed in his role as an educator. An exacting man in spiritual and educational matters, he pushed himself and his students to succeed academically, despite serving communities and parishioners who taxed his faith in the progress of mankind. Smeltzer also worked to offer women more opportunities in education, and he eventually left his post at Newberry College to pursue his dream of opening an academy for women in upstate South Carolina. His educational work was always against a backdrop of personal loss and self-doubt, and perhaps the most important contribution of the journal is our opportunity to probe the fears, concerns, relentless work, and spiritual life of a clergyman and educator in the south during a time of upheaval. His private conflicts and frustrations allow us to see the toll taken by war, and as we see his spiritual optimism fade, we watch his drive to educate young people surge.

Smeltzer preceded his actual journal with an autobiography that takes the reader from his childhood through his formal education, up to a tragedy that would become the demarcation point of his life. He was born in Frederick County, Maryland, in 1819 to parents who struggled to make a living from farming and a small grocery business. His father was a Lutheran who eventually drifted away from any religious identity or practice. When Smeltzer turned eighteen, his father died, and the young man began exploring a life of service to the church.⁵

The long path of education and ordination seemed impossible with no money, and Smeltzer half-heartedly tried to learn the milling trade but soon gave up. A blacksmith tried to teach Smeltzer his craft but found his hapless young charge a waste of time. Smeltzer finally resolved somehow to go to college. His education at Pennsylvania College and Gettysburg Seminary was often interrupted as he left to earn money through teaching, but he vowed to never retreat from a path that combined scholarship and devout faith:

“When studying Theology I was deeply impressed with the solemn truth that man, to accomplish much in the ministry, must be an educated man.”⁶

Smeltzer received his license to preach on 17 October 1848, and he married Harriet Angel Buffington five days later. Smeltzer took charge of three congregations in the Harpers Ferry, Virginia, area, and it seemed that his decade of preparation had finally brought him stability. But a pattern had already developed that would haunt Smeltzer for the rest of his life. His first son died in 1849 after living only seven hours. His only brother, Isaac, died of pneumonia and typhoid fever in 1850. Harriet gave birth to another son, Samuel Schmucker, whom Smeltzer named after a prominent Lutheran abolitionist. The couple's joy was short-lived. His wife died days after the birth of Samuel. Smeltzer was devastated. He wrote only a few remaining words in his autobiography: “I came home from the funeral deeply distressed. I never experienced anything that so nearly crushed me as this affliction.” Smeltzer hired a nursemaid to care for Samuel while he retreated to the care of his mother.⁷

Smeltzer ended his autobiography with the death of his wife, symbolically ending one life and beginning another. His journal represented his new life, and it began with a sense of rebirth:

This diary I have commenced as a journal or history of my life & trust I may consider it a conscientious duty here to record what the Lord has done for me, my own faults & foibles. My ministerial acts, providences, the time of their occurrences & etc.⁸

Smeltzer's journal entries from 1851 to 1859 are full of colorful details from his pastoral life, and his rigid Lutheranism is evident – from his criticism of mourner's benches to his dismissal of emotional revivalists as “poor dumb brutes.”⁹ He zealously pursued his role as itinerant pastor, serving congregations that included Harper's Ferry; Shepherdstown, Virginia; and Weverton, Maryland. Typical of Smeltzer's optimism during the financial frustrations that dogged him all of his life is this entry regarding his charge at Shepherdstown:

The vestry did not promise any amount of money for my support but to do all they could. I have always lived and yet I have never yet asked of the vestry to offer a certain sum. I can hardly say whether I am right or no.¹⁰

Smeltzer's optimism, however, was always clouded. He had married Anna Elizabeth Eichelberger a year after Harriet's death, but the couple lost one infant son in 1854 and three-year-old Martin Luther in 1855. As he would often do in times of loss, he turned his feelings into poetry, which he included in journal entries. One entry memorialized the death of his son, Martin:

Is Little Martie dead? Ah yes!
We saw him gently sink to rest
Weak grew his pulse and dim his eye

We knew that Martie now must die.
But is he dead?
Oh no, twas said
By the Savior, who pres'd them to his breast
'All must be like them, who enter my rest.'¹¹

Smeltzer had lost his third son, but he found solace among the people he served, and many of his journal's most memorable entries record events in Harpers Ferry and the surrounding area. His records of this period show his own sense of beauty, with references to weddings performed "on the bridge near Harpers Ferry at midnight," and other outdoor ceremonies.¹² His descriptions of drunken weddings, dubious fidelities, and domestic conflicts hint at the often rough-hewn character of the laborers of Harpers Ferry. Typical of Smeltzer's playfulness is the entry he wrote for a wedding performed on a March evening at the United States Hotel:

Groom and attendant smelt of liquor.
Oh My! Oh My! Oh My!
Oh My!
Enough to make the Parson sigh!
To see a man of forty take
Without a fear or e'en a shake
And put his neck within the yoke
As if 'twas fun – as if a joke
Oh My! Oh My! Oh My!¹³

In 1859 Smeltzer seemed to have reached a sense of resignation and calmness despite both the growing sectionalism that would soon consume him and further personal loss, when his only sister died of tuberculosis on 12 June. Smeltzer had also found yet another duty to bear, and this one ignited a spark that would soon guide him into another career. He had become a schoolteacher in the previous year, diminishing his weekly pastoral duties while opening new possibilities elsewhere: "I have often wished to be employed in this occupation but how long I will continue time alone will show." Smeltzer's answer would soon come. Another son was born on 5 October. His entry on the same day carries an ominous foreshadowing: "Hereafter I will leave such things to the guidance and direction of Him who orders all things well. All things seem to be right."¹⁴

Less than two weeks later, on 16 October, John Brown and his followers raided the arsenal at Harpers Ferry. Smeltzer obviously wrote his account of the raid days or weeks after the event. He was in Shepherdstown when the raid began, and he likely first heard of it when the call went to Shepherdstown to send local militia to Harpers Ferry.¹⁵ Like most

Americans trying to make sense of the event, his journal entry included factual errors, and his brief description is similar to the southern rhetoric that followed after the initial shock:

This was one of the most outrageous and high-handed enterprises ever entered the hand of man. One man to gather around him a few followers and invoke a State to destroy one of its institutions is unparalleled in the history of our country. My own impressions are Brown was sincere though in error. He thought he was doing good service no doubt and as a second Moses he came for the salvation of the slave. The Potomac did not open for their deliverance but received some of their own party. All were captured or escaped and it seems to me if God had been with him they would not have been met with such an overthrow.¹⁶

The events in late 1859 disturbed Smeltzer so deeply that he could not clearly explain the reasons that persuaded him to leave Harpers Ferry:

During these times I often sought the mind of the Spirit by prayer. I seem to cling to my old charge but something was driving me away. Everything seemed to tend toward my leaving.¹⁷ Once again, he embarked on a fateful journey, but this time he left with a heightened awareness of his ability as an educator. His school had closed in March 1860, but he noted, "It was hard to part from these little ones. They became dear to me. I knew they loved me. I had evidence then and since . . . I am fond of teaching and next to the ministry, I would sooner teach than do anything else."¹⁸

Smeltzer reluctantly took over congregations in Salem, Virginia, in 1860, but they never provided him with a parsonage or reliable pay. After one year he had enough of disinterested parishioners and lack of support:

No previous year was as fruitless as the year I spent at Salem. As my records will show (Baptism & etc.) I was certainly where my Master did not want me to be unless as a preparatory step to where I now am. This is the only light in which I can see the design of Providence in sending me to Salem.¹⁹

Smeltzer's name and reputation went beyond Virginia, probably through his work during a crucial crossroads for Lutherans in America. The abolitionist Samuel Schmucker and Gettysburg Seminary played a prominent role in a movement called "American Lutheranism."²⁰ Reclaiming the belief in pietism, which claimed that experience and holiness could overcome creeds and doctrines, proponents of American Lutheranism doctrinally clashed with Lutherans calling for stricter observance of the Augsburg Confession.

