
R E V I E W S

Slavery in the American Republic: Developing the Federal Government, 1791–1861

by David F. Ericson

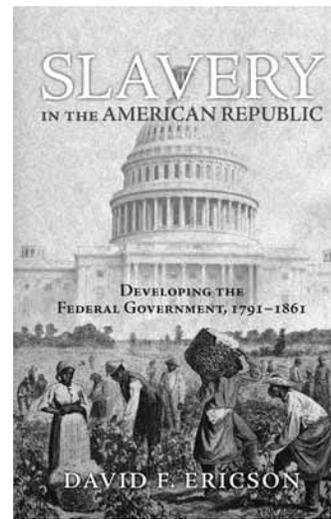
ix + 298 pages, appendixes, notes, index.

Lawrence: University Press of Kansas, 2011, cloth \$37.50.

Slavery in the American Republic challenges the conventional view that slavery stymied American state development before the Civil War. Looking at five key policy areas—fugitive slave rendition, slave trade interdiction, African colonization, the slavery-related use of military force, and federal employment of slave labor—political scientist David F. Ericson traces the pathways by which the institution of slavery contributed to the development of the federal government.

Federal regulation of fugitive slave renditions furnishes the clearest instance of slavery positively affecting the development of the federal government. Congress coopted state and private resources to apprehend and secure fugitive slaves against rescue, extend national legal processes to displace state liberty laws, and provide criminal sanctions to restrain state and local officials who violated the “rights” of slaveholders. These were very similar to the enforcement provisions Congress consciously and conspicuously built into the Civil Rights Act of 1866 sixteen years later. There is considerable irony in the fact that the institutional structure eventually employed to protect freedmen from their former masters was first framed by their masters to keep them in bondage.

Ericson finds significant, if less impressive, effects in the other four policy areas. Federal efforts to interdict illegal slave trading occasioned a measure of growth in the naval power of the United States and constituted an early national effort at immigration control. Ericson concedes that the federal commitment to block the slave trade was minimal until 1858, when President James Buchanan’s administration finally equipped the Africa Squadron with adequate resources. But he points out that the belated development bore fruit when the squadron was called home three years later to interdict smugglers running the Union blockade of Confederate ports. Federal involvement in African colonization rendered even less show-stopping effects. In budgetary terms, the commitment of federal resources was sparse and largely borrowed from the already scant appropriations for slave trade interdiction. Institutionally, however, federal support of the African Colonization Society involved the government in an early form of public–private partnership that has since proliferated. Slavery also accounted for at least some significant expansion of the nation’s war-making powers, involving the federal government in military actions that not only entailed the exercise of raw coercive power but also served to establish the independence of the army from local constituencies (as in Bleeding Kansas) and vindicate the competence of the regular army vis-à-vis the state militias (as in the Second Seminole War). Finally, the federal government’s



use of slave laborers contributed to the development of federal management practices and to bureaucratic autonomy. Because slave and free laborers frequently worked side by side, management practices appropriate to slaves spilled over. Thus, Ericson writes, the “illiberal nature of the institution of slavery followed slaves into the federal workplace” (p. 161). At the same time, the desire of federal policy makers to keep federal employment of slave labor “on the periphery” resulted in a high level of autonomy for mid-level bureaucrats making day-to-day employment decisions (p. 160).

Whether the book succeeds in establishing its thesis is contingent on the burden of proof it faces. Insofar as Ericson seeks to establish the counterfactual claim that the federal government would not have developed these capacities to the same extent in the absence of slavery, his success is dubious. But the counterfactual test sets the bar unnecessarily high. Ericson’s argument clearly does succeed insofar as he seeks to “enrich” the narrative of early American state development by dispensing with oversimplified generalizations about slavery stifling the growth of the federal government. Ericson consistently demonstrates that in several key policy areas, the American state frequently grew on account of the institution of slavery and often at the behest of slaveholders. And though Ericson’s thesis is not altogether novel—he professedly owes a great deal to the work of the late historian Don Fehrenbacher, whose posthumously published opus Ericson calls “magisterial” (p. viii)—he makes an important contribution by going beyond the “public face” of federal policy to examine the “subterranean processes of policy formation, implementation, and legitimation that undergird state development” (p. 15). *Slavery in the American Republic* thus fills a significant lacuna in the literature and furnishes scholars of politics and history with an insightful guide to oft-neglected documentary evidence.

