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All articles submitted to the *Columbia Undergraduate Journal of History* must be nominated by a professor at an accredited university or college. Teaching assistants may also nominate papers, but should receive approval from the course professor. The nominating professor certifies that the nominated article represents outstanding undergraduate scholarship. To nominate an article, the professor must send an email to cujh@columbia.edu, including: the name and position of the nominating professor; the the institution in which the undergraduate is enrolled; the class for which the paper was written; the title of the nominated article; and contact information for the nominated author.

Nominated articles must include footnotes and a bibliography that conform to the Chicago or Turabian style guide. Articles should be submitted as word documents or rich text files. Further details can be found at <http://cujh.columbia.edu>.

Letter from the Editorial Board:

The Columbia Undergraduate Journal of History is pleased to present the first issue of its second volume. This installment of our publication is momentous, not only because it is the first in several years, but also because this is a time when it is more important than ever to understand the power of history to guide research, opinion and action. The six papers that we have chosen are the best in recent student inquiries into topics ranging from prison reform to the popular use of public space. While these essays survey diverse topics, they are linked together by their masterful resonance for our current historical moment. The editors are more than proud to publish these pieces for their distinguished exploration of intriguing themes and their intellectual rigor.

This journal could not have been published without the support of the Department of History and beyond. We are eternally grateful to Professor Caterina Pizzigoni and Undergraduate & Curriculum Administrator Sia Mensah of the History Department for their guidance and support; the Department of History's Board of Visitors program and the Herbert H. Lehman Center for the Study of American History for their generous donations; and the authors themselves for their effort in the revision process and patience while we designed and published the journal.

We look forward to the future of the Journal, our fruitful relationships with our partners and supporters, and to the never-ending creativity of student curiosity into the past. May this issue continue a long line of undergraduate inquiries into the heart of historical research supported by the History Department at Columbia University.

Sincerely,
The Editorial Board

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JIM CROW BEHIND BARS

Benjamin Davis and Early Prison Desegregation Efforts

Nora Duffy,
Northeastern University

ON OCTOBER 4, 1949, Benjamin J. Davis gasped in a crowded courtroom. He had just heard Judge Medina sentence him to five years in prison and a \$10,000 fine for violating the Smith Act and allegedly conspiring to overthrow the United States government. The only evidence of this charge was his Communist political views.¹ His impassioned appeal to the court—that his conviction would be an unconstitutional “attack upon the Negro people”—had been answered with the maximum possible sentence.²

Davis and the men convicted alongside him were the recipients of the longest prison sentence ever handed out for political opinions in the United States. Moreover, he and Henry Winston were the first black victims of the Smith Act. The Smith Act of 1940 criminalized both advocating for and teaching, and the advising of “intent to cause the overthrow or destruction” of the U.S. government. Though ruled unconstitutional by the Supreme Court in the late 1950s, its decade of use accomplished its intended effect of quieting dissent and instilling fear in the American people.³ That Davis was a communist was not in doubt. Nor was his track record of political activism in question: he spent sixteen years advocating for racial and economic equality, ultimately winning a seat on the New York City Council where he served from 1943 until he was ousted following the Smith Act trial. But if the federal government thought it could silence him by putting him behind bars, it was mistaken; Davis found ways to fight against inequality even from his cell. In 1954, as an inmate in Terre Haute, Indiana, and again when he was transferred to Allegheny, Pennsylvania, Davis

¹All biographical information of Davis, unless otherwise specified, is from: Gerald Horne. *Black Liberation/Red Scare: Ben Davis and the Communist Party* (Delaware: University of Delaware Press, 1994). 244.

²Benjamin J. Davis, *Communist Councilman from Harlem: Autobiographical Notes Written in a Federal Penitentiary* (New York: International Publishers, 1969), 181.

³For further information on McCarthyism and its impact see Ellen Schrecker, *Age of McCarthyism: A Brief History with Documents* (New York: Bedford/ St. Martin's, 2002).

organized against prison segregation and racial discrimination in a system he described as having a “Nazi-like efficiency to torture political prisoners.”⁴⁵

This article uses the actions and writings of Davis as a fulcrum for thinking about the relationship between prison reform— specifically prison desegregation— and civil rights activism. The relationship between civil rights activism and prisons has recently been highlighted by the work of scholars such as Dan Berger and Michelle Alexander. While their books are important recent additions, much remains unknown about the ways that early activists challenged the flaws in the American prison system. In this article, I extend the story of prison desegregation efforts back to the 1940s and early 1950s, before it was widely reported to the public. In doing so I wish to add to the scholarship that continues to push back at the classical temporal boundaries of the civil rights movement, and demand that we look more closely at the grassroots, everyday activism of individuals such as Davis.⁶ In addition, I provide context and background for a critical struggle against a criminal justice system that continues to be one of the largest obstacles to racial equality in our country.

The contemporary salience of these issues is evident in the recent reception to Alexander’s highly acclaimed *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (2010). *The New Jim Crow* has been featured in numerous newspapers and online publications, as well as on *Real Time with Bill Maher*, *The Daily Show*, CNN, MSNBC, NPR, and PBS.⁷ The book also appeared on the *New York Times* bestseller list for over a year. Alexander’s research continues to be extremely relevant as the Black Lives Matter movement has grown in the past three years. A critique of the American criminal justice system is part of public dialogue more now than ever before.

⁴ Letter from Benjamin J. Davis in Allegheny County Jail, Pittsburgh, Pa. to Vladimir (no last name given), Reel 1, Benjamin J. Davis papers, Schomburg Center for Research in Black Culture, The New York Public Library

⁵ During WWII, many Black activists used the terrors of the Nazi regime as a point of comparison to expose the oppression of Black Americans. See: Glenda Gilmore, *Defying Dixie: The Radical Roots of Civil Rights* (New York: Norton & Company, 2008).

⁶ For more work on expanding the scope of civil rights history, see: Jacquelyn Dowd Hall, “The Long Civil Rights Movement and the Political Uses of the Past.” *The Journal of American History* (March 2005). page 1234.

Thomas Sugrue, “Affirmative Action from Below: Civil Rights, the Building Trades, and the Politics of Racial Equality in the Urban North, 1945-1969.” *The Journal of American History* (2004) 91 (1): 145-173.

Patrick Jones. Review of Theoharris, Jeanne; Woodard, Komози, eds., “Freedom North: Black Freedom Struggles Outside the South, 1940-1980,” *H-1960s, H-Net Reviews* (June, 2005).

Eric Arneson, “Reconsidering the “Long Civil Rights Movement.” *Historically Speaking* 10:2, (2009). 31-34

⁷ “Media Appearances,” *The New Jim Crow*, <http://newjimcrow.com/media>.

Alexander provides a detailed analysis of a modern racial caste system in order to bring attention to the penal system's perpetuation of racial inequality. She exposes a legal system eerily reminiscent of Jim Crow, one in which people of color are labeled criminals. Once a citizen is recorded as a felon, the same basic rights denied by Jim Crow can legally be denied again: they are subject to employment and housing discrimination and stripped of their right to vote. The book focuses on the "War on Drugs," the disproportionate mass incarceration of black people in the prison system, and the problems that arise for felons after release. All of these factors create a system of legalized racial discrimination and social segregation. *The New Jim Crow* suggests that prison reform should be today's primary civil rights focus. Alexander specifically sees this as important in the modern "age of colorblindness," where many rush to deny our country's still pervasive institutionalized racism.⁸

Alexander points out that civil rights activists since the 1950s and 60s have focused and continue to focus on issues deemed more important than criminal justice reform, such as Jim-Crow voting and segregation laws, and, more recently, affirmative action.⁹ Yet for over a century, prisoners, especially people of color, have complained of unequal treatment, segregation, and abuse in federal prisons. The issue has been acknowledged by organizations, particularly the National Association for the Advancement of Colored People (NAACP), but has historically been absent from the forefront of civil rights activism.

Berger's *Captive Nation: Black Prison Organizing in the Civil Rights Era (Justice, Power, and Politics)* shows how prisons were often melting pots, where civil rights activists met, were radicalized, and found new ways to organize. Berger covers the "Classical" Civil Rights Movement, from the 1950s through to the 1970s, illustrating in particular the emergence of Nation of Islam and the Black Panthers from prison cells.¹⁰ Berger is particularly interested in the individual men and women who became active and well known within the prison system before they were recognized publicly; individuals such as George Jackson and Angela Davis. The prison was a symbol of America, merely a more extreme version of an oppressive structure of white supremacy. Thus, challenging the

⁸ Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press: 2010).

⁹ Berger, 9.

¹⁰ The terminology of the "classical" phase of the Civil Rights Movement was coined by Bayard Rustin in 1965, and refers to the time between the 1954 *Brown v. Board* decision and the Voting Rights Act of 1965. Information from: Jacquelyn Dowd Hall, "The Long Civil Rights Movement and the Political Uses of the Past," *The Journal of American History* (March 2005): 1234.

prison system was challenging white dominance. Revolutionary thinkers met in prison, organized together, and nurtured discussions that radicalized them.¹¹

While scholars like Berger have brought attention to the role of incarceration in civil rights activism, less well understood is the deeper and broader history of this relationship. Berger does not examine the roots of radicalism in prison, and neither Berger nor Alexander deeply investigate the history of prison desegregation. Re-entering this story is important because doing so uncovers the early roots of prison reform that led the way for a struggle that continues today. Moreover, looking at the life of Benjamin Davis illustrates the power and influence of grassroots activism.

DAVIS' FIRST EXPERIENCE with a segregated and unequal criminal justice system was not when he was sentenced to prison in 1949. Few black Americans could be ignorant of a system created across the country to keep them down. Davis' family was wealthy by contemporary standards: he attended Amherst College in Massachusetts, but returned home to Atlanta on school breaks. During one trip home, he was arrested for moving to the white section of a trolley car in order to give his seat up for a pregnant black woman. He was infuriated at his arrest, and with the court system he encountered.¹² He later referred to courts as "the main pillars of the Jim-Crow system" in his autobiography.¹³ This coming of age story would certainly resonate with Davis' intended audience; the injustices of America's criminal justice system had been an inescapable part of life for black Americans for centuries.

White supremacy wasted no time in forming new structures to replace formal slavery in Reconstruction-era America. The Thirteenth Amendment prohibited slavery, but with a caveat: slavery was illegal "except as a punishment for a crime, whereof the party shall have been duly convicted." Reconstruction-era black prisoners were used as slaves by southern businesses through a convict-leasing system. Black Americans were imprisoned in huge numbers, largely for small breaches of the law such as alcohol possession. The rationale behind this was "law and order," in other words, the protection of whites from the perceived threat of blacks. Prison was used as the most extreme measure of the cornerstone of Jim Crow policy: segregation.¹⁴

¹¹ Dan Berger, *Captive Nation: Black Prison Organizing in the Civil Rights Era* (North Carolina: The University of North Carolina Press, 2014), 9.

¹² Davis, *Communist Councilman from Harlem*, 40.

¹³ Davis, *Communist Councilman from Harlem*, 45.

¹⁴ Berger, 12.

The convict leasing system officially ended in 1928, when Davis was 25 years old, but the practice of disproportionate arrests and incarcerations of black men continued. Prison remained a convenient place for white authorities to put black Americans, especially ones who actively challenged white supremacy. The system of “justice” that perpetuated this trend was segregated even before imprisonment. It is a system rooted in slavery and Jim Crow laws, inexorably pitted against African Americans. By 1947, black men were three times more likely to spend time in prison than whites.¹⁵ Slave-era insurrection laws in the south were used to convict outspoken activists. Black citizens were denied protection from the law, police routinely refused to investigate lynchings, and racially charged police brutality was rampant. In fact, many black leaders in the 1940s and 50s noted an increase in brutality. Carl Vedro, a member of the Communist Party of the United States (CPUSA), claimed, “[In the] case of the Negro people, the intensification of oppressive measures is all too evident. Whereas the denial of civil rights to the Negro people before the war was expressed in lynching mobs, something new has been added today — the role of the police and the state.”¹⁶ Vedro’s opinion aligned with his party’s stance on race and the state. Communist ideology equalizes everyone, regardless of race or gender. Capitalism is a system built on the foundation of imperialism, exploitation, and slavery. To many people searching for a more egalitarian society, communism offered a viable alternative political system. The Communist Party of the U.S.A. was the primary group invested in exposing the racism in America’s criminal justice system, and Benjamin J. Davis was at the forefront of its leadership.

Davis did more than just study these relationships and systems of oppression: he became actively involved in efforts to undermine them. In 1932, four years after graduating from Harvard Law but only months after deciding to actually work as a lawyer, Davis became the defense attorney for Angelo Herndon. Herndon was a young black communist who attempted to organize black and white workers and was put on trial facing the death sentence for “insurrection.” Although Davis had already begun to move to the left politically — as is evident in his writing as a journalist following law school — Herndon introduced him to communism. During the time of the trial, Davis spent a great

¹⁵ Edwin Hardin Sutherland, Donald Ray Cressey, David F. Luckenbill. *Principles of Criminology: Eleventh Edition* (Lanham: General Hall, 1992), 167.

¹⁶ Clarence Taylor, “Race, Class, and Police Brutality in New York City: The Role of the Communist Party in the Early Cold War Years,” *The Journal of African American History* 98:2, Special Issue: “African Americans, Police Brutality, and the U.S. Criminal Justice System: Historical Perspectives” (2013). 205-228.

deal of time talking with Herndon and the Communist Party of the United States (CPUSA) soon recruited him.¹⁷ Davis came to believe that communism was the most egalitarian and efficient solution to the inequality that plagued his country, and the ideology became central to Davis' life.¹⁸ While most post-war politicians hid any communist leanings in the era of McCarthyism, Davis was proud of his party membership. After his arrest he proclaimed, "They took my Communist Party card — my proudest possession."¹⁹

Angelo Herndon's trial made headlines thanks to the exposure from the CPUSA and the NAACP. The story even made its way to the *New York Times* in an article that quoted Herndon as calling his arrest a "nightmare" in which, for a time, he was forced to live in a cell with a corpse.²⁰ Davis chronicled the racial discrimination he and Herndon encountered in the court system, such as being subjected to racially charged language, including, but by no means limited to, the word "nigger," repeatedly.²¹ As Davis and the Herndon defense experienced, black defendants often found themselves facing an unsympathetic, all-white jury, all too eager to produce a guilty verdict.²² Davis' first motion in court was to call the indictment unconstitutional based on the all-white jury that indicted Herndon. The judge refused to hear the motion.²³ Herndon was declared guilty and sentenced to 18-20 years in prison, but the defense immediately started working towards an appeal. The black press took up the case, and Davis received letters of support from people all over the world.²⁴ Although Davis was not eligible to practice before the Supreme Court, he found three distinguished attorneys to take up the appeal with the help of the International Labor Defense.²⁵ Finally, in 1937, after he had spent four years behind bars, Herndon was freed by a ruling of the Supreme Court due to the illegality of the all-white jury system in Georgia. The Herndon case set an example of both the power and

¹⁷ Horne, 32-38.

¹⁸ For information on the essential role of communism in early 20th century civil rights activists, see Glenda Gilmore, *Defying Dixie: The Radical Roots of Civil Rights* (New York: Norton & Company, 2008).

¹⁹ Horne, 208.

²⁰ "Appeal for Negro in Red Conviction," *New York Times*, August 27, 1933.

²¹ The judge allowed Negroes to be described as both "niggers" and "wards of the state" rather than citizens. Davis' insistence on this language being exempt was denied. Benjamin J. Davis, *Communist Councilman from Harlem*, 73, 80.

²² Berger, 35.

²³ Davis, *Communist Councilman From Harlem*, 64.

²⁴ Davis, *Communist Councilman from Harlem*, 83.

²⁵ "Appeal for Negro in Red Conviction," *The New York Times*, August 27, 1933.

danger of organizing to combat a system of elite white supremacy. Herndon set an example that Davis passionately followed until his death.²⁶

The Communist Party was not the only organization interested in the racial problems within prisons and the criminal justice system. NAACP papers show small pushes towards prison reform as early as 1935, when an inmate wrote to the organization describing prison for blacks as a “hellhole.”²⁷ It was hardly hyperbole; the conditions in federal prisons in the 1930s and 40s were abysmal.²⁸ Chain gangs, though outlawed in the 1930s, continued well into the 1940s, especially in the south. Inmates wrote pleas to the NAACP, mostly in hurried, misspelled handwritten letters scribbled on small pieces of paper and sent anonymously.²⁹ One letter pleaded for immediate help, saying that the warden “May Kill all of us en his wife to.... Please Mr. we need some one to look after us: he knew we are all helpless.”³⁰ Another wrote that he was “threatened with violence every day of my life... please sir... I have already gotten my eye knocked out completely.”³¹ The racialized brutality in prisons is a topic worthy of study in and of itself. Here, I will focus on efforts to desegregate, but it is important to recognize the harsh conditions these prisoners faced to truly appreciate the bravery of those individuals who dared challenge the system.

Thurgood Marshall, later renowned for his work in *Brown v. Board* and the first black Supreme Court justice, worked for the NAACP and was active in addressing these types of complaints from prisoners in the 1940s. Although documents from the 1940s New York chapter of the NAACP show that Marshall was responsible for much of the advocacy for desegregation and reform, he was not yet well known, and this part of his life has not been much written about. As with most activism in this time period, the roots of his work have been largely

²⁶ Davis, *Communist Councilman From Harlem*, 95.

²⁷ Letter from NAACP secretary to assemblyman William T. Andrews, Albany, New York. January 1935. NAACP discrimination complaint files: Bureau of Prisons. Papers of the NAACP, Part 15: Segregation and Discrimination, Complaints and Responses, 1940-1955, Series A: Legal Department Files. Library of Congress.

(Hereafter cited as “NAACP discrimination complaint files: Bureau of Prisons, LOC”).

²⁸ Horrible conditions in prisons are of course not confined to these decades and continue to this day; I point out these dates as they are the decades I discuss here.

²⁹ Many of the letters appear in typewritten form in the NAACP papers, but in correspondences between NAACP members show that these have been reproduced from handwritten originals. Handwritten letters also appear, sometimes followed by their typed copy.

³⁰ Anonymous letter addressed to the NAACP from a prison camp in Georgia. NAACP Prison and work camp conditions, prisoner complaints, and investigations. Jan 01, 1948-Dec 31, 1950: Legal Department Files. Library of Congress. (Hereafter cited as “NAACP Prison and work camp conditions, LOC.”)

³¹ Letter from Willie I. Minniefield, Georgia State Prison, to Mr. Henry W. McGee, NAACP. NAACP Prison and work camp conditions, LOC.

neglected. Scholars instead have focused on his later, more visible cases, but he was clearly instrumental in early efforts to desegregate prisons.

In the 1930s and 40s almost all prisons were segregated. Inmates were separated by race, in dining halls and dormitories, if not at all times.³² Marshall sent numerous letters to the Attorney General complaining of segregation in a New York penitentiary. The Attorney General's office sent back: "There is no discrimination on account of race or religion [...] It is, however, a fact that for administrative reasons we usually house the negroes separately."³³ Marshall responded to the blatant racism with a sentiment that would he would invoke again, over a decade later, in *Brown v. Board of Education*, "You seem to attempt to draw a line between a policy of discrimination and a policy of segregation. A large part of the injustices against Negro Americans has resulted from efforts to draw this hazy line [...] segregation in itself is discrimination."³⁴

Marshall was an educated man, and he began work at the NAACP shortly after graduating at the top of his class at Howard University School of Law.³⁵ By the 1940s, when Marshall began working there, the NAACP had become actively involved with politics. They resisted racial oppression, working within the framework of the law. Marshall's methods of advocacy through organized correspondence and complaints demonstrate the NAACP's legalistic approach to racial injustices.³⁶ We see this approach in specific cases, the most notable of which occurred in Danbury, Connecticut in 1943, and Ashland, Kentucky in 1945. In both cases prisoners organized to protest segregation behind bars. The NAACP became involved in these cases by receiving complaints, advocating for the prisoners, and corresponding with government officials.

Starting in 1943, prisoners organized resistance against segregation. Much of it was instigated by a new class of prisoners: conscientious objectors (COs). During World War II, a small amount of both black and white men refused to serve in the military for moral or religious reasons. They were imprisoned in a few select penitentiaries across the United States. As many COs — including

³² Letter to Carolyn Davenport Moore, executive secretary NAACP PA, from Edard Dudley, special assistant Special Counsel. December 29 1944. NAACP discrimination complaint files: Bureau of Prisons, LOC.

³³ Letter from Director of Bureau of Prisons James Bennett, August 22, 1942. NAACP discrimination complaint files: Bureau of Prisons, LOC.

³⁴ Letter from Thurgood Marshall to Attorney General, 1942. NAACP discrimination complaint files: Bureau of Prisons, LOC.

³⁵ Brenda Huagen. *Thurgood Marshall: Civil Rights Lawyer and Supreme Court Justice*. (Minneapolis: Compass Point Books, 2007). 35.

³⁶ Simon Topping, "Supporting Our Friends and Defeating Our Enemies: Militancy and Nonpartisanship in the NAACP, 1936-1948," *The Journal of African American History* 89, no. 1. (Winter, 2004): 17-35.

whites — were politically conscious and protested for social equality, these prisons became bastions for segregation reform.³⁷

Eighteen men began a work strike on August 11, 1943 in Danbury, Connecticut. The strike lasted 175 days. Seventeen white men and two black men started the strike, though one was immediately transferred to another prison. Their only demand was for a section of the dining hall to be integrated, so that black and white inmates who wished to sit together would be permitted to.³⁸ Over 100 COs negotiated with the warden. At least twenty publications brought the strike into public attention, specifically in the black press, including the *Chicago Defender* (national edition),³⁹ *The Afro-American*,⁴⁰ *The New York Amsterdam News*,⁴¹ and *The Pittsburgh Courier*.⁴² Articles were brief but supportive; an editorial in the *Chicago Defender* observed, “It is ironic indeed that these young men, who are such unflinching believers in democracy, have been placed in solitary [sic] confinement for adhering to democratic ideals that many thousands of anti-fascists have died for in Hitler’s concentration camps.”⁴³ Even the *New York Times* took note of the strike writing, in a positive light, the “complete solidarity” of the prisoners.⁴⁴ The NAACP organized conferences to discuss the matter and remained in constant contact with prison officials. The majority of the correspondences were between head of the NAACP, Walter White, and Director of Federal Prisons, James V. Bennett. Thurgood Marshall, too, was involved, as he was in the majority of these cases.⁴⁵

Bennett and other prison officials responded similarly to the Attorney General’s office’s response to Marshall; with feeble justifications and wordplay. Bennett stated that discrimination did not exist in federal prisons but that they

³⁷ Daniel Levine, *Bayard Rustin and the Civil Rights Movement*. (United States: Daniel Levine, 2000). 1.

³⁸ Letter to Walter White, NAACP, from Ruth E. MacAdam. October 19, 1943. Enclosed “Statement of Facts.” NAACP discrimination complaint files: Bureau of Prisons.

³⁹ Alexander M Man, “C.O.’s On Strike For Democracy,” *The Chicago Defender* (national edition). Chicago, IL: November 27, 1943. 14. ProQuest Historical Newspapers: Chicago Defender.

⁴⁰ “U.S. Prison Jim Crow Protested,” *Afro-American*. Baltimore, MD: November 6, 1943. 9.

⁴¹ Thelma J. Mickle; Marie D. Nelson, “‘Prisoners,’ But Still They Fight Jim Crow.” *New York Amsterdam News*. New York: September 18, 1943. 12.

⁴² “‘Objectors’ on Strike,” *The Pittsburgh Courier*. September 18, 1945.

⁴³ Man, “C.O.’s On Strike For Democracy.”

⁴⁴ Emanuel Perlmutter, “Daniel Berrigan Says Prisoners in Danbury Will Continue Strike,” *New York Times*. March 7, 1972. 22.

⁴⁵ Various letters to and from Thurgood Marshall; see subsequent footnotes. NAACP discrimination complaint files: Bureau of Prisons.

maintained segregation “for administrative reasons.”⁴⁶ He maintained that despite segregation there was no discrimination, and that the prisoners were segregated to avoid racial tensions, which they claimed to have eased. The policy of the officials was that of evasion and containment. The strikers’ punishment was confinement to their cells for 23 hours a day. But they were eventually successful: the warden agreed in December that the prison would desegregate the dining hall.⁴⁷ Danbury became the first federal penitentiary to formally take this step. Immediately following integration, black inmates reportedly sat in their formerly segregated sections, but after six months they were “sitting all over the mess hall.”⁴⁸ In the following year, there was a noted “growing consciousness of the harm being done to the negro, as well as white, prisoners because of the policy of segregation” within the American penal system.⁴⁹ The Danbury strike would be used as a critical example of an institution that moved towards integration “without a hint of inter-racial violence.”⁵⁰

In 1945, inmates in Ashland, Kentucky staged a hunger strike to protest segregation. The strike began in June, when eight white CO inmates refused to eat in the segregated dining hall. Three black men soon joined. These three took a position of leadership and composed a statement opposing racial segregation. They distributed it throughout the prison as well as to the Director of the Bureau of Prisons in Washington and to the prison warden. Part of the statement read: “We are tired of talking about segregation. We have acted. [...] We know what we are dealing with. But we are not slaves. We will not accept a slave’s mind. We are willing to pay a price for freedom.” This price was being placed in isolation for 23 hours of the day throughout the strike, and transfer for some. In fact, two of the three black men were transferred immediately after issuing the statement.⁵¹

⁴⁶ Letter to Thurgood Marshall from James Bennett, August 22, 1942. NAACP discrimination complaint files: Bureau of Prisons.

⁴⁷ Letter from Thurgood Marshall to James Bennett 1945, Letter from Clayton Powell to Attorney General October 8, 1945. NAACP discrimination complaint files: Bureau of Prisons, LOC.

⁴⁸ Letter from Clayton Powell to Attorney General, October 8, 1945. NAACP discrimination complaint files: Bureau of Prisons, LOC.

⁴⁹ Letter to Carolyn Davenport Moore, executive secretary NAACP PA, from Edward Dudley, special assistant Special Counsel. December 29 1944. NAACP discrimination complaint files: Bureau of Prisons, LOC.

⁵⁰ 1945 press release. NAACP discrimination complaint files: Bureau of Prisons, LOC. Similar references in letter to Walter White, from Carolyn Davenport Moore December 9 1944 and letter to Warden Hagerman of Ashland Federal Penitentiary from Edward R. Dudley, Special Counsel NAACP July 30 1945. Letter from Adam Clayton Powell to Attorney General Tom Clark, undated. NAACP discrimination complaint files: Bureau of Prisons, LOC.

⁵¹ July 23 1945 press release. NAACP discrimination complaint files: Bureau of Prisons, LOC.

One of the black strikers in Ashland was Bayard Rustin. Rustin was later known as a champion of nonviolence, civil rights, and, less publicly, gay rights. Within the Civil Rights Movement Rustin was critical, though he is less well known today. In his lifetime he was best known for his involvement with the Congress of Racial Equality (CORE), leading a freedom ride, and organizing the March on Washington, but he was also critical to early prison desegregation efforts.⁵² As a young man imprisoned in Ashland, he was passionate enough about the cause of desegregation to end up being tube-fed in the prison hospital after refusing to break his hunger strike. He even refused to sign his papers for parole, expressing in a letter to a friend his desire to be imprisoned during the war, “in that place where I can gain the best political experiences for the task we shall have at the end of the war... I am learning the many factors involved in organizing the underprivileged and the fearful.”⁵³ Throughout his stay Rustin fought to end segregation in the dining hall, and he even proposed desegregated cells to the warden. Though both attempts proved unsuccessful, he gained a passion for the cause of equality and valuable experience in organizing. Like leaders discussed in *Captive Nation* decades later, Rustin was radicalized in prison. His experience there, which included organizing with other COs to combat racial segregation, prepared him for a life of activism.