Smeltzer became involved in the controversy, and his work in favor of recognizing a break-away Maryland group committed to American Lutheranism no doubt spread his name among the General Synod.²¹

In January 1861 Smeltzer received letters from the board of directors of Newberry College, in Newberry, South Carolina, explaining its interest in hiring him as a theology professor and college president. The college had been without steady leadership since it opened in 1858. The last president had been dismissed because of his family ties to the North.²² Smeltzer received a letter from the college that explained how he fit into the college's plans: "We do not wish to go north of Virginia or Maryland as we are a strong southern people and were we to get a man opposed to our peculiar position his situation would be rather uncomfortable at Newberry"; the implication was clear: if Smeltzer wanted to keep his job, he would not interfere with slavery.²³ Although Smeltzer had named a son after the abolitionist Samuel Schmucker, he defended slavery in his journal. The Civil War, he wrote, began as a "religious crusade against the institution of slavery," and although he frequently referred to "this wicked war," he made it clear that he remained committed to the southern cause. Bachman and Smeltzer represented a growing solidarity around a distinctly southern synod, a movement in which Bachman called himself "a pioneer in our holy cause."²⁴ Bachman was elected as the first president of the General Synod of the Confederate States of America, and Smeltzer served as a fellow officer. He obviously satisfied the concerns Newberry College had about his Maryland and northern Virginia roots.²⁵

Perhaps because of his experience in Virginia, Smeltzer did not readily accept the Newberry offer. He had much to draw him to South Carolina. He would have the opportunity to work more closely with the powerful Bachman, the founder of the college, and the state had a large Lutheran population and the South's only Lutheran seminary. Smeltzer immediately recognized his challenge at Newberry. One week after his arrival in South Carolina in April 1861, the firing on Fort Sumter began. Weeks later, concerned about the gathering armies in Virginia, he could wait no longer to bring his wife and five children to South Carolina. He returned to Harpers Ferry for his family and was immediately shocked: "Passing through the ferry I saw the change the war had made. Oh how sad! Our church, planted with so much care, now polluted and destroyed. It made me sick."²⁶ Smeltzer saw few people he recognized in his former hometown, and returning to Newberry with sadness, he arrived to find a "swine pox" that required a temporary closing of the college. He took his educational mission to the pulpit, preaching his first "political sermon" and "recruiting speech" as part of "Thanksgiving" after the battle at Bull Run: "What a thrill of joy that victory sent through the South. My principal idea was that the Lord hath gotten us that victory."²⁷

Smeltzer's elation was short-lived. The war rapidly depleted all of the college's resources at a time when it had not yet found firm footing. The student enrollment in the Department

of Theology and the Collegiate Department had remained small, but the Primary, Preparatory, and Classical Departments increased the enrollment to more than a hundred. Shortly after Smeltzer's arrival, the war quickly began diminishing the student body. By 1864 the entire enrollment had shrunk to thirty, including only four in the Collegiate Department. The department closed that same year. Smeltzer had miraculously managed to raise \$46,000 in endowment, only to see the board of trustees use it to buy Confederate bonds.²⁸

Smeltzer once again labored against a backdrop of personal loss. His four-year-old son Morris died in July 1862 of typhoid fever, and after Smeltzer collapsed with grief at the first sight of his child's empty chair at the dinner table, he again turned to his journal. His son's death fills several lengthy entries, and once again he composed a poem to memorialize one of his dead children. "My Angel Boy" described a sense of precious time passing and questioning about the afterlife and a place where death could no longer enter. But Smeltzer had little time to grieve.²⁹

The college had suspended Smeltzer's salary late in the war, and by the time Federal troops occupied the college in November 1865, Smeltzer was destitute. He found himself in the same situation he had encountered as a teenager – forced to seek a trade. This time he had no room for failure. Smeltzer somehow learned how to be a baker and vividly described the challenge:

It was indeed trying to rise at 4 and make up my bread and fix it for the oven and then at 9 enter the school room and teach till 12 and then at 2 continue teaching till 5 and then after to study and write and make sermon till 11.

Although the stress mounted, Smeltzer managed to support his family through his new enterprise.³⁰

Smeltzer juggled his teaching duties with baking bread for the soldiers, and he wrote of the "wicked set of men" who vandalized the college and disrupted his classes.³¹ When the soldiers left after two months, he continued his baking enterprise for the residents of Newberry. The federal occupation marked another turning point in Smeltzer's life. A year would pass before he would make another journal entry, but before he put the journal away he recorded his thoughts on the end of the war:

From present appearances we are a conquered people. What will be the ultimate end no one can now divine. It now looks as if the slaves would all be free and after that destroyed. This has been a mysterious Providence to me. I was always hopeful for the confederacy. My views of history and my observations during the war led me to believe we would gain our liberty. But from present appearances we will not. It may have been the design of the Almighty to put an end to slavery. If so, His will be done. I know that will is right although I cannot see how or why.³²

Smeltzer's journal provides scant details on how he adjusted to the immediate aftermath of the war. It continues in 1868 with a Synod decision to move Newberry College to the Blue Ridge foothills of Walhalla, South Carolina, a community with a population of Germans who had recently immigrated through the efforts of the German Colonization Society in Charleston.³³ After a single entry that simply mentioned the move to Walhalla and his trade as a baker, Smeltzer's journal did not resume until four years later. His entries throughout Newberry's Walhalla period to 1877 are brief and scattered. He made only one entry the entire year of 1873, and it gave the first hint of his separation from Newberry College:

The same duties as the year before. Nothing new in my church. Few have united to it. I know not the reason. I have not time to attend to pastoral duties. I ought not to have a Congregation or not ought to teach. I would sooner have a charge than the presidency of Newberry College.³⁴

Smeltzer's life took another tragic turn in 1876. His sixteen-year-old son, Charles, died an agonizing death of liver cancer, apparently shaking the entire community: "The large church was crowded at his funeral and all the stores were closed."³⁵ While Smeltzer mourned, the Synod began plans to move Newberry College back to the town of Newberry. Although Walhalla had brought frustration and pain, Smeltzer decided to stay: "If all the members of Synod would have supported it here, it would have prospered better than at Newberry. This ends my connection with the college."³⁶

Smeltzer never again wrote of his decision to leave Newberry College. Subsequent journal entries clearly show a sense of relief and mention his travels through beautiful mountain scenery and new contacts made in other states. He also seemed to preach frequently for non-Lutheran congregations. Inevitably, he looked back to Harpers Ferry and contemplated a return. But Walhalla held one more possibility. In July 1877 he revealed in his journal a dream he could not ignore: "I do not know yet what I shall do. I am urged to take up a Female School here and establish a College of a high grade for females. This I may do."³⁷

The dream gathered momentum, and Smeltzer set out to acquire property:

I have now determined to leave no stone unturned in the work now before me. God helping me I will build here in this mountain town a female college, which will be a means of doing great good and aid greatly in building the Kingdom of Jesus.

The dream became reality. By the end of 1877, the Walhalla Female College had seventy students. The enrollment grew to one hundred eleven by fall 1879. The college graduated its first class the next year.³⁸ By fall of 1880, he had fifteen boarders and ninety-three in the school. He built additional rooms for boarders with his own money.

News of his success traveled to other regions, and the offer of the presidency of the Staunton Female Seminary in Virginia briefly caught his attention. The first graduation ceremony at his Walhalla school apparently turned his attention away from moving back to Virginia. Smeltzer noted, "The influence was for good. The girls acted nobly. The essays were creditable . . . The singing was well spoken of, especially the farewell song of the graduating class."³⁹ The administration of the school became a family affair. His wife played a crucial role as school matron and was later remembered as very close to the students. Two of Smeltzer's daughters served as teachers.

Smeltzer never elaborated on why he was so driven to provide education for female students, other than a telling journal entry in 1880: "I would sooner teach girls than boys. The anxiety about their welfare is not so great. They are easier to govern. I live especially when the class desires to learn."⁴⁰ However, he linked female education with a higher calling: "I feel that I am doing a good work here, perhaps more for the elevation of the human race than in any period of my life."⁴¹ Despite his optimism over the school's early success, he found that the local demands of family farms and accepted traditional paths of female education hindered the school's progress. After the 1884 fall harvest season, he wrote:

This session has not proved so far to be as profitable as the last. Thus far I have only 61 pupils. What will the numbers be at the close of session I cannot tell. I feel assured it will not number as many as the last. Most of the day pupils have gone as far as the girls in their part of the world generally go and have stopped going to school and owing to short crops I have not as many boarders.⁴²

Death once again visited his family in 1885:

This has been the saddest winter I have ever experienced. My school has not been as full as heretofore. Collection for lessons and board has not been as prompt as before. Fewer boarders than usual. These things have depressed my spirits, I sometimes fear that my school will go down. But the great trouble was the sickness of my wife.⁴³

Anna's prolonged illness left her an invalid and unable to continue administration of the school. Her death in 1885 created the last turning point in Smeltzer's life. Anna had been very popular with students, and enrollment plummeted after her death. Just as the death of his first wife ignited the urge to begin his journal, the death of his second wife ended his life as an educator:

I had the college from Sep. 1877 to Feb. 1886 and it was a prosperous school until the sickness and death of my wife. What I will

do and where I will go is in the future. I hope the Master has yet a work for me to do.⁴⁴

Upon the closing of the academy, an admirer of Smeltzer wrote in a newspaper:

