Cities of refuge : slave flight and illegal freedom in the American urban South, 1800-1860

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Introduction

Freedom in the Midst of Slavery

"You establish a spot within the slaveholding States which would be a city of refuge for runaway slaves."

In 1836, James Buchanan, then Senator from Pennsylvania, delivered a speech in which he outlined his views on the question of whether slavery and the slave trade should be abolished in the District of Columbia. As a Democrat, Buchanan sided with the political interests of southern slaveholders, and he predictably favored rejecting the proposal outright. Interestingly, one of his main concerns was that the abolition of slavery in Washington would turn the District into a "city of refuge for runaway slaves."[1] Was Buchanan not aware that D.C. and other southern cities already provided shelter and camouflage for thousands of runaways from slavery—despite their lying within slaveholding territory? To be sure, what would have changed in the case of abolition would have been the legal status of the federal district. Abolishing slavery would have turned D.C. into "free soil" territory, where no person could be enslaved. It would have undoubtedly exacerbated the local runaway issue, but it certainly would not have created it.

Buchanan's opposition to transforming a city within the slaveholding South into free soil for fear that it would unleash a runaway slave crisis was connected to the most heated political debates of the antebellum period (c. 1800-1860)—ones that placed slave flight at the center of national and international discussions and conflicts, but that also failed to appreciate the diverse and complicated geography of freedom for enslaved people living in the US South. Southerners themselves tended to obsess more over the dangers of sharing their borders with free soil territories than the dangers of internal runaways within the South itself. Throughout the nineteenth century, the southern states, and their representatives in Washington, continuously exercised pressure on places like Spanish Florida, Mexico, and especially the northern US because of their relatively open acceptance of slave refugees from the South. This

[1] Buchanan reacted to a memorial by the Society for the Abolition of Slavery in Pennsylvania, which had originally been presented to Congress in 1790. James Buchanan, "Speech on the Slavery Question" (1836), in *Life of James Buchanan, Fifteenth President of the United States.* Vol. I, ed. George Ticknor Curtis (New York: Harper & Brothers, 1883), 317-319.

resulted in harsh tensions, some of which led to drastic political events, including the annexation of Florida in 1821 and of Texas in 1845; the Mexican-American War of 1843-1845; the Fugitive Slave Act of 1850; and the American Civil War of 1861-1865. Far-reaching and well-documented political measures, wars, and diplomatic crises that came out of (or were related to) disagreements over escaped slaves produced reams of written evidence and entire archives for historians to pour through. Partly because of their archival visibility, people who fled enslavement to free soil regions not only dominated contemporary discussions of the "fugitive slave issue," but also subsequent historical scholarship. This is striking considering the vast numbers of runaway slaves who remained within the slaveholding South—not just as "absentees" or scattered "maroons," but as permanent freedom seekers in urban areas, where runaways illegally attempted to pass themselves off as free.

Sites of freedom in the urban South have indeed generally eluded the attention of scholars. Most historical literature on slave flight tends to center around three main "types" of flight: short-term absenteeism, marronage, and slave flight across national borders or to the US northern states. The three strategies of flight were quite different in their goals and outcomes. Short-term absenteeism (also called truancy) was not employed to permanently exit slavery. It was a relief from plantation work, an outlet for swelled emotions, a tool for negotiations, and a way to visit family and friends. Maroons sought to escape bondage permanently and created communities that were largely independent from slaveholding society. Refugees from slavery who crossed into free soil territories (or sought asylum in wartime situations), used the political landscape to (more or less) legally exit bondage. The scholarly overemphasis on this latter group has long distracted historians from recognizing a fourth "type" of slave flight: permanent freedom seekers who sought refuge in towns and cities *within* the slaveholding South.