Rustin was sent to solitary confinement for eighteen months and then transferred to a new prison, again in solitary, ostensibly as his punishment. Six men in total — some black and some white — were transferred due to the strike, two of them to Mill Point, which was referred to as a “tougher jail.”⁵⁴ In the Ashland case, the NAACP was met with evasion and contradiction in the same way of the Danbury case. Adam Clayton Powell of the NAACP, who had recently been elected to congress, wrote to Attorney General Tom Clark about a letter he received from the Acting Director of the Bureau of Prisons, A.H. Conner. Powell carefully outlined how Conner’s letter “ranges from evasion of the issue to misstatement of facts.” Conner’s rationalizations mirrored those of Bennett’s during the Danbury case. He claimed that “practically all members of both races prefer the present [segregated] arrangement,” which Powell asserted was entirely false, citing the Danbury strike, testimonies from other institutions, and the fact that 500 out of the 600 imprisoned at Ashland were “negroes, Co’s, or Jehovah’s Witnesses, almost all of whom are opposed in principle to segregation.” He also

⁵² D’Emilio, John. “Remembering Bayard Rustin,” *OAH Magazine of History* 20 (2006): 12-14.

⁵³ Levine, 43-44.

⁵⁴ Letter from Thurgood Marshall to James V. Bennett, July 5, 1945. NAACP discrimination complaint files: Bureau of Prisons, LOC.

pointed out that Conner erred in using the argument that desegregation would cause a “race riot,” an argument that was also used during the Danbury strike and was disproven by the successful and peaceful implementation of integrated seating there.⁵⁵

The similarities between Danbury and Ashland ended there. The Ashland strikers’ goals were not met. But in the process of protesting the activists gained critical support, exposure, and experience. The black press, including the *Afro-American*⁵⁶ and *The Pittsburgh Courier*,⁵⁷ publicized their battle. Walter White wrote to President Truman to protest the continued confinement of the strikers.⁵⁸ They also gained support from the War Resisters League (WRL), a group of conscientious objectors founded in 1923. Many of the participating strikers were a part of the WRL. Although reform of Jim-Crow prison conditions was not a high priority for the WRL, their intersection with civil rights activism had a lasting impact. Members of the League were radicalized in prison, and they brought social justice issues into the League’s agenda in the following years. All of the men involved were given a chance to practice non-violent direct action, a technique that would carry into the Civil Rights Movement.⁵⁹

Benjamin J. Davis was a revolutionary and ahead of his times in many respects. Davis and the rest of the Communist Party advocated for economic reform and unity between workers of all races as the answer to racial and socioeconomic inequality. He worked tirelessly as a city councilman, instituted Negro History Week in New York City, pushed for lower prices for rent and public transportation as well as for higher wages, campaigned against police brutality and segregation in education, housing, and sports, and met with every single citizen that came to his office, personally helping each one.⁶⁰

In the summer of 1948, FBI agents arrested Davis at his home in Harlem.⁶¹ He and five other Communist Party members were charged with conspiring to overthrow the United States government, a charge that Davis called a “monstrous frame up.” Davis believed his arrest was “an attempt to silence the

⁵⁵ Letter from Adam Clayton Powell to Attorney General Tom Clark, undated. NAACP discrimination complaint files: Bureau of Prisons, LOC.

⁵⁶ “Federal Prisoners Rebel Against JC,” *Afro-American*, August 4, 1945.

⁵⁷ “Protests Bias in Federal Prisons,” *The Pittsburgh Courier*, October 13, 1945. 27

⁵⁸ “Correct Correctional Institutions -- END JIMCROW” placard, Committee to end Jim Crow in U.S. Prisons, New York City, N.Y. Attached to letter from Albon Man to Walter White, November 16, 1945. NAACP discrimination complaint files: Bureau of Prisons, LOC.

⁵⁹ Scott H. Bennett, *Radical Pacifism: The War Resisters League and Gandhian Nonviolence in America, 1915-1963*. (New York: Syracuse University Press, 2003). 125-132.

⁶⁰ Campaign advertisement, Reel 4, Benjamin J. Davis papers, Schomburg Center for Research in Black Culture, The New York Public Library.

⁶¹ Horne, 208.

only voice of the Negro people” in New York City.⁶² The arrests were widely condemned, and the American Civil Liberties Union wrote a complaint to the Attorney General, Tom Clark.⁶³ Nonetheless, the trial continued, and it went on for nine strenuous months until, to his dismay, Davis was declared guilty and given a five year sentence. Yet through these months his supporters stood by him. The Smith Act trial was illustrative of Davis’ sway over the people of New York City. While the court system condemned him, his supporters wept. Following the conviction, 2,000 Harlemites staged a protest in the streets that Davis called “orderly and democratic.”⁶⁴ They waved torches in the air and chanted “We will not be moved.”⁶⁵ The marchers were greeted by police, and 45 minutes of violence followed.⁶⁶ The terror would not intimidate his supporters, who continued to campaign for his release throughout his sentence.

Clearly, Davis had a strong support base, and for good reason. Never had the people of Harlem seen a politician so truly committed to improving their lives and their community. Davis was a massive figure, in stature and in presence. He was known for giving speeches on the street corners of Harlem, standing on trucks or balconies as he addressed his people.⁶⁷ He had the support not only of communists and blacks but also of many middle and lower class workers as well as many New York Jews. His supporters called him “Fighting Ben.”⁶⁸ Support for him still thrived when he was sent to the Terre Haute Penitentiary in Indiana.

In the federal penitentiary Davis encountered the very Jim Crow system he had spent his life fighting. He fought back: the year before his release, 1954, he filed a lawsuit. Like the NAACP, many black activists at the time attempted to work within the existing framework and fight with legal means. According to Davis’ allegations, which were confirmed by a former inmate of the same penitentiary, black and white prisoners were kept almost entirely segregated.⁶⁹ The groups were brought into the cafeteria and entertainment hall separately

⁶² “Ben Davis Denies Red Plot: Faces 10 Years in Jail, \$10,000 Fine if Proved Guilty,” *New York Amsterdam News*, July 24, 1948.

⁶³ *Ibid.*

⁶⁴ Text of address by Benjamin J. Davis, November 4, 9:30 PM. Reel 3. Benjamin J. Davis papers, Schomburg Center for Research in Black Culture, The New York Public Library.

⁶⁵ “Extra Police Guard Harlem After Clash,” *New World Telegram*, NY: November 4, 1949. Benjamin J. Davis papers, Schomburg Center for Research in Black Culture, NYPL.

⁶⁶ Text of address by Benjamin J. Davis, November 4, 9:30 PM.

⁶⁷ Horne, 294.

⁶⁸ Horne, as well as many letters in Reel 1 of Benjamin J. Davis papers, Schomburg Center.

⁶⁹ Letter from Steve (no last name given) to Benjamin J. Davis, Jr. Reel 1, Benjamin J. Davis papers, Schomburg Center for Research in Black Culture, The New York Public Library.

and were made to sit in separate sections. All black prisoners were confined to cells in a different area of the prison from whites. And of course these conditions were hardly equal: the black cells were locked throughout the day except for occasions such as meals or scheduled entertainment, while the white cells were kept open. Black prisoners were assigned what were considered worse jobs and were not awarded the same privileges that whites were for “meritorious conduct and exemplary work.” Davis also complained that there were no black correctional officers or guards in the black section of prison, which subjected the prisoners to discriminatory practices.⁷⁰ He described the prison system as an instrument of “humiliation and terror.”⁷¹

Davis protested these conditions, stating that the segregation and discrimination were “spiritually degrading and physically damaging.” In 1954, before the famous *Brown vs. Board* decision, he filed a petition for a writ of mandamus⁷², directing Attorney General Herbert Brownell and Director of Prisons James V. Bennett to end Jim Crow in federal prisons. He contended that the prison was violating the Eighth Amendment of the Bill of Rights, which prohibits “cruel and unusual punishment,”⁷³ as well as the Fifth Amendment prohibiting charging someone for the same crime twice; Davis claimed he and other black inmates were subjected to double jeopardy “as a prisoner and as a negro.”⁷⁴ After filing the lawsuit, he was put in solitary for three months and then transferred from Terre Haute to Allegheny, Pennsylvania, where he was again placed in solitary and given a new two month sentence.⁷⁵ Davis spent these months in a “ill-lighted Jim Crow prison cell” where he hand-wrote his autobiography. He was under careful supervision, and because of this, much of

⁷⁰ Petition for Writ of Habeas Corpus, Benjamin J. Davis, Jr. V. Herbert Brownell, Jr., Attorney General of the United States, and James V. Bennett, Director of the Bureau of Prisons of the Department of Justice of the United States, United States District Court for the District of Columbia, Reel 4, Benjamin J. Davis papers, Schomburg Center for Research in Black Culture, The New York Public Library.

⁷¹ Letter from Benjamin J. Davis in Allegheny County Jail, Pittsburgh, Pa. to Vladimir (no last name given), Reel 1, Benjamin J. Davis papers, Schomburg Center for Research in Black Culture, The New York Public Library

⁷² A writ of mandamus is a court order directing an inferior government official to correct a mistake or abuse of power.

⁷³ Jim Crow: The Official Government Policy in Federal Prisons, pamphlet by Civil Rights Congress, NY. Reel 3, Benjamin J. Davis papers, Schomburg Center for Research in Black Culture, The New York Public Library. (Hereafter cited as “Davis papers, NYPL.”)

⁷⁴ Petition for Writ of Habeas Corpus, Benjamin J. Davis, Jr. V. Herbert Brownell, Jr., Attorney General of the United States, and James V. Bennett, Director of the Bureau of Prisons of the Department of Justice of the United States, United States District Court for the District of Columbia, Reel 4, Davis papers, NYPL.

⁷⁵ Horne, 266.

his experience is absent in his writing.⁷⁶ The suit was thrown out in what he called a “conspiracy between the Department of Justice and the presiding judge” on the grounds that he had left the prison.⁷⁷ Hymen Schlesinger, Davis’ attorney, claimed his transfer was in response to the suit and an effort to create an excuse to throw the case out.⁷⁸ The new sentence was allegedly for “contempt of court,” but Davis believed it was because he was “a Negro who dares to file suit in person against the racist segregation maintained in the federal prison system.”⁷⁹

Undaunted, “Fighting Ben” filed suit again against illegal segregation. This time it was a petition for writ of habeas corpus, wrongful imprisonment. He asserted that the Attorney General was responsible for providing integrated and non discriminatory living quarters under Section 4042 of Title 18, the criminal and penal code of the federal government. He repeated the previous allegations, asserting that the same practices of segregation and discrimination were used in the Allegheny County Penitentiary. He claimed his transfer, his new sentence, and the segregation maintained throughout both terms were all wrongful and illegal.⁸⁰ The court was unsympathetic. In the affidavit in response to his petition, the head of the Bureau of Prisons claimed “there is nothing to show, on the face of this record, that the allegation of segregation was true in fact.” The response was strange to say the least, riddled with discrimination on the grounds of political and religious beliefs (or lack thereof). It claimed that the jurors and judge “should not apologize that our ethical notions, religious convictions, and political views of the type of social order that is decent and rewarding to its members, all combine to make the totalitarian communist state odious and frightful in our sight.” It then points out that “the record is very long and its analysis is a tedious and unwelcome task, ” that it was difficult to read all the pages of testimony, and the defendants are “an undeserving lot.”⁸¹

⁷⁶ Benjamin J. Davis, *Communist Councilman from Harlem: Autobiographical Notes Written in a Federal Penitentiary*. (New York: International Publishers, 1969). 1.

⁷⁷ Letter from Benjamin J. Davis in Allegheny County Jail, Pittsburgh, Pa. to Vladimir (no last name given), Reel 1, Davis papers, NYPL.

⁷⁸ Horne, 267.

⁷⁹ Benjamin J. Davis, 1903-1964. Letter from Benjamin J. Davis to W.E.B. Du Bois, 1955. W.E.B. Du Bois Papers (MS 312). Special Collections and University Archives, University of Massachusetts Amherst Libraries.

⁸⁰ Petition for Writ of Habeas Corpus, Benjamin J. Davis, Jr. V. Herbert Brownell, Jr., Attorney General of the United States, and James V. Bennett, Director of the Bureau of Prisons of the Department of Justice of the United States, United States District Court for the District of Columbia, Reel 4, Davis papers, NYPL.

⁸¹ Motion to Dismiss: Benjamin J. Davis, Jr., V. Herbert Brownell, Jr., April 1, 1955. The United States District Court For the District of Columbia. Reel 4, Davis papers, NYPL.

DESPITE LOSING THE CASE, Davis had an impact. In a letter to the editor of the *Amsterdam News*, he “took issue” with the writer’s description of him as “deserted and alone.” In his usual style of robust confidence, he proclaimed that even in prison, “surrounded by concrete and steel and isolated from my friends, co-workers, and the great mass of my people, I was able to file a suit against segregation in the federal prison system, which suit has helped substantially in bringing about certain reforms.” He mentioned how black and even some white inmates, supporters of “negro liberation,” and the negro press rallied around his suit.⁸² These supporters, including well-known activists like Claudia Jones and W.E.B. Du Bois, campaigned for his release and for support of his suit.⁸³ They canvassed, spread pamphlets, wrote letters and articles, and asked for contributions to the Civil Rights Congress and for messages to be sent to Attorney General Herbert Brownell. Newspapers like the *Afro-American* and the *Philadelphia Independent* heralded him and brought attention to the case. His case was referred to as “a fight for the elimination of official Government and anti-Negro discrimination; a fight to cleanse the Government of an official policy of Jim Crow.”⁸⁴ Elizabeth Gurley Flynn, a well known labor and women’s rights activist, credited Davis with having a large impact on desegregation of American prisons, saying that the jail she inhabited was desegregated during her stay, and that the black women incarcerated with her knew of Davis and his case.⁸⁵ John Lawson, writer of film and theatre and head of the Hollywood division of the CPUSA wrote to Davis: “Your attack on Jim Crow conditions in federal prisons has opened a struggle which must and will be continued.”⁸⁶

Davis’ struggle persisted, but so did the power of his oppressors. Despite the strides made by the Civil Rights Movement, the criminal justice system remains extremely problematic. In 1947, black men were three times more likely to spend time in prison than whites;⁸⁷ by 2010 they were six times more likely.⁸⁸ Davis’ primary goal of prison desegregation has been reached, albeit slowly,⁸⁹ but the act of racially segregating society through mass incarceration of people of

⁸² Benjamin J. Davis, Letter to Editor of the *Amsterdam News*.

⁸³ Letters from DuBois and Jones, Reel 1, Davis papers, NYPL.

⁸⁴ Jim Crow: The Official Government Policy in Federal Prisons, pamphlet by Civil Rights Congress, NY. Reel 3, Davis papers, NYPL.

⁸⁵ Gerald Horne, 268.

⁸⁶ Letter from John Lawson to Benjamin J. Davis, April 16, 1955. Reel 1, Davis papers, NYPL.

⁸⁷ Edwin Hardin Sutherland, Donald Ray Cressey, David F. Luckenbill, 167.

⁸⁸ “Kings Dream Remains an Elusive Goal; Many Americans See Racial Disparities,” *Pew Research Center: Social and Demographic Trends*, August 22, 2013.

⁸⁹ James B. Jacobs, “Race Relations and the Prisoner Subculture.” *Crime and Justice*, Vol. 1. University of Chicago Press, 1979.

color has only strengthened, and the Jim-Crow style of discrimination still thrives in our criminal justice system.⁹⁰ Recently, in July 2015, President Barack Obama delivered a rousing speech on our country's criminal justice system at the NAACP's 106th National Convention in Philadelphia. He commended the organization's work in the past century, including, of course, segregation reform. But, he said, "Our work is not done." He discussed similar topics as seen in *The New Jim Crow*: stop-and-frisk, overcrowding, mass incarceration, police brutality, and unemployment rates connected to incarceration. Like Davis and the COs in Danbury and Ashland more than half a century ago, Obama described the criminal justice system as an "aspect of American life that remains particularly skewed by race and by wealth." The prison system is particularly difficult to penetrate because prisoners are so disenfranchised that their voices go unheard. By pushing this story back, I hope to have illuminated the age-old systematic challenges faced by prisoners and criminal justice reform activists, and proven how long people have been fighting the battle against racism in prisons. Obama prefaced the bulk of the speech with a critical point: "This is not a new topic."

⁹⁰ Chad R. Trulson, James Q. Marquet, "The Caged Melting Pot: Toward an Understanding of the Consequences of Desegregation in Prisons," *Law & Society Review*, Vol. 36, No. 4 (2002), 743-782.

THE READING RAILROAD 1892-1893: Combination to Collapse

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THE PANIC OF 1893 began a depression that lasted into 1897. Theories for the cause of the Panic have included an inadequate money supply, a European depression, and a hit to national credit caused by the passage of the Sherman Silver Purchase Act. Historians have pointed more generally to over-speculation, under-consumption, or even unavoidable economic law as the cause of the Panic.¹ What initially triggered the Panic, however, was the collapse of the Reading Railroad in February 1893.

Just one year before the collapse the Reading nearly secured a monopoly when it combined with two other companies to control the production and transportation of 50-60 percent of the anthracite coal used by northeastern cities. The company's bold president Archibald Angus McLeod earned the nickname, "the Napoleon of railroad combination."² But from the anthracite combination in February 1892 to the collapse in February 1893, the president extended the company's credit too far and estranged its most powerful financier, John Pierpont Morgan. Without Morgan's support the Reading became insolvent and sparked an unprecedented stock market collapse. The events leading up to the collapse illustrate how ineffectual government action, monopolistic attitudes, and divergent meanings of a company shaped how and why the Reading crumbled.

COMBINATION TO COLLAPSE

During much of the nineteenth century, Americans in the Northeast relied on anthracite coal to heat their homes. Approximately 477 square miles within eastern Pennsylvania produced all the anthracite coal used by the population centers along the northeastern coast. People referred to this coal-producing region as the Anthracite Region, and the coastal population centers as

¹ Douglas Steeples and David O. Whitten, *Democracy in Desperation* (Westport Connecticut: Greenwood Press, 1998), 1-25.

² "He Startled New-England: Mr. M'leod's Invasion of the Eastern Territory." *New York Times*. February 24, 1893.

the Tidewater region. Transporting coal to the *Tidewater* region had posed a challenge to early anthracite producers. Mining companies first built roads and canals to move their product, but later turned to railroads, which they built specifically to move the coal to market.

By the 1880s, however, the tables had turned as the transportation system began to control production. Rapid nineteenth-century railroad construction had led to great trunk lines with immense financial power. These lines compromised independent mining companies by purchasing available coal lands or by controlling majority stock in mining companies.³ To control additional coal lands, the transportation companies coerced independent coal producers to join them. For instance, the Reading Railroad charged a higher rate for a short route than the Pennsylvania charged for a long route. The Reading could charge unreasonably high transportation prices because they owned most of the coal they transported; the price only shifted profits within their own conglomerate. But for the few independent collieries, high prices applied pressure to join the Reading.⁴ By the 1890s seven railroad companies controlled nearly the entire Anthracite region: the New York, Lake Erie & Western; the New York, Susquehanna & Western; the New York, Ontario & Western; the Pennsylvania; the Delaware, Lackawanna & Western; the Central Railroad of New Jersey; the Lehigh Valley; and the Philadelphia & Reading.⁵

On February 11 and 12, 1892, three of the seven anthracite companies merged under the Reading Railroad to form the so-called Reading Combination. The Philadelphia & Reading leased the Lehigh Valley Company for 999 years on February 11. The next day the Port Reading Railroad Company, which was controlled by the Philadelphia & Reading, leased the Central Railroad of New Jersey for 999 years.⁶ Together these roads controlled between 50 and 60 percent of the anthracite coal market. The *New York Times* credited JP Morgan as a chief financier and forcible promoter of the combination.⁷ The Reading also acquired large stock ownership in the Delaware, Lackawanna & New York. Although the

³ "Proceedings January 18, 1893," 52nd cong., 2nd sess., *Congressional Record*. pt. 1:662-664.

⁴ "The Reading Coal Deal: Attitude of the Pennsylvania Road Explained. General Freight Agent Joyce on the Stand—Forced into a Position to Save Their Business—a Coal Operator's Views—Talking About the Report." *New York Times*. December 16, 1892.

⁵ "January 18, 1893" *Congressional Record*. pt. 1:662-664.

⁶ New York State Senate, Special Senate Committee Relative to the Coal Monopoly, 116th sess., 1893, p.111.

⁷ "A Great Railroad Deal: Reading Now Commands the Coal Situation. the Jersey Central and the Lehigh Valley Railroads Leased in Perpetuity to the Reading Company." *New York Times*. February 11, 1892.

Reading did not control that company, Mr. Sloan, the President of the Lackawanna, affirmed his company would cooperate with the Reading.⁸ With the cooperation of the Lackawanna, the collusive group supplied 80 percent of the coal required by the Tidewater region.⁹

Two of the merger's proponents most actively caused the 1893 collapse: Archibald A. McLeod and John Pierpont Morgan. The *New York Times* heralded McLeod a self-made man—akin to Rockefeller, Carnegie, and other Gilded Age industrialists. Less than twenty years before he became president of the Reading, “Archie” borrowed one hundred dollars to purchase a horse to deliver mineral water in Duluth, Minnesota. Later McLeod left Duluth to speculate in Colorado mining, where he impressed an official of the Reading Railroad, Austin Corbin. When Corbin became President of the Reading Railroad he appointed McLeod general manager of the Elmira, Cortland & Northern Railroad in New York State. Then in the summer of 1890, when Corbin retired as president, the shareholders of the Reading elected McLeod as Corbin's replacement.¹⁰

Whereas few know of “Archie” today, John Pierpont Morgan's name still appears in central business districts across the globe. Morgan and Anthony J. Drexel led the financial syndicate Drexel, Morgan & Co., tightly joining the two bankers. While both participated in the Reading collapse, Morgan played a more public role. Throughout his life, JP Morgan managed many agreements between railroads. For example, the most important railroad owners in the country met at his house in 1889 and agreed not to cut rates, build unnecessary lines, or compete with one another. Although the 1889 agreement failed in practice, Morgan had a reputation for effective railroad organization. In 1893, he reorganized a struggling cartel of 35 railroads spanning from Richmond to Cincinnati. During negotiations, the owners refused at first when Morgan demanded complete control. They turned to the Central Trust Company instead, but after that firm failed, the owners agreed to Morgan's conditions. Morgan succeeded to form the Southern Railway, the largest railroad in the South.¹¹

In anticipation of the Reading merger, the *New York Times* ran two articles on February 9. The company presidents' physical meetings had precipitated rumors that a major deal was being negotiated. The first article reported on rising

⁸ “The Contracts Ratified: Completion of the Great Reading Railroad Deal. the Directors of the Jersey Central and of the Lehigh Valley Assent to the Terms Under Which Those Roads Are Leased.” *New York Times*. February 12, 1892.

⁹ “A Great Railroad Deal.” February 11, 1892

¹⁰ “President McLeod: Something About the Man at the Head of the Reading Combination.” *New York Times*. February 13, 1892.

¹¹ Edwin Hoyt, *The House of Morgan* (New York: The Cornwall Press Inc., 1966) 175-186.

railroad stock prices in expectation of the deal.¹² The second article warned proponents of the combination that the states and federal government might respond negatively. Although similar combinations had never been prosecuted, courts had dismantled combinations after members sued one another. The Supreme Court of Pennsylvania dismantled a railroad trust in 1870 when members brought suit against one another. Moreover, federal and state legislators could pass new laws.¹³ The proponents of the combination ignored these warnings.

The critic's warning materialized when both the New York State Senate and the US House of Representatives formed committees to investigate the combination's potential for public harm. Many worried the Reading would raise prices unfairly if it controlled a majority of the anthracite supply. The committees questioned company officials and coal traders throughout 1892, but neither produced forcible actions against the Reading. Combination proponents described a dismal anthracite industry to both committees.¹⁴ According to one coal trader, before the formation of large companies nine out of ten that entered the anthracite industry failed.¹⁵ McLeod had several justifications for Reading market power. He claimed that overproduction of coal in cold months lowered anthracite prices below the cost of production. Each spring, large-scale anthracite dealers bought up leftover winter coal at low prices. When demand rose in the fall, they flooded the market with cheap coal, holding prices below the cost of production. This, "unfortunate accident of the trade," according to McLeod, justified market power for anthracite producers.¹⁶ McLeod also claimed that overdeveloped coal producing capital required companies to limit production; the market used 40,000,000 tons of coal annually, but the collieries could provide 55,000,000 tons annually. He argued that production restrictions were "involuntary."¹⁷ Survival—not greed—motivated collusion in the anthracite market according to McLeod.

Additionally, during his prepared statement McLeod offered coal price lists from Philadelphia and New York City in July 1891 and July 1892 to show that coal prices had risen only 37.5 cents per ton since the combination earlier

¹² "Stir Among Coal Roads: And Alleged Deal to Centralize the Coal Traffic Frequent and Mysterious Conferences Among Coal Presidents—J. Pierpont Morgan Said to Be Interested—Boom in Coal Stocks." *New York Times*. February 9, 1892.

¹³ "Law for Coal Trusts." *New York Times*. February 9, 1892.

¹⁴ New York State Senate, Committee Relative to the Coal Monopoly, 508.

¹⁵ "The Reading Coal Deal: Attitude of the Pennsylvania." December 16, 1892.

¹⁶ New York State Senate, Committee Relative to the Coal Monopoly, 508.

¹⁷ New York State Senate, Committee Relative to the Coal Monopoly, 333.

in 1892. Yet in more thorough price lists submitted at the end of his statement, price increases averaged 49 cents per ton from July 1891 to July 1892. Casting further doubt on McLeod's statistics, another coal trader testified that before the combination, prices were routinely cut from their listed prices. The competitive price cuts had allegedly stopped after the merger. McLeod repudiated the claims and said that his company never cut the prices. Others may have cut prices "to put their coal on the market to save themselves from ruin," or to get rid of rusting coal, but McLeod assured the committee that his price lists were representative and that price increases had been fair.¹⁸

In addition to legislative committees, the combination faced opposition in a New Jersey chancery court. On August 25th, 1892 Chancellor McGill terminated the Port Reading Company's lease of the New Jersey Central Railroad. McGill ruled that companies were created by the state for public benefit; therefore they required legislative approval to be leased.¹⁹ Yet, collusion persisted after the injunction. First, the injunction only affected part of the combination, as the Lehigh Valley lease remained. Second, collusion in the anthracite industry existed to a lesser extent without the official Reading leases. For instance, the Lackawanna cooperated with the Reading without a formal agreement. Likewise, in December the House committee found that executives of several companies set the price of coal at monthly meetings. The details of these meetings are not clear, but the General Freight Agent of the Pennsylvania Railroad summarized their purpose as fixing the price, "by agreement among the roads other than the Pennsylvania."²⁰ Evidently, collusion pervaded the industry without official leases, and the New Jersey injunction hardly affected it.