In the graduates he has turned out from Newberry College and since its removal, from the female college, he has elevated the standards of education in our county, awakened a deeper interest in parents in the education of their children and sent forth numbers of teachers whose influence for good is felt in the church, in families and in every social and industrial interest. . . There are few men in South Carolina who deserve more credit than Dr. Smeltzer and there are none in this section more highly esteemed or whose loss in the cause of education will be more deeply felt.⁴⁵

Smeltzer's last journal entry was on 27 June 1887. Wracked with asthma and bronchitis and unable to walk, he resorted to morphine treatments and remained in the care of his family members in Charleston. From his bed, he reflected on the reality that he would never preach or teach again: "I had a severe struggle to give up my field of labor, but if I was prevented by sickness from preaching, which was a terrible thought to me, I would be better off with my children in Charleston."⁴⁶ He died on 31 October at sixty-eight years old. Honoring Smeltzer's request, his body was taken back to Walhalla for burial. His eulogizers appropriately remembered him in realistic and practical terms: "Dr. Smeltzer was a very forcible preacher. He was possessed of profound powers of analysis, and preached with great effectiveness." The same obituary also praised Smeltzer as "one of the oldest as well as one of the ablest and most impressive preachers of his age."⁴⁷

Smeltzer's journal, a story of a man's pastoral and educational service during one of America's most tumultuous and divisive periods, ultimately stands as an introspective record of a spiritual journey that one feels was never completed to its author's satisfaction. An educator and religious servant of others, he never came to comfortable terms with his own purpose and destiny. Smeltzer's Reconstruction experience was a search to reconstruct his own soul, and his sense of unfulfilled duty finally reached a resolution with the brief success of his women's college. He left out many details of extraordinary events, but through allowing us to enter his own mind, Smeltzer left a very valuable record no less moving, thought-provoking, and essential to our understanding of southern religion, education, and intensely private wars during an intensely troubled time.

NOTES

1. John W. Horine, "The Seminary During the Civil War," *The Lutheran Observer*, 30 August 1900.
2. "A Voice from the Past," *The Newberry Observer*, 6 September 1900.

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3. J.P. Smeltzer, *The Journal of Josiah Pearce Smeltzer*, Newberry College Archive, 243.
 4. Pennsylvanian John Bachman, a very influential Lutheran scholar and minister, also achieved considerable acclaim in the antebellum era through his essays on race and his collaborations with naturalist John James Audubon. Bachman led the St. John's Lutheran Church in Charleston and became a leading advocate of Lutheran missions among slaves. See Lester D. Stephens, *Science, Race, and Religion in the American South* (Chapel Hill: University of North Carolina Press, 2000). For a fine account of the relationship between the families of Audubon and Bachman, see Richard Rhodes, *John James Audubon: The Making of an American* (New York: Alfred A. Knopf, 2004).
 5. Smeltzer, 200–201.
 6. *Ibid.*, 202.
 7. *Ibid.*, 204.
 8. *Ibid.*, 205.
 9. *Ibid.*, 212.
 10. *Ibid.*, 220.
 11. *Ibid.*, 233.
 12. Smeltzer, Marriage of Mr. A.C. Fishback to Miss Sarah Hetewole, 23 June 1854, Marriage section, 52.
 13. Smeltzer, Marriage of Nicholas Schoppert to Phebe Ann O'Dell, 5 March 1857, Marriage section, 54.
 14. Smeltzer, 243.
 15. Harpers Ferry Historical Association, *John Brown's Raid* (Virginia Beach: Donning Company Publishers, 2009), 42.
 16. Smeltzer, 243.
 17. *Ibid.*, 244.
 18. *Ibid.*
 19. *Ibid.*, 246–47.
 20. Schmucker wrote a lengthy account of American Lutheranism in Samuel Schmucker, *The American Lutheran Church, Historically, Doctrinally, and Practically Delineated* (Springfield: D. Harbaugh, 1851).
 21. Smeltzer, 242. Only one Lutheran synod, the Franckean of upstate New York, remained wholly committed to Schmucker's abolitionism. A slaveholder, according to the Franckean, could not be a true disciple of Christ. Although Schmucker and the Franckean shared theological and abolitionist views, and Schmucker supported the Franckean's efforts to join the General Synod, the two never united. For an excellent account of Schmucker and abolition, see Paul P. Kuenning, *The Rise and Fall of American Lutheran Pietism* (Macon, GA: Mercer University Press, 1988).
 22. James A. Brown of Pennsylvania was dismissed because of his northern ties. In 1864 Brown took over the presidency of Gettysburg Seminary after Schmucker resigned. Brown's presidency was so divisive that the Pennsylvania Ministerium opened another seminary in Philadelphia. See Gritsch, 191–92. For a biography of Brown's predecessor at Newberry College, Rev. Theophilus Stork, see John G. Morris, *The Stork Family in the Lutheran Church: Biographical Sketches* (Philadelphia: Lutheran Publication Society, 1886).
 23. T.S. Boinset to J.P. Smeltzer, 21 Jan. 1861, Loose Papers, *Journal of Rev. J.P. Smeltzer*, 33 (hereafter Loose Papers). The Loose Papers accompany the original copy of the journal. The family that donated the journal also turned over a set of papers consisting of letters and other materials that were included in the bound volume of the journal.

24. Ficken, *A Sketch of the Life and Labors of John Bachman* (Charleston: The Brotherhood of St. John's Lutheran Church, 1924) 5. Rare Pamphlet Collection, Georgia Historical Society, Savannah, GA.
25. Smeltzer, 249.
26. *Ibid.*, 248.
27. *Ibid.*
28. The History of Synod Committee, *A History of the Lutheran Church in South Carolina* (Columbia, SC: South Carolina Synod of the Lutheran Church in America, 1971), 296–97, 328.
29. Smeltzer, 250–51.
30. *Ibid.*, 255.
31. *Ibid.*, 254.
32. *Ibid.*
33. For a fascinating history of the German Colonization Society, see the collected letters in *German Colony Protocol: Minutes of the German Colonization Society*, Walhalla, SC, 1960, Main Collection, Georgia Historical Society, Savannah, Ga.
34. Smeltzer, 256.
35. *Ibid.*, 256–57.
36. *Ibid.*, 258.
37. *Ibid.*, 259. Smeltzer engaged in discussions about a women's college with his Synod colleagues in Virginia as early as the 1850s. See *Minutes of the 29th Convention of the Evangelical Lutheran Synod of Virginia*, Virginia Synod Minutes, 1851–1870, James Crumley Archive, Lutheran Theological Southern Seminary, Columbia, SC.
38. Smeltzer, 260–61.
39. *Ibid.*, 267.
40. *Ibid.*, 268.
41. *Ibid.*, 271.
42. *Ibid.*, 272.
43. *Ibid.*, 273.
44. *Ibid.*, 279.
45. *Ibid.*, 280.
46. *Ibid.*, 284.
47. "Obituary of Rev. J.P. Smeltzer," no date, Loose Papers.

Sowing Seeds of Democracy in post-World War II Germany: Denazifying and Reeducating the Law School Faculty of Munich University

Stefan Wiecki

Following World War II, the faculty of the law school experienced the most thorough purge of any department of Munich University at the hands of American denazification authorities in the Office of Military Government (hereafter OMGUS).¹ Every professor with Nazi involvement was dismissed. According to historian Ursula Huber, only 9 percent of the law faculty's active full professors (one out of eleven)² "survived" the three consecutive purges of their institution between May 1945 and November 1946.³ This wholesale dismissal proved the sincerity of the American intention to cleanse completely and rebuild German higher education. As many historians have pointed out, however, most of the firings turned out to be temporary. Soon after the process of denazification was turned over to German authorities in March 1946, the first dismissed scholars were allowed to return. By the end of 1948, most of the rest had reclaimed their former positions. This begs the question whether the American attempt to democratize German higher education failed because it allowed former Nazi scholars to return and seemingly reestablish the *status quo ante* May 1945.⁴ This study will show that the return of most dismissed law professors did not mean that denazification had failed. On the contrary, both the thorough initial purge of the law faculty and the broad rehabilitation of its dismissed scholars shortly thereafter strengthened democratic values among the new and returned faculty members while keeping active Nazis permanently out of this part of German academia. The following case study can also enrich our general understanding concerning denazification of German universities in the American zone of occupation.

After the three aforementioned purges in 1945 and 1946, the law school replenished its ranks with new hires and former Munich professors whom the Nazis themselves had previously dismissed for political or "racial" reasons. In September 1946, for example, the Jewish scholar and former Munich law professor Hans Nawiasky returned from his exile in Switzerland as a guest lecturer.⁵ Another former professor of Munich University who came back in 1948 was Heinrich Mitteis, the historian of German law whom the Nazis had banished to Vienna University in 1935.⁶ In addition, the law school hired professors who had not been part of the Munich faculty before, but who were specifically chosen in order to "rectify the injustice they had suffered"

at the hands of the Nazis at other German universities.⁷ To this latter group of newly hired scholars belonged the three professors Willibalt Apelt, Erich Kaufmann, and Leo Rosenberg.