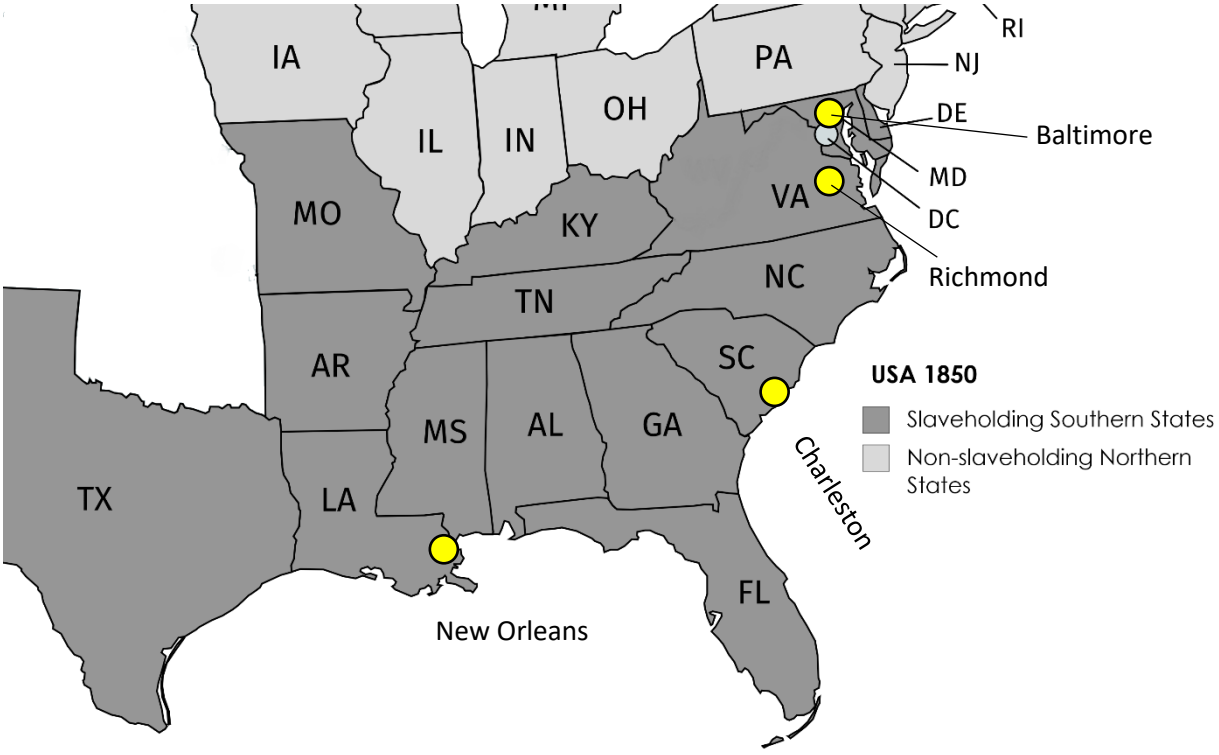

Figure 1: Map with Selected Cities

This study aims to fill that gap. It combines this new spatial approach with another understudied topic, namely southern cities. On the basis of four major cities as case studies, this dissertation evolves around the central question of how and why spaces of freedom arose in the antebellum urban South, and how refugees from slavery navigated those spaces. Drawing from material from Baltimore (Maryland), Richmond (Virginia), Charleston (South Carolina), and New Orleans (Louisiana) as representatives of the largest urban areas, it analyzes social, cultural, political, and economic processes that made this possible. Inspired by methods of migration studies, the size of the urban free black populations, degrees of urbanization, and work opportunities will receive particular attention. The possibilities of refugees to make use of these spaces depended on age, ability, skills, and sex. Showing that the dimensions of southern-internal slave flight were substantial, this study will argue that southern cities constituted indeed cities of refuge for permanent freedom seekers.

Resistance and Slave Flight

Studying resistance is important to understanding the relationship between oppressed people and systems of power. As Stephanie Camp has claimed, it was precisely the shift of historians' attention towards resistance that helped push the field of American slavery outside the plantation nostalgia of the late nineteenth and early twentieth centuries.[2] After the 1960s, common scholarly opinion on American slavery had finally gotten to the point as to acknowledge that slavery was a cruel system which held people in bondage and fear, denied them their rights as human beings, and degraded them to property. Much of the contributions dealt with the economic side of slavery and social histories almost exclusively tended to be top-down, stressing the structural conditions of the system. Well into the 1970s, slavery was regarded as a unilaterally defined relation between master and slave, and agency by enslaved women and men was constantly downplayed or neglected. John Blassingame, Eugene Genovese, and Herbert Gutman were amongst the first revisionists to argue that people in bondage possessed considerable agency and shifted the attention from masters to slaves as protagonists of their narratives.[3] The focus of inquiry was the plantation as the central *locale* of slavery until the 1980s. Plantation slavery in America, however, although absorbing the overwhelming majority of enslaved people, was never a universal experience. Particularly during the nineteenth century, when intensifying globalization processes structurally altered the American economy, new doors opened about how and where to employ enslaved workers. This granted the slave population a higher mobility, accompanied by urbanization and migration patterns.[4] Today, the growing relevance of slavery studies is not only mirrored by the uncountable publications in the field but also by repeatedly renewed approaches to tackle newly emerging questions.