Reviewed by Matthew S. Brogdon, assistant professor of political science, University of Texas at San Antonio.

Prigg v. Pennsylvania: *Slavery, the Supreme Court, and the Ambivalent Constitution*

by H. Robert Baker

xii + 202 pages, bibliographical essay, index.
Lawrence: University Press of Kansas, Landmark Law Cases and American Society, 2012, paper \$16.95.

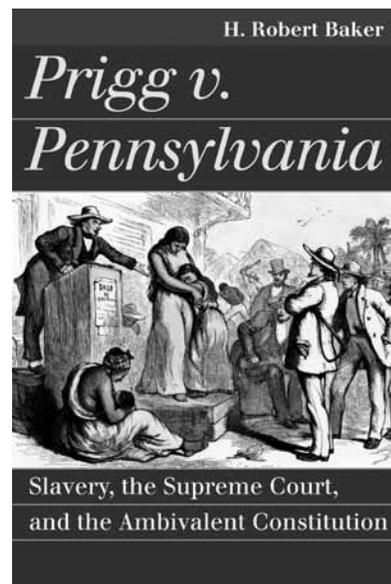
In this first book-length study of *Prigg v. Pennsylvania* (1842), the most important Supreme Court precedent upholding slavery in antebellum America, H. Robert Baker places the decision within its historical, legal, and cultural context and demonstrates how federalism, constitutional ambiguity, and the competing claims of slaveholders and abolitionists influenced the law on slavery.

Baker reviews the constitutional convention debates over slavery and the role of the South Carolina delegates in securing constitutional protections for slave owners in Article IV, Section 2. Known as the fugitive slave clause, the provision left many questions surrounding fugitive slave recapture unanswered. Which government, federal or state, had the power to enforce the clause and to devise legal procedures for fugitive slave rendition? Did Congress have exclusive power or was the authority reserved to the states? Could northern states pass laws protecting free blacks from kidnapping? The pre-Civil War Constitution was “ambivalent” on these questions.

The facts surrounding *Prigg* are complicated and tragic. Margaret Brown was the daughter of slaves owned by John Ashmore, a mill owner in Maryland who never claimed Margaret as a slave, but never formally emancipated her. Margaret married a free black man, Jerry Morgan, and the couple had children. They moved to Pennsylvania in 1832, and Margaret gave birth to at least one child there. Years later, John Ashmore’s widow claimed Margaret as her slave. She sent Edward Prigg and others to Pennsylvania to arrest and seize Margaret Morgan and her children. Without a certificate of removal, which was required under Pennsylvania law, Prigg took Margaret and her children back to Maryland.

Pennsylvania authorities charged the slave catchers with kidnapping under the Pennsylvania Personal Liberty Law of 1826 and sought their rendition for trial. Maryland protested, but the two states negotiated a settlement that allowed the Pennsylvania legislature to initiate a case through which the U.S. Supreme Court would decide the issue. As that federal litigation unfolded, a jury in Maryland determined that Margaret Brown was a slave by the laws of the state, as were her children, including the one born in Pennsylvania. Margaret and her children were eventually sold further south.

The decision in *Prigg v. Pennsylvania* was a victory for Maryland and slaveholders. All nine justices concurred that Pennsylvania’s Personal Liberty Law of 1826 was unconstitutional, but they strongly disagreed about the reasons why in seven separate opinions. Justice Joseph Story’s opinion for the Court emphasized congressional exclusivity in favoring a national, uniform rule regarding fugitive slaves. Chief Justice Roger Taney rejected federal supremacy and maintained that



states had concurrent power to pass laws involving slave reclamation. He argued that the fugitive slave clause gave slaveholders a constitutional right to their property that could never be interfered with or taken away by Congress or the states. Justice John McLean was the only one who considered the problem posed by the potential kidnapping of free blacks.