With all the incriminated professors temporarily removed from the law faculty, the new and returned faculty members were able to assume the leading positions in the law school. The seasoned Weimar democrat Apelt, for example, whom the Nazis had regarded as an “enemy of the state” (*Staatsfeind*) and accordingly dismissed from his teaching position at Leipzig University in 1933, became the new dean of the Munich law school in 1946. Due to his democratic and anti-Nazi reputation,⁸ the law school also chose him to participate in the Pre-Examination Committee of the Bavarian Education Ministry. Apelt described his work in this capacity as the “unrewarding task” (*undankbare Aufgabe*) of having to evaluate what kind of political attitude, if any, that former Munich professors had expressed in their scientific publications. Yet Apelt took his assignment very seriously:

Our deliberations [about each professor in question] were very thorough and while [our] verdicts were often sympathetic, they were always fair. It was possible to ascertain beyond doubt that some professors had simply not had the [will] power to resist the continual pressure that had been brought down upon them [by the regime]; however, it was also shocking that many highly intelligent and respected scholars had adopted National Socialist opinions, and had often even outdone themselves in overzealously lending the Nazis public support. Especially among this latter group there were some who after 1945 declared with blustery indignation that they had internally long since turned away from Nazism, or they even claimed to have resisted the regime.⁹

As Apelt’s account shows, the Pre-Examination Committee’s valuable insider information about the professors’ degree of complicity was wrapped in sometimes deceptively favorable language. The reason for the sympathetic verdicts was that both the political opportunists among the professors and the commission members had lived through the Third Reich as part of the same academic elite, even though they had held opposing views on how much cooperation with Nazism was necessary. Their shared experience made the committee members more willing to understand in context the adaptive behavior of their former colleagues than to censure it. Yet this leniency towards many opportunists did not extend to those professors – the so-called active Nazis – who had had gone out of their way to accommodate or promote the regime’s wishes. On

the contrary, as Apelt noted above, there was real indignation among committee members about those strongly incriminated Nazi scholars who after 1945 shamelessly lied about their real involvement with the Hitler regime in hope that the German-staffed denazification court judges would be unfamiliar with the world of academia. In most of these cases, the committee's verdicts provided an important counterpoint to the numerous positive witness accounts that such defendants put forward.

As Saxony's former Minister of the Interior during the politically difficult period from 1927 to 1929, Apelt was the perfect man both for advising the German-staffed denazification courts (*Spruchkammern*) in their decisions and also for leading the reconstruction efforts of the highly compromised Munich law school. In fact, Apelt's strong commitment to democracy compared even favorably to the sometimes less-than-democratic practices of the American Military Government. In his memoir, Apelt recounted a telling episode of a meeting with Captain Alfred Pundt, the head of the OMGUS Education and Religious Affairs higher education section in 1946:

At the end [of our conversation], he [Pundt] asked me if I was willing to accept the office of rector [of Munich University], which was what the Military Government wanted. I answered that I had already told the [Bavarian Education] Ministry that I would do it, but that – as he knew only too well – this matter would be decided as in former times through an election by the whole faculty. In response, he told me with a slight smile that an election could be influenced and directed, and I replied that I did not know whether this was possible in America, but that it was here [in Germany], at least to my mind, completely out of the question.¹⁰

Apelt's reaction perhaps embarrassed the American officer who supposedly was the one to teach the Germans how democracy worked. Yet this episode also showed that the Americans had identified a good candidate for the job of rector. As Apelt had already expected, however, the faculty of Munich University did not elect him because he was a newcomer to the institution and not from Bavaria. Instead, they preferred the well-known Munich professor Georg Hohmann, a former member of the Bavarian parliament and the director of the Munich University's orthopedic clinic. As a concession to the OMGUS's initial wishes, Apelt instead became vice rector, which brought him much extra work in addition to his duties as dean of the law school.¹¹

As dean, Apelt advanced the law school's new goal of trying to right some of the wrongs that the Nazis had inflicted; under his stewardship five of the school's eleven chairs were filled with victims of the Nazi regime. The infusion of strongly anti-Nazi

and democratic professors into the faculty contributed to the dramatic change of the political atmosphere that had already begun with the earlier purges of the Nazi-tainted professors. Given the scarcity of teachers who had unequivocally supported democracy, however, Apelt harbored no illusions about the necessity of allowing the return of some of the politically compromised but highly qualified law professors that the OMGUS Special Branch had dismissed. Without these former Nazi scholars, the law school would have been unable to reclaim its former scholarly and academic standing. Apelt vividly described the challenges he faced when he began to put the law school back together after the war:

Most important during my time a dean was the reconstruction of the law school. After the dismissals following [May] 1945, the school consisted at the time of its reopening of only a small group of five full professors, namely Müller-Erzbach, Riezler, Exner, Hueck, and me. We could hardly manage the lecture load even with the help of more or less capable [law] practitioners. Already in the second semester, though, we succeeded in hiring so reputable scholars as Rosenberg for civil litigation and civil law, Erich Kaufmann, who had simultaneously received a call to Berlin, but chose Munich, for international law and legal philosophy, Maurach for criminal law, and sometime later Mitteis for German and civil law. Nawiasky returned as well and while he kept his professorship at St. Gallen Commercial College, he gave a limited number of lectures and seminars at Munich. I was greatly delighted also to engage Koschaker, my old friend from Leipzig, who had just retired from Tübingen [University], for several semesters as a temporary caretaker of the chair for Roman law. After strenuous negotiations with the Military Government, I was able to convince them to allow the return of several dismissed professors to whom the faculty attached great value. This is how the law school managed eventually to welcome back into its midst Mezger for criminal law and criminology, Bloemeyer for civil litigation and civil law, Heckel for ecclesiastical law, and finally San Nicolo for Roman and civil law. The law faculty was thereby complete and had returned – if I may say so – to its old [respected] status.¹²

Apelt's prudent leadership and the dominance of non- and anti-Nazi professors during the first years of the post-war era were crucial for the successful democratization of the law school. Together they decided whether and under what conditions former

Nazis were allowed to return on the faculty. While the democratic professors – and doubtlessly also the American authorities – would have preferred to hire exclusively non-Nazis, the sad reality was that there were simply not enough untainted and qualified scholars available. The only possible solution to the staff problem was therefore to select carefully whom among the former Nazi professors could be allowed to come back. As Apelt's description of the law school's reconstruction shows, the selection criteria were the political and – with equal importance – the scholarly reputations of a professor. There were indeed many qualified, out-of-work scholars to choose from, but few seemed to fulfill both criteria.

All Munich law professors who had been members of the Nazi Party found themselves out of work at some point between 1945 and 1948, and all of them had to defend themselves before denazification tribunals. As the records of their trials and their own memoirs demonstrate, the time of their dismissal was traumatic for every member of this group.¹³ Not only did they lose their financial security and suffer economic hardship, they also suffered social and professional degradation by their removal from office. This explains why all of the dismissed professors clamored for their rehabilitation as soon as their denazification process was completed.

The OMGUS Special Branch officer responsible for the purge of Munich University, Hans Loeser, expressed his surprise as well as moral outrage about the fact that, almost overnight, all Nazi opportunists became new-born democrats without betraying any kind of remorse for their behavior during the Third Reich.¹⁴ Pragmatism evidently had trumped morality, and the professors' supposedly undeserved sufferings in the post-war era seemed to have silenced any sense of guilt they might have had. They quickly forgot about their past and moved on into a seemingly brighter, democratic future, silently adapting to the dominant political milieu in the very same way they had done during the Third Reich. While this behavior is contemptible from today's perspective, the effect was paradoxically exactly what OMGUS had intended. The old academic elite of Munich law professors, minus the dedicated Nazi activists, was allowed to establish itself as part of the new democratic order. When one compares many professors' new-found democratic fervor after the war – whether it was real or pretended does not matter in this context – with their open hostility to Weimar democracy in the 1920s, it seems that denazification achieved its goal of changing at least the behavior of this important elite.

While the entire group of opportunists, the professors who had joined the Nazi Party mostly to secure or advance their careers, eventually managed to return to their former positions, the dedicated Nazi activists found their way back permanently blocked by their former colleagues and the new faculty members. The fact that two

heavily incriminated law professors – namely Otto Koellreutter and Heinrich Lange – had no chance of ever returning is significant because it contradicts what many critics of the denazification process have claimed, namely that “all” former Nazis were rehabilitated regardless of the magnitude of their guilt, and that this rehabilitation negated any positive effects that the purge might have had.¹⁵ This was certainly not the case at Munich law school and, according to a February 1949 report by Rector Walther Gerlach, the other departments of Munich University behaved in a very similar manner.