Impervious to the public's critical response, McLeod continued aggressive acquisitions for the Reading Company. On August 29 1892, only days after the New Jersey injunction, he attempted to extend the Reading into New England. He entered a contract with a brokerage firm to purchase 30,000 shares of the Boston & Maine Railroad. The parties in the contract were George H. Earle, a broker representing McLeod, and F. H. Prince, a broker representing an anonymous owner of a large block of Boston & Maine stock.²¹ The contract stipulated that several transactions be performed over the coming months. It first required Prince to ensure that the Boston & Maine lease the New York & New

¹⁰⁹ New York State Senate, Committee Relative to the Coal Monopoly, 323-332.

¹⁹ "The Jersey Central Lease: Chancellor M'gill Enjoins Its Operation. the Reading Company Commanded to Desist from Controlling the Jersey Central Road—the Coal Combine Declared to Be Adverse to Public Interests." *New York Times*. August 26, 1892.

²⁰ "The Reading Coal Deal: Attitude of the Pennsylvania." December 16, 1892.

²¹ "The Reading Investigation: Mr. George H. Earle, Jr., Tells of Mr. M'Leod's Operations." *New York Times*. February 16, 1894.

England Railroad. The Reading would then lease the Boston & Maine. McLeod agreed to buy 15,000 shares of the Boston & Maine from the anonymous owner, and Prince agreed to buy 15,000 more shares from his principal, the anonymous owner.²² The shares purchased by Prince would form a margin account under McLeod's name to give McLeod control of 30,000 Boston & Maine shares all together. Then he could elect himself president of the Boston & Maine. As security on the margin account, McLeod agreed to provide \$350,000 worth of Reading mortgage bonds. He used \$320,000 of his own bonds and \$30,000 in bonds taken directly from the Reading treasury.²³ When the agreement became public, observers criticized McLeod for using treasury bonds without official approval. Normally, the use of treasury bonds in a margin account required approval from the Board of Directors. McLeod risked losing company property if Boston & Maine stock prices fell. Though he lacked official authorization, McLeod did consult several board members privately before he took the bonds.²⁴ Later the Board retroactively approved McLeod's actions, but by neglecting procedure McLeod maintained the secrecy of the stock purchases.

A year after the Reading collapse, McLeod accused Prince of breaching their contract. Prince did not purchase the agreed upon 15,000 shares, rather he demanded more collateral and bought only 9,000 shares. "It was too important for the Reading to drop the transaction there," McLeod acquiesced, "I also thought the Boston and Maine would be worth a great deal more than I paid for it."²⁵ The President estimated the New England extension would provide \$2.7 million annually for the company, enough to justify using treasury bonds for the additional collateral. Moreover, McLeod already arranged the retirement of the sitting president of the Boston & Maine, which made following through a matter of "honor."²⁶ To secure the originally intended 30,000 shares, an unnamed friend of McLeod bought 6,000 shares. With personal control of 24,000 shares and his friend's 6,000 shares, McLeod elected himself President of the Boston & Maine on October 26, 1892.²⁷

The plan to control the New York & New England was even less effective than the plan to control the Boston & Maine. Prince failed to secure the lease to the Boston & Maine, so McLeod tried to elect himself president of the New York & New England as well. The President's friends bought a large block of

²² "Hope for Reading at Last." *New York Times*. September 7, 1893.

²³ *Ibid.*

²⁴ "Mr. M'Leod Tells His Story." *New York Times*. February 17, 1894.

²⁵ *Ibid.*

²⁶ *Ibid.*

²⁷ *Ibid.*

New York & New England shares, but he worried they would sell if prices rose.²⁸ He decided that with 25,000 additional shares, he would secure the New York and New England. For the Reading, he purchased 25,000 shares on margin through another brokerage group, Ervin and Co. These New York & New England shares belonged to the Reading Company outright; McLeod did not use any of his own properties in the margin account. To McLeod's dismay, the president of the New York & New England refused to resign, barring McLeod from completing the coup. He did not become president of the New York & New England until after the receivership.²⁹

On December 24, 1892, the Board of Directors authorized McLeod's transactions with an official resolution. The resolution ratified all purchases of Boston & Maine and New York & New England and retroactively authorized McLeod's use of company property. The resolution also promised to reimburse the President up to \$400,000 for his own properties used in the accounts. The Board recognized that McLeod personally controlled the Boston & Maine and that he controlled it for the benefit of the Reading. McLeod also understood the shares to be under his control for the benefit of the company, though he inflated his achievement when he wrote in a letter to the Reading's foreign representative in London Isaac L. Rice that he personally controlled the New England roads without any liability to the Reading.³⁰ Rice would later play a decisive role in McLeod's downfall.

Initially the proprietors of New England railroads, including JP Morgan who controlled the powerful New York, New Haven, and Hartford Railroad Company, doubted rumors of McLeod's bombastic move. Though it is not clear whether McLeod planned to keep his New England purchases secret from Morgan—the Reading's most significant financier—he evidently had not consulted him before purchasing the stock. Morgan's road competed directly with McLeod's new acquisitions, and once Morgan believed the rumors, he demanded McLeod hand over control of the Boston & Maine. In accordance with his character, McLeod plainly declined the demand, which angered Morgan.³¹ After the confrontation, Morgan purchased several additional railroads in New England and began purchasing stock in the New York & New England to prevent McLeod from winning the presidency of that company.³² Morgan also issued securities from all his companies to prepare for market turbulence. McLeod and

²⁸ "The Reading Investigation: George H. Earle Jr." February 16, 1894.

²⁹ "Mr. McLeod Tells His Story." February 17, 1894.

³⁰ "Hope for the Reading." September 7, 1893.

³¹ "Collapse of the Reading." *New York Times*. February 21, 1893.

³² "Antagonized by M'Leod." *New York Times*. February 9, 1893.

his associates began selling their own Reading stock in quantities that did not attract attention from traders. Presumably, they sold their shares in expectation of the collapse, and critics later attacked McLeod's management for making short sales.³³ It is uncertain when the confrontation occurred, but the *New York Times* reported on February 9, 1893 that the Reading replaced Drexel, Morgan and Co. with Speyer and Co. as its chief fiscal agents.³⁴ The antagonism began long enough before February 9 for rumors to spread.

In addition to Morgan's animosity, two other potential challenges arose in the beginning of 1893 as both legislative committees proposed bills to regulate the coal industry. On January 18, the House committee presented a report, that suggested action but warned against overstepping federal regulatory abilities. They presented H.R. Bill 10163 to amend the interstate-commerce law in order to strengthen judicial responses, regulate corporate leases, and mandate longer lines of transport charge more than shorter lines of transport.³⁵ In Albany on February 1, the State Senate committee presented a more controlling regulatory scheme. Their bill created two new commercial licenses: a coal carrier's license, and a coal dealer's license. The coal carrier's license limited the per ton-mile price of transporting coal, and the coal dealer's license limited the sale price per ton for anthracite coal. The bill stipulated that the price of coal not exceed \$4.50 per ton in cities larger than 500,000 people, otherwise the Board of Railroad Commissioners would control the price ceilings.³⁶ Railroad and coal stock prices fell in response to the proposed legislation.³⁷ The next day the Reading stock prices held steady, however, and they appreciated on the third, propelled by a new road acquisition in New England.³⁸ The market's minor response showed that investors thought the bill was unlikely to pass. Indeed, legislative action proved inconsequential: neither the federal nor the state bill became law.³⁹

³³ "Collapse of the Reading," February 21, 1893.

³⁴ "Antagonized by M'Leod," February 9, 1893.

³⁵ "January 19, 1893" *Congressional Record*. House of Representatives. pg. 708.

³⁶ New York State Senate, Committee Relative to the Coal Monopoly, 391.

³⁷ "Financial Affairs." *New York Times*. February 2, 1893.

³⁸ "Financial Affairs." *New York Times*. February 3, 1893.

³⁹ The *Times* did not report on the passage of either bill; it only reported on the initial presentations. Regarding the state bill, the 1895 Railroad Commissioners Report does not mention coal price regulation, and the State Senate did not discuss the bill through February 21, 1893. Likewise, the congressional bill did not receive a third reading through February 21, 1893.

New York State Senate. Twelfth Annual Report of the Board of the Railroad Commissioners, 118th sess., 1895, Vol. 1.

New York State Senate, *Journal of the Senate of the State of New York*, Feb. 1, 1893, p. 173.

U.S. Congress, *Journal of the House of Representatives of the United States*. 52nd Cong., Dec. 5 1893, appendix p. 63.

A stronger challenge to the Reading arose on February 4, when the Central Railroad of New Jersey, separated from the Reading by judicial injunction in August, began to collude with the Pennsylvania Railroad.⁴⁰ The Pennsylvania was the Reading's only potential competitor after the combination, but as its freight agent explained, the Pennsylvania did not actually compete in the market. Instead, the Pennsylvania matched Reading's prices.⁴¹ Cooperating with the Central of New Jersey enabled the Pennsylvania to actually compete with the Reading. Previously, the Pennsylvania used the Lehigh Valley division of the Reading to transport a large portion of its coal. The Pennsylvania and the Central planned to construct a short track to allow the Central to transport the coal instead of the Lehigh Valley.⁴² The deal created a more powerful competitor to the Reading; it signified the effectiveness of the chancery court injunction to curb the Reading's market power, yet it did not disrupt the Reading's extension into New England.

Reading stock prices remained stable from February 4, 1893 through February 16, 1893.⁴³ On the 16th, McLeod instructed Prince to transfer the margin account from his name to the Reading's. McLeod had added 36 shares to the margin account after the initial 24,000, making the total number of shares 24,036 Boston & Maine shares.⁴⁴ He reimbursed himself for \$360,000 worth of his own securities used in the margin account.⁴⁵ The Board of Director's December resolution authorized McLeod to reimburse himself up to \$400,000 for his properties used in the margin account. But later critics argued that in light of the impending collapse of the company, his reimbursement constituted self-assigned preferred creditorship.⁴⁶ By February 16, the margin account with Ervin had also grown. Morgan's attempt to control the New York and New England led McLeod to add 7,000 shares to the account, bringing the total to 32,000 shares. The shareholders of the New York & New England would elect a new president on March 14, and both McLeod and Morgan wanted to win the

⁴⁰ "Important Coal Deal: The Pennsylvania and the Jersey Central, Roads to Work Together." *New York Times*. February 4, 1893.

⁴¹ "The Reading Coal Deal: Attitude of the Pennsylvania Road Explained." December 16, 1892.

"Not All for the Reading: The Pennsylvania Securing a Good Share of the Coal Output." *New York Times*. May 2, 1892.

⁴² "Important Coal Deal: The Pennsylvania." February 4, 1893.

⁴³ "Financial Affairs." *New York Times*. February 6-17, 1893.

⁴⁴ "The Operations of M'Leod." *New York Times*. May 17, 1893.

⁴⁵ "M'Leod's Reply to Mr. Rice." *New York Times*. May 18, 1893.

⁴⁶ "Some Startling Reading Figures." *New York Times*. May 20, 1893.

vote.⁴⁷ As of February 16, both margin accounts were officially under the Reading, and McLeod had used \$842,000 company properties in sum.⁴⁸

February 17 through 20, 1893, were the critical days of the collapse. On the 17th, share prices of the Reading Company fell 12 percent. Several events sparked the sell-off, and rumors fanned the flames. First, a brokerage group called Gould & Sage aggressively sold Reading shares.⁴⁹ Second, a pay car travelling from Philadelphia to deliver wages to the employees of the Reading's Lehigh Valley division turned back to Philadelphia. The man responsible for distributing the wages told reporters that he was ordered to not pay the employees, but he could not say why. Third, several Philadelphia banks refused to cash Reading checks and bond coupons.⁵⁰ The second and third events showed the company could not even pay small debts. Strangely, on the 17th, when the company refused an interest coupon worth \$2,750, McLeod added \$1.5 million in company bonds to the Prince margin account. Likewise, on February 20, he added \$1,000,000 in income bonds and \$250,000 dollars cash to the account.⁵¹ The *New York Times* summarized innumerable rumors: the Reading was out of funds, McLeod had lost control of the New England roads, the Reading had lost control of the independent mining companies, the combination was about to dissolve, and Morgan was selling his shares to punish McLeod for the New England extension.⁵²

The excitement of the February 17 paled in comparison to that of February 18. In the morning the Reading broke the record for the number of shares traded in a single company in two hours when 510,000 Reading shares changed hands.⁵³ The same rumors fuelled the frenzy, despite company official's denial of them. Company officials also reassured employees that the pay cars would go out after the weekend.⁵⁴ The *New York Times* and the *Los Angeles Times* reported that a financier close McLeod attributed the break to one creditor's demand for immediate payment of \$200,000. He said the company struggled to produce the funds immediately, but that it was broadly financially sound. The financier assured investors: "If I had \$5,000,000 I would not hesitate in loaning it to the company."⁵⁵ These reassurances proved deceptive.

⁴⁷ "The Flurry in Reading." *New York Times*. February 19, 1893.

⁴⁸ "The Operations of M'leod." *New York Times*. May 17, 1893.

⁴⁹ "An Upheaval in Reading." *New York Times*. February 18, 1893.

⁵⁰ Ibid.

⁵¹ "M'Leod's Reply to Mr. Rice." May 18, 1893.

⁵² "An Upheaval." February 18, 1893.

⁵³ "The Flurry in Reading." February 19, 1893.

⁵⁴ Ibid.

⁵⁵ Ibid., "Reading Sound." *Los Angeles Times (1886-1922)*. February 19, 1893.

The next day, Sunday February 19, even though the stock market was closed, brokers gathered across the city to discuss the company. The café of the Union League Club resembled the stock exchange floor, “during the height of a session.”⁵⁶ McLeod met privately with company officials, the company attorney, and prominent brokers in a hotel in the city. The *New York Times* speculated that the president was preparing for a coup the next day. One investor expected trouble the next day; he said it seemed that something was radically wrong, but he would buy Reading shares in the morning because, “McLeod is brainy enough to right it.”⁵⁷ The *New York Times* summarized the mood of the day: “The general belief, however, is that tomorrow will be the critical day. And the secret of the attack on the road will become known.”⁵⁸

On February 20 a U.S. Circuit Court in Philadelphia appointed receivers to the Reading Company. A former US Senator from New York, Thomas Platt, filed an application for the receivership because he was refused payment for \$2,750 in bond coupons. Platt owned \$55,000 in Reading Company mortgage bonds that paid interest on February 1 of each year. The court assigned certain individuals, the receivers, to ensure the company paid its debts. Additionally, the court required the receivers to report on the condition of all the company’s properties and all of its debts.⁵⁹ Simply put, the court demanded oversight and low-risk strategies.

The court appointed three receivers to the company: Archibald A. McLeod, President of the Reading; Elisha P. Wilbur, President of the Lehigh Valley Division; and Edward M. Paxson, Chief Justice of the Supreme Court of the State of Pennsylvania. Upon his appointment as a receiver, Justice Paxson promptly resigned his seat on Pennsylvania’s highest court.⁶⁰ In late March, the *New York Times* reported details explaining Justice Paxson’s selection. On the day before the receivership, McLeod met with a representative of Drexel, Morgan and Co. The president asked Drexel and Morgan to bury the hatchet and loan money to the Reading. They agreed, on the condition that they would select one of the receivers to be appointed the following day.⁶¹ While planning the receivership on the non-trading day, McLeod abandoned his attack on JP Morgan in exchange for financing for the Reading. Presumably, Drexel and

⁵⁶ “The Crisis for Reading.” *New York Times*. February 20, 1893.

⁵⁷ *Ibid.*

⁵⁸ *Ibid.*

⁵⁹ “Collapse of the Reading.” February 21, 1893.

⁶⁰ *Ibid.*

⁶¹ “Reading’s Finances: Resumption of Relations with the Banking House of Drexel & Co.” *New York Times*. March 25, 1893.

Morgan agreed because they gained internal influence in the Reading Company by selecting one of the receivers.

Unsurprisingly, the stock market responded wildly to the receivership. Monday, February 20, 1893, set a new trading record in the New York Stock Exchange. In total, 1,473,953 shares changed hands. Sixty-four percent of them were Reading shares, as Reading's share price fell 23.5%. Previously, the one-day record had been February 11, 1892, when 1,390,000 shares traded in response to the Reading merger with the New Jersey Central Railroad and the Lehigh Valley Railroad. Morgan said that he did not buy or sell a single share of Reading and did not know anything about the cause of the collapse. By this point, the *New York Times* attributed the Reading's troubles to McLeod's speculation in New England. The New England extension stretched the financial capacity of the Reading and estranged the Reading's chief financial backer, Morgan. When debts became due the company struggled to pay. The *New York Times* also criticized McLeod for using borrowed money to pay debts.⁶²

Worse than recklessness, the *New York Times* accused McLeod of short sales. After relations with the Drexels soured, McLeod's associates began selling Reading shares. "The McLeod party is in position today to buy back all the Reading they sold, and more," summarized the *Times*.⁶³ Rice later called the sales, "a heinous offense against law and morals."⁶⁴ By selling shares in expectation of the crash and buying back more afterwards, the controlling shareholders strengthened their control of the company.

On March 13, the receivers reported that at the time of the February 20 receivership, the company owned 24,036 Boston & Maine shares and 11,000 New York & New England shares. Contrarily, Rice later exposed that on February 20, the company actually controlled 29,000 shares of New York & New England.⁶⁵ Rice accused the receivers of selling the 18,000 shares between February 20 and March 13, and then reporting that the company had not owned them on February 20.⁶⁶ In trial, Mr. Paxson could not explain Rice's accusation.⁶⁷ Evidently the

⁶² "The Collapse of the Reading." February 21, 1893.

⁶³ *Ibid.*

⁶⁴ "The Ruin of the Reading Co." *New York Times*. September 10, 1893.

⁶⁵ Ervin and Co. sold some of the Reading's NY&NE shares before the price of those stocks fell along with the Reading. Presumably, these short sales explain why Rice reported the company owned 3,000 fewer shares on February 20, 29,000, than it owned on February 16, 32,000.

"Mr. M'Leod Tells His Story." *New York Times*. February 17, 1894.

⁶⁶ "M'Leod's Reply to Mr. Rice." May 18, 1893.

⁶⁷ "Reading Receiver's Big Talk." *New York Times*. February 14, 1894.

receivers hid the scale of the company's ownership of the New York & New England Company at the time of the company's collapse.

Also in March, a committee of Reading bondholders campaigned to remove McLeod as both president and receiver. But the bondholders committee owned too few shares to remove him, and the controlling group of shareholders continued to back their president.⁶⁸ At first McLeod plainly defied the committee of bondholders. But two weeks later, in an abrupt shift in attitude, McLeod resigned as president and receiver.⁶⁹ On April 5 he published a statement explaining that his presidency limited the company's credit; he resigned because lenders distrusted him. His resignation became effective on May 1.⁷⁰

Several details help explain the timing of McLeod's resignation. In September 1893, the *New York Times* published the original contract between McLeod and Prince. The paper reported that Anthony Drexel forced McLeod to resign after discovering the contract.⁷¹ Contrary to this theory, Morgan and Drexel knew about McLeod's New England speculation long before the receivership. Moreover, Morgan and Drexel had inside access in the company through Paxson, making it unlikely that the contract surprised Drexel. J. Lowber Welsh served as the messenger between Drexel and McLeod and explained the circumstances of McLeod's resignation. Drexel had staunchly supported McLeod, but in the beginning of April he determined McLeod's presidency was harmful to the company. However, Drexel did not force McLeod out: he merely suggested that McLeod resign. Welsh specified that external pressures led Drexel to suggest the resignation. That is, Drexel's opinion of McLeod remained, but the public's view of the president had become indefensible.⁷² After Drexel's suggestion, McLeod promptly agreed to resign. One additional piece of information explains Drexel and McLeod's sudden change of mind.

When Rice returned from London after the receivership he conducted, "an examination of the company's books in the interest of the bondholders."⁷³ Rice published his report, aptly named the Rice Report, on May 15, 1893, but it was dated April 3, just two days before McLeod's resignation statement on April 5.⁷⁴ Anthony Drexel presumably saw the Rice report and suggested McLeod

⁶⁸ "Trying to Oust M'leod." *New York Times*. March 17, 1893.

⁶⁹ "The Fight Against M'leod: Statements from Various Persons Interested." *New York Times*. March 18, 1893.

⁷⁰ "M'leod Out of Reading." *New York Times*. April 5, 1893.

⁷¹ "The Fight to Save Reading." *New York Times*. September 8, 1893.

⁷² "Reading's Receivers Big Talk." February 14, 1894.

⁷³ "M'Leod's Stock Transactions." *New York Times*. May 16, 1893.

⁷⁴ "M'Leod's Stock Transactions." *New York Times*. May 16, 1893. "M'Leod's Reply to Mr. Rice." May 18, 1893.

resign because of its impending publication. McLeod agreed not only because of Drexel's suggestion, but because he knew the Rice Report would ruin his presidency in any case. McLeod's resignation marked the end of the Reading collapse, but the Reading affair offers additional insights into American railroads at this time.

HISTORICAL IMPLICATIONS

In some ways the Reading collapse fits the notion that businesses operated free from government regulation in the last decades of the 1800s. Legislatures responded weakly to the anthracite combinations: both committees presented bills nearly a year after the original combination, and neither passed their bills. Further, the New York State Senate was lackadaisical with the coal regulation bill. In February 1893, after the presentation of the coal bill but before the Reading collapse, the State Senate discussed whether to use margarine or butter in state correctional institutions more than it discussed the coal bill.⁷⁵ Whereas legislatures responded weakly, the judiciary responded forcefully and effectively. The termination of the Central of New Jersey lease by a Pennsylvania court eventually led to renewed competition in the anthracite industry. Yet in light of the collapse, no public institution addressed the real public danger—McLeod's speculation in New England. Behind closed doors, the ambitious president operated freely. Ultimately, he failed and dragged the whole market down with him. The government did nothing to prevent McLeod's speculation.

Unlike his speculation in New England, McLeod plainly expressed his monopolistic views. In a particularly weighty State Senate hearing, he asserted that the anthracite combination benefitted the public by eliminating inefficient middlemen. Although McLeod did not make a specific offer, he suggested an agreement between the Reading and the City of New York, whereby the City guaranteed a monopoly and the combination guaranteed a low consumer price. A committee member then asked a difficult question: If a single coal retailer benefitted the public, would single retailers of any dry good benefit the public? The Senate records show McLeod's response: "I don't think it would make any difference if you could control the other businesses."⁷⁶ The *New York Times* gave him a less ambiguous response: "I guess it would. I see no reason to think otherwise."⁷⁷ McLeod sued the Senate stenographer for misrepresenting his

⁷⁵ New York State Senate. *Journal of the Senate of the State of New York*, Feb. 1, 1893, p. 173.

⁷⁶ New York State Senate, Committee Relative to the Coal Monopoly, 333.

⁷⁷ "No Limit to Their Greed." *New York Times*. September 8, 1892.

words.⁷⁸ Although his exact response is uncertain, the question showed an unexpected result from McLeod's logic. His argument for monopoly could be applied to other industries, to end market competition and to institute state-sanctioned control by single-providers. Ironically, in the era esteemed as the zenith of laissez-faire economic rights in the United States, McLeod argued for state-sanctioned control.

A third implication is the divergent meanings of a company. Chancellor McGill understood a company as a state-created institution to serve the public, whereas McLeod understood a company to mean its controlling shareholders. McGill terminated the Central of New Jersey lease because he thought the lease was harmful to the public. McLeod ignored public responsibility when he claimed to unconditionally serve the Reading.⁷⁹ He did not, however, serve each share equally; he served specifically the controlling group of shareholders. Through short sales, McLeod's management benefitted the controlling group of shareholders—the people who elected him in the first place—at the expense of all other shareholders. Even more telling of his insider attitude, McLeod proclaimed, “Our defeat is a victory for the rest of the world.”⁸⁰ McLeod aimed to expand the Reading's dominance for the benefit of his friends, the controlling shareholders. When his plans crumbled, he protected his friends by instructing them to sell their Reading shares. The Napoleon of railroads owed no allegiance to the world—only to his friends.

The Reading collapse shows how ineffectual government action can combine with cronyism and dismissal of procedure to cause economic catastrophe. More fundamentally, it shows how an individual's actions can cast economic outcomes for others. Despite the public's interest in preventing behavior like McLeod's, the Enron collapse in the early 2000s showed that executives of large corporations can still use information and control for personal advantage. Clearly, the problems that gave rise to the Reading collapse are not resolved and without fundamental changes they will likely remain.

⁷⁸ “Stenographic Report Questioned.” *New York Times*. February 5, 1893.

⁷⁹ “In Defense of Mr. M'Leod.” *New York Times*. March 3, 1894.

⁸⁰ “M'Leod Against the World.” *New York Times*. April 21, 1893.

ANATHEMATIZING SPUTNIK

A Survey of Catholic Responses to the Early Space Age in the Vatican and the United States

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THERE APPEARS TO BE LITTLE CONTENTION within the general public over the question of whether Sputnik and the early successes of the Soviet Union in space exploration were momentous in the history of the Space Age. The very nature of these early missions as pioneering, if not unprecedented endeavors makes this conclusion rather difficult to escape, even if we consider the skepticism that has haunted the notion of Sputnik's relevance to this day. The question that emerges more naturally, and that is certainly more contentious is, in what particular sense the early Space Age dominated by the Soviet Union from Sputnik to Tereshkova's launch in Vostok 6 was indeed momentous. It is with respect to this that the answers and narratives begin to diverge substantially. Former NASA chief historian and now Associate Director at the National Air and Space Museum Roger Launius, amongst many others, ascribes significant "political, military, technological and scientific developments" to Sputnik and the early Soviet successes, affirming the space age narratives best recognized by most.¹ The Space Age, so it goes, ushered in a new era of history, one wherein we became so acutely aware of our unity as a species, and one which set in motion the world of gradually dissolving borders we move in today. Those less inclined to recount, much less understand this early period of the Space Age in such enthusing terms may argue that the early Space Age did not change much outside the realm of insider politics, and the illusion of wholesale change we have come to know was almost solely a construction of the media and military-industrial complex of the time.² From this perspective, the early Space Age was of far less substance than the surrounding fanfare may have implied, and in truth may be

¹ Launius, Roger D., John M. Logsdon and Robert W. Smith, eds, *Reconsidering Sputnik: Forty Years Since the Soviet Satellite*, (Amsterdam: Harwood, 2000).

² Kim McQuaid, "Sputnik Reconsidered: Image and Reality in the Early Space Age," *Canadian Review of American Studies* 37, no.3 (2007): 371-401.

worth no more than the handful of austere paragraphs the Soviet newspaper *Pravda* had originally granted Sputnik in October 1957.³ Less familiar in the discourse on the impact of the early Space Age, however, are matters that quite appropriately belonged to the heavens: religion, theology and in particular, their implications for the Roman Catholic Church.