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[2] Stephanie M. H. Camp, *Closer to Freedom: Enslaved Women and Everyday Resistance in the Plantation South* (Chapel Hill: University of North Carolina Press, 2004), 1.

[3] John W. Blassingame, *The Slave Community: Plantation Life in the Antebellum South* (Oxford and New York: Oxford University Press, 1972); Eugene D. Genovese, *Roll, Jordan, Roll. The World the Slaves Made* (New York: Vintage Books, 1976), 598, originally published 1972; and Herbert G. Gutman, *The Black Family in Slavery and Freedom, 1750-1925* (New York: Vintage, 1976).

[4] On the changing economy and slavery, see Dale W. Tomich, *Through the Prism of Slavery. Labor, Capital, and World Economy* (Lantham: Bowman & Littlefield, 2004).

The attention slavery received from the 1980s onwards as a key part of American history was intensified by a general interest in resistance and agency of oppressed people. Although Herbert Aptheker had laid the cornerstone in 1943 with *American Negro Slave Revolts*,[5] the field of American slavery depended on the contributions of the interdisciplinary currents of postcolonial studies, history from below, and subaltern theory to incorporate resistance as an integral element. The background was that active insurgency by enslaved people in the United States had been relatively rare compared to the more extensive and percussive revolts which had taken place in the Caribbean. However, scholarship increasingly came to understand that resistance did not necessarily take the form of open violence but could occur in numerous different ways. Ever since, slave flight as a form of resistance has received considerable attention from a growing number of historians. In the 1970s, John Blassingame and Gerald Mullin pioneered this trend when they recognized the relevance of running away as a powerful tool to resist slavery.[6] Scholars of slaveries in other times and parts of the world also increasingly turn their attention to this way of seeking freedom, thereby placing the act of running away within a broader framework of resistance.[7] Theft, inefficient work, shirking, temporary absconding, simulating sickness, breaking tools, arson, murder, infanticide, suicide, and open revolt were all now seen as forms of resistance.[8] What distinguished slave flight was that it was highly visible and—more importantly—targeted freedom.

But what counts as running away? Enslaved people who absconded from bondage had varying ideas about geography, as well as the duration and final purpose of their actions. As already mentioned, there are three important groups of runaway slaves that have received ample attention by scholars and that this dissertation therefore does *not* consider. One group left their legal owners temporarily, usually with the intention of returning within a couple of days, weeks, or even months. John Hope Franklin and Loren Schweninger identified them as "temporary sojourners" or truants. They could be hiding with relatives or acquaintances on other plantations, in the countryside, or in cities. The motivations to abscond on a short-term basis were manifold. Truants took a break from forced work (often during harvest times), expressed their resistance towards a mistreatment, visited loved ones, left after a punishment or in order to avoid punishment, or simply ran to test out their boundaries.[9] This disqualifies them for this dissertation whose focus lies on permanent escape from slavery.

The second group intended to leave slavery on a permanent basis but did not seek integration into dominant society. These people are often referred to as maroons. The concept

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[5] Herbert Aptheker, *American Negro Slave Revolts* (New York: Columbia University Press, 1943).

[6] Blassingame, *Slave Community*; and Gerald W. Mullin, *Flight and Rebellion: Slave Resistance in Eighteenth-Century Virginia* (Oxford and New York: Oxford University Press, 1972).

[7] For a short selection, see Gwyn Campbell and Edward A. Alpers, "Introduction: Slavery, Forced Labour and Resistance in Indian Ocean Africa and Asia," *Slavery & Abolition* 25:2 (2004): ix-xxvii; Edward A. Alpers, "Flight