In a 1949 letter to the Bavarian Education Minister Alois Hundhammer, Rector Gerlach strongly objected to recent allegations by OMGUS that the university had allowed the return of heavily incriminated professors. Gerlach pointed out that, on the contrary, each department had kept out former active Nazis. As examples, Gerlach mentioned Otto Koellreutter of the Law School, Heinz Kürten, Julius Mayr, Karl Pieper, and Alfred Schittenhelm of the School of Medicine, and Karl Beurlen, Friedrich von Faber, Ernst Kraus, Wilhelm Müller, and Max Storz of the School of Natural Science. In their stead, Gerlach maintained, the departments had hired many scholars who had suffered under the Nazi regime. He concluded his report: “If one sees these names, I don’t think that anyone can accuse the University of having hired or rejected professors on the basis of reproachable or unclear political motives.”¹⁶ Gerlach was doubtlessly correct in his assessment and he could have added even more names to the list of former Nazi activists whose reinstatement had been denied.¹⁷

So why did some former Nazi activists – even after successfully passing through the denazification process¹⁸ – fail to come back? The answer is quite simple if one considers the mentalities of the new and returned non-Nazis and the successfully rehabilitated former Nazi scholars. The professors who had suffered under the Nazi regime, such as Willibalt Apelt and Hans Nawiasky, prohibited the return of Nazi activists on moral grounds. For different reasons, rehabilitated Nazi opportunists, like Johannes Heckel or Mariano San Nicolo, also objected to the return of more heavily incriminated scholars. The returnees feared with good reason that the reappearance of their former Nazi activist colleagues on the faculty could potentially damage their own newly established democratic image.¹⁹

In addition to defending the faculty against the return of politically unacceptable ex-colleagues, the returnees also made sure to conform to the new democratic standards in the classroom. According to a 1949 OMGUS report, none of the rehabilitated scholars risked his job by defending Nazism or any part of its ideology in any of his lectures after the reopening of the university in 1946.²⁰ That the returned professors took the construction and preservation of their new democratic image so seriously is

one of the most important but also frequently overlooked consequences of denazification. Crucial for the continuation of the returnees' good behavior was doubtless the realization that nobody could feel completely safe; there had been too many examples of colleagues being permanently dismissed after having been provisionally confirmed by OMGUS or even after having undergone a seemingly successful rehabilitation.²¹ The whole atmosphere at the university had changed such that any defense of Nazi ideology had become simply unacceptable.²² These two reasons explain why all of the returnees stuck to their democratic ways, even after successfully regaining their positions. Yet how did this change of behavior influence the student body in the post-war era?

Both the newly converted and the long-time democrats taught a reformed curriculum that was devoid of Nazi references. Apelt described in his memoirs how Rector Hohmann scheduled in 1947 university-wide discussions about contemporary political issues of general interest as part of academic curriculum. Apelt held two presentations on "Hegel's all-powerful state [*Machtstaat*] or Kant's world citizenship [*Weltbürgertum*]" to get students thinking about where German philosophy had gone wrong. To Apelt, Hegel's rejection of Kant's peaceful philosophy of world citizenship as utopian and his own doctrine of the "national all-powerful state that fights and rules without being subject to bourgeois morality . . . led Germany in a direct line to the total state of National Socialism."²³ According to Apelt, historicism (*Historismus*), romanticism, nationalism, and the superficial nineteenth-century belief in progress also steered Germany down the wrong path. Apelt concluded his lecture by asserting that Germans must "develop a concept of the state that – according to my view – is only suitable to secure for us Germans a new and happier future after the catastrophe of two world wars. They must pull back from Hegel and rediscover Kant."²⁴ The impact of his words on the students was dramatic:

My lectures showed me clearly how great the [students'] willingness was to follow such [new] trains-of-thought. The great lecture hall was filled beyond capacity and the attending students listened with breathless attention; when I concluded my lecture, rapturous applause broke out.²⁵

Apelt described the post-war students as an "elite [who came] out of the war or captivity and were no green youth anymore, but all mature men who were enthusiastic and hungry for knowledge."²⁶ With many of them he established lasting personal friendships, and the brightest of them advanced to become professors themselves. As Apelt's account shows, the post-war generation was not trapped in the ideas of Nazism that it had grown up with but was willing, and indeed eager, to move on and embrace new concepts and ideas. Hence, the American emphasis on purging the faculty of

Munich University and changing the curriculum in order to instill democratic values in Germany's future leaders seems fully justified in the light of this evidence.

How does this story of the law school fit into the general picture of Munich University and other universities in the American occupation zone? There can be no doubt that the American effort to democratize German higher education remained a slow process. The 1948 annual OMGUS Education and Religious Affairs Branch report on university reform criticized the plodding progress of democratic change of the university structures: "the German university is behind the times, and as it stands is not an effective functional organ of democratic society."²⁷ On the other hand, the report found denazification accomplished. By the end of 1948 the universities were careful not to propose "really doubtful cases" for personnel reinstatements. Hence OMGUS rarely had to intervene; it ordered some retrials of professors whose sentence was seen as too lenient, but there were no further dismissals of professors from active duty (this included denazified and reinstated professors). The question of how thoroughly the institutions had been cleansed was "difficult to ascertain under the circumstances, since these [persons], if existent, remain under cover." While there was no "alarming overt incident or case," the report assumed "that there are persons and factions existing or at work, which, if given favorable opportunity to manifest themselves, would evidence the continued existence of chauvinistic, racist and militaristic sympathies at least among many of the students and faculty members." Although these anti-democratic attitudes existed temporarily, continued economic recovery and democratization would make them "so attenuated in time as eventually to lose their dangerous character."²⁸ As becomes clear from these passages, the American authorities were not as convinced as Apelt was regarding the openness of German youth to new ideas or regarding the democratic character of university faculty. Yet it is undeniable that the American Military Government assumed that, given the right circumstances, the Germans could be successfully reeducated.

An OMGUS annual intelligence report on the status of higher education in 1948 recognized "general progress in the recovery, if not in the essential regeneration, of Bavarian universities." Institutional morale and instruction had "considerably improved," while faculty vacancies had been steadily filled "although not always by persons of the most desirable sort or of the highest caliber."²⁹ Special Branch had to admit that all professors who had been dismissed during the third purge at Munich University had received either a minor sentence or no verdict at all by the denazification tribunals. Special Branch had also ordered a retrial of several instructors who were named for reinstatement after being only briefly excluded from teaching. However, only in "a small minority of cases did the evidence appear to justify a continuation by Military

Government of its objection.” In most cases Special Branch withdrew its objection, and the professors returned to their positions. This fact was a “telling critique of the value of the investigation.” While the report acknowledged that some of the reinstated professors were not active supporters of democracy, they were not worse than many of the faculty members who had not been dismissed but, nevertheless, remained critical of American democratic ideals. A poor teacher was regarded better than no teacher at all. Because of the shortage of instructors, “even teachers of lesser ability or questionable outlook are performing a valuable service.” The report finally expected that OMGUS could keep professors from using their subjects “as a medium for political subversion” by long-term “reasonable vigilance.”³⁰

In 1949, the University Officer of Munich University John Kurtz called the status of the institution “decent.” None of the professors was “known to this Branch as having been a fanatical Nazi.” Kurtz’s report continued: “Several were party members and were temporarily dismissed by Military Government because of this fact. However, later investigation and their denazification procedure indicated that they were not activists and it was deemed the best policy to allow them later to resume their teaching activities.”³¹ The importance of this statement cannot be overestimated, because it strongly suggests that after the purge of the institution no active Nazis were reinstated at Munich University and that Nazi ideology was no longer part of German higher education.

The new-found American willingness – to allow for the return of former nominal Nazis into teaching positions at German universities and to work with German denazification authorities rather than against them – has to be understood in the context of the increasing confrontation between the United States and the Soviet Union. As Communism appeared to become the new threat to American policy makers in the late 1940s, they decided that an ongoing punishment of former Nazi followers was less desirable than their quick integration into German society.³² While denazification had not led to a permanent exclusion of all former Nazis, it had created a new willingness among many of them to reject Hitler’s ideology and accept democratic values. How did this happen?