For Christians in general, questions of faith were never far removed from terrestrial thoughts on human endeavors in outer space, and their major publications in the United States were quick in feeding their own opinions into the ongoing discussion on the perils and tribulations of a new era. A March 1958 editorial from the *Christian Science Monitor*, for instance, warned against “modern idolatry” of the machines of space, and reaffirmed Christianity’s role in upholding individual rights and the resistance to communist atheism.⁴ In the same month, an article in the *Presbyterian Historical Journal* offered its wisdom to America’s space program with a reminder that being “better informed about God’s business” and the “spiritual realities” of the world would serve them well in regaining a foothold in the space race.⁵

Even the atheistic Soviets had something to say on questions of faith. In an interview with the *New York Times*, then Soviet Premier Nikita Khrushchev fascinatingly remarked that he had sent Gagarin and Titov to space, but was told that they discovered nothing which resembled the paradise the Christians always aspired to attain. There was, he says, “no Garden of Eden, nothing like heaven” to be found in the vast expanse of the cosmos.⁶ Titov himself, while on tour in Seattle in 1962, saw it fit to offend the sensibilities of his hosts by saying that he did not “believe in God,” but rather, in man’s “strength, his possibilities, his reason.”⁷ From the outset, it appeared that however much the exploration of space transpired to be the singular achievement of the sciences and materialism, faith and theology continued to inspire vibrant public discourse on the space age from the across the spectrum of both the faithful and the non-believers.

As both Christians and non-Christians had been, the Catholic Church was hardly placid in its approach to the challenge of the Space Age’s dawn, though the challenge to Christianity and its faith was appreciably not just the

³ F.J. Krieger, “Announcement of the First Satellite,” from *Pravda* October 5, 1957, *Behind the Sputniks* (Washington, DC: Public Affairs Press, 1958): 311-12. Historical Reference Collection, NASA History Division, NASA Headquarters.

⁴ Donovan Richardson, “Values for Tomorrow,” *The Christian Science Monitor*, 5 Mar 1958.

⁵ “The Sputnik and the Church,” *Journal of the Presbyterian Historical Society* 36, No. 1 (March, 1958): 1-2.

⁶ Cyrus Leo Sulzberger II, “Foreign Affairs: Paradise and Old Noah Khrushchev,” *New York Times*, Sep 6 1961.

⁷ “Titov and God,” *Kentucky New Era*, May 17, 1962.

guileless matter of finding God or a divine paradise in space, as the Soviets may have implied. Even prior to Sputnik's launch in 1957 Catholic theology already come to terms with the idea of had of a spiritual deity coexisting with a scientifically ordered universe after all. A more substantive challenge to Catholic moral-spiritual ascendancy, rather, was the atheistic materialism which communism had provided as an alternative to mainstream religion's prevailing worldview of a theistically inspired and orchestrated universe.

Since 1846, just a couple of years before the revolutionary agitations in Europe of 1848, an unbroken succession of Pontiffs had made known their opposition to communist ideology, beginning with Pope Pius IX, who described it in his very first encyclical *Qui Pluribus* as "most opposed to the very natural law" and a catalyst for the collapse of social and moral order.⁸ It was not long before an entire papal encyclical on socialism and communism was issued, as Leo XIII, like Pius, in the first year of his Papacy, 1878, released *Quod Apostolici Muneris*, stressing the threat of these ideologies to the very existence of civil society and demonstrating a newfound vitriol in its speech, calling the growth of socialism "evil."⁹ Catholic revulsion to communist ideology approached its divisive crescendo in the middle of the 20th-century under Pope Pius XII, the selfsame Pope who will encounter the Space Age's challenge to Catholicism at the time of Sputnik's launch in 1957. Though Monsignor Tardini, Cardinal Secretary of State of the Vatican and *primus inter pares* within the Roman Curia expressed a willingness to be pragmatic with regards to the Soviet Union and communism in personal exchanges with foreign diplomats under the context of the Second World War,¹⁰ this belied the Vatican's marked increase in hostility to the Soviets under a new Pope. Pius XII, in truth, did not see a tacit compromise with the Soviets as ideal, to the point of concluding that the best outcome of the war was "a defeated Communism, and a weakened Nazism," in response to appeals from President Roosevelt to amend the Vatican's position so as to have it align more closely with U.S. policy.¹¹ An unambiguously conservative Pius XII, it seemed, regarded communism as the greatest ideological and existential threat to

⁸ Paul Higginson, "The Vatican and Communism from 'Divini Redemptoris' to Pope Paul VI," *New Blackfriars* 61, No. 719 (1980): 158-171.

⁹ Leo XIII, *Quod Apostolici Muneris*, Encyclical letter on socialism, 28 Dec 1878.

¹⁰ Domenico Tardini, "Personal Memorandum Giving Summary of Considerations Expressed by H.E. Monsignor Tardini in Conversation with H.E. Mr. Myron C. Taylor," 26 Sept 1942, Report to Franklin D. Roosevelt by Myron Taylor on His Trip to the Vatican, Europe and Britain.

¹¹ Paul Higginson, "The Vatican and Communism from 'Divini Redemptoris' to Pope Paul VI," *New Blackfriars* 61, No. 719 (1980): 158-171.

Catholicism, and accordingly took an even more rigid line in opposition to it post-war, as the Papal reaction to Sputnik would suggest.

The Soviet Komsomol newspaper *Komsomolskaya Pravda* had put the communist challenge to continuing Vatican pretensions to secular significance in word most succinctly, saying that “[they] materialists create [their] heaven and fill it with [their] own moon and stars.”¹² Sofia Radio in communist Bulgaria was not much less scathing in its assault, claiming that while prayer “would not take you anywhere,” the USSR’s “Sputnik, fruit of Soviet science, can take you to the moon in the near future.”¹³ That is, Soviet communism and its materialistic atheism, now held in its hand not only a more categorical invalidation of the long held temporal powers and values of mainstream religion as a system of belief, but also the promise of the future, in the distinct incarnation of space and technology.

This conceptual challenge to Christian, Catholic values from communist science and technology in the Soviet Union had perhaps struck most closely to the heart of Roman Catholic insecurities over its place within the sentiments of their faithful, and this anxiety was most conspicuous in the Catholic reactions to Sputnik’s launch as depicted in the media. The Vatican radio was quick to move in dampening any sheen the Soviet satellite might have bestowed upon communist ideology when it was launched into orbit in October 1957. Despite the Soviet attempt to “convince people” of the goodness of their revolution, the Vatican says it has instead “reminded the world of immense sadness and broken lives,”¹⁴ and that, to the contrary, “esteem and human sympathy are won only through reconciliation with liberty, justice and religion.”¹⁵ The Vatican’s public opinion redrew its front-lines, settling with moral retorts to what remains an unanswered questions on its continued validity as a system of belief in a world where Catholicism appeared to no longer have a place.

Vatican Radio did not cease its verbal attacks on Soviet morality after its initial reaction, once again reminding listeners in mid-November 1957 of the inhuman costs, and more broadly, the inhumanity of Soviet ideology despite its

¹² “Sputniks Provoke Church Comments,” *Los Angeles Times*, 8 Feb 1958. The Komosomol was the primary communist youth organization in the Soviet Union.

¹³ “Sputniks Stir Religious Comments, Seen as Challenge to Complacency,” *The Hartford Courant*, 16 Nov 1957.

¹⁴ “Vatican Warns Reds Still Kill,” *Milwaukee Sentinel*, 4 Nov 1957. Sputnik’s launch occurred in the aftermath of the Soviet invasion of Hungary after protests toppled the Soviet supported government in Budapest. The event was widely condemned and, in character as ever, a Vatican radio commentator had even referred to it as a “genocide.”

¹⁵ “Satellites Minimised: Vatican Radio Says Soviet Fails to Win Sympathy,” *New York Times*, Nov 8 1957.

scientific progress. With memories of the bitterly suppressed Polish and Hungarian uprisings of 1956 still fresh in the European consciousness, the Vatican radio bemoans that “[it] troubles the mind, thinking of the 40 years of the Bolshevik Revolution, of the millions deprived of freedom, of human lives cut short—all for the triumph of a mechanical progress which the Sputnik represents as the summit of glory.”¹⁶ The Vatican newspaper *l’Osservatore Romano* had meanwhile revived a record from the previous year of Pope Pius XII speaking with a collection of scientists and calling the attempt to pioneer human space exploration “legitimate before God,” but also that these could be a means for further discord if it was not undertaken with deep moral reflection and conscientious devotion to the highest interest of humanity.¹⁷ The scientific progress that the Soviets championed was, in the eyes of the Catholic Church, more akin to a moral setback if it wasn’t achieved on the basis of its cherished views on human dignity and rights.

The Vatican response to the emergence of the Space Age, and more broadly, the Cold War would eventually reach a culmination in the Pope’s 1957 Christmas address, in another broadcast by the Vatican Radio. In the midst of the new “splendors of man,” the Pope said, man should return to a more proper sense of “admiration for himself,” and at the same time not permit himself “to be misled by supremacies of very short duration, nor to be influenced by fears,” alluding to the panic that gripped the United States, and the spate of Soviet national pride that closely trailed Sputnik.¹⁸ Even in the absence of direct reference to the Soviet Union, the content of the address had more than enough to suggest where the Pontiff’s own leanings were, and at the same time, reiterated the Vatican’s own appeals for a space race that is grounded in its own moral convictions.

In the United States, the initial alarm over Sputnik’s repercussions was far more apparent than it was elsewhere, and indeed reactions took on a distinctly nationalistic, anti-communist streak. In February 1958, four months after Sputnik’s launch, Norma Herzfeld published an article on the Jesuit magazine *America* surveying the reactions of forty-four American Catholic newspapers to Sputnik. Though opinions inevitably varied from rabid dismissals of its success to sedate congratulations on its achievement for mankind, some shared conclusions did come to the surface in her study. Expectedly, the media made

¹⁶ “Sputniks Stir Religious Comments, Seen as Challenge to Complacency.” *The Hartford Courant*, 16 Nov 1957.

¹⁷ *Ibid.*

¹⁸ Charles W. Ridley, “Pope Urges Arms Curb, Bids West Have Courage,” *The Washington Post*, 23 Dec 1957.

common acknowledgements of the anxiety—real or imagined—permeating American society at the time. But there were also more practical, almost exclusively secular questions directed to ongoing socio-economic and political dynamics, such as Washington’s misplaced confidence in its own abilities. The *Lansing Catholic Weekly*, for instance, rebuked the lack of “imaginative leadership,” and the prevailing complacency leading to a catastrophic underestimation of the “skill of Russian scientists.” The *Washington Catholic Standard* was simultaneously critical and sarcastic towards what it sensed was the government’s attitude and lack of urgency towards the emergence of the Space Age, asking whether the scientists who doubted Sputnik’s value expected the scientists who designed it “to retire to a villa on the Black Sea.” Elsewhere, there were calls for greater national prioritization of the sciences and a redemption of America’s standing in the eyes of a watching world, but perhaps most representative of the general sentiments of Catholic media was the blunt hostility to communism, particularly on the domestic front, that tied them together. This hostility naturally took on different forms, but at its most virulent, as in the *Florida Catholic*, it resurrected calls for “the McCarthys and Pattons to scourge the traitors” from America.¹⁹ Catholicism and its press in the United States, as it had in the Vatican, merely emphasized where its long-held political sympathies lie rather than engage with the Soviet success in space on a doctrinal level.

Accordingly, it can be gathered that the response of Catholicism, despite obvious variations in focus between Rome and her followers in the United States, was characterized by a shared politicization and polarization of the questions which the Space Age posed: communism and its vilification was to serve as the junction for the disparate answers it aroused in the Catholic sphere instead of serving as a forum for Catholicism’s *raison d’être* in a Space Age dominated by man’s scientific splendors. The Vatican for its part had just been more anxious about any vindications these events may have lent communist materialism in contrast to their own theistic spirituality, while the American Catholic press evidently had more domestic concerns in mind, namely their standing in the effort to secure the world from Soviet influence, and the future of American science and government. This dichotomy does not mean to imply that these were not common concerns: the Vatican most certainly favored Western successes in space, and Catholic newspapers had not been unknown to stress that in no way was Sputnik a demonstration of Marxist superiority over Christianity, in particular its values and morals as they were attached to the image of liberal

¹⁹ Norma Krause Herzfeld, “The Way Sputnik Looked to the Catholic Press,” *State of the Question. America*, 8 Feb 1958.

Western democracy. John O'Connor, a professor of history at the Jesuit-affiliated Georgetown University, by way of illustration, made similar denials of Marxism's superiority over Christianity. Writing for the *Dallas Texas Catholic* in the 1958 Lenten season, he essentially says that the American failure to keep up with the Soviets and, likely, the spectacular failure of the Vanguard program in December 1957 was a demonstration of what happens when a nation falters in its integrity and stammers in its attempt to live up to its own moral convictions.²⁰ Rome's remonstrations of Soviet hubris did not seem to have been completely lost in the tide of urgent patriotism that trailed Sputnik in the United States. However, the respective inclinations of both the Vatican and United States media in their coverage and depiction of Sputnik remain, and is to prove an telling point of departure as the Space Age matured in the years that followed.

This departure commences as *fumata bianca* seeps out of the Sistine Chapel's smokestack: By 1958, the orthodox Pius XII was dead, and after three days of conclave, the aged Patriarch of Venice Angelo Roncalli emerged from St. Peter's as Pope John XXIII. The new pope offered a radically different alternative to the Vatican's accustomed approach to communism and, in consideration of communism's centrality to the broader Catholic response to the Sputnik, the Space Age itself.

Elected on October 28, 1958, just over a year to the day of Sputnik's launch, John XXIII would introduce revolutionary changes and give shape to the modern Roman Catholic Church, steering it away from many traditions and methods that had defined Catholicism in prior Pontificates, and towards the direction of a more open, more pastoral church. This was contrary to expectations that he would have a brief and uneventful reign. Roncalli was 76 years of age upon election and was not expected to live, or at least have the faculties to exercise his powers for much longer. Nevertheless, he proceeded to convene the Second Vatican Council and begin the process of outfitting the church for the 20th century. The most visible manifestations of this moment of great upheaval in the Catholic Church were aesthetic. For instance, abandoning the use of Latin and celebrating the mass *versus populum* as opposed to *ad orientem*,²¹ by design, involved everyday churchgoers more intimately with the Catholic sacraments. In a subtle shift from traditional practice, congregations no longer had to contend

²⁰ John J. O'Connor, "Sputnik and Lent," *Dallas Texas Catholic*, 8 Mar 1958.

²¹ Catholic masses before the conclusion of the Second Vatican Council in 1965 were celebrated with the priest facing the altar, with his back towards the congregation (*ad orientem*, or, in the Tridentine style), speaking in Latin, a language incomprehensible to most lay churchgoers. It made for quite an impersonal experience.

with an incomprehensible language, nor the sense that they were mere observers rather than participants in Catholic ritual.

Upheavals in doctrinal matters were few and far in between, but arguably the most significant, if understated, change in the Second Vatican Council—and certainly the most significant in relation to the Catholic reaction to the Space Age—was style. That is, the Roman Catholic Church broke away from its more traditional, in ways rigid, modes of thought to embrace a “spirit” of greater dialogue, respect for personal conscience and collegiality between the the clergy, the laity and the Holy See.²² The Vatican had, in essence, committed itself to a path of unprecedented openness to fresh ideas and to a new path towards a more compassionate and grounded Church.

A Catholic Church redefined by such openness was always bound to be more conciliatory towards communism. Early signs of this thaw were diplomatic, as the Vatican withdrew largely symbolic diplomatic privileges from the Polish Government-in-Exile based in London, and the Lithuanian pre-war government in 1959 for “technical reasons,” speculated by the media to be a sign of an easing of tensions between the Holy See and the Kremlin.²³ Modest but significant adjustments in attitude also surfaced in Pope John XXIII’s encyclical *Mater et Magistra*, published in May 1961, a month after the April 1961 launch of Yuri Gagarin. A customary denunciation of communist ideology was present, as ever, in the encyclical, and the Pope still recognized Pius XII’s view on the “fundamental opposition between Communism and Christianity,” such that “no Catholic should subscribe even to moderate Socialism.” But the said change in style and the more even-handed evaluation of economic conditions was just as notable. The encyclical was not only diplomatically tact enough to refrain from describing “socialism” too disparagingly, calling its “social organization” as merely “placing too severe a restraint.”²⁴ It was also openly attacking what it perceived to be the equally undesirable rise of “despotic economic power in the hands of a few” which resulted in “economic domination” taking hold of the free market, and the state becoming “the tool of the plutocracy.”²⁵ This was a tact shift towards even-handedness, considering the more customary conservatism of the Vatican.

The Vatican’s transition towards an attitude of acceptance and openness towards the Soviets, their economic system and their space achievements would

²² John O’Malley S.J, “A Break from the Past,” *Commonweal*, 9 March 2001.

²³ “Religion: Phantoms in Rome,” *Time Magazine*, 19 Jan 1959.

²⁴ John XXIII, *Mater et Magistra*, Encyclical letter on Christianity and social progress, 15 May 1961.

²⁵ *Ibid.*

not come so readily, however. In 1961, the year of Yuri Gagarin's flight, *l'Osservatore Romano*, in a front page editorial, was still sufficiently concerned to deny Soviet claims to man's "omnipotence,"²⁶ and later, in 1962, the year of Nikolaev and Popovic's spaceflights, suggested that the two cosmonauts have fallen "to the abysmal depths of mediocre silliness" in response to anti-religious comments attributed to the Soviets.²⁷ This is in contrast to the newspaper's lauding of John Glenn's maiden voyage earlier in 1962, which it called a moral victory, and whose success it said Pope John XXIII had himself prayed for.²⁸ Earlier anticipations of rapprochement at the beginning of the new Pope's reign, if the Vatican's evaluations of Popovic and Nikolaev's flights in contrast to Glenn's are taken as any measure, would have seemed naïve and speculative at best.

The years that followed John Glenn's flight offered better promise of realizing a more substantive relaxation of rhetoric from both the Vatican and the Soviet Union. The Second Vatican Council finally commenced in Rome, formally beginning the process of reforming doctrine and practice towards greater openness under the direction of church fathers. However, this pivotal moment in Catholic history had also been overshadowed by the Cuban Missile Crisis, which according to Jesuit historian Norman Tanner precipitated the Vatican's mediation between the Soviets and the Americans, with the Americans discreetly taking the initiative to contact the Holy See. Unfortunate as the crisis was, its sheer gravity offered an opportunity for the Vatican to reassert its moral influence once more. Speaking in French through the Vatican Radio after correspondences with both superpowers, John XXIII beseeched the governments of the world to listen to "cries of anguish" and appeals for peace, as humanity stood under the spectre of nuclear war.²⁹

This willingness to engage in dialogue did not go unnoticed in the Kremlin, and soon, the Communists, who themselves had a post-Stalin pragmatist on the helm in Khrushchev, had reached out to the Vatican. In the space of a few short months in 1962, Khrushchev sent the Pope a greeting on his eightieth birthday; Josyf Slipyj, head of the Ukrainian Catholic Church, was released from detention in January of the following year,³⁰ and Russian Orthodox Church representatives were soon permitted to join John XXIII's ongoing

²⁶ "Vatican Challenges Red Claims," *Chicago Daily Defender*, 10 Aug 1961.

²⁷ "Vatican Reproves Soviet Astronauts," *New York Times*, 29 Aug 1962.

²⁸ "World Gives Glenn Good Press," *Chicago Tribune*, 22 Feb 1962.

²⁹ "Pope John XXIII and the Cuban Missile Crisis," *Features*. Vatican Radio, Vatican City, 23 April 2015.

³⁰ Paul Higginson, "The Vatican and Communism from 'Divini Redemptoris' to Pope Paul VI," 166.

Vatican council. Alexis Adjubei, Khrushchev's son-in-law and editor of *Izvestia*, second only to *Pravda* in terms of journalistic preeminence in the Soviet Union, even had an unsuccessfully concealed audience with Pope John XXIII in March of 1963,³¹ causing considerable furor within the Roman Curia, the conservative press, and among the Pope's personal aides, who rightfully had concerns that the meeting could potentially affect the sensitive political situation in Italy and an upcoming election.³² The final, and arguably the most significant step towards the direction of greater dialogue with the communists, and consequently an attitude of greater acceptance towards Soviet space achievements, was the publication of the encyclical *Pacem in Terris* in June of 1963. Written as John XXIII struggled to preserve his legacy of openness from within the church in the face of his rapidly deteriorating health, *Pacem in Terris* sought to exhort world leaders to arrive at a more substantive peaceful co-existence and clarify the Holy See's position on the matters of modern science and communism, alluded to in the encyclical under the broader category of what was called "philosophies and historical movements."³³ It called for the restoration of "inner, spiritual unity" between the faith and scientific practice of the many Christians involved in public work in technology and science, and asked that they be more driven by "a Christian spirit" in their work.

As for his concern on ideology, the Pope took on a warm and certainly non-condemnatory tone that emanated from the rest of the encyclical, and indeed, most of his Papacy. He asks, in subtle reference to communism as a historical movement:

"Who can deny the possible existence of good and commendable undertakings, elements which do indeed conform to the dictates of right reason, and are an expression of man's lawful aspirations? It may sometimes happen, therefore, that meetings arranged for some practical end—though hitherto they were thought to be altogether useless—may in

³¹ Speculation naturally swirled in the conservative press regarding the meeting, given the absence of any official publication of its contents from the Vatican. Pope John, in a note cited by Peter Hebbkthwaite, knew that in defiance of his wishes, the Secretariat of State did not agree with him (therefore refusing to have the meeting's contents published), and that he was "unhappy" about the whole affair.

³² Peter Hebbkthwaite, "Pope John and His Critics," *The Tablet*, 4 June 1983.

³³ Notably, there is not a single mention of communism or socialism in the encyclical *Pacem in Terris*, which was perhaps due to the previously noted opposition to the Pope's conciliatory methods towards the communists, and a perceived need from Pope John XXIII's side to be more subtle. That the section on philosophies and historical movements is in reference to communism and socialism, however, is not a particularly difficult conclusion to make.

fact be fruitful at the present time, or at least offer the prospects of success.”³⁴

That is, he not only demonstrated a willingness to engage in dialogue, but also recognized the potential for goodness of the communists as the core foundation of this same dialogue. The encyclical would go down as one of his major achievements as Pope, as it affirmed the ability of the Holy See to be a moral force in global affairs even within the context of the Cold War.

The encyclical was very well received by the press either side of the Berlin wall, with the Catholic Church’s openness to dialogue with the Soviets at last reflected in the Pontiff’s own written word. John Bennet, dean of the Union Theological Seminary, an independent seminary in New York City, welcomed the encyclical for turning Christians “away from the kind of anti-Communism by which they have often been obsessed.” The newspapers of western communist parties linked to the USSR, such as the French *L’Humanité* expressed “immense satisfaction,”³⁵ and in the communist heartland, the Soviet magazine *Za Rubenzhom* published a sizeable portion of the encyclical and relatively docile commentary, over which the Vatican Radio voiced its approval.³⁶ Both the communists and the Vatican, through protracted and subtle exchanges it seems, finally reached a tacit understanding and respect for their place in the world order.

How exactly this sequence of steps towards a relaxation of antagonisms may have affected the Vatican’s or the Catholic press’ reactions to the Space Age, given how they had always been closely tied to political realities could only be a subject of conjecture, however. In June 1963, Valentina Tereshkova would orbit the earth and become the first woman in space, with her flight offering an opportunity once more for a reaction from the Vatican. However, Catholic headlines were far more concerned with other news. Pope John XXIII had died in June, just before Tereshkova’s voyage, and preparations for conclave and the election of a new pope rather than woman’s maiden flight into space dominated Catholic headlines. When the moment had passed so did the window for the Vatican to voice out concerns about Soviet achievements in space—Tereshkova’s flight was arguably the last major propaganda coup in the space race for the

³⁴ John XXIII, *Pacem in Terris*, Encyclical letter on establishing universal peace in truth, justice, charity and liberty, 11 Apr 1963.

³⁵ “Pope Praised U.N. in Plea for Peace,” *New York Times*, 4 Jun 1963.

³⁶ *Za Rubenzhom* (За Рубежом, meaning “abroad” or “overseas”) was a Soviet magazine that surveyed foreign affairs. Publishing statements from the Vatican is, of course, atypical for any Soviet periodical, much less publishing the near entirety of one and commenting on it in a fairly positive light.

Soviets,³⁷ as Khrushchev, together with the showmanship that typified his foreign policy, was ousted from the Kremlin in 1964, and Sergei Korolev, the key figure in the Soviet space program, had died in January of 1966. Overt signs of reconciliation or at least some manifestation of ease did come late on at Yuri Gagarin's death as the Vatican Radio, on this instance, was exceptionally warm in its eulogy for the cosmonaut. It described him warmly as a "light (and) the advanced point of civilization," who served as "a banner" representing "the sciences and technology of the whole world."³⁸ Though long overdue, and only manifesting itself after the stream of Soviet achievements had begun to stem, these remarks on the death of the Soviet Union's most beloved hero served to validate Catholic openness towards communist ideology that had commenced under John XXIII—an openness that had been absent with the conservative popes that had reigned prior to him.

And what of the Americans? Perhaps the most significant development on their side, especially considering the distinctly patriotic streak that early American Catholic reactions to Space Age had, was that the American public—or at least the press—no longer harbored the same panicked insecurities that Sputnik had roused in 1957. The *New York Times*, for one, was comfortable enough with prominently displaying Tereshkova's image on its front page and reporting on her flight with none of the concern that filled the paper in 1957, as it had done with Gagarin in 1961, only with more fanfare.

Moreover, a very recently published study by Catherine Osborne had shed light on the development of American Catholicism's philosophical, and in a sense theological underpinnings in the Space Age. Despite the fact that "in the formal disciplinary sense of the term," the theology of space was "rarely systematic,"³⁹ Catholics in the early Space Age, it seemed, had also found some answers and solace in the theology of St. Thomas Aquinas and other Catholic figures who worked at the crossroads of science and religion. In particular, by studying creation as a means to understanding their Creator, they were able to reconcile the pursuit of national scientific achievement and a thorough submission to their

³⁷ Everly Driscoll, "The Soviet Space Program," *Science News* 99, No. 18 (1971): 303-305. By no means should this be interpreted, however, as a decline, so to speak, of the Soviet space program. Quite to the contrary, it could even be argued that in the 1970s, despite the success of the Apollo program, the Soviet space program by itself was, to quote, "flourishing," with 88 Soviet launches in 1970, compared to a mere 34 from the United States.

³⁸ "Cosmonaut's Feat Lauded by Vatican," *Spokesman Review*, 29 Mar 1968.

³⁹ Oliver, Kendrick, *To Touch the Face of God: The Sacred, the Profane, and the American Space Programme, 1957-1975*, (Baltimore: Johns Hopkins University Press, 2012): 45.

faith.⁴⁰ Taken together with momentum of the American space program, which coincided with the relative lack of Soviet space feats post-1963 and John XXIII's legacy of a more open atmosphere within the Roman Catholic Church, and it becomes less surprising that American Catholicism had by itself come to terms with the challenge of the Soviets and the Space Age.

Thus, while it is certainly within reason to frame an understanding of Christian, and in this case of Roman Catholic perspectives on the early Space Age exclusively through the lens of spirituality, and the theological and cultural dynamics in play in that specific window of time, the role of more practical matters in the Catholic response must be given its due. The Catholic experience of the Space Age was as much a product of ideological predispositions, patriotism, and the workings of diplomacy as it was of Catholic spiritual perspectives on a new era inspired by man's technological miracles. Two successive conclusions can be extracted from the Catholic experience in the early Space Age with special attention towards this particular interpretation of what had moved their response. First, the Catholic reaction to the Space Age ran closely parallel to its attitude towards communism, most visibly as the Soviets obtained successive milestones early on and gave the impression of having demonstrated the superiority of their atheistic materialism. Moral issues were unsurprisingly raised in response to Soviet scientific achievements, and diplomatic irritants were plentiful between Rome and Moscow under a rigidly conservative Pius XII.