Although abolitionists condemned the *Prigg* decision and its affirmation of a proslavery Constitution, many continued to find ways to obstruct slaveholders in their search for fugitives. Some slaveholders applauded the vindication of their rights while others were suspicious of the expansion of federal power. Baker concludes, however, that the “most enduring contemporary reaction to *Prigg v. Pennsylvania* was confusion” (p. 153). Judges struggled to understand the decision, and many abolitionists continued to ask state courts to oversee slave reclamation. In subsequent years, the Supreme Court reaffirmed the decision, but Baker argues that by 1850 *Prigg* was “a failure” (p. 161). As regional differences over slavery intensified, northern states withdrew any support for slaveholders seeking fugitives. The Civil War and ratification of the Thirteenth Amendment would render the fugitive slave clause dead letter.

From our modern perspective it is easy to criticize and dismiss the proslavery arguments of the period. Baker, however, reserves judgment and provides a balanced analysis of both sides of the fugitive slave conflict in a clear, engaging prose style that should appeal to the general reader. The text includes a chronology of events and detailed bibliographic essay that aid in understanding the issues. Although the book is not concerned with Kansas history, Baker’s discussion covers the growing sectional conflicts over slavery that would eventually boil over into Bleeding Kansas.

Reviewed by John Fliter, associate professor of political science, Kansas State University, Manhattan.

The Essential West: Collected Essays

by Elliott West

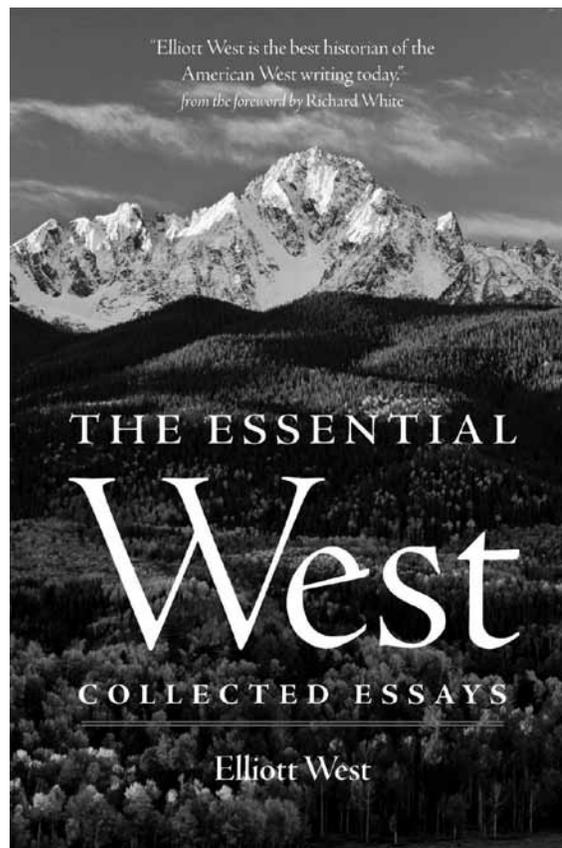
xiii + 328 pages, illustrations, notes, index.

Norman: University of Oklahoma Press, 2012, cloth
\$29.95.

It is rare that historians publish “greatest hits” collections, but *The Essential West* amounts to as much for Elliott West, one of the most innovative and engaging historians writing on the American West. The fourteen essays in this book span the breadth of West’s career, from his early work on children and saloons to his more ambitious recent projects that engage issues of race, empire, and collective memory. In addition to articles appearing elsewhere, this volume also contains several essays never before in print. Organized around themes of conquest, families, and myth, each section offers insight and delight along with West’s flair for the unexpected. For those who have not followed West’s career, *The Essential West* will edify with elegant and amusing prose (always rooted in the archives) and force a rethinking of the region. West’s West is a complicated place with an enduring past of human tales and global forces, equal parts triumph and tragedy, but no easy answers.