The thorough purge of Munich University during 1945 and 1946 had come as an unexpected shock to the many professors who had thought themselves free of any guilt despite having collaborated with the Nazi regime. By initially removing all nominal and activist Nazi professors from their positions of influence, American denazification officials established that any kind of collaboration with the Nazis had been wrong and that even a continuation of anti-democratic behavior was unacceptable under the new order. This was a complete departure from the Weimar Republic’s unfortunate *laissez-faire*

attitude that had allowed German scholars to remain outside the democratic system after 1919 and silently subvert the republic in the long run.³³

Given the general shortage of capable university teachers after the purges of 1945 and 1946, the total removal of the Nazi collaborators and opportunists from the faculty of Munich University was not permanent; the resulting situation thus resembled a necessary and unavoidable political compromise. During the rehabilitation of suspect former professors, only those scholars who were willing to support the new democratic order and who had joined the Nazi Party under duress or to save their careers were allowed to return to their former positions. Former Nazi activists or professors with an openly anti-democratic attitude were kept out of the lecture halls indefinitely. There can be no doubt that the combination of harsh punishment and broad, yet closely monitored, rehabilitation had a profound impact on the psyche of the Munich educational elite and their willingness to integrate into the new democratic society. Without this two-sided policy, the democratization of Munich University would have been far less effective and the professors' break with their past less complete.

NOTES

1. The denazification of Munich University was handled by the Special Branch of the American Office of Military Government in Germany (OMGUS), while the Education and Religious Affairs Branch oversaw the reform of the curriculum and reconstruction of the faculty.
2. This excludes the three Munich law professors who had emeritus status (Fritz van Calker, Rudolf Müller-Erbach, and Erwin Riezler).
3. See Ursula Huber, "Die Universität München – Ein Bericht über den Fortbestand nach 1945" in: Friedrich Prinz, ed., *Trümmerzeit in München* (Munich: C.H. Beck, 1984), 392.
4. Historian Lutz Niethammer, for instance, described the German denazification courts famously as "follower factories" (*Mitläuferfabrik*) that labeled most Nazis to have been only nominally involved. See Lutz Niethammer, *Die Mitläuferfabrik: Die Entnazifizierung am Beispiel Bayerns* (Berlin: Dietz, 1982), 517. Political scientist John Herz argued that the German denazification courts intentionally downgraded the sentences of the majority of former Nazis, thereby "white-washing" them from their involvement with the Nazi regime. See John Herz, "The Fiasco of Denazification in Germany," *Political Science Quarterly* 63, no. 4 (1948): 589. Like Herz, historian Clemens Vollnhals also draws the sobering conclusion that German denazifiers "frequently . . . put mercy before justice In the long-lasting denazification process, the personnel of the Nazi dictatorship seemed to have more or less disappeared (. . . noch häufiger aber Gnade vor Recht gehen ließ. . . . In dem langwierigen Entnazifizierungsprozess hatte sich das Personal der NS-Diktatur mehr oder weniger in Nichts aufgelöst)." See Clemens Vollnhals, ed., *Entnazifizierung: Politische Säuberung und Rehabilitierung in den vier Besatzungszonen 1945–1949* (Munich: Deutscher Taschenbuch Verlag, 1991), 23f. Historian Steven Paul Remy agreed with Vollnhals when he stated that German denazification courts allowed the majority of Nazi professors to define "what constituted unacceptable engagement with Nazis very narrowly," thereby letting them get away with overwhelmingly lenient sentences. For Remy, the failure to hold the academic elite responsible for their support of the Nazi dictatorship allowed incriminated professors

to regain their former positions at the universities, where they could entrench a “culture of forgetting” about the Nazi past. See Steven Paul Remy, *The Heidelberg Myth: The Nazification and Denazification of a German University* (Cambridge: Harvard University Press, 2002), 245.

5. Universitätsarchiv München (hereafter UAM), E-II-2556, letter, Fendt to Rector, 12 September 1946.

6. Bayerisches Hauptstaatsarchiv (hereafter BHStA), MK 44033, Bavarian Education Minister Hundhammer to Rector, 24 December 1947.

7. BHStA, MK 69196, letter, Gerlach to Hundhammer, February 16, 1949: “um das ihnen angetane Unrecht wiedergutzumachen.”

8. Apelt had founded the German Democratic Party (DDP) in Saxony in 1918 and as the advisor for higher education in the Saxon Education Ministry in 1919 had helped to hire democratically minded professors to Saxon universities. In 1920, he became full professor at Leipzig University. From 1927 to 1929, he served as Saxony’s minister of the interior. See Willibald Apelt, *Jurist im Wandel der Staatsformen. Lebenserinnerungen* (Tübingen: Mohr, 1965), 104–93.

9. *Ibid.*, 273: “Die Beratungen waren sehr gründlich und die gefassten Beschlüsse in der Regel durchaus wohlwollend, in jedem Falle aber gerecht. Es konnte einwandfrei festgestellt werden, dass manche Professoren nur nicht die Kraft besessen hatten, dem immer wieder auf sie ausgeübten Druck dauernden Widerstand zu leisten, aber es war auch erschütternd, wie viele geistig hochstehende und in ihrem Fach anerkannte Männer sich nationalsozialistischen Auffassungen angepasst und die Geisteshaltung der Partei sich zu eigen gemacht hatten, ja überhaupt in ihr Horn geblasen hatten. Und gerade unter diesen waren manche, die jetzt nach 1945 mit stürmischer Entrüstung erklärten, sie hätten sich innerlich längst vom Nationalsozialismus abgewandt, ja sogar Widerstand geleistet.”

10. *Ibid.*, 274: “Zum Schluss fragte auch er mich, ob ich bereit wäre, das Amt des Rektors zu übernehmen, was die Militärregierung wünsche. Ich erwiderte ihm, dass ich mich schon dem Ministerium gegenüber dazu bereit erklärt hätte, dass aber, wie er doch wisse, wieder eine Wahl durch den Lehrkörper stattfinden sollte. Er meinte mit leichtem Schmunzeln, eine Wahl könne man doch beeinflussen und lenken, worauf ich entgegnete, dass ich nicht wüsste, ob dies in Amerika möglich wäre, dass dies aber bei uns, wenigstens für mich, völlig ausgeschlossen sei.”

11. *Ibid.*, 275.

12. *Ibid.*, 276f: “Im Dekanat war das Wichtigste der Wiederaufbau der Fakultät, die nach den Entlassungen nach 1945 bei Wiedereröffnung der Universität nur aus dem kleinen Häuflein von fünf ordentlichen Professoren, nämlich Müller-Erbach, Riezler, Exner, Hueck und mir, bestand. Der Vorlesungsplan konnte nur mühsam unter Heranziehung mehr oder weniger geeigneter Praktiker durchgeführt werden. Es gelang aber, bereits für das zweite Semester so anerkannte Gelehrte wie Rosenberg für Zivilprozess und Bürgerliches Recht, Erich Kaufmann, der gleichzeitig einen Ruf nach Bonn hatte, aber München den Vorzug gab, für Völkerrecht und Rechtsphilosophie, Maurach für Strafrecht sowie einige Zeit später Mittels für Deutsches und Bürgerliches Recht zu gewinnen. Wieder kam auch Nawiasky, der zwar seine Professur an der Handelshochschule in St. Gallen beibehielt, aber fortan auch Vorlesungen und Übungen in beschränktem Umfang in München abhielt. Zu meiner Freude ließ sich auch mein alter Leipziger Freund Koschaker, der soeben in Tübingen emeritiert worden war, für mehrere Semester als kommissarischer Verwalter des Lehrstuhls für römisches Recht heranziehen, solange dieser offenstand. Nach hartnäckigen Verhandlungen mit der Militärregierung gelang es mir, ihre Zustimmung zur Wiederernennung einiger der entlassenen Professoren, auf deren Rückkehr die Fakultät Wert legte, durchzusetzen. So konnte die

Fakultät allmählich Mezger für Strafrecht und Kriminologie, Blomeyer für Zivilprozess und Bürgerliches Recht, Heckel für Kirchenrecht und schließlich San Nicolo für Römisches und Bürgerliches Recht wieder in ihrer Mitte haben. Sie war damit vollzählig und, wie ich behaupten darf, auf den Stand ihres alten Ansehens zurückgeführt worden.”

13. See, for example, Johannes Heckel, “Mariano San Nicolo” *Jahrbuch der Bayerischen Akademie der Wissenschaften* (1955): 187–95.

14. Hans Loeser, taped interview with the author, Boston, MA, 10 August 2006.

15. See, for example, Remy, *The Heidelberg Myth*, 245.

16. BHStA, MK 69196, letter, Gerlach to Hundhammer, February 16, 1949. The concluding passage: “Ich glaube nicht, dass jemand, der diese Namen sieht, die Universität beschuldigen könnte, sie hätte Professoren auf der Basis von niedrigen oder undurchsichtigen politischen Motiven eingestellt oder abgewiesen.”