Accordingly, when the Papacy passed over to a demonstrably more liberal and accepting John XXIII, who also had the fortune of having a more negotiable Khrushchev at the helm in the USSR, the exchange of press rhetoric centered on space was eventually stemmed. For the most part, Catholic acceptance of Soviet communism could be equated with Catholic acceptance of the achievements of Soviet science. The same was true of American Catholics, who, having adopted a blend of Catholic and American anti-communism, likewise moderated their hostility in parallel with both Rome and the broader American public. That Catholics responded as such to the early Space Age also directs us to the next conclusion: that Catholics had equated, or at least intrinsically tied the Soviet space program with Soviet communism as an ideology, rather than distinguished from Soviet ideology as scientific achievement by itself. Otherwise, it would have been difficult to understand the rationale behind Catholic hostility to the Soviet Space Age, especially given the nature of their refutations early on—though, arguably, to equate Soviet glories in the heavens with Soviet ideology on

⁴⁰ Osborne, Catherine, "From Sputnik to Spaceship Earth: American Catholics and the Space Age," *Religion and American Culture: A Journal of Interpretation* 25, No. 2 (2015): 218-263.

earth was always the point, as it had been for the United States itself later on. Scientific progress would have been in no way salient to either the Catholic Church or the Soviet Union if it had no capacity in to win over believers for either faith or ideology after all. In this sense, then, how the Catholics aligned their responses with their attitude to communism may well and fully have been justified.

PICTURING OPEN SPACE

Pushing Protest into Trafalgar Square

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TRAFALGAR SQUARE BEGAN WITH THE IDEA OF SPACE. Built in the beginning of nineteenth century central London, the new Square in Victorian England would seem to be a public, open space. However, simply calling a space public does not indicate public usage. In fact, Trafalgar Square originally was planned as a space that was *not* really public, for it was *not* intended to be space to be used by heterogeneous social classes. The “public” Trafalgar Square was intended for was not a reflection of the dissenting voices and varying opinions of the growing complexity of Victorian London society’s social structures. Trafalgar Square was planned to be the part of London that historian Rodney Mace calls, somewhere to be “*looked at...somewhere that will impress the neighbours and overawe the country cousins.*”¹

Before 1826, Trafalgar Square, called the King’s Mews in junction with Charing Cross, was full of markets and neglected buildings. The area was crowded with some of the most impoverished people in the city; Norman Foster described the area as a “filthy roundabout, which one crossed at one’s peril.”² However, from 1826 to 1854, the Square was transformed to the open, decorated, space familiar today.

Those who decided to transform the Square were a part of the wave of patriotic sentiment rushing through England in the early nineteenth century. These town planners, mainly made up of men with great wealth and high social position, used city planning as a way to show off their wealth and power.³ As class-consciousness grew, the British elite felt the need to create visible reflections of their standing.⁴ Not only was Trafalgar Square a useful platform to

¹ Rodney Mace, *Trafalgar Square: Emblem of Empire* (London: Lawrence and Wishart, 1976), 15.

² Roger Hargreaves, *Trafalgar Square Through the Camera* (London: National Portrait Gallery, 2005), 109.

³ Donald J. Olsen, *Town Planning in London: the Eighteenth and Nineteenth Centuries* (New Haven: Yale University Press, 1982. Second edition), 8.

⁴ Linda Colley, *Britons: Forging the Nation 1707-1837* (New Haven: Yale University Press, 2009. Third Edition), 149.

create an exclusive, elite space, but it was also a place to ignite aspirations to join the elite – specifically, a space to motivate the emerging middle class to join the upper class, while excluding lower classes. The Square was to become an open space to “promote patriotic fervor among British youth.”⁵ Presumably, these youth would grow to be a part of the elite, leaving the middle and lower classes behind them. However, by 1845, Trafalgar Square was not a space solely for those with the luxury of time and fine arts.

Beginning in 1841, Trafalgar Square deviated from being the intended elite space to a public space of protest through dissenting voices through print. Most of these voices appeared in the form of articles, ephemera, and illustrations in periodicals such as the satirical magazine, *Punch*. These voices, representing other classes and dissenting opinions, protested the town planners. The town planners’ ideas could be seen in original prints of plans, as well as in specific publications such as the *Illustrated London News*. Although the projected plans of the space from 1826 to the late 1830s showed a particularly grand method to display patriotism, the dissenting voices within *Punch* in the 1840s made the Square not only a patriotic space, but also a public space.

CREATING SPACE: PLANNING TRAFALGAR SQUARE

In 1825, Trafalgar Square as an open space began to take shape. “The Charing Cross Improvements” passed through Parliament in June 1825, citing the narrow streets leading up to Charing Cross as a necessary point of improvement.⁶ Charing Cross was considered to be a gate to Whitehall Road and the Royal Park of St. James; “vagrants” could not be in such close proximity to government buildings.⁷ Hence, five hundred and fifteen buildings, including all of St. James Market, were demolished to create an open space, amidst protest from their working class owners.⁸ Any form of dissent sent to government officials were ignored. The demolition cleared away not only the physical obstructions, but also the people who were seen as unworthy as a part of the Improvements.

⁵ Alison Yarrington, *The Commemoration of the Hero 1800-1864* (New York: Garland Publishing, Inc: 1988), 287.

⁶ Joan Hood, *Trafalgar Square: A Visual History of London’s Landmark Through Time*. (London: Sterling Publishing, 2005), 31.

⁷ Celina Fox, *Londoners* (London: Thames & Hudson Ltd: 1987), 185.

⁸ Felix Barker and Peter Jackson, *The History of London in Maps* (London: Barrie & Jenkins, 1990), 125.



A map of the area before Trafalgar Square was built. From Rodney Mace. *Trafalgar Square: Emblem of Empire*. London: Lawrence and Wishart, 1976. Plate 2.

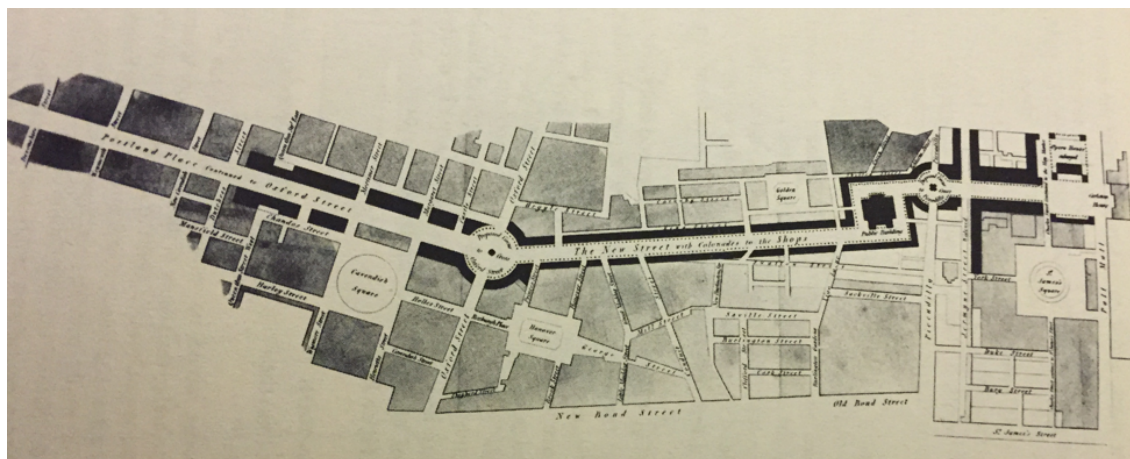
The area officially was named Trafalgar Square in 1830 to celebrate the Battle of Trafalgar, a British naval victory over the French and Spanish during the Napoleonic Wars. Originally to be named after the recently crowned King William IV, architect George Ledwell Taylor persuaded the King to name the area Trafalgar Square instead.⁹ To live up to its celebratory name, the first plans for the Square outlined grand buildings as boundaries.

John Nash, a prominent figure in Victorian architecture, designed this version of the Square in 1826. The clean lines and open spaces made Nash's design seem novel in comparison to the narrower streets around London. His plans intentionally created a physical border between the impoverished and those within the Square, using the city to physically separate those who were wanted and those who were not. Subsequent architects largely followed his general vision: a large, open area that held a sense of grandeur.

John Nash earned his initial success from commissions of wealthy private houses in the country, designing with the "picturesque aesthetic" in mind. That

⁹ Mace, 31.

is, he often designed buildings that did not follow a specific style, but were deemed artful and pleasurable by his clients. Nash was greatly influenced by a partnership with Humphry Repton, a prominent English landscape gardener. The partnership allowed Nash to not only influence the design of more than a building, but also learn about the comfortable, genteel aesthetic that many of his patrons requested. His reputation carried him to become an architect in the Office of Woods and Forests; while working in close quarters with the government, Nash became a part of the Prince of Wales' private circle. Nash was commissioned to design Buckingham Palace and, as a continuation of the Palace, Trafalgar Square.¹⁰ Trafalgar Square was Nash's last design project in his lifetime.



John Nash's 1826 Proposal for a "New Street from Charing Cross to Portland Place." From: Rodney Mace. *Trafalgar Square: Emblem of Empire*. London: Lawrence and Wishart, 1976. Figure 5.

Nash's wish to physically separate classes was shared by many other members of high society who wished to change the area. Both private landowners and high-ranking government officials wanted to use the space to garner interest and pride in the lives of select heroes.¹¹ Yet the interest was only to be shared with those who were deemed appropriate to share the space. The grand buildings, described by Nash as the "façade of beautiful architecture," not only physically pushed out those who did not fit the prescribed aesthetic, but also carried an

¹⁰ Nash, John (1752-1835)," Geoffrey Tyack in *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online ed., ed. Lawrence Goldman, May 2009, <http://www.oxforddnb.com/view/article/19786> (accessed April 25, 2015).

¹¹ Yarrington, 280.

intimidation factor.¹² The beautifully build street leading to Trafalgar Square was, as Nash wrote in his plans, “...the Line of Separation between the inhabitants of the first classes of society, and those of the inferior classes.”¹³ For the “first classes,” the Square was to be an open space full of aesthetic grandeur, surrounded by “worthy institutions.”¹⁴ Nash himself had designed the newly built structure that housed the Royal College of Physicians and the Union Club that stood at the east end of the cleared space. He planned for a new site for the Royal Academy to be on the west end, next to St. Martin’s Church. The wider Charing Cross would form the south end. The newly implemented National Gallery would rest at the north end.

The National Gallery was the beginning of transforming the area to being a space celebrating fine arts and high culture. Opened in 1824, the National Gallery was purposed to compete with other royal European collections. It was what contemporaries called an “improvement to the neighborhood.”¹⁵ Having the arts in such a space hoped to foster the admiration of the elite by allowing “the middle classes...become acquainted with what is really fine art.”¹⁶ The architect of the Gallery, William Wilkins, described the location as one that needed open space, and not a “*line of shops and dwellings* [Wilkin’s italics].”¹⁷ Wilkins, the “handsome, wealthy, and scholarly social aspirant,” shared the same notions of the select use of space as Nash did.¹⁸ Wilkins influence on the Square did not stop at the National Gallery building. He influenced the setting of the Gallery as much as John Nash did. Wilkins wished the focus of the area to be the National Gallery. To do so, he thought the area should be flat in order to not take away from anything but the Gallery.

His visual depiction of his design included well-dressed figures using the space in an orderly, leisurely fashion. The depiction of stillness showed the luxury of time, as opposed to the fast-paced notions of the working class. Already in the design of the Square, classes were separated. Two ladies in the front of the etching admired each other’s dresses, while families lingered to watch a parade of soldiers on Horseback. The Square was to be used to see and be seen.

¹² Hood, 23.

¹³ Mace, 33.

¹⁴ Hood, 23.

¹⁵ Joseph and John Sebastian Gwilt, *Project for a National Gallery on the Site of Trafalgar Square, Charing Cross* (London: George Woodfall, Angel Court, Skinner Street, 1838 (not published)), 4.

¹⁶ Charles Saumarez Smith, *The National Gallery: A Short History* (London: France Lincoln Limited, 2009), 26.

¹⁷ Hood, 42.

¹⁸ Hood, 42.

FILLING SPACE: THE NELSON COLUMN

Trafalgar Square was not quite to be the physically flat, open space originally proposed; the Nelson Column was to be a part of the Square. The creation of the Nelson Column, however, was a prime example of the faults when creating a public space. In 1837, Trafalgar Square was determined to be the site to celebrate Admiral Horatio Nelson; government officials first had suggested such a monument in 1805 when the Admiral died.¹⁹ Admiral Horatio Nelson died in the Battle of Trafalgar, known for being a man who lived and served for England.²⁰ As one who was “acutely sensitive to the importance of medals and uniforms,” Nelson was the perfect figure to reinforce the patriotic showcase in Trafalgar Square.²¹ His pursuit of glory was his own way of rising ranks, and displaying such aptitude would be influential to others who also wished to rise.

To carry out the creation of the monument, a committee was formed. The Nelson Memorial Committee was made up of one hundred and twenty-one “Nobles and Gentlemen,” including high-ranking government officials.²² On February 22, 1838, the Committee held its first meeting.²³ In this meeting, the N.M.C. decided the monument should be supported by a public subscription. The government had set aside merely five thousand pounds to support a project that would take an estimated twenty thousand.²⁴ However, before garnering enough public support through subscription, the N.M.C. formed a subcommittee, lead by the Duke of Wellington, to determine the design of the monument. An open competition would be held, in part to further public support for the monument.

Over one hundred and forty drawings and models were submitted in response to the N.M.C’s advertisement. The advertisement, calling for “a desire of receiving from Architects, Artists, or ‘Other Persons’” was published in numerous papers in June 1838.²⁵ Many architects and artist submissions were from members of the Royal Academy, an exclusive institution in itself. The Academy, established by men who had a “high reputation in their...professions”

¹⁹ Yarrington, 280.

²⁰ Colley, 183.

²¹ Colley, 183.

²² Mace, 56.

²³ *Ibid.*, 57.

²⁴ *Ibid.*, 59.

²⁵ *Ibid.*, 59.

in 1768, originally was purported to raise the prestige of British fine arts.²⁶ Hence, “other persons” were not represented in the submissions. The pretense of creating an open competition mirrored the pretense of creating an open space. The competition was only for those who already had high reputations, or were well versed in fine arts – and not to the general public.

The monument had to celebrate the National Gallery, as well as Nelson. The height of the National Gallery presented a challenge to designers to create a monument without eclipsing the low bodies of architecture in the Square. The cleared space was uneven and not symmetrical, which presented more challenges.²⁷

Nevertheless, the design committee determined the winners after submissions were closed in February 1839. Three submissions were selected as first, second and third place. Contrary to the democratic process promised, the sub-committee in charge of the design chose the winning design without any outside input. Competitions labeled as open competitions were known for the strong bias of the judges. Although the sub-committee tried to ignore letters to the editor in the *Times* calling for judges outside of the sub-committee, the pressure became too great and the competition was reopened to allow more submissions until June 1839.²⁸

However, even after more submissions were entered, the selection committee still chose the winner privately. The public only was permitted to see the designs in a nearby gallery, in the St. James’ Bazaar.²⁹ The public viewing was the sole extent of outside participation in the judging process.

All the submissions implied all the designers understood the exclusivity of the space. Each submission had distinctive illustrations that not only showed the architecture and design, but also small figures using the space in a very specific way. For example, the print submitted by John Goldicutt, an architect from the Royal Academy, showed a space that had the greenery of a private garden, a monument, and the National Gallery. The print also depicted people quietly enjoying Goldicutt’s design:

²⁶ “Founders of the Royal Academy of Arts (act. 1768–1825),” Holger Hoock in *Oxford Dictionary of National Biography*, eee online ed., ed. Lawrence Goldman, Oxford: OUP, May 2006; online ed., ed. Lawrence Goldman, September 2014, <http://www.oxforddnb.com/view/theme/94593> (accessed May 4, 2015).

²⁷ Hood, 23.

²⁸ Yarrington, 293.

²⁹ Yarrington, 297.



John Goldicutt. Design for Trafalgar Square. 1839. Lithograph, 256mmx435mm.
© Trustees of the British Museum.

The open space was filled with fenced-in trees and a raised plaza holding another building; those on the plaza literally were raised above the street. Goldicutt described the plaza as a place that would be able to draw many crowds to observe, for the building would “have massive grandeur, be unique in character, and interesting in effect.”³⁰ The monument would astonish a crowd. However, instead of used by such a crowd, it would be viewed from a distance.

William Railton, the winning designer for the monument, also carefully crafted his image of Trafalgar Square. A regular exhibitor at the Royal Academy, his design, “The Nelson Column, with Improvements to Trafalgar Square,” depicted a serene, quiet space. The one hundred and seventy-four foot decorated pedestal would “harmonise” with the National Gallery, for both the Gallery and the monument used Corinthian columns.³¹

³⁰ Mace, 242.

³¹ Yarrington, 295.



William Railton, "The Nelson Column with Improvements to Trafalgar Square."
1839, lithograph. From: Alison Yarrington. *The Commemoration of the Hero 1800-
1864*. New York: Garland Publishing, Inc.: 1988. Plate 103.

A seventeen-foot statue of Nelson would be placed on the top. In Railton's print, three well-dressed ladies were in the forefront of the Square, their heads raised to admire the column. Two soldiers on horses were in the right-hand corner, silently maintaining order. This scene showed the space as an improvement, juxtaposed against the fast paced, loud motions of what used to be St. James' Market. For his design, Railton earned two hundred pounds.³²

Architects designing the Column were not the only ones who created projections of the Square usage. By the 1840s, illustrated periodicals were also printing visuals of what the Square was to look like. As printing technology advanced in the nineteenth century, different printing techniques were introduced for novel voices of communication.³³ Illustrations in particular became popular in periodicals. The *Illustrated London News* started printing in 1843. /it soon became one of the trendiest weekly periodicals. As an rather expensive magazine, the *ILN* was "encumbered by traditional reverence for high art,"

³² Mace, 60.

³³ Colley, 220.

following the prestige of fine art set by establishments such as the Royal Academy.³⁴ The prints that accompanied the *ILN* stories were among the first periodicals to have such “systematic illustrations” of current events.³⁵ The text and illustrations combined allowed more complex messages to be printed.³⁶ Such systematic interpretation, though striving for objectivity, agreed with the projected plans of an exclusive Trafalgar Square. The *News* had particular interest in “protected England’s sequestered felicity” – that is, promoting the same aesthetic that prompted John Nash’s genteel style. At sixpenny an issue, the *Illustrated London News* was a self-selecting publication in readership, catering to the rising middle class. The population who subscribed to the *ILN* was not insignificant; in 1850 alone, over 67,000 copies of *ILN* were sold.³⁷

On September 20, 1842, the *ILN* printed a full page featuring Trafalgar Square. The feature consisted of two images, separated by a body of text. The ideal, completed Square commanded the reader’s attention at the top of the page. At the bottom, the image of the current construction of the Square filled the rest of the page.

In the top, idealized image, the people who filled the Square were printed as a homogenous group; they were depicted with similar dress and mannerisms. Women followed men, attached to them with linked arms and hands. The few children present were pictured as docile, with their hands clasped in front and following an adult figure. Each group of people was not rushed, enjoying the luxury of their time and admiring the grandeur surrounding them. Even the dogs were still, simply waiting by their masters and mistresses’ feet. Movement of both people and ideas seem to be minimal.

Only a few figures in the image at the bottom of the page of the current construction of the Square were like the group depicted in the first image. Few workers were actually pictured at the construction site. One worker, pulling a wheelbarrow, was shown with his back turned to the reader. A well-dressed woman next to him, however, stared out at the reader. She did not notice the worker at all – he was invisible to her. In fact, the non-workers generally ignored the two or three workers depicted. These workers were faceless; the two men on the scaffolding of the monument were mere lines of figurines. However, men in

³⁴ Fox, 192.

³⁵ Richard Daniel Altick, *The English Common Reader; a Social History of the Mass Reading Public, 1800-1900* (Chicago: University of Chicago Press, 1957), 344.

³⁶ Peter Sinnema, *Dynamics of the Printed Page: Representing the Nation in the Illustrated London News* (Aldershot: Ashgate, 1998), 35.

³⁷ Altick, 394.



“Trafalgar Square.” *Illustrated London News*, London, England. October 29 1842:
393.

top hats equally as far away had eyes that looked out at the reader. Horses pulled their gentlemen in carriages, while pulling away from the site of construction, moving away from the work. The movement made way for the lady in the forefront, who only could wait for her luxurious space to be finished. The bottom print overall was darker, dirtier, then the top print. The serene, finished Square was literally above the construction and workers.

The text accompanying the illustrations praised the unfinished Trafalgar Square. “In no quarter of London, however, has the progress of adorning art been marked with a nobler impress of the grandeur than in Trafalgar Square.”³⁸ The praise was clear, both of the plans of “grandeur” and “progress of adorning art.” Although the text did criticize the “tasteless and ill-devised” National

³⁸ “Trafalgar Square.” *Illustrated London News*, London, October 29, 1842.

Gallery, the effect of the rest of the “magnificent” buildings in the Square created “unrivalled splendor and effect.”³⁹ The remarks of the Square were not objective, but rather biased in supporting the exclusivity of Trafalgar Square. The *ILN* expected the Square to be according to plan: pleasurable and grand and, ultimately, for a specific class only.

Trafalgar Square’s atmosphere of fine art culture was further promoted in the *Illustrated London News*. A few months after “Trafalgar Square” was published, a print of the statue of Nelson followed. Instead of an article, a poem was the text that accompanied the illustration. Praising the heroism of Nelson, the preface to the poem clarifies: “the above status is to surmount the pillar...to the memory of Nelson (and nearly completed in Trafalgar-square.”⁴⁰ The patriotic sentiments of the poem allowed the newspaper to demonstrate support not only for the column, but also the ideas behind the column:

The sun of radiant glory, ‘mid whose beams
Proud Honour rears his monument to-day
Whose hero-deeds might brighten all the streams
Of Genius, and inspire the poet’s lay
With wild and kindling fervor. Here we gaze
But on the symbol of his mighty fame;
Could England perish ‘mid the world’s amaze.
HER monument might well be *Nelson’s name*.⁴¹

Fully supporting the Square and the Column, the *ILN* was incredibly optimistic about the “near completion” of Trafalgar Square. However, by 1845, it became apparent to both planners and the public that Railton’s Column was too ambitious both physically and financially. The sub-committee headed by the Duke of Wellington, though their efforts persisted, continued to run into problems carrying out the physical completion of the monument. For example, the elaborate bronze designs originally decorating the column needed too much money and had to be compromised.⁴² The sub-committee worried that high winds would bend the column.⁴³ Even after other designers and architects were consulted and they determined the column could withstand high wind speeds, the height was reduced. The sculpture of Nelson came under severely criticism after completion for not being life-like enough.⁴⁴ The price of materials and labor

³⁹ Ibid.

⁴⁰ "Fine Arts." *Illustrated London News*, London, September 10 1842.

⁴¹ Ibid.

⁴² Yarrington, 310.

⁴³ Ibid., 314.

⁴⁴ Ibid., 313.

grew steadily as the project lengthened; the subscription was never enough, and government funding was also running out. The Column seemed unable to be completed. The frustration of the rest of society, who had not supported the monument through the original subscription plan in the first place, began to materialize.

PROTESTING SPACE: PUNCH

Punch was an important platform that voiced ideas of dissent surrounding Nelson's Column and Trafalgar Square. Using a combination of text and image, *Punch* was harsh and biting of its criticism of those in power. The humorous, radical illustrated satirical magazine began in 1841 to a rocky start.

Because it had no standards of impartiality, *Punch* had a "more daring policy towards social problems."⁴⁵ Illustrator Ebenezer Landells and writer Henry Mayhew both came from backgrounds that were not wealthy, yet still created a successful publication. The idea for an illustrated magazine came from the observation that newspaper editions that included illustrations sold more.⁴⁶ Indeed, *Punch* sold about over thirty thousand issues thousand issues in annually by 1846.⁴⁷ At the price of three pence per issue, *Punch* was "produced in a way that looked good on the shelves of the aspiring bourgeoisie."⁴⁸ Hence, *Punch* was also for the emerging middle class, but allowed dissenting voices to be published. Unlike the *Illustrated London News*, *Punch* included voices that, using humor, dissented from town planners' opinions. Landells and Mayhew recruited authors to cover a wide range of topics, from Queen Victoria to family values to Trafalgar Square.⁴⁹ The topics often relied on image:

This 19th century of ours, while multiplying in many ways...does not neglect to make use of the primitive methods handed down to it by its predecessors. One of the earliest arts of which we find record is that of writing by pictures, and it remains as true of the present

⁴⁵ Fox, 192.

⁴⁶ "Mayhew, Henry (1812-1887)," Deborah Vlock in *Oxford Dictionary of National Biography*, see online ed., ed. Lawrence Goldman, Oxford: OUP, 2004, <http://www.oxforddnb.com/view/article/18433> (accessed April 15, 2015).

⁴⁷ Richard Altick. *Punch: The Lively Youth of a British Institution*. (Columbus: Ohio State University Press 1997).

⁴⁸ Brian Maidment, *Comedy, Caricature, and the Social Order, 1820-50* (Manchester: Manchester University Press, 2013), 10.

⁴⁹ "Mayhew, Henry (1812-1887)," Deborah Vlock in *Oxford Dictionary of National Biography*, see online ed., ed. Lawrence Goldman, Oxford: OUP, 2004, <http://www.oxforddnb.com/view/article/18433> (accessed May 4, 2015).

generation as it was of the Egyptians of Seostris, that their minds can often be reached more easily through their eyes than through their ears.⁵⁰

Pointing towards “primitive” tendencies allowed *Punch* to excuse its caricatures from the fine art critique upheld in the *Illustrated London News*. The “primitive” tendencies also highlighted the importance of such illustrated periodicals at the time. Image and words were published co-dependently, showing the significance of using image during this time period.

The planners of the Square frequently became targets of *Punch*'s humor, taking away their importance using humor. “The Physiology of the London Idler,” published in *Punch* in 1842, depicted two stark illustrations of the “Idler.” *Punch* pointed out the elite desire to be seen: “the majority of the loungers have a prevalent idea that wherever they may be, they themselves form the chief points of attraction.”⁵¹ A man in a top hat, the “Idler,” was represented with his back towards the reader. A woman shopkeeper, in plainer clothes, was by his side with an object in her hands. The man, described as “unmindful of the flashing glances...thinking even, that they are meant for him alone,” was targeted as simple.⁵² He interpreted the attention from the shopkeeper as admiration instead of business. The second image showed another Idler, with an equally well-dressed woman by his side, petting a macaw. The macaw however, was oblivious to the attention given. The illustrations took attention away from the Idlers, allowing the reader to focus on someone other than them – a macaw, a child, or a shopkeeper. *Punch* transformed the desire to be seen into the characteristic to be blindly self-absorbed.