Always one for good stories, West also goes beyond narrative and encourages his readers to think deeply about the past. He has a knack for going global to explain the local, whether it be yellow fever in Haiti, or the proliferation of telegraph lines that shrunk the distance between any two points in the West to a matter of minutes. When considering disease, West draws connections between Meriwether Lewis and Mungo Park, an explorer of Africa, and re-centers the U.S. West as an arena of global imperial rivalries, emphasizing that its relatively disease-free environment facilitated American conquest. Invoking Justus von Liebig’s law of the minimum—that the success of an organism is based on the availability of resources when “vital supplies are at their tightest, lowest, and stingiest”—West explains the precarious footing on which Plains equestrians built their success by relying on resources they subsequently assisted in destroying (p. 57). West’s idea of a “Greater Reconstruction” positions the surrender of Chief Joseph and the Nez Perce side by side with federal attacks on the KKK in the American South, linking the Indian campaigns and post-Civil War Reconstruction as part of a larger federal project to force a single union.

Alongside his grasp of the bigger forces moving through the past, West embraces the stories of individuals and families. By recounting the details of private lives set against larger patterns, the author, for example, uncovers the dynamism of the West before Lewis and Clark, reminding us that the two explorers entered a region with a long history of human interaction among Natives and Europeans, which continues to influence the character of the place today. Beyond the big story and the small story, there remains the imagined past, and West is equally comfortable with myth. From the previously unpublished “Bison R Us,” which recounts the evolution of the buffalo as an



American cultural symbol from the early nineteenth century to the present day, to musings on Jesse James, the Old West Trails, and *Lonesome Dove*, West delves into the multiple and contested meanings of the West, the frontier, and American identity.

Greatest hits collections serve as wonderful introductions to artists, and *The Essential West* maintains that tradition. It is appropriate for an undergraduate class on the American West, as its coverage spans three centuries and includes a wide range of characters, from the familiar to the nearly forgotten. It is also well suited to a graduate seminar, as it provides a model of scholarship in the fullest sense and illustrates the evolving career of a leading historian. As the dust jacket attests, West is a historian’s historian, earning accolades from Richard White, Patricia Limerick, and Virginia Sharff, but he is also a people’s historian with a style and wit accessible to all. *The Essential West* is appropriate for anyone who enjoys history—and West’s felicity of phrase and profundity of analysis make for a page-turner that enlightens as it entertains.

Reviewed by David Nesheim, assistant professor of history, Chadron State College, Nebraska.

The Won Cause: Black and White Comradeship in the Grand Army of the Republic

by Barbara A. Gannon

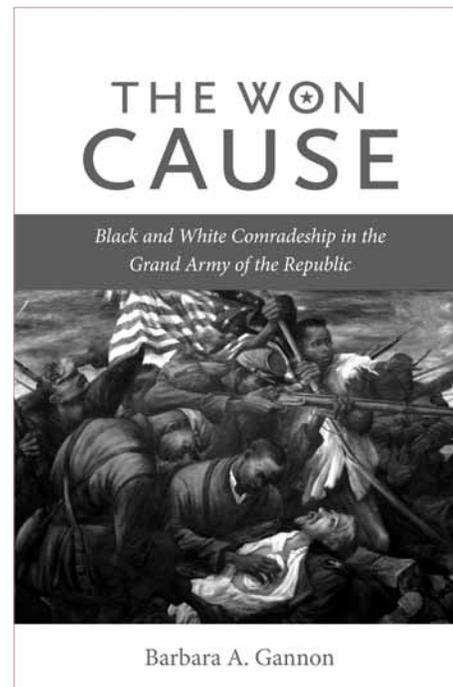
xiv + 282 pages, illustrations, notes, bibliography, index.
Chapel Hill: University of North Carolina Press, 2011,
cloth \$39.95.

Historian Rayford W. Logan once called the period between Reconstruction and the turn of the twentieth century the “nadir” of race relations in the United States. He had good reason to affix such a sobriquet. Between the late 1880s and 1910, white southerners disfranchised black men, and they used new laws, intimidation, and violence to expand a segregationist regime that had been developing since the Civil War. In the North and West, whites often resisted black migrants fleeing the South and subjected the black people around them to various forms of segregation, exploitation, and violence.