17. The most obvious being the above mentioned law professor Heinrich Lange, but also psychiatrist Ernst Rüdin of the School of Medicine could be added to the list. See BStA, SpKa K1471, sentence, *Hauptkammer* to Rüdin, 17 December 1949.

18. A “successful” denazification meant classification in category III or IV. Those Nazi activists who received category I or II classifications, such as the English professor Robert Spindler of the School of Philosophy, were not even allowed to apply for reinstatement or rehabilitation. See BStA, SpKa K1558, sentence, *Spruchkammer* Munich X to Spindler, 2 February 1947.

19. San Nicolo strongly objected to Koellreutter’s return in 1954 on the grounds that the former had not changed his Nazi ways. Yet given the San Nicolo’s own involvement with the regime and especially his close connections to the former Nazi *Oberführer* and university rector Walther Wüst – a relationship that never came up in his *Spruchkammer* trial – there is reason to believe that San Nicolo feared that Koellreutter might expose some incriminating “skeletons” in the former’s closet. UAM, E-II-2056, letter, San Nicolo to Rector Alfred Marchionini, 11 April 1954.

20. OMGUS 390/47/32/4-5, b. 7, Reports University Branch, memo, John Kurtz to Gontard, 10 August 1949.

21. For example, law professors Rudolf Müller-Erbach and Karl Blomeyer both assumed that OMGUS had agreed to their employment before they too were dismissed. Blomeyer was dismissed twice.

22. See Vollnhals, *Entnazifizierung*, 64. A similar interpretation is advanced by Cornelia Rauh-Kühne, “Life Rewarded the Latecomers: Denazification during the Cold War,” in: Detlef Junker, ed., *The United States and Germany in the Era of the Cold War, 1945–1968* (New York: Cambridge University Press, 2004), 70ff.

23. Apelt, *Jurist im Wandel*, 282. “. . . und ihm seine Lehre vom nationalen Machtstaat, der kämpft und herrscht und bürgerlichen Moralbegriffen nicht unterliegt, entgegensetzt. Von Hegel und seinen Nachfolgern führt in Deutschland eine gerade Linie bis zum totalen Staat des Nationalsozialismus.”

24. *Ibid.*, 282. “. . . eine Staatsauffassung zu entwickeln, wie sie nach meiner Überzeugung allein geeignet ist, uns Deutschen nach der Katastrophe zweier Weltkriege den Wiederaufstieg in eine neue und glückliche Zukunft zu vermitteln. Sie muss von Hegel ablassen und zu Kant zurückfinden.”

25. *Ibid.*, 283. “Wie groß die Aufnahmebereitschaft der Jugend für solche Gedankengänge damals war, konnte ich in meinen Vorträgen erfahren. Der große Hörsaal war gedrängt voll, die Anwesenden hörten

mit gespannter Aufmerksamkeit zu und spendeten, als ich schloss, stürmischen Beifall.”

26. Ibid., 281. “. . . eine studentische Elite. Sie kamen aus Krieg und Gefangenschaft, waren keine grünen Jungen mehr, sondern alle reife junge Männer, begeisterungsfähig und hungrig nach geistiger Nahrung.”

27. OMGUS 390/47/32/4-5, b. 8, University Munich General, report, to director of the Education and Cultural Relations Division, 18 February 1949.

28. Ibid.

29. OMGUS 390/47/15-16/6-3, b. 34, Higher Education, annual report, 1 July 1948.

30. Ibid.

31. OMGUS 390/47/32/4-5, b. 7, Reports University Branch, memo, John Kurtz to Gontard, 10 August 1949.

32. See Vollnhals, *Entnazifizierung*, 23.

33. See for example Bruno Reimann, “Hochschule zwischen Kaiserreich und Diktatur,” in Renate Knigge-Tesche, ed., *Berater der Braunen Macht: Wissenschaft und Wissenschaftler im NS-Staat* (Frankfurt a. M.: Anabas-Verlag, 1999), 11–25.

Membership

The South Carolina Historical Association is an organization that furthers the teaching and understanding of history. The only requirement for membership is an interest in, and a love for, history. Members include students, high school teachers, college professors, librarians, archivists, and history buffs. At the annual meeting papers on European, British, United States, Southern, and, of course, South Carolina history are routinely presented. Moreover, sessions on politics, military, race and gender issues, the teaching of history, and so forth are standard. Annual meetings provide an excellent opportunity for initial critical review of graduate student work, for the presentation of a paper by non-academicians, and, of course, for papers by those currently teaching history.

By joining the South Carolina Historical Association members receive *The Proceedings of the South Carolina Historical Association*, a refereed journal. Papers presented at the annual meeting may be published in the journal either *in toto* or in abstract form. Members are notified of the annual meeting and have the right to attend and/or to submit a proposal for a paper to be presented there (costs of lunch and registration for the meeting are extra).

Membership runs from 1 January to 31 December. Student members are those who are currently enrolled in school. Regular members are those who are currently employed or are actively seeking employment. Life members are ten-year members of the organization who have retired. Departmental memberships are also offered. To renew or join, please complete and return the form below, along with your check, to: Amanda Mushal, Department of History, The Citadel, 171 Moultrie Street, Charleston, SC 29409 (amanda.mushal@citadel.edu)

<hr/> <p>Name (please print)</p>	<p>Membership category (check one):</p> <p><input type="checkbox"/> Student (\$10)</p> <p><input type="checkbox"/> Regular (\$20)</p> <p><input type="checkbox"/> Life member</p>
<hr/> <p>Address</p>	<p>Membership status (check one):</p> <p><input type="checkbox"/> Renewal</p> <p><input type="checkbox"/> New</p>
<hr/> <p>City, state, and zip code</p>	<hr/>
<hr/> <p>Phone/Fax</p>	<hr/>
<hr/> <p>E-mail address</p>	<hr/> <p>Area(s) of interest</p>

Constitution

12 March 2011

- I. The name of the organization shall be the South Carolina Historical Association.
- II. The objects of this Association shall be to promote historical studies in the state of South Carolina, to bring about a closer relationship among persons living in this state who are interested in history, and to encourage the preservation of historical records.
- III. Membership shall be open to anyone interested in the objectives of the Association. Annual dues shall be determined by the Executive Committee.

After having been a member of the Association for ten years and upon reaching the age of sixty-five, any member may be designated an emeritus member by the secretary. Emeritus members have all the rights and privileges of membership without being required to pay the annual dues.

Student members shall pay annual dues at half-rates.

IV. The officers shall be president, vice-president, secretary, and treasurer; these shall be elected at each annual meeting. The Executive Committee shall normally nominate one person for each office. The vice-president shall be the automatic nominee for president. Nomination from the floor may be made for any office. Officers shall have the duties and perform the functions customarily attached to their respective offices with such others as may from time to time be prescribed.

V. The Executive Committee shall be composed of officers, the editor(s) of *The Proceedings*, and six additional members elected for terms of up to three years to be determined at the time of their nomination. The duties of the Executive Committee shall be to fix the date and place of the annual meeting, to attend to the publication of *The Proceedings*, to prepare a program for the annual meeting, to prepare a list of nominations for the officers of the Association as provided in Article IV, to supervise the expenditures of the Association's funds, and such other duties as may from time to time be assigned to them by the Association.

There shall be such other committees as the president may appoint, or be instructed to appoint, by resolutions of the Association.

VI. There shall be an annual meeting of the Association at the time and place appointed by the Executive Committee.

VII. A. The Association shall publish annually its proceedings to be known as *The Proceedings of the South Carolina Historical Association*. It shall contain the minutes of the annual meeting together with such papers and documents selected by the Executive Committee. Each fifth year, *The Proceedings* shall include a copy of the constitution of the Association. At least every five years, *The Proceedings* shall include a current list of the membership.

B. All papers read at the annual meeting shall become the property of the Association except as otherwise may be approved by the Executive Committee.

C. The Executive Committee shall annually elect an editor or editors of *The Proceedings*. The editor or editors shall serve on the Executive Committee. The editor or editors shall have the authority to appoint an associate editor.

VIII. In the event of the dissolution, the remaining assets of the Association, if any, shall be donated by the Executive Committee to another organization which shares the objects and aims of the Association.

IX. The Publications Endowment Fund exists to supplement the income available for the publication of *The Proceedings*. Contributions may be made by anyone, and they will be acknowledged in writing.

The Fund will be administered by three trustees: the president, the treasurer, and the editor of *The Proceedings*. The trustees shall invest the Fund so as to obtain a secure and steady income and report annually to the membership the status of the Fund.

The trustees may designate annually a sum no greater than 80 percent of the earnings of the Fund to defray the cost of printing *The Proceedings* and add the surplus of earnings each year to the principal.