The elite continued to be portrayed as those who took themselves too seriously. “Punch’s Statue,” another article that targeted Trafalgar Square, illustrated an array of well-dressed figures at the bottom of a statute of Punch himself:

We understand a memorial, innumerably signed, has been presented to the Commissioners of Woods and Forests, calling for a statue of ourself, our Suffolk Punch, and our dog Toby, to be erected on one of the pedestals in Trafalgar Square. ...We beg to announce that sealed tenders for the execution of the work, in conformity with the annexed plan, may be sent in to the *Punch* Office.⁵³

⁵⁰ *Punch*. *Half A Century Of English History, Pictorially Presented In A Series Of Cartoons From The Collection Of Mr. Punch* (London, England: G.P. Putnam's Sons 1884), 5.

⁵¹ “Physiology of the London Idler” *Punch Historical Archive* 53. London, July 16, 1842.

⁵² “Physiology of the London Idler,” London. July 16, 1842.

⁵³ “Punch’s Statue,” *Punch Historical Archive*. London. March 29, 1845.

Punch, at the top of a grotesquely large pedestal, was portrayed as a short man with a hunchback and a sleeping cap. He stood on top of a sad, lethargic Suffolk Punch with an even unhappier looking bulldog at the horse's side. These grotesque statues basked in the admiration of a group of well-dressed figures far, far below. The statues emphasized the emptiness of the pedestals that were currently in Trafalgar Square; they also pointed towards the inadequacy of the government that have been supporting the creation of the grand Square by the inflation of the pedestal and the lethargic statues on the top. The admiration of an empty idea became ridiculed, and the exaggeration of the admirers below mocked the admiration of empty words. The men admiring were drawn with inflated heads; the literal inflated big heads explained to the ladies at their sides the importance of the statue. Voices other than the town planners were allowed to reclaim ownership of the Square.

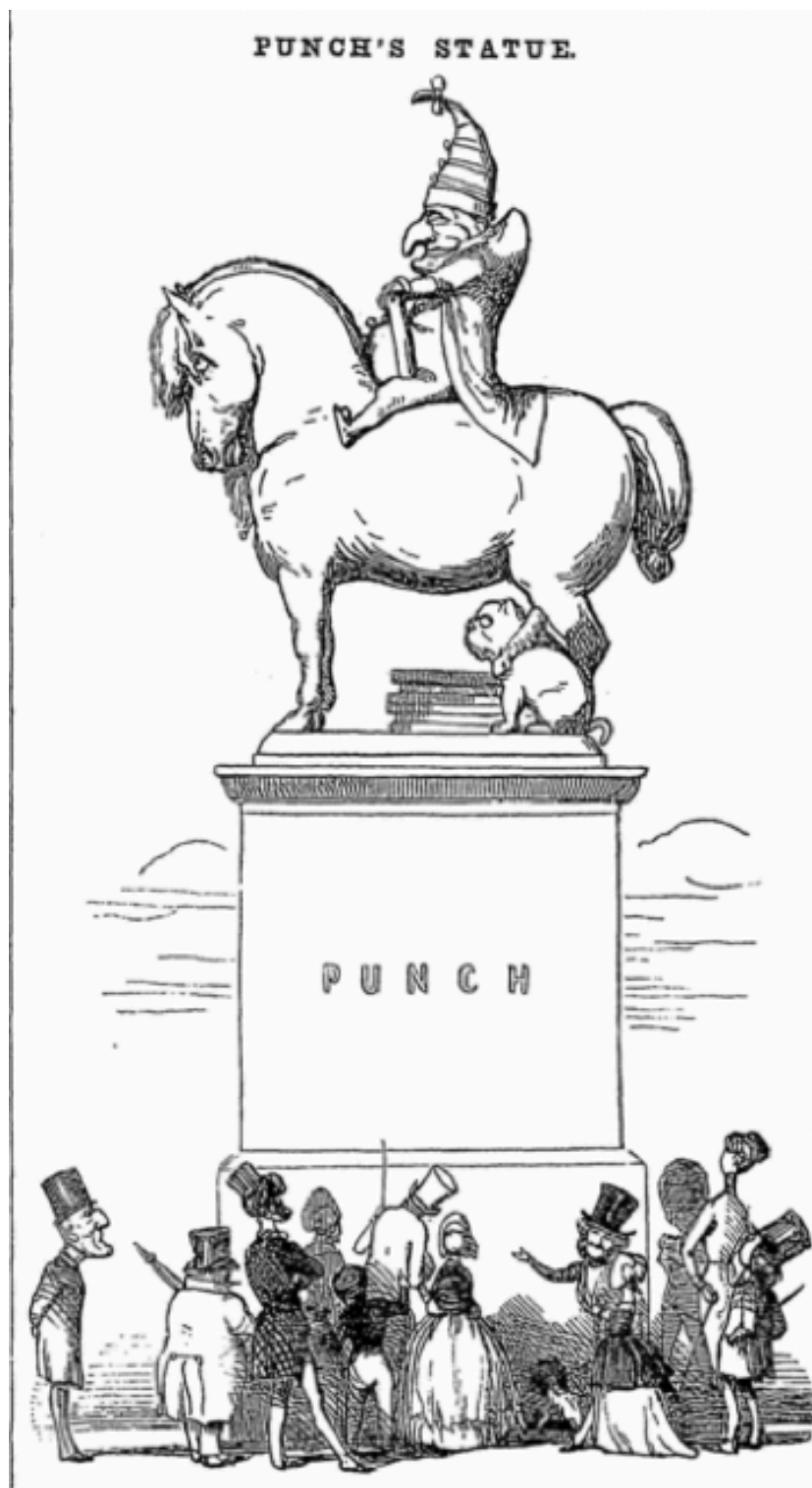
The use of grotesque figures appeared quite frequently in *Punch*. The use of outlines for various classes, such as a big head for the elite or bird-like features for Mr. Punch, showed the “continuing fascination with the body shape and physical oddness of the human body.”⁵⁴ Many of *Punch*'s cartoons drew focus to the importance of the “body shapes, postures and the peculiar relationship between fashionable dress and the body it sought to clothe.”⁵⁵ In bringing such visible differences to light with cartoons, *Punch* was able to highlight the differences of people who were not included in the fine arts culture.

As a part of the fine arts culture, the National Gallery in the Square came under fire as well. The article titled “Hospital for Decayed Pictures” was published in 1844, and addressed the general disappointment of the Gallery aesthetic. While the height of the Gallery was indeed a feature that often drew criticism, as exemplified in the *Illustrated London News*, *Punch* focused on the interior of the Gallery. Described as an “asylum for the Old Masters during their progress to decay,” the National Gallery dismissed the prescribed cultural elitism.⁵⁶ The “Old Masters,” the creators, were described as “dead and decaying” – words that did not stir respect and pride. Furthermore, the “Old Masters” as objects were not portrayed as paintings, but as monkeys. The exaggeration of the Old Masters allowed a variety of accepted voices within the National Gallery to grow wider.

⁵⁴ Maidment, 210.

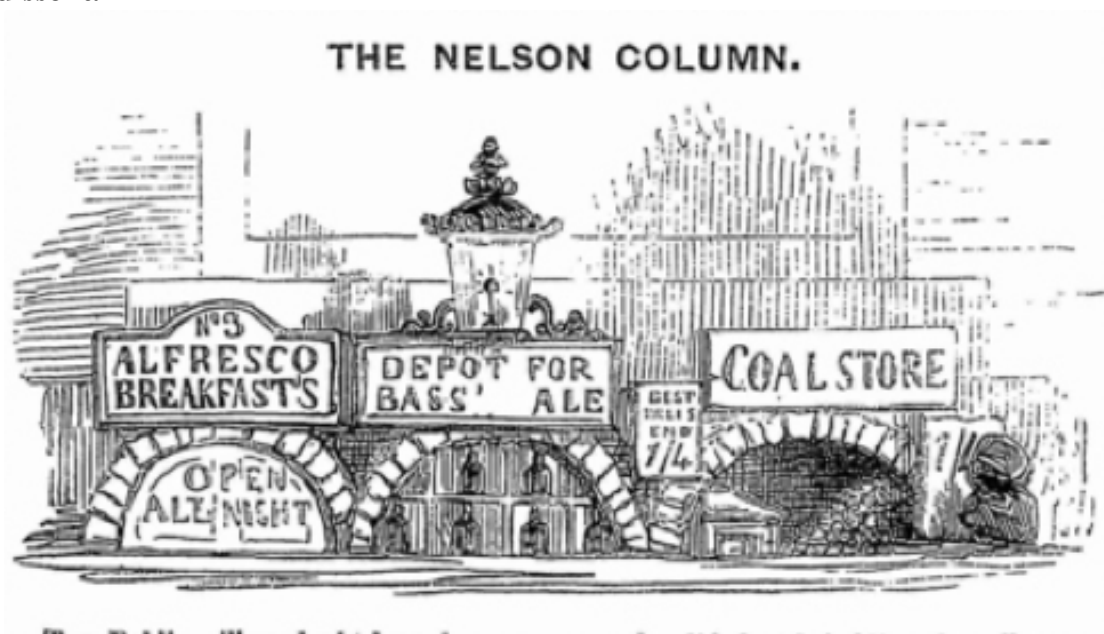
⁵⁵ *Ibid.*, 211.

⁵⁶ “Hospital for Decayed Pictures.” *Punch Historical Archive 131*, London. September 21, 1844.



“Punch’s Statue.” Punch Historical Archive. London, March 29, 1845

Punch enabled other voices to enter to the Square, but it enabled what was demolished to return as well. The markets that made up the Square prior to demolition were featured in an illustration called “The Nelson Column,” published in 1843. The portrayal of the “cellars now in the course of exposure beneath the Nelson Column, at Trafalgar Square” brought back the commercialization that had been eliminated.⁵⁷ The establishments behind the hoardings were all shadows of what used to be in the square: an ale and sandwich shop, a coal store, and an all-night Alfresco breakfast store. The “hidden” establishments, a “wonderous piece of antiquity,” allowed readers to visualize a non-exclusive area.⁵⁸ “The familiar,” *Punch* notes, “can never be frightful.”⁵⁹ The intimation of grand buildings and beautiful façade disappears. *Punch*’s illustrations of familiar signs and shops permitted the space within Trafalgar Square to encompass more than the wealthy. The humor acted as a form of dissent.



“The Nelson Column.” *Punch Historical Archive* 257, London. June 13, 1846.

The duration of construction of the Column frequently was touched upon in *Punch*. Not only did *Punch* comment on the length of time, but its articles were able to voice the disapproval of not only the project but the intentions behind the project. In another article, “The Rise, Progress, and Completion of the Nelson Column,” *Punch* depicted three panels to show each phase of the Column. The

⁵⁷ “The Nelson Column.” *Punch Historical Archive* 257, London. 13 June 1846.

⁵⁸ *Ibid.*

⁵⁹ *Ibid.*

Rise was full of vigor, shown by an inspired, happy middle-aged man. The man was well dressed, albeit with a large, inflated, mask-like head – an elite member of society. A young boy sat next to him, visibly excited from the man’s excitement. And yet, Punch commented, “We must look upon the darker picture of its tardy progress.”⁶⁰ The man once full of vigor became an old man in Progress, “reckless from sheer laziness.”⁶¹ The amount of ambition the planner was originally characterized with was vastly different from the amount of action that followed the ambition. He was described as “juvenile,” with “ardent aspirations.”⁶²

Yet during “Progress,” he could not complete any amount of labor to reach those aspirations, simply sitting by a bucket seemingly filled with intention. His exaggerated facial features became more exaggerated in the last panel, the “Completion.” He merely painted “STICK NO BILLS” on the hoarding surrounding his “completed project.” The project was clearly no more completed in the “Completion” phase than the “Rise” phase. The idea never physically formed. He “almost cowers under the weight of the whitewash” – it was not the first time he had to paint the sign.⁶³ The old man served as a warning to “all future men and boys who may disappoint the expectations of an anxious nation.”⁶⁴ The young boy, at this point, was shown as a sullen middle-aged man. The two men are alone in their project, with no other human support; no community members were depicted. This step-by-step portrayal of the degradation of such a reputation of a powerful man took away respect of the town planners, mocking the self-absorbed, unfulfilled ideas that never became completed. The elite, it seemed, could not utilize space well. The faults in the grand planning of Trafalgar Square not only were pointed out in text, but also visualized.

Punch showed not only the faults of the cultural authority, but also deliberately depicted intruding them. In another article titled “Visit to Remarkable Places,” Mr. Punch was drawn pointedly bypassing the hoardings of Trafalgar Square. The cartoon was published in 1846, when the progress of Nelson’s Column had come to almost a complete standstill. It was “our disappointment to behold the thistle and the dandelion springing up luxuriantly among the grass that time had permitted to grow.”⁶⁵ The pointed disappointment of the progress on Nelson’s Column was not only in jest, for the project,

⁶⁰ “The Rise, Progress, and Completion of the Nelson Column.” *Punch Historical Archive*, April 11, 1846.

⁶¹ *Ibid.*

⁶² *Ibid.*

⁶³ *Ibid.*

⁶⁴ *Ibid.*

⁶⁵ “Visit to Remarkable Places.” *Punch*. 24 January 1846.

unsupported by public subscription in the first place, seemed to not be able to be completed and a waste of resourced. As always, Mr. Punch was portrayed differently from the facial features of the elite. He featured almost claw-like hands, with a hooked nose poking over the hoardings – a creature visibly different from his surroundings. The hoardings, of course, visibly showed “STICK NO BILLS” to the reader. Punch ignored the barriers and by crossing them, began a voice of dissent.

The frequency of “STICK NO BILLS” in *Punch* illustrations showed the importance of bills during this time period. Indeed, bills played a large role in



A MELANCHOLY RUIN IN A. D. 2346.

“London in A.D. 2346.” *Punch* Historical Archive 227. London. October 31, 1846.

creating a voice of dissent outside of periodicals. *Punch* did not exaggerate the amount of bills posted on the hoardings. William Henry Fox Talbot took one of the first photographs of Trafalgar Square, while the Column was still under construction.

The printing technology of the time allowed bills – large advertisements stuck on the sides of buildings – to become frequently printed. The bills

advertised everything from “burlesque shows to railway schedules.”⁶⁶ The use of color began in 1826 and boosted the popularity of such an easy form of communication.⁶⁷ Billposters, who usually worked at night, in order to both override competition and sneak in forbidden spaces, did not spare Trafalgar Square. Hence, although hoardings around the Nelson Column during the 1840s announced to “STICK NO BILLS,” bills were still stuck announcing local



Figure 9. Talbot, William Henry Fox. Trafalgar Square, London. 1844. Salted paper print from a calotype, 6 11/16 x 8 1/4” (17 x 21 cm). The Museum of Modern Art, New York.

happenings. The bills – often described as “fancy paper” by *Punch* – were a physical manifestation of democratizing the area.⁶⁸ Bills, as a source for local information, were a different way to see and be seen.

Punch frequently illustrated the manifestation of these voices against authority. In another article titled “Ways and Means,” a statue of George IV was covered with bills. Bills hung off of George IV’s hat, his horse’s tail, and the

⁶⁶ Hargreaves, 25.

⁶⁷ Michael Twyman, *Printing: 1770-1970* (Delaware: Oak Knoll Press, 1998), 45.

⁶⁸ “Visit to Remarkable Places.” *Punch*. 24 January 1846.

horse's front. The King became a sandwich man, not only degrading the King to the lowly position of a sandwich man, but also alluding to the role of the state as a body that advertises. Words were faint but "FLEA" and "crowded every evening" still was clearly visible, and mocked the use of the statue as a method of communication in itself.⁶⁹ Hence, *Punch* protested the use of the space with words, pictures, and paper; the public was able to enter the space through various voices.



"Ways and Means." *Punch Historical Archive 135*. London. February 10, 1844.

USING SPACE: THE LEGACY OF TRAFALGAR SQUARE

Far from being the exclusive space to see and be seen, Trafalgar Square became a place of protest. On March 6, 1848, protests were not just limited to the humorous pages of *Punch*. Numbers estimating up to fifteen thousand took to Trafalgar Square to protest the rise of income tax from three to five percent.⁷⁰ Although the police were notified and subsequently banned any sort of gathering, the sheer number of protesters that filled the square overcame them; over five hundred policemen had to report to the Square to break up the protest.⁷¹ The Square from then on was seen as a threat, for the people that had assembled

⁶⁹ "Ways and Means." *Punch Historical Archive 135*. London. February 10, 1844.

⁷⁰ Mace, 135.

⁷¹ *Ibid.*, 137.

were recorded as rioters.⁷² The next day, notices were posted all around the Square:

WHEREAS large bodies of Persons assembled yesterday, in the Forenoon and throughout the Day, and part of the Night, in TRAFALGAR SQUARE, and in the Neighbourhood, and committed many acts of Violence and Rioting, and serious Breaches of the Peace. ...Notice is hereby given, that all such Meetings and Assemblies are Contrary to law.⁷³

In filling the Square with group of protesters, the open space of Trafalgar Square became truly open to completely encompass the public. The availability of an open area was a perfect platform to have disagreeing voices be heard. The gathering commenced the first, but not the last use of Trafalgar Square as a demonstration. Indeed, after March 6, 1848, the government made note and notices were sent around law enforcement agencies to pay particular attention to Trafalgar Square, as an area that required more attention.⁷⁴ The use of the Square expanded to include more than just leisure and a pursuit of pleasure. It became an area of utilization for social growth, an area of public space.

Punch reported the March 6 demonstration as a “Revolution” – the “Trafalgar Square Revolution.” The article described three tumultuous days of “Revolution.” However, this article presented the actors in a different light from previous articles about the Square. *Punch* satirized not only those who were trying to control the revolution, but those who were *in* the revolution. In showing the ability of dissenting voices to enter the Square, *Punch* was able to portray more than one kind of person in the Square. These people were not sneaking in, catering to attentions of the wealthy, or posing as representations of the wealthy, but standing on their own within the Square as a “Revolution.” The deliberate exaggeration of all figures was a function of the lack of exclusivity in *Punch* – and in the Square. The man who “had an ardent desire for equality...conceived the desperate idea of making everyone in London as great a fool as himself” was described beside royal attempts at control.⁷⁵

The reporting of the “Revolution” allowed for another opportunity to criticize the progress of the Nelson Column. “An attack on the permanent hoard established for some time...was swept off as unceremoniously and helplessly as

⁷² Ibid., 136.

⁷³ Ibid., 136.

⁷⁴ Lisa Keller, *Triumph of Order: Democracy and Public Space in New York and London* (New York: Columbia University Press, 2009), 74.

⁷⁵ “The Trafalgar Square Revolution.” *Punch Historical Archive*. London, 1848.

the late French monarchy.”⁷⁶ The physical barriers around the Nelson Column allegorized the unspoken barriers that had been projected to surround the whole Square – barriers that, with the riot, were broken. “Glorious News!” the article continued, “They are going to demolish the National Gallery...they say they have put up with the building long enough, and are resolved to pull it down.”⁷⁷ All the aspects that made the Square the site of culture were described as torn down by *Punch*, one by one. The voice of dissent was giving opinions beyond simply protesting the rise of income tax; the magazine continued to protest the whole idea of Trafalgar Square. The column finished: “The People have carried off the Nelson Column.”⁷⁸ An illustration accompanied this ending, with the Corinthian column carried off on many small, silhouetted figures’ shoulders.

Of course, the Nelson Column stayed. It was finally completed in 1854, the last piece of the monument put in place to no celebratory fanfare.⁷⁹ The Lords of the Treasury was the group to give the final funding to finish the Column.⁸⁰ Although no actual total has been recorded, an estimated fifty thousand pounds was spent on the Nelson Column alone.⁸¹ Although the government wished to avoid censure when using public funds for “non-utilitarian projects,” by 1850, the completion of Nelson’s Column was deemed to be necessary and worth the extra funding.⁸² However, the Nelson Column was seen thereafter as a “major monumental fiasco,” and hurt future public perception of similar monuments.⁸³ Indeed, Donald Olsen, a historian today describes London’s “attempts at monumentality ... indeed pale and insipid in comparison with Continental equivalents.”⁸⁴ Nevertheless, the completion of the Nelson Column, and hence Trafalgar Square, could be seen as a “utilitarian project.” For by 1848, the Square was an open space, not for a homogenous social group to admire at leisure, but for heterogeneous groups to utilize in voicing opinions and protesting.

London’s underlying character of practical utility overshadowed the luxurious planning of Trafalgar Square. Those who considered the city as a “resort” were not able to use the space as an exclusive area.⁸⁵ The use of illustrated periodicals such as *Punch* showed the Square as more than just a

⁷⁶ Ibid.

⁷⁷ “The Trafalgar Square Revolution.” *Punch Historical Archive*. London, 1848.

⁷⁸ Ibid.

⁷⁹ Mace, 109.

⁸⁰ Yarrington, 328.

⁸¹ Hood, 52.

⁸² Yarrington, 328.

⁸³ Ibid., 279.

⁸⁴ Olsen, 4.

⁸⁵ Olsen, 4.

narrow center of fine art. The planning of the space was not honestly explained, for the original plans had a specific patriotic agenda applied to only those with the luxury of time and money. As voices of more than just one group of people filled the Square, Trafalgar Square then could be considered – and still is considered – public. Protests and demonstrations within the Square continued long after 1848, and continue today. Norman Foster’s description of Trafalgar Square after the building of the monuments as a place that is “urban space full of a sense history” certainly understands the importance of Trafalgar Square as an urban space.⁸⁶ Physically, the Square certainly is full of art with historical significance. However, it is also full of stories, some which may not have been heard, of equal historical significance. Establishing an open public space in Trafalgar Square, not only requires a physically open area, but also a space that provides the opportunity to be filled with various voices.

⁸⁶ Hargreaves, 109.

REMEMBERING GWANGJU

Pro-Democratization Student Movements in the 1980s and Their Aims, Ideals, and Sacrifices

So Yon Jun,
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INTRODUCTION

On May 18, 1980 Gwangju¹ became a battle ground as students at Chonnam University led large scale demonstrations throughout the city protesting increasing military presence in the government and prolonged reforms. General Chun Doo Hwan saw the protests as a threat to consolidating his power, cracking down brutally as students continued to defy Martial Law. Gwangju was shut down and special forces troops were sent in. There is little documentation of what transpired the next five days as the city was quarantined; all roads were blocked, telephone lines severed, and the media refrained from printing or broadcasting what was happening inside.² But records from the Gwangju District Office, Peace Corps volunteers, and foreign missionaries show that the special forces soldiers were armed with guns and bayonets, shooting and stabbing people in the streets, targeting everyone from children to the elderly.³

Despite its tragedy, the story of Gwangju is largely an untold narrative, one that is often pushed under the covers because of its controversial and traumatic nature. As the Korean government attempts to “settle the past” (gwageo cheongsan) and deal with the stories of sacrifices caused by state violence under military authoritarianism, it is important to analyze how bloodshed influenced the student democratization movement. May 18th, 1980 became a turning point for the democratization movement, unifying all members of society under the

¹ The English name for the city can be spelled as “Gwangju” or “Kwangju” but in this paper it will be referred to as “Gwangju.”

² “Season of Spleen,” *Time Magazine*, June 2, 1980, 37.

³ Don Oberdorfer, *The Two Koreas: A Contemporary History* [Revised and Updated] (Basic Books, 2002), 127.

memories of a national tragedy. The student groups seized the opportunity created by the brutal repression in Gwangju, preserving its tragedy and memories in order to fuel the antigovernment movements and put the government under moral condemnation. Gwangju in effect, became a rallying point for the student democratization movement of the 1980s.

The main question of this paper is how the student movement reacted to the events of Gwangju and how state violence shaped the ideology, organization, and execution of demonstrations during the 1980s. The success of the student groups in Korea partly lie in its structure; the lack of a formal centralization diffused the movement throughout the nation with each university housing its own group of protestors and ideals, making it difficult for the state to stomp out the movement. Furthermore, the student movement became more than a call for democratic reforms, taking on the characteristics of a nationalistic movement, criticizing South Korea's reliance on foreign powers and inability to protect its own people. As the Chun administration sought to prove its legitimacy through a display of force in Gwangju, the student movements created a narrative legacy of preserving the memories, through use of martyr symbols, of previous generations of protestors and presenting itself as the legitimate agent of political change. Most importantly, the student lead democratization movement in the 1980s allowed for the creation of a nationwide organization linking different sectors of society into massive anti-government demonstrations that culminated during the June Democratic Uprising of 1987. Through the successful use of political opportunities, students played a key role in building the basis on which democratization was consolidated.

To examine the changing properties of the student movements from 1980 to 1986, I divided this paper in three parts: immediate responses to Gwangju and changing student ideologies, organization and structure of student movement from 1980 to 1983, and finally resurgence in popular of popular student movement from 1983 to 1986.

IMMEDIATE RESPONSES TO GANGJU: CHANGES IN STUDENT IDEOLOGY

On May 27, 1980, the citizens of Gwangju gave up their weapons and yielded to the government. Chun became the president three months later on September 1, 1980. The official figures for the death toll are put at two hundred but outside sources estimate that somewhere between one to two thousand people

were killed.⁴ Due to heavy censorship and total blockade of the city, the public did not know what had really happened in Gwangju until weeks later. The one foreign correspondent who was in Gwangju was German reporter Heinz Peter who sent tapes to the German Broadcast Station. Using Peter's stories, Newsweek and the New York Times reported on Gwangju; the rest of the world knew what was happening in Gwangju while Koreans had no idea what was happening in their own country.⁵ One college student recalls Government reports stating that in Gwangju "communist riot and insurrection was happening, killing police and soldiers, spearheaded by North Korean spies."⁶ Official reports downplayed civilian casualties, reporting on the deaths and injuries of police and soldiers who were countering "students at Choson and Chonnam Universities in Kwangju, manipulated and agitated by Kim Dae Jung, led demonstrations in the provincial capital which led to a violent riot. North Korean agents also played a part in the riot, along with impure elements cooperating with them."⁷

The truth about Gwangju arose through indirect communication channels. Koreans in the States learned of the events at Gwangju through news as a "massacre" instead of an "uprising" or "incident," as the Korean government reported, and called families in Korea after the information block was lifted. Word also spread through student groups, how the "Gwangju Uprising," as the government called it, was actually a brutal suppression of what had been a peaceful demonstration. Because of the prolonged spread of truth, there was little immediate reaction from the public as weeks had passed since the actual crackdown happened. The student movement played a key role in keeping the memories of Gwangju alive by presenting the "Gwangju Massacre" as a national tragedy and a reminder of the Chun's crimes. When the country finally realized what had happened in Gwangju, the public was outraged by the blatant use of extreme military force on civilians. Chun's bloody solution to the demonstrations at Gwangju put him and his supporters under public scrutiny. Chun's attempts to validate his authority resulted in the rise of a struggle between the public and the government, creating political opportunities for student organizations. Because the public did not support Chun and the Hanhahoe, who were now high ranking members of his cabinet as well as devoted followers of Park Chung-

⁴ British Broadcasting Corporation News, "Flashback: The Kwangju Massacre," Last modified on May 17, <http://news.bbc.co.uk/2/hi/asia-pacific/752055.stm>.

⁵ Korea Broadcasting System, *May, 1980: The Blue Eyed Witness*, History Documentary Special, 2003.

⁶ Jun, Hyung Chul. Interview by So Yon Jun. Phone call. New York City, April 3, 2014.

⁷ *Korea Times*, June 1, 1980, p. 1.

hee, the Chun administration had no choice but to follow in the footsteps of the Yushin system in order to maintain its power, further angering citizens.