White Americans, however, also had experiences and held ideas that challenged aspects and forms of white supremacy (even if incompletely). According to historian Barbara Gannon, the most important organization in this regard was the Grand Army of the Republic (GAR), a nationwide fraternal order made up of Union army veterans. Gannon argues that integration was far more prevalent and important to the GAR than previous historians have believed. Through an examination of numerous state muster rolls, death records, and newspaper accounts, she locates nearly five hundred integrated posts (including over sixty in Kansas), in comparison to two hundred segregated ones.

According to Gannon, the key to the GAR’s relative integration was the memory of black military service. White veterans remembered the black men who had served and suffered like them in the twin causes of emancipation and Union (the “won cause” of the book’s title). She argues that this memory allowed white Union veterans to welcome their black counterparts into the GAR as fellow “comrades” and even elect them to leadership positions. Of course, this comradeship had limits. Few integrated posts existed in the South (where black veterans often formed segregated posts to advance their own interests), and a small group of members could “blackball” a prospective comrade for any number of reasons (although racial exclusion was uncommon outside the South). Furthermore, white GAR members rarely made the leap from comradeship to advocacy of black rights more generally.

Although Gannon’s compilations of GAR posts (available online at woncause.com) will prove an invaluable resource, scholars are likely to find her treatment of race less compelling. Of particular concern is Gannon’s use of the concept of equality. Most of the book is devoted to her argument that integrated posts represented an alternative to racism and that equality was a fundamental aspect of comradeship. As she asserts in the introduction, “Black veterans were the political and social equals of white Americans” within the GAR (p. 6). In chapter 12, however, which explores the GAR’s failure to advocate black civil rights at the turn of the century, Gannon substantially



qualifies these claims. “White veterans embraced black veterans as comrades but were not concerned with their equality because members of an imagined community need not be equals,” she writes (p. 165). Gannon appears to try to resolve this seeming contradiction by arguing that white veterans’ embrace of black comrades but rejection of broader black rights was less the result of racism than of a limited conception of freedom—that emancipation had been the promise of freedom alone and that comradeship had to be earned (as black veterans had done through their service).

Gannon’s portrait of the GAR reveals the profoundly complicated nature of race and racism, even during the nation’s descent into the nadir of the turn of the twentieth century. In trying to rescue the GAR from what she believes to be unfair charges of racism, however, Gannon downplays the essential point: that, despite individual bonds of comradeship, the GAR was unwilling or unable to serve the broader interests of its black members. This unwillingness may not have been motivated by an overpowering ideology of racial hatred, but the unequal benefits of GAR membership suggest that it accepted at least some of the basic assumptions of white supremacy. Indeed, the book’s greatest contribution may be in reminding us that white supremacy dominated this period not only because of the efforts of prominent arch-racists such as Ben Tillman, but also because many white Americans who had reason to doubt supremacist assumptions refused to reject the benefits of whiteness in favor of the promise of equality.

Reviewed by John W. McKerley, independent scholar, Fairfield, Iowa.

"If You Were Only White": The Life of Leroy "Satchel" Paige

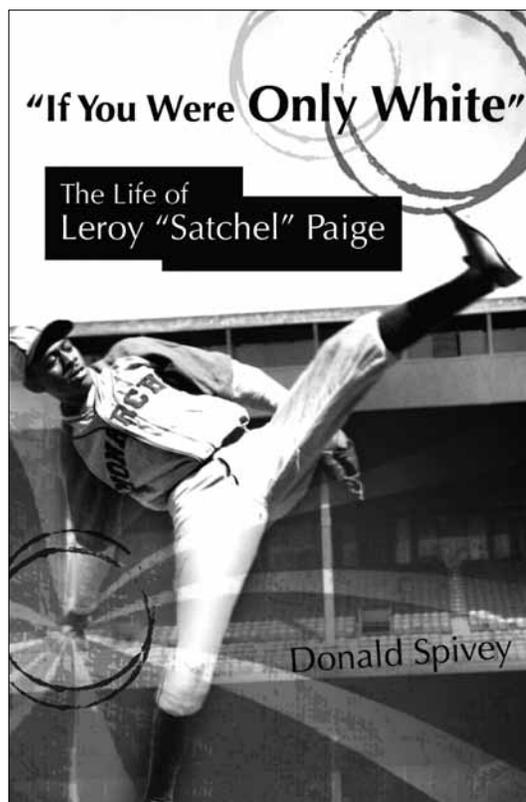
by Donald Spivey

xxv + 347 pages, illustrations, notes, bibliography, index.
Columbia: University of Missouri Press, 2012, cloth
\$29.95.