Should the Executive Committee determine that the Fund is not longer necessary for the purpose for which it was established, they shall recommend that this Article be removed from the constitution. If the Fund is liquidated, the Executive Committee shall make an unrestricted gift of the principal to the endowment fund of the University of South Caroliniana Society or similar historical repository in South Carolina and transfer the balance of the earning to the treasury of the Association.

X. The constitution may be amended by a two-thirds vote of the members present at the annual meeting.

Minutes of the Seventy-ninth Annual Meeting

12 March 2011

COLLEGE OF CHARLESTON, STERN STUDENT CENTER

SESSION A: 8:50–10:10

Panel 1: South Carolina Perspectives on Government from the American Revolution to the Constitutional Convention

Chair/Comment: Rory T. Cornish, Winthrop University

Paper 1: “Re-Imagining the Empire: Loyalist Rule in Charles Town, South Carolina, 1780–1782,” Donald F. Johnson, Northwestern University

Paper 2: “Thomas Sumter and the Battle for State Sovereignty,” Thomas L. Powers, University of South Carolina Sumter

Paper 3: “The Constitution: Union or Disunion,” Sarah E. Miller, University of South Carolina Salkehatchie

Panel 2: Negotiating Race & Ethnicity in Twentieth-Century South Carolina

Chair: Courtney Tollison, Furman University

Comment: John White, College of Charleston

Paper 1: “Entrepreneurs in the post-Civil War South: Jewish Peddlers in the South-Carolina Upcountry,” Diane C. Vecchio, Furman University

Paper 2: “Citizenship in Black and White: Wil Lou Gray and the Spring Pilgrimages of 1935,” Mary Mac Ogden, University of South Carolina

Paper 3: “‘Unblessed by Politicians, Unbound by Promises, Uncontrolled by Anything but my own Principles:’ The Activism of Harriet Porcher Stoney Simons in Charleston, 1937–1948,” Mary Jo Fairchild, South Carolina Historical Society

Panel 3: Reflections on Outsiders and the “Other”

Chair/Comment: Brenda Thompson-Schoolfield, Bob Jones University

Paper 1: “The Devil’s Helpmate: the Study of Witchcraft in Colonial New England,” Andrew Patrick Davis, College of Charleston

Paper 2: “Charleston’s White Slavery Scare, 1912,” Krystal Kline, College of Charleston

Paper 3: “The Jeremiah Wright Controversy,” Peter Rich, University of South Carolina

SESSION B: 10:30–11:50**Panel 4: South Carolina Slavery from the American Revolution to 1822**

Chair/Comment: Christopher M. Curtis, Claflin University

Paper 1: “Slavery and Independence: Thomas Sumter’s Law and the Entrenchment of Slavery in Revolutionary Era South Carolina,” Justin S. Liles, University of South Carolina

Paper 2: “The Constitution as Moral Standard: State Character and the South Carolina Defense of the African Slave Trade, 1790–1807,” David H. Connolly, Jr., Georgia College & State University

Paper 3: “The Celebrated Bandit Joe’: Uncovering Forest Joe’s Lowcountry Maroon Campaign of 1821–1823,” J. Brent Morris, University of South Carolina Aiken

Panel 5: Reflections on European Politics and Religion

Chair/Comment: Jason P. Coy, College of Charleston

Paper 1: “Sacrificial Saints,” Aneilya Barnes, Coastal Carolina University

Paper 2: “Sowing Seeds of Democracy in post-WWII Germany: Denazifying and Reeducating the Law School Faculty of Munich University,” Stefan Wiecki, Presbyterian College

Paper 3: “Clergy and the Black Death in Mid 14th Century Europe,” George Kovatchev, Independent Scholar

Panel 6: Cyberinfrastructure for the Humanities, Arts, & Social Sciences

Special presentation by O. Vernon Burton, Clemson University

LUNCH: 11:50 a.m.–1:05 p.m. – Liberty Street Fresh Food Company, 30 St. Philip Street.

KEYNOTE ADDRESS: 1:05–1:50, Ballroom

Lacy K. Ford Jr., University of South Carolina: “Interpreting the Denmark Vesey Insurrection Scare”

BUSINESS MEETING: 1:50–2:20, Ballroom

President Kevin Witherspoon called the meeting to order at 1:55.

The minutes of the 6 March 2010 annual meeting at the South Carolina Department of Archives and History Center were approved.

Eric Emerson presented the Treasurer's report indicating that current income/expenses for the year were positive with income exceeding expenses \$1,243.81 versus \$709.60 for a net of \$534.21.

Stephen Lowe presented the following recommended changes to the Constitution, which were approved by the membership:

Article V. The Executive Committee shall be composed of officers, the editor(s) of *The Proceedings*, and six additional members elected for terms of up to three years to be determined at the time of their nomination. The duties of the Executive Committee shall be to fix the date and place of the annual meeting, to attend to the publication of *The Proceedings*, to prepare a program for the annual meeting, to prepare a list of nominations for the officers of the Association as provided in Article IV, to supervise the expenditures of the Association's funds, and such other duties as may from time to time be assigned to them by the Association.

There shall be such other committees as the president may appoint, or be instructed to appoint, by resolutions of the Association.

Article VII Section C

C. The Executive Committee shall annually elect an editor or editors of *The Proceedings*. The editor or editors shall serve on the Executive Committee. The editor or editors shall have the authority to appoint an associate editor.

Kevin Witherspoon announced the winner of the Hollis prize, Lindsay Crawford, USC Columbia, for the best paper published in the *Proceedings* during the previous two years: "Martha Rutledge Kinloch Singleton: A Slaveholding Widow in Late Antebellum South Carolina," published in the 2009 *Proceedings*.

A Technology Committee has been established with Sarah Miller, USC Salkehatchie, as its chair. It will focus upon improving the web site and establishing social networking capabilities. Members interested in volunteering are urged to contact Sarah.

The SCHA has a new mailing address and home at the History Department of The Citadel.

The nomination committee reported the following slate of officers:

- President – Paul Thompson, North Greenville University
- Vice-President – Fritz Hamer, South Carolina State Museum
- Secretary – Michael Kohl, Clemson University
- Treasurer – Amanda Mushal, The Citadel
- At Large, continuing to serve:
Vernon Burton – Clemson University
Sarah Miller – USC Salkehatchie
- New Board members:

Eric Emerson, South Carolina Department of Archives & History

Janet Hudson, USC, Extended University

Brenda Thompson-Schoolfield, Bob Jones University

Stefan Wiecki, Presbyterian College

The nominating committee's report was approved by acclamation.

Dr. Witherspoon turned the gavel over to Dr. Thompson who thanked the College of Charleston for hosting the meeting and in particular:

Dr. Amy McCandless, Dean, College of Charleston Graduate School

Regina Semko, Administrative Assistant, College of Charleston Graduate School

Dr. Jason Coy, History M.A. Program Director

Ed Short, Associate Director for Student Life Operations

Katie Anderson, Catering & Sales Coordinator, Aramark at the College of Charleston

College of Charleston History graduate students: Shauna Winkle and Laura Larramore

Professor Thompson announced that next year the meeting will be in Columbia at the South Carolina Department of Archives & History on 3 March 2012 and the following year at Presbyterian College.

Business meeting concluded at 2:20

SESSION C: 2:25–3:45

Panel 7: Reflections on Southern History

Chair/Comment: Eric Emerson, South Carolina Department of Archives & History

Paper 1: "Horse Racing in the American South, 1660–1860," Hunt Boulware, Western Carolina University

Paper 2: "The Nation, and South Carolina's Taber-Magrath Duel of 1856," Amanda R. Mushal, The Citadel

Paper 3: "Comfort History: The Use and Abuse of the Past in The Villages, Florida," Amanda M. Brian, Coastal Carolina University

Panel 8: Room 409: South Carolina in the Confederacy

Chair/Comment: Ken Deitreich, West Virginia University

Paper 1: "Was it Southern Rights or Community Ties? Why Yeoman Farmers went to War in 1861, Case studies for South Carolina," Fritz Hamer, South Carolina State Museum

Paper 2: "'On the Bridge at Harper's Ferry at Midnight': The Journal and Diary of the Rev. Josiah P. Smeltzer," Karl Rohr, Newberry College

Panel 9: Social History and the Upstate in the Post-Civil War Era

Chair/Comment: Paul Grady, University of South Carolina Upstate

Paper 1: "The Freedmen's Bureau and Education in Abbeville County, South Carolina," Katherine D. Cann, Spartanburg Methodist College

Paper 2: "The Lynching of John Moore: Rape, Reputation, and Retribution in Nineteenth-Century Spartanburg," Carol Loar, University of South Carolina Upstate

Paper 3: "Yankee Soldiers in the South Carolina Upcountry," Andrew H. Myers, University of South Carolina Upstate