However, while Park's implementation of the Yushin system repressed the constant threat of demonstrations, Chun faced a different generations of student protestors. Hardened and alarmed by the bloody crackdown in Gwangju, student activists largely remained underground in the early years of the Chun regime; isolated, scattered, and unable to form a cohesive centralized organization. Unlike student groups in the previous decades, ideologies became central to each individual organization with many adopting foreign ideologies to give credit to their activities. The movement became revolutionary and radicalized: instead of calling for specific reforms for a liberal democracy, the student movements aimed for the "realization of Minjoong (masses) revolution."⁸ This new calling for the creation of a mass democratic revolution was combined with the moralistic and utopian goals of students, clashing with the government which tried to curb the protests on the basis of two main arguments: anti-Communism and economic development. Because the state led violence at Gwangju tainted the Chun administration in the eyes of the public, students gained the moral high ground, making them more advantageous in the ideological struggle for popular support. The rising support for students enabled them to call upon past memories of the student demonstrations and Confucian ideals of intellectuals advising and leading the state.⁹ Furthermore, the students began to appeal images of themselves as "guardians of state virtue and purity"¹⁰ and claimed authority in political activism through neo-Confucian emphasis on scholarship and intellectualism. Students had spearheaded nationalistic movements during the Japanese occupation, under Rhee Syngman and Park Chung Hee; the students took it upon themselves to do it again under Chun Doo Hwan: it was the duty and right of students to question the government. While the public, the moderate middle class, had largely disapproved of student protests in the past, in the wake of Gwangju students obtained the monopoly in virtue and political integrity over the military authoritarian government.

Students however, did not only use the purity of political virtue and morality to win popular support. The continuous adherence of slogans such as anti-Communism and economic development by the government deterred and no longer convinced the public due to the declining threat of communism and

⁸ Yun, Seongyi. "Contributions and Limits of Student Movement in South Korea Democratization, 1980-1987." *Korea Observer* 30 (1990): 487.

⁹ U.S. Department of State. *The Student Movement in South Korea*. By Vincent Brandt. Released to Nautilus Institute under the US Freedom of Information Act (FOIA), July 1987.

¹⁰ Oberdorfer, *The Two Koreas: A Contemporary History* [Revised and Updated], 49.

stagnant economic growth. Deepening economic recessions had spawned increase in demands for economic and political reforms, intertwined with the growing unrest of the labor movement. While education had dramatically increased in all sectors, there were not enough jobs on the market to fill the growing student population and the continued labor exploitation resulted in a large wealth gap.¹¹ When the government charged Gwangju as a Communist plot, student groups embodying the massive socioeconomic changes that had occurred in the last 25 years protested the numerous internal problems South Korea was facing, denouncing the government as being anti-nationalist. Taking on the role of leading a new Minjoong movement, the students lauded the people of Gwangju as heroes and true patriots by utilizing the growing desensitization of North Korean threat and highlighting the government's framing of any dissent group as communist sympathizers.

This new idea of the student movement representing the mass was coupled with growing anti-Americanism among South Koreans, painting the student movement in a more nationalistic light. Foreign powers, despite having known about what was happening in Gwangju, played no real role in the continuously growing political agitations in South Korea as there were few if any outright condemnation of the South Korean government. Unsure of how events would unfold, the U.S. was satisfied to take an idler approach, watching from the back to see who would step up to take the empty seat of presidency after Park Chung Hee's assassination. So despite being aware of the cries for democracy, the U.S. seemed to be more comfortable with supporting another military regime that had so far supported U.S. interests.¹² General John Wickham was shown to say, "Korea needs a strong leader ... [n]ational security and the internal stability come before political liberalization. So Chun may not be all that bad."¹³ The student movement transcended previous grievances and addressed issues of foreign dependence, reflecting the sentiments of the South Korean public which felt betrayed by the U.S. Many believed that the U.S. had power to change oppressive policies and the remnants of the Yushin system, bringing forth democratization. However, the U.S. did not interfere with the political changes in South Korea and acted as a passive observer. The U.S. response to Gwangju made way to increased anti-American sentiments and left the impression to many South

¹¹ Michael E. Robinson, *Korea's Twentieth-Century Odyssey a Short History*, (University of Hawai'i Press, 2007), 125.

¹² Warren John Tenney, "U.S. Responses to the Tiananmen and Kwangju Incidents: American Relations with China and Korea," *Journal of Northeast Asian Studies*, 11, no. 4 (1992): 60.

¹³ Henry Scott Stokes, "General Says South Korea Needs 'New Leaders' and He Is Willing," *New York Times*, August 9, 1980, A1.

Koreans that U.S. was approving a continued military regime in South Korea. Reagan's warm welcoming of Chun to the White House in February 1981 only fueled such anger and sentiments.

STRATEGIES AND ORGANIZATION OF THE STUDENT MOVEMENT 1980-1983

In the months following May 18th, the student movement took Gwangju and the rising anti-Americanism as opportunities for political framing, using Gwangju to remind people what the government had done and emphasize the need for social revolution. In the wake of the Gwangju blood bath, the general public showed great support for the anti-government protests students were leading throughout the country. However, because of the harsh repression by the Chun administration, the student movement went underground. The creation of the notorious Samcheong Education Camp, set up in order to “purge” and “purify” dissenters and anti-government protestors, deterred students from directly protesting against the government.¹⁴ Unable to openly create an organizational framework, each student group became more radical and activism orientated. While the movement was dissipated and had no centralization, the high levels of localization made it impossible for the state to stomp out every demonstration and protestor. No longer able to utilize the college campus as a safe space for dialogue and demonstration due to the continuing of the Yushin system which allowed for the arrest of students on campus, the movement went into the countryside, joining with the labor movement and entrenching itself in the study of democratic and revolutionary ideologies. The period of 1980 to 1983 became a time of ideological consolidation and solidarity within the student movement.

The Yushin system under Park had created a large cadre of permanent ex-student organizers who continued to participate in the democratization movement. Expelled students and those who had dropped out actively joined student groups on campuses and off campus, permeating the movement to raise social consciousness. While the actual student participants in universities were replaced every four years, the hierarchal and collective characteristics of Korean social structure allowed for the continuity of ideologies and antagonism against the government. Through intensive indoctrination processes, students were

¹⁴ Hae Gu Jung, Ho Ki Kim, “Development of Democratization Movement in South Korea” (Stanford Korea Democracy Project, 2009), 9.

recruited into the newly militant and radical student movement. Upperclassmen and ex-student activists led discussions reading Marxist, neo-Marxist, and leftist texts dealing with colonialism, dependence theory, or class structure. Following Gwangju, the training included anti-Americanism and nationalism, encouraging students to abandon Western individualism and materialism in favor of purely Korean communalism and readiness to sacrifice for the greater cause.¹⁵ Hong Eun-gook, a demonstrator at Hanguk University of Foreign Studies, recalls going on trips to Buddhist monasteries and Catholic churches in order to evade police for study sessions where students from various universities would analyze texts in Japanese due to the lack of Korean translations of leftist writings. At one point Hong recalls, the students at Seoul National University had compiled a manual for reading Japanese which allowed for efficient and faster spread of foreign ideologies.¹⁶ While many students would drop out the movement due to its intensity or pressure from parents, the initial participation created a wide spread sympathy and commitment for the cause throughout the campus and in society.

After Gwangju, the student movement transitioned from demanding reforms for liberal democracy to embodying a Minjoong revolution that presented the Chun administration as fascist and anti-nationalist. By aligning authoritarianism with anti-national and anti-mass labels, the movement positioned themselves as being the appropriate agents of political change. Student activists used the bloodshed in Gwangju, the victims of past demonstrations, and the rise in anti-Americanism as a form of cognitive political opportunity -- using them to reinforce the general public's belief in the possibility of changes in political institutions and policies and the subsequent political action.¹⁷ Through this conscious portrayal of martyr violent images, Gwangju became a wake-up call and a constant reminder of the danger of military dictatorship and the need for anti-government protesting. Gwangju had convinced young Koreans that a democratic transition could not take place by foreign pressure from Washington but by the actions of the people. This pessimism in American support for democracy culminated in the anti-American movement throughout 1980 to 1983, resulting in the burning of American culture centers through the country, student self-immolation in protest of Reagan's support for Chun, and on April

¹⁵ U.S. Department of State. The Student Movement in South Korea.

¹⁶ Eun Gook, Hong. Interview by So Yon Jun. Phone call. New York City, April 10, 2014.

¹⁷ Hyun Choe and Kim Jiyong, "South Korea's democratization movements, 1980-1987: political structure, political opportunity, and framing," *Inter-Asia Cultural Studies*, Vol. 13 No. 1 (2012): 65.

22, 1982 Kangwon University students were seen chanting “Yankee Go Home” while burning the American flag.¹⁸

Anti-Americanism in particular, allowed for the student democratization movement to be seen as an act of true patriotism giving rise to a renewed interest for Korean national identity and culture. Student groups were no longer just democratization activists but also cultural activists using cultural activities as means of addressing political issues.¹⁹ In order to better represent the mass and portray the student movement as a nationalistic movement, students began studying folk tradition, holding summer programs in the countryside exploring traditional Korean culture, and most noticeably, promoting p’ansori as means of political commentary.²⁰ Students studying film participated in the movement by documenting the labor movements in the countryside.²¹ The emphasis on nationalism and the mass also gave rise to issues such as unification, with North Korea being seen in a more sympathetic light. Breaking the long lasting taboo of discussing North Korea, students argued that the DPRK was more Korean than the South with its independence and strict adherence to Juche. Within more radical groups there were calls for a communist overthrow of the government.²² But overall, the positive portrayal of North Korea should be seen as a result of resisting established political authority than as real support for the North Korean regime.

Along with the issue of unification, as students sought to create a Minjoong revolution they began to focus more on the social and economic problems, creating the base for a student-labor solidarity movement. Student groups began working with the labor movement since they believed that it was the poor working class who needed democratization the most. While Park’s regime had brought about great economic growth to South Korea it left behind the poor and the working class. The growing wealth gap convinced the students of the need for a student-worker coalition and in doing so further demonized Chun’s government as being economic profiteers through the suppression of social justice. Students went to the rural areas and factories to spread democratic

¹⁸ Jai-Eui Lee, *Gwangju Diary*, (University of California, 1999), 27.

¹⁹ Jong-Sung You, “Reflection on May 18” *Korea Policy Review* Volume 3 (2008).

²⁰ Michael E. Robinson, *Korea's Twentieth-Century Odyssey a Short History*, (University of Hawai'i Press, 2007), 144.

²¹ Park, Hye-Jung. Interview by So Yon Jun. Phone call. New York City, April 3, 2014.

²² U.S. Department of State. *The Student Movement in South Korea*.

ideals and organize rallies to protest the growing wealth gaps. It is estimated that thousands of students engaged in factory jobs, disguised as workers.²³

RESURGENCE OF POPULAR STUDENT MOVEMENT 1983-1986

Despite its continued active involvement in the democratization movement, due to the strong repression during 1980 to 1983, the student movement lacked any real political power. Students, in reality, were only a small threat to the Chun government but the Chun regime lacked popular support. In order to compensate for weak political support, the government began moderating its stances by allowing more political freedom but the absence of legitimacy gave rise to even stronger anti-governmental protests. While Park's regime played a positive role in economic development and political stability, Chun's rule was seen as a repetition of Park's policies, unnecessary now that the need for military authoritarian government had disappeared. The Chun regime's attempt at appeasing the democratization movement created the opportunity for the ideologically unified student movement to resist the government openly on a larger scale. While the first period of student movements (1980-1983) after Gwangju was isolated and underground, from 1983 to 1986 student movement became popular and more sophisticated.

Student movements began going national with Chun's coercion policies in 1983. In December 1983, the government issued policies increasing autonomy of universities. By the spring of 1984, Campus Autonomy policies were enacted: police forces would be taken out of the campuses, incarcerated students would be released, and dismissed faculty would be brought back. If Chun had sought to consolidate his power through these reforms, he couldn't have been more wrong. The release of political prisoners, especially student leaders, served as a gateway into larger and full on resistance against the government. The campus once again became an open space for organizations and movements and the student movement became much more organized and sophisticated with the establishment of a nationwide organization. By November 3, 1984, representatives from 42 universities had come together in efforts to build an umbrella organization, The Representative Organ of the National Student (Jeonguk Haksaeng Daepyo Gigu Hoiei,) which would go on to build regional organs nationwide. The bringing together of separate student groups allowed for

²³ Hae Gu Jung, Ho Ki Kim, "Development of Democratization Movement in South Korea," 10.

increased strength of the movement but also resulted in the ideological clashes between groups; in the end it was impossible to unite the entire student movement. While students were united in their beliefs of anti-Americanism, social justice, and call for a Minjoong revolution, each group had varied opinions on the degree to which they should go about implementing their goals. Students involved in the newly established organization opted for more moderate and legal methods of protests and demonstrations. Others remained underground, working with the labor movement. The number of disguised student workers especially increased considerably after 1983. Government reports downplay the numbers but reports indicated an increase in students in labor movements and in 1986 it was reported that student-turned workers were responsible for 249 labor disputes.²⁴

The efforts to create structural unification of the movement resulted in the duality of the movement which then was reflected in the eyes of the public. On one hand the public saw peaceful demonstrations and on the other hand they saw students burning, fighting the police under the banner of a social revolution. Students outside of the official legal organizations continued to pursue underground and illegal tactics for intensive strife against the government. These more radical groups often resorted to violence and extreme methods such as self-immolation, burning of police vehicles, and use of Molotov cocktails.²⁵ The conspicuous violence and radical goals of a revolution only resulted in alienating the public and dissuading them from sympathizing with the student movement. One student from Ewha Woman's University recalls: "You could tell who was protesting and who were not. There would be girls like me and my friends trying to climb the hills of the university wearing hills. Then there were girls who were in sneakers, running around campus trying to evade the police and tear gas that was being thrown over the gates."²⁶ The growing radicalization of the student movement alienated the more moderate public from actively endorsing their activities.

CONCLUSION

While the students' radical political ideologies did not resonate with the

²⁴ *JoongAng Ilbo*, November 7, 1986.

²⁵ Yun, Seongyi. "Contributions and Limits of Student Movement in South Korea Democratization, 1980-1987," 499-500.

²⁶ Park, Hye-Jung. Interview by So Yon Jun.

general public, by 1985 the casualties of the protests had begun to convince the public to push for reforms rather than backing down. During a joint student rally at Konkuk University in Seoul, the government used repressive measures to arrest over a thousand students. The incident brought about public anger but the most notable incident was the death of Park Jong Cheol, a student activist who died under police interrogation. The death of Park marked a turning point for the movement as the death of Park reignited the anger the public had felt at the government for what had happened in Gwangju in 1980. It comes to no surprise that Gwangju became a source of antagonism towards to government for many. An opinion poll at the Seoul National University in 1986 asking students to pick the greatest tragedy in South Korean history since 1945 named the Gwangju Democratization Movement as the nation's most misfortunate happening.²⁷

The anger and frustration towards the unyielding regime culminated in the June Democratic Movement of 1987 which would ultimately bring the transition to democracy. A nationwide memorial service was held for Park Jong Cheol in February, who was now seen as a martyr and a symbol of the movement. Numerous marches and demonstrations would be held leading up to the month of June including the "Great March of the People for Democratization and Banning Torture." The government continued to arrest and beat citizens who protested but every incident only fueled the anger of the public. The tension only escalated when it was revealed that the government had originally tried to cover up the death of Park Jong Cheol. In response, a newly formed National Movement Headquarter to Win a Democratic Constitution planned to hold a massive national rally on June 10 to stop the human rights abuses carried out by the government and to demand for constitutional amendment. June 10 would become the start of the June Democratic Movement which would go on to draw millions of citizens to protest throughout the nation for the next twenty days until June 29. In the end it was the mobilization of the general public, not the strength of the student movement that resulted in democratic transition.

The traditional deference of scholars stemming from the nation's Confucian culture placed students at the center of South Korea's political turmoil. University students spearheaded militant and peaceful protests: student organized democratization movements have shaped civic engagement and democracy in South Korea. Democracy in South Korea has been one of transition; though founded on democratic principles under the trusteeship of the

²⁷ James M. West, "Martial Lawlessness: The Legal Aftermath of Kwangju," *Pacific Rim Law & Policy Journal* Vol.6 no. 1. (1997): 86.

United States in opposition to communism and the Soviets in the north, the road to the 7-point democratization proposal of 1987 was tumultuous, building upon sacrifices caused by state violence under military authoritarianism. The biggest success of the student movement was that it succeeded in “persuading and mobilizing the citizens by providing a specific democratization scheme of peaceful transfer of power through constitutional revision.”²⁸ By continuing to preserve the memories of student sacrifices and violence under the military authoritarian regime, the student movement reminded the public of the atrocities of the Chun government and their radical ideologies made the public to pursue calls for moderate democratic transition in 1987.

²⁸ Hyun Choe and Kim Jiyoung, “South Korea’s democratization movements, 1980-1987: political structure, political opportunity, and framing.”: 61.

PUBLIC INDIFFERENCE

Newspaper Coverage of New York's 1799 Gradual Emancipation Act

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“BE IT ENACTED that any child born of a slave within this state after the fourth day of July next shall be deemed and adjudged to be born free.” New York’s Gradual Emancipation Act of 1799, passed on March 29, opens with those words. The Act for the Gradual Abolition of Slavery is regarded as the beginning of the end for slavery in the state, even though complete emancipation would not come until July 4, 1827. Among the major provisions of the act was its declaration of freedom for enslaved children born after July 4, 1799 conditional upon their bond as indentured servants until the age of 28 for males and 25 for females. While Pennsylvania had passed a gradual emancipation act in 1780 and further amended it in 1788, New York’s act became the model for the other Mid-Atlantic states such as New Jersey. The Gradual Emancipation Act may have strengthened the development of independent African American communities in New York, as argued by historian Shane White. Other historians such as Ira Berlin and Leslie Harris, maintain that the passage of the Gradual Emancipation Act also led to the domination of the Democratic party in New York City until the Civil War.

Modern historians of Early Republican New York tend to view the Gradual Emancipation Act as a foundational legislative repudiation of slavery. However, they do not describe how the Emancipation Act was depicted and perceived by the newspaper reading public at the time of its passage. A review of personal and official correspondence, as well as period newspapers, reveals that on the introduction of the act to the legislature in the first months of 1796, there appeared a large furor over its provisions and implications, such as the compensation for slaveholders in the state. However, after its passage in March of 1799, there was barely a mention outside of reports of the passage in legislative acts sections of the newspaper. Instead, the public was preoccupied with reports of a possible conflict with France and terrified by a Yellow Fever outbreak in New York City. While the passage of the law seems to be regarded as fundamental to the modern account of anti-slavery agitation, the transient nature of the public

reaction in the time period highlights the niche that the early anti-slavery efforts held in the early republic. The movement was on the fringes and had not yet developed into the social movement that it would become over the next half century.

SLAVERY IN NEW YORK

In 1790, New York held the largest number of slaves of any state north of Maryland, with the census counting 21,193 enslaved persons, clustered mostly around the major metropolitan areas, such as New York City. The census counted 7,796 slaveholding families in the state, which represented 14.2% of the total number of families. A brief calculation shows that on average, a slaveholding New York family held about 2.7 people in bondage. Indeed, only 182 families had holdings of more than 10 slaves. The average monetary value of a holding was \$405. By 1800, the number of enslaved people in New York had only decreased to 20,903, a meager 290 person decline, which reflects the lack of action on anti-slavery legislation during the 1790's. By 1810, the number had dropped to 15,017, by 1820 to 10,088 and by 1830, three years after the date set by the emancipation act as the end of slavery in New York, it was 75. The massive decrease of 5,886 slaves between the census of 1800 and the census of 1810 reflects the passage of the Gradual Emancipation Act in 1799, and the effects that it had in helping to motivate the end of slavery in the state.¹

NEWSPAPERS IN THE EARLY REPUBLIC

The primary method of communicating information and starting a public dialogue during the early republic was the newspaper. While the weekly press had been present during British colonial rule (consider for example the trial of John Peter Zenger), the end of the American Revolution caused a new outburst of journalistic endeavors. 1783 saw the attempt to found the first American daily newspaper in Philadelphia, the *Pennsylvania Evening Post*, and many more soon followed.² These newspapers were not at first the partisan entities that they became during the 1790's, since American newspapermen lacked a political focal point compared to the British press in London or the French press in Paris. The

¹ United States Census Bureau. "A Century of Population Growth, From the First Census of the United States to the Twelfth, 1790 to 1900." *Chapter 14 Statistics of Slaves*. 1976. Web. 9 December 2014.

² Humphrey, Preface.

American press focused more on issues of local interest. However, the Articles of Confederation brought these disparate local newspapers together, mostly in support of the new system of government. Some, such as Benjamin Franklin Bache's *Aurora*, became more wary of the development of central authority.

After the ratification of the Constitution and the split into the Federalist and Democratic-Republican factions, the press began increasingly to take sides in the political debate. A passive editor was one who failed to take advantage of the influence that his publication could have. Most editors exercised their influence, and both Democratic-Republican and Federalist editors engaged in invective and personal attacks on other editors and political figures to support their cause. By 1800, New York City had eleven major newspapers. The most important Federalist paper in New York City during the period was the *American Minerva*. Founded by donations from Alexander Hamilton, Rufus King, John Jay and seven others after the *Federalist Gazette of the United States* moved to Philadelphia, the *Minerva* and its editor until 1798, Noah Webster were ardently Federalist, supporting the Washington administration in almost all endeavors.³ Jay's involvement with *Minerva's* founding also meant that as he served as governor of New York, the paper supported his ideology and programs.

Another major New York paper of the period was the *New York Daily Advertiser*. Modeled after a similar paper from Philadelphia named the *Pennsylvania Packet, and Daily Advertiser*, this newspaper relied heavily on advertisements in order to fund its daily printing. Thus, the actual news content of these papers was limited to a small portion of the total, making them directed at merchants and others who were interested in purchasing goods and services.⁴ The major Democratic-Republican paper in Early Republic New York was the *Argus*, published by Thomas Greenleaf, formerly of the *New York Journal* and a pioneer of the "country edition," a semiweekly edition for those outside of the city. While the *Argus* maintained the Democratic-Republican viewpoint in New York City, most of its sharpest invective was from content drawn from *Aurora*. Greenleaf died of Yellow Fever in the summer of 1798, and *Argus*, which continued to publish, was largely altered from its original form.⁵

³ Humphrey, 45.

⁴ Mott, 116.

⁵ Mott, 134.

THE DEBATE OF 1796

In 1785, the idea for a Gradual Emancipation Act in New York was first proposed in the legislature. The period was fraught with racial tension in New York, mostly due to the attempts of the slaveholders of the state to reassert their control over the African American population, which had been influenced by the pro-fugitive policies of the British during the Revolution.⁶ Neighboring Pennsylvania's 1780 Emancipation Act served as the model for the proposed law in that it established a period of gradual emancipation for those currently enslaved and combined with a period of indentured servitude until the attainment of a predetermined age. However, in contrast to the Pennsylvania law, New York legislators wanted to make the term of servitude longer. The proposed 1785 act also contained a clause that limited the future enfranchisement of African Americans, which prompted a veto by a committee of Governor George Clinton, Robert R. Livingston, and John Sloss Hobart. The attempt by the pro-gradual abolition forces to overturn the committee veto failed to gain the necessary two-thirds majority, marking the political end for gradual emancipation in New York for the next decade.

Between 1785 and 1796 action against slavery in New York State was not stagnant. In 1785, a group of leading New Yorkers, including John Jay, Alexander Hamilton, and George Clinton founded "the New York Society for the Manumission of Slaves and the Protection of such of them as had been or wanted to be Liberated." While the members of the society all claimed to desire the end of slavery, many of the members continued to hold slaves even while maintaining membership. The society rejected Hamilton's proposal that all members of the society had to manumit their slaves.⁷ The members of the Manumission Society, while holding an ambivalent stance about emancipating their own slaves, had a clearly defined picture of the opposition to their anti-slavery agitation. As Shane White makes clear in *Somewhat More Independent*, "Opposition to freeing slaves coalesced around the enclaves of Dutch slaveholders in rural New York." White cites the work of Edward Countryman who investigated the roll call votes of the New York State Legislature from the 1780's and found that, "the abolition of slavery was the only issue on which, over a series of votes, the elected representatives assumed a stance that was not congruent with their overall political positions." Rather than splitting on party

⁶ Gellman, 46.

⁷ "The New York Manumission Society." *Examination Days: The New York African Free School Collection*. New-York Historical Society, n.d. Web. 08 Dec. 2014.

lines, the votes divided on an urban/rural basis, with the rural Dutch descendants opposing the measure.⁸

In January 1796, James Watson, an assemblyman from New York City reintroduced the Gradual Abolition Act, possibly at the suggestion of newly elected governor John Jay. The New York State Legislature cautiously received the proposal. The legislators attempted to link the Gradual Emancipation Act to a method of compensating slaveholding New Yorkers for the capital that they would lose when their slaves became free. In order to accomplish this goal, the legislature decided that emancipation should only affect the children of those in bondage, not those currently enslaved, in order to lessen the financial shock of emancipation on slaveholders. This policy passed the state legislature by one vote. The issue of compensation divided the pro-abolition members of the state legislature, with thirteen pro-abolition members, including Watson, voting for compensation, while fifteen pro-abolition members voted against.⁹ The bill for gradual abolition was then referred to a special five-member committee for further investigation. The committee referral marked the end of the progress of the bill for the 1796 session.

Despite the lack of any conclusive action on the Gradual Emancipation bill by the legislature during the early months of 1796, the newspapers lit up with a roaring debate over the necessity for and the provisions of the Gradual Emancipation Act. A January 28 letter written to Citizen Greenleaf of the *Argus* by a person called "Reflection" highlights a supportive point of view that bases its arguments in the Enlightenment doctrine of natural rights. After an introduction in which "Reflection" mentioned seeing in the *Argus* many "opinions of individuals respecting the legislature passing a bill for the abolition of slavery," the author laid out a combination of a rationalist and theological argument in support of the bill. "Reflection's" main point appeared in the second paragraph arguing, "that all creature of the human species are free by nature, and that by their just right they ought to enjoy the great blessing of natural liberty, which nature and nature's god have bountifully provided them."¹⁰ From this base, he argued that man's sins were prohibiting him from truly enjoying "the blessings of liberty in its utmost perfection," a clear reference to slavery. Such a letter drew out the importance of the new Enlightenment ideals in the development of the anti-slavery dialogue, through the reference to natural rights, while simultaneously combining them with a more tempered theological perspective. The concern over the moral character of humanity in regards to slavery seemed

⁸ White, 20.

⁹ Gellman, 165-6.

¹⁰ *Argus*. Jan 28, 1796. Is. 226

to be a common thread throughout the debates of 1796, albeit one that fell off in later discussion of the Gradual Emancipation Act.

A February 11 article from the *American Minerva*, also based in New York City, presented a favorable view of the Gradual Emancipation Act, while clarifying the arguments of a Mr. Platt of the state assembly. According to the *Minerva*, during the 1796 legislature's discussion of the bill, "an amendment was offered, which had as its object to make indemnity to the holders of slaves for the children, who were to be *made free* at a certain age," in other words, compensation for slaveholders. While this issue was up for discussion, an unnamed member made a "ludicrous" suggestion for calculating the value of the freed children in order to better compensate the slaveholders. This angered Mr. Platt who stood up and argued, "persons not in effe could not be subjects of property; but the holders of slaves, by the present laws of the state, have a power or legal right to *acquire property* in their children, as soon as born."