Donald Spivey has written a well-researched and entertaining book on the life and times of Leroy "Satchel" Paige, one of the greatest pitchers in the history of baseball. Paige enjoyed a legendarily long career that spanned from the 1920s to the 1960s. After what would have been a full career for most people in the Negro Leagues, Paige made his Major League Baseball debut in 1948, at the age of forty-two. His meaningful playing days ended in 1953, but in 1965, at almost sixty, he famously pitched three scoreless innings for the Kansas City Athletics. Spivey clearly admires his subject, but he has produced a balanced and compelling biography that discusses Paige's shortcomings, especially his outsized ego and occasional selfishness. *"If You Were Only White"* also offers an excellent window into the history of Jim Crow in the United States.

Born in 1906 in Mobile, Alabama, into a family of twelve children, Paige hardly seemed destined for the Hall of Fame, but he had the determination and willpower to overcome American history itself. From an early age, Paige bristled at the rigid segregation that separated every aspect of life into "whites only" and "blacks only." He pushed back against the indignities of Jim Crow, sometimes throwing rocks at white kids acting hostilely toward him. By the age of ten, according to the author, he could throw a rock with such speed and accuracy that he could knock a sparrow out of a tree. At twelve, and after getting into yet another fight with neighboring white children, Paige was sent to the Alabama Reform School for Juvenile Negro Law-Breakers, which, Spivey argues, was a positive turning point in his life. When he left reform school in 1923, Paige was seventeen years old and could throw a baseball so fast that catchers had to wear extra padding in their gloves. "Satch" became a member of Mobile's black baseball team, and word of his arm started to spread. When players on Mobile's white team saw Satch picking up trash one day at the white baseball park, they bet him a dollar that he could not strike out the three best white batters. After Satch won the bet, the third strikeout victim said to him, "We sure could use you, if you were only white" (p. 42).

From age nineteen to the end of his illustrious career, Paige never looked back, changing teams often in search of the highest bidder in the generally low-paying Negro Leagues (though he enjoyed a long stint with the Kansas City Monarchs in the 1940s). By the 1940s, Paige was making over \$40,000 a year. Today, Paige and many of the great African American players with whom he played, such as Josh Gibson, James Thomas "Cool Papa" Bell, Judy Johnson, and John Jordan "Buck" O'Neal, would be signing multiyear \$50 million or even \$100 million contracts. Spivey does credit Paige with being more assertive in support of African Americans' rights than many have imagined—as



assertive as he could be given the obvious constraints of racial apartheid in mid-twentieth-century America.

From the 1920s to the 1950s, Paige played baseball year-round. After the Negro Leagues season ended, he played in the Caribbean. He formed a team called the Paige All-Stars, which played some of the best Major League players on the Dizzy Dean All-Stars team—and usually won. Satchel's All-Stars also barnstormed across America playing white teams, including several in Kansas and Missouri.

Paige ended his career after more than twenty-five hundred games as the most popular and greatest player to ever play for the Kansas City Monarchs. Like Babe Ruth, Will Rogers, and FDR, his was a household name in America. And for good reason: Paige won over two thousand games, pitched at least fifty no-hitters (according to conservative estimates), and was considered by many of his fellow players to be the fastest pitcher they came up against. Spivey's book superbly chronicles the life of Satchel Paige and shows just how remarkable his accomplishments were in the face of an America that was still largely segregated. He and other players in the Negro Leagues played their part not only on the field, but also in forcing America to reckon with Jim Crow.

Reviewed by Jon Wefald, president emeritus, Kansas State University, Manhattan.