The *American Minerva* sought to expand on Mr. Platt's argument against compensation by drawing an analogy with restrictions placed on corporations that limited holding property beyond a certain amount, "The moment the income of a corporation amounts to the sum limited by law, whatever be the annual produce of the Capital, the surplus cannot be *acquired* as property by the corporation." Thus claimed the *Minerva*, "The right of the legislature therefore to take from person the power of *acquiring* a particular species of property, even in the interest of their own capital, when public good requires it, is well established and cannot be questioned."¹¹ The limitation on corporate capital applied also to slaveholders, in that a slaveholder could not claim the unborn offspring of their slaves as capital and was therefore not entitled to compensation for something that he did not own. This line of argument in support of the Gradual Emancipation Act was based not on the lofty ideals of natural rights and theology, but rather the more mundane issue of legal precedent. This sort of appeal demonstrated the resonance of economic arguments with the populace of the state. The financial concerns of New Yorkers who supported or opposed the Gradual Emancipation Act took a prominent role in shaping the debate of 1796.

A day after the *American Minerva* published its article expanding on Mr. Platt's argument, *Greenleaf's New York Journal* based in New York City, published an article that began, "A Correspondent observes, that he is mortified at the *death wound* the ABOLITION BILL received on Tuesday, by the resolution inserted in yesterday's Argus." The article highlighted the tepid reaction of the state legislature to the concept of gradual emancipation stating that the measure

¹¹ *American Minerva*. Feb 11, 1796. Vol. 3, Is. 657

clearly had “mortal enemies” and claiming that in attempting to “*feel the pulse* of the members; ennui appears to have been the consequence.” The correspondent equated this ennui to the framers of the act being, “dropt [...] into the very pith they had digged.” This lamentation over the lack of action on the Gradual Emancipation Act highlighted a more progressive attitude, perhaps that of a member of the New York Manumission Society, rather than a person who remained concerned with the economic impact of emancipation. Indeed, the correspondent ends his article with a rousing claim that, “[...] slavery, in whatever form, in itself considered, is repugnant to every idea of equal liberty and republican government.”¹² Again, the debate of 1796 calls upon the abstract ideals of the Enlightenment to further the case for the Gradual Emancipation Act.

However, assuming that even during the period of its original proposal the Gradual Emancipation Act was a widely debated public issue is problematic. Indeed, the more probable value placed on the debate is demonstrated in a column from the *Albany Gazette* on February 22, 1796. The column, written by a correspondent, contained many different brief news summaries including articles on the danger of carriage travel during the winter (“[...] over gullies being without the smallest railing or other guard [...]”) and the need for guideposts indicating the distance to the nearest towns at intersections. The reference to the Gradual Emancipation Act, squeezed in between the address of a committee on judge’s pensions and the creation of Steuben County, reads, “The abolition bill was again called up in the committee of the whole house of assembly on the 9th inst. Several amendments were proposed and rejected. The question being put on a resolution which went to freeing children who should be born of slave after the day of it was negatived by a majority of two- there being nays 32, ayes 30.”¹³ The article goes on to display the text of the resolution and record the names and votes of the members of the assembly. This article, while still participating in the debate over the act, is representative of the less emphatic status of much of the debate. Unlike many of the other articles, which appear to be solely dedicated to the progress of the Gradual Emancipation Act, the inclusion of other news items such as the need for guideposts provided a greater measure of context in that highlights its rather minor role in the Early Republic.

By the spring of 1796, the referral of the Gradual Emancipation Act to a special five- man committee to investigate gradual abolition in New York had cooled the debate that had raged in the early part of the year.¹⁴ However, it had not completely dropped out of the public consciousness. A May 31, 1796 letter to

¹² Greenleaf’s *New York Journal*. Feb 12, 1796. Vol. 50, Is. 12

¹³ *Albany Gazette*. Feb 22, 1796.

¹⁴ Gellman, 165.

Mr. Greenleaf by “Viator” published in the *Argus* of New York City argued against the slave trade on moral grounds and marked the last such example of the style of the arguments of 1796. Viator wrote, “It is a matter of astonishment, that in a country in which so much has been ascribed to the cause of liberty and humanity, where the public money, and the eloquence of individuals have not been spared, in order to effect the abolition of the African slave trade [...]” This article recalls the January 28 article also published in the *Argus* by Reflection, which made an argument based on Enlightenment and theological ideals about the innate nature of man’s equality. While Viator made use of many similar claims, the style was more accusatory and confrontational than that of Reflection, as when Viator claimed, “It is possible, that Americans, who denominate themselves a free and enlightened people, and who pique themselves on their hospitality and philanthropy, can permit such infamous traffic in their ports?”¹⁵ This confrontational tone marked the article as from the later part of the debate of 1796. The public had gradually moved away from the issue of slavery after the rejection of the Gradual Emancipation Act and people such as Viator were attempting to recall the attention of the public to the issue. However, this success was limited until the revival of the bill in the legislature in the first months of 1799 produced a resurgence of interest in gradual emancipation.

THE INTERLUDE FROM INTRODUCTION TO PASSAGE

The silence in the press in the years between the failure of the gradual emancipation bill to make it out of the five-man special committee in 1796 and its passage in March of 1799 demonstrates the hesitation of the politicians to confront the issue of gradual abolition. While the public still cared about the issue of gradual emancipation, it was less important in comparison to other developments. Articles written about the Gradual Emancipation Act during this period tend to be more reflective of the 1796 column from the *Albany Gazette* in their inclusion of tidbits about the bill in articles that cover topics from a wider scope. A prime example was a January 28, 1797 article published in the New York City based *Minerva and Mercantile Advertiser*. The article highlights the recent actions undertaken by the state legislature during the first session of 1797 including an act for selling stock in the Bank of New York at six percent for the next twelve years and the creation of a three- person commission for settling land disputes in Onondaga County. After a mention of a bill to alter the terms of members of the New York Supreme Court, at the very end of the article was the

¹⁵ *Argus*. May 31, 1796. Is. 322

line, “A bill is before the senate for the gradual abolition of slavery, and another for improving the criminal police of the city of New York.”¹⁶ The Gradual Abolition Act is mentioned only at the end of the article and does not even merit its own sentence in the eyes of the *Minerva and Mercantile Advertiser* columnist. Such a position marked a clear downfall from the relatively prominent role it was taking in the press just a year earlier, when the debate of 1796 was the news de jour of the press.

However, by late spring of 1797, the Gradual Emancipation Act was once again back in the news, albeit indirectly. In May, news had reached New York City of a pamphlet published by an Edward Rushton from Liverpool. Rushton’s pamphlet was entitled “Explanatory Letter to George Washington, of Mount Vernon, on his continuing to be a Proprietor of Slaves.” Such an attack on the eminent former president forced an immediate reaction from the press, including articles such as the one published on May 26 by the Democratic-Republican New York City based *Timepiece*. The *Timepiece* article consisted of a full-page length extract from Rushton’s pamphlet, presented without any commentary. In the published excerpt Rushton accused Washington of hypocrisy, writing “You took arms in defence of the rights of man- Your negroes are men-Where are the rights of your negroes? They have been inured to slavery, and are not fit for freedom.” Rushton followed this statement with an even more personal attack on the eminent former president, “If we call a man obdurate who cannot perceive the atrociousness of slavery, what epithets does he deserve who, while he does perceive such its atrociousness, continues to be a proprietor of slaves.”¹⁷ This line of argument left the reader with a choice, either to decide that Washington was obdurate and failed to recognize the implications of his own actions, or that he was full of even more heinous intentions. These personal attacks on a much beloved countryman drove the New York press to respond to protect Washington’s dignity and image and thus thrust the slavery debate back into the public view, at least for a short while.

As Rushton’s pamphlet indicated the British anti-slavery movement was somewhat linked to the corresponding American anti-slavery movement. While this exchange of ideas was not at the heights it would later reach during the 1840’s and the World Anti-slavery conventions, the period of the Gradual Emancipation Act marked this exchange in its infant form. During this period, most of the exchange was done on a private, rather than an organizational level. Notable British anti-slavery activists such as Granville Sharp, Richard Price and

¹⁶ *Minerva and Mercantile Advertiser*. Jan 18, 1797. Vol. 4, Is. 1053

¹⁷ *Timepiece*. May 26, 1797. Vol. 1, Is. 33.

John Lettsom maintained contact with Americans such as Benjamin Rush, Benjamin Franklin and John Jay, exchanging letters and ideas. Granville Sharp even became a member of the Pennsylvania Abolition Society, the New York Abolition Society and the Price of Pennsylvania Abolition Society.¹⁸

Governor John Jay maintained an active correspondence with William Wilberforce, a Member of Parliament and leader of the British anti-slavery movement. Jay met Wilberforce after his negotiation of the Jay Treaty in the autumn of 1794, during the period between the signing of the treaty in November and his springtime trip across the Atlantic.¹⁹ While most of the correspondence from 1795 was Wilberforce requesting recommendations and favors for friends traveling to America, these repeated requests implied a cordial relationship.²⁰ A notable gap in the correspondence appeared until 1805 with the exception of a September 3, 1799 letter from Jay to Wilberforce about the British income tax and its positive effects on the public treasury. However, this 1799 letter, when combined with the immediacy and tone of November 7, 1805 letter, in which Wilberforce asked Jay's opinion on a recently published pamphlet on the use of fraudulent flags during naval combat, implied a continued friendly relationship despite the lack of correspondence.²¹ It seems probable that some of Jay's anti-slavery ideas were due to Wilberforce's influence. The Jay-Wilberforce correspondence also demonstrates the strengths of the relationship of the Anglo-American anti-slavery movement had during the early republic period, while the Rushton pamphlet served to expose some of its weaknesses.

On June 10, 1797, the *Herald* of New York City published a response to the Rushton pamphlet that is representative of the harsh reaction that the *Timepiece* article received in New York. The author of the *Herald* piece began by noting that the letter was "returned to the writer *unanswered*," a fact, which served to highlight the personal offense that Washington took to such an accusation and established the author's own critique of Rushton's piece on a more stable footing. The *Herald* author then stated that Rushton based his entire pamphlet on a single mistaken view of the situation of slavery in the United States. Indeed, due to the Rushton's location in Liverpool, he lacked sufficient knowledge in order to back up his claims. The crux of the argument was that, "A writer who can say this, on *simple theory*, without knowing the state of the country and the danger of a

¹⁸ Turley, 200.

¹⁹ Wilberforce, William. Letter to John Jay. n.d. 1795 (JID:9276)

²⁰ For example consider: Wilberforce, William. Letter to John Jay. 11 May 1795 (JID: 9275) or Wilberforce, William. Letter to John Jay. 27 August 1795 (JID:9274)

²¹ Jay, John. Letter to William Wilberforce. 3 Sept 1799. (JID: 9279); Wilberforce, William. Letter to John Jay. 7 Nov. 1805 (JID:9283)

general liberation of slaves, must not only want *civility* but *discretion*.”²² While the author’s case may have some measure of relevance, the most interesting aspect of the argument was the phrase “the danger of a general liberation of slaves.” Such a phrase implied a belief in the impending failure of any attempt to create a multiracial society, and the danger manumission posted in a descent in to chaos and racial tension.

While this view was prevalent throughout New York during the interlude between the introduction of the Gradual Emancipation Act in 1796 and its passage in 1799, it marked the first time that it appeared so clearly in the examination of the recorded press. Thus, the mention of the specter of the chaos of abolition was the most compelling part of the article. However, after the introduction of Rushton’s fundamental “mistake” the *Herald* author descended into the same lack of courtesy and discretion with which he accused Rushton. Among the choicest bits include his claim that “slavery is now permitted in the United States for the same reason that *unprincipled party men* are permitted to libel public virtue and private excellence of character,” a clear ad hominem attack on Rushton, rather than a logical argument.

Eventually the debate over Rushton’s pamphlet quieted and the issue of gradual emancipation largely dropped from public consciousness. During 1798, the New York State Legislature took a small but significant action on the gradual abolition act, with the assembly rejecting any compensation scheme. Historian David Gellman attributed this to a measure advocated by the frontier counties, which expanded and redistributed the seats in state assembly, leading to a proportionally larger coalition of anti-slavery members. When the bill passed to the state senate, they refused to take it up during the 1798 session. This development was not regarded as newsworthy.²³ A few articles during 1798 that dealt with slavery were a February 12 article from the *Albany Register* and a March 26 article from *Timepiece*. Both of these articles shared a similar underlying premise and indeed argumentative structure, namely that of the natural rights rhetoric that was popular during the debates at the Gradual Emancipation Act’s introduction in 1796. The *Albany Register* opened directly, with the point that, “It is a just reflection on the inhabitant of a state protecting the principles of freedom that they should in open violation of those principles continue in servitude number of the human race.”²⁴ Again, this point was an echo of the larger hypocrisy argument presented by Rushton, among others. The writer then goes on to identify what he saw as the cause of the New York Legislature’s failure to

²² *Herald*. June 10, 1797. Vol. 4, Is. 311

²³ Gellman, 170.

²⁴ *Albany Register*. Feb. 12, 1798. Vol. 10, Is. 637.

act on this issue, “the principle difficulty seems to be that of taking the property of another without a reasonable consideration .” However, unlike many of the other articles, the author of the *Albany Register* outlined the shapes of a plan which he thought would alleviate the legislative roadblock. While the author’s plan sounded overcomplicated, including a lottery with 200,000 tickets, it marked one of the first steps toward some sort of compromise measure that appeared since the debate of 1796. Additionally, the article and the accompanying plan indicated that despite the relative public silence on the gradual emancipation bill during the interlude period, beyond the public purview people were diligently working in order to inject it back into the public consciousness.

The article from *Timepiece* marked as an extract from a pamphlet called “On Slavery” covered similar ideas at a much greater length. It looked more like the Rushton pamphlet that the paper had published a year prior, albeit the article took a more philosophical tack. Making liberal use of the ideas of Dutch philosopher of jurisprudence Hugo Grotius, the article sought to establish slavery as contrary to any conception of natural rights and hence depicted the hypocrisy of the American project. While an oft-used line of argument, the *Timepiece* article was notable for its explicit references to the works of Grotius, which makes it read as a piece of political philosophy rather than a newspaper editorial. Consider for example the opening of the second paragraph: “If an individual, says Grotius, can alienate his liberty and become the slave of a master, why may not a whole people collectively alienate theirs and become subject to a king?”²⁵ While an explicit reference to a philosophical belief marked the article out for an educated audience, it also served as a trigger for memories of the just past revolution, highlighting the similarities between that cause and the cause of anti-slavery. The article then wanders, making philosophical points about just war and the right of conquest (“the design of war being the destruction of an hostile state, we have a right to kill its defenders, while they are in arms, but as in laying down their arms they cease to be enemies [...] we have not the least right to murder them”) before finding a path back into a discussion of slavery. The author argued that if a conqueror lacks a right to massacre the vanquished, they have no right to enslave the vanquished either. As the author put it, “In establishing thus a right of life or death over others on that of enslaving them; and on the other hand, a right of enslaving them on that of life or death, we certainly fall into the absurdity of reasoning in a circle.” The logic of the argument demonstrated an attempt to justify the immorality of slavery without relying on any conception

²⁵ *Timepiece*. Mar. 26, 1798. Vol 2, Is. 83.

like divinely endowed natural rights. Such an approach separated its logic from the earlier pieces in a similar vein during the debate of 1796.

The author's conclusion to this long and rambling philosophic piece was that, "Thus, in whatever light we consider this affair the right of making men slaves is null and void not only because it is unjust, but because it is absurd and insignificant." This was a more extreme claim than the other article from 1798, which acknowledged the need for some sort of compromise measure in order to pass a Gradual Abolition Act. Thus, this second article represented the more radical belief that circulated in the interlude between the introduction and passage of the act. By the spring of 1799, the New York Legislature had again taken up debate of the Gradual Emancipation Act, freeing it from the incremental legislative progress that had occurred during the interlude and reintroducing it into the public consciousness, albeit in an altered manner from the debate of 1796.

THE (RELATIVE) SILENCE OF 1799

Finally, in the early months of 1799, the gradual emancipation bill again came up for debate in the New York State Legislature; the interlude years were over. This reinvigoration of the Gradual Emancipation Act saw a corresponding increase of articles dedicated to emancipation over the lean interlude years, albeit not reaching the heights of the ferocious debate of 1796. In many ways, the column from the *Albany Gazette* on March 29, 1799, the day that the gradual emancipation bill passed the legislature, was typical of the reaction. The news appeared in the weekly legislative news column, published on Fridays and described the actions of the state legislature from the previous week. Under the heading for Thursday, March 28, the column stated that a "Mr. Hatfield from the committee of the whole to whom was referred the bill entitled 'an act for the gradual abolition of slavery'" brought it forward in the state legislature and offered several amendments to the bill that the committee had suggested. The first amendment was to solve the problem of freed slave children until they were "bound out" by making the state responsible for their upkeep. This amendment passed with only five nays. Interestingly, the second action of the same session was a motion to reject the gradual emancipation bill, introduced by a Mr. Addison. This attempt failed by a measure of twenty- four to eight. However, the attempt proves that even at this late a time, the opponents of the gradual emancipation measure, were still committed to its destruction.²⁶ After the passage

²⁶ *Albany Gazette*. Mar. 29, 1799.

of the measure, opposition seemed to disintegrate from the press. The adamantly positive supporters also seemed to disappear, many probably attracted by other pressing issues of the spring of 1799.

A week later, on April 5, the *Albany Gazette* published a column entitled “Titles or Laws passed by the Legislature of the states of New York, at the Second Meeting of the Twenty Second Session, begun and held at the city of Albany, January 2d, 1799.” The article consisted solely of a numerical list of the names of the measures passed by the New York State legislature. The list contained ninety-three laws passed during the second session of which the Gradual Emancipation Act was listed as number sixty-two between “an act to regulate the salting, repacking and inspection of beef and pork for exportation” and “an act concerning the court of probates.” The list allows the full extent of the legislature’s concerns to be ascertained and thus the apparent dearth of reaction to the passage of the Gradual Emancipation Act to be at least partially explained as split attention.²⁷ This formatting for the list of laws was standardized across the state, with an April 10 article in New York City’s *Commercial Advertiser* taking the same format. Despite no credit line being given, one can assume from both the formatting and content that this list was directly copied from the one published by the *Gazette* five days earlier, thus demonstrating the flow of news around New York.²⁸

However, this lesser view in the aftermath of the passage of the Gradual Emancipation Act was not universal. An August 23 article in the *Albany Centinel* entitled “Negro Slavery: An Apostrophe” was written as an attack on the slave system and was a clear echo of the debates which raged in New York three years prior. The opening line of the article was highly emotionalized and trill reading, “What must the feeling of that man be, who can engage in a traffic at once repugnant to the calls of humanity and the precepts of religion- the barbarous traffic in human blood!” A vehement denunciation of the practice of the slave trade follows, including among other points a rejection of mercantilist system, which caused the slave trade, “Alas! Commerce, the nurse of the blackest enormities, the frequent force of war and devastation, is your bane, and may be your ruin.”²⁹ This negative depiction of commerce marked the article as largely unique from many of the articles from the debate of 1796, when conceptions of natural rights, whether humanist or theological, seemed to be the predominant logic. Additionally, this article differed from most of those that followed the passage of the Gradual Emancipation Act in its impassioned prose, since the

²⁷ *Albany Gazette*. Apr. 5, 1799.

²⁸ *Commercial Advertiser*. Apr. 10, 1799. Vol. 2, Is. 473.

²⁹ *Albany Centinel*. Aug. 23, 1799. Vol. 3, Is. 16.

other responses were tepid legislative columns announcing the act's passage. This article pointed the way towards the next debates, which predominated among slavery activists in New York after the passage of the Gradual Emancipation Act, that of the slave trade, both internal and external, and later the problems of colonization.

However, an article such as the one published in the *Albany Centinel* did not represent the general public consciousness at least as represented in the press, but was an article by an invested citizen to draw attention to an issue that was no longer predominant in the press. During the spring of 1799, the citizens of New York confronted other issues which took a much more prominent role in shaping the news on a daily basis.

THE SILENCE EXPLAINED

First, the actions of Republican France in Europe overshadowed the issue of the passage of the Gradual Emancipation Act. Throughout the period covered in this paper, Revolutionary France was transforming from the end of the Reign of Terror to the directorate. Indeed, the word slavery appeared just as often in articles concerning revolutionary France's domination of their newfound conquests as in articles about gradual emancipation in New York. Consider a May 3 article from the *New York Gazette* entitled "The True American, No. IV" According to the opening line the article discussed the "perilous and semi-warlike situation into which the United States has been reduced," a clear reference to the ongoing unrest in France, which destabilized the entire European continent and provoked deep debates among the proper role for the new United States in world politics. After a rant which focused on the evil which the "Jacobins" pose to the United States, including claims of economic and political domination, the author made use of slavery in the following context, "Holland has gained nothing by submission, but dishonor and slavery. She has not saved one stiver."³⁰ This usage, while maintaining the same negative connotation with which the actual institution was regarded in by the New York press, seemed to remove some of the power from the term by equating the situation of the Dutch as client states of the expanding French empire with the chattel slavery on the American continent.

However, such usage was common in the latter part of 1799. A December 24 printing of a sermon in the *New York Gazette* once again referred to slavery, "Have any of our cities been destroyed by fires or swallowed by earthquakes? Do

³⁰ *New York Gazette*. May 3, 1799. Is. 4158.

hostile fleets or invading armies threaten us with immediate slavery or death?”³¹ This sermon, delivered in the aftermath of the news of George Washington’s death, also made use of the word slavery in the context of one foreign powers subjugation of another. Such a usage seemed to have been a rather common reference, which undermined much of the actual discussion about chattel slavery closer to home.

The Governor of New York, John Jay, spent much of his time in the early part of 1799 considering the possibilities of war with France. On March 29, 1799, the same day that the Gradual Emancipation Act passed the Legislature, Governor Jay sat down to pen a letter to Benjamin Goodhue, his friend and fellow Federalist currently serving as a Senator from Massachusetts. Jay wrote not about the Gradual Emancipation Act, but about his personal views of the President’s issuance of a statement regarding the XYZ Affair, when French Republican officials demanded bribes and a loan in order to begin negotiations. Jay questioned the judiciousness of the statement writing, “It is wished that Mr. Murray [the spokesman] had been more reserved in conversation with the French Secretary on the subject of our national Differences.”³² A governor providing advice on national issues while passing over the resolving of a major state issue on the same day probably provided an accurate picture as to the importance placed on the Gradual Emancipation Act.

The second major issue that occupied New Yorker’s during the period was an outbreak of Yellow Fever in New York City. An April 20 article from the *Daily Advertiser* remarked, “The season of Yellow Fever is fast approaching,” before moving on to provide possible prevention measures that the impending season may require such as the readiness of health inspectors to inspect ships entering the port. After quite a few suggestions, the author quipped, “If not, whom shall we blame if we again see the ghastly visage of that despoiler of cities?”³³ Despite the attempted quip, the concern of the author permeated through the article. Terming the disease a “ghastly visage” and calling it the “despoiler of cities” proves that it merited a measure of respect. The article provided little information, instead acted as a cautionary tale and a plea for a mild Yellow Fever season.

Demonstrating that Yellow Fever remained a popular issue, the *Daily Advertiser* published an article a few weeks later, entitled “Errors in the account of the origins of the Yellow Fever in the United States, by a London physician – published in the D. Advertiser April 29.” The article consisted of a point-by-point

³¹ New York Gazette. Dec 24, 1799. Is. 4379.

³² John Jay. Letter to Benjamin Goodhue. Mar. 29, 1799 (JID:2872)

³³ Daily Advertiser. April 20, 1799. Vol. XIV, Is. 4429.

refutation of the factual errors of the previously published pamphlet, destroying claims such as Yellow Fever only appeared in the United States after 1760 and that Yellow Fever only affected seaports.³⁴ While such facts were interesting, the most intriguing thing about the article was its existence, as it demonstrates a lively dialogue over Yellow Fever occurring concurrently to the discussion of the passage of the Gradual Emancipation Act. While one directly affected many members of the public in the state, the other was a distant debate in the realm of the moral, political and ideological. Considering this, it was not hard to contemplate the differing amounts of debate and reaction.

An example of these differing levels of attention is the New York's vaunted governor, John Jay. If any man in the state should have written about the Gradual Emancipation Act, it should have been the founding member and former president of the New York State Manumission Society who sat in the governor's office. However, many of Jay's letters during the period, which did not regard national political issues, such as the Quasi-war or the XYZ Affair or requests by employment seekers, read similarly to his June 26 letter to Peter Augustus, his son and contact on the political life and schemes of New York City. During the course of this letter, Jay wrote of his concern for his wife, Sarah's health, "when she left us her health was delicate and her strength had declined greatly."³⁵ The Jay family was not unique in its relationship to disease, and if a family illness managed to preoccupy a man who was so interested in the Gradual Emancipation Act, the lack of attention from those who were less invested is more easily conceptualized.

Indeed, John Jay's only direct mention of the Gradual Emancipation Act immediately after its passage is a March 30 letter to his son, Peter Augustus, where he wrote "The legislature propose to adjourn on Monday. Among their acts of are some of more than usual importance- one for a new system of Taxation- one for the gradual abolition of slavery- one granting extensive powers to the corporation of New York - one for the amendment of the election law."³⁶ The fact that Jay selected the Gradual Emancipation Act as one of his acts of "more than usual importance," revealed both his personal interest and his recognition of a special nature.

³⁴ Daily Advertiser. May 7, 1799. Vol. XIV, Is. 4442.

³⁵ John Jay, Letter to Peter A. Jay. Jun. 26, 1799. (JID:9984)

³⁶ John Jay, Letter to Peter A. Jay. Mar. 30, 1799. (JID:9981)

CONCLUSION

Modern historians of the early anti-slavery movement or the development of independent African American culture such as Shane White, Leslie Harris, or Ira Berlin commonly point to New York's Gradual Emancipation Act of 1799 as a turning point in the early history of the movement. They attribute its passage to accelerating the development of independent African American communities and to the domination of the Democratic Party in New York City up until the Civil War. However, in the period newspapers, rather than being recognized as a truly fundamental moment in the development of mid-Atlantic anti-slavery legislation, it met with relative silence on its passage in March of 1799, especially in contrast to the more active debates that occurred on its introduction to the legislature in the spring of 1796. On its introduction in 1796, it had the luxury of dominating the news cycle, since it was the first time that an anti-slavery measure was proposed since the failed attempt in 1785. However, the state legislature's inability to come to a successful consensus, due to the issue of compensation, shelved the bill, and much of the public interest as revealed in the press moved on. While articles concerning the issue were still published during the interlude years of 1797 and 1798, they failed to command the printed public dialogue in a similar manner to those months in early 1796. By the time that the act passed in the spring of 1799, the dialogue was overshadowed by the debate over the increasing extremism and bellicose tension with France as well as issues such as epidemic disease in New York City, which more directly affected many members of the public than gradual emancipation. Newspapers reflected the conversations in the public sphere, and thus articles about the dialogue over the Gradual Emancipation Act reveal the development of the anti-slavery movement from a limited to a broader social movement after the turn of the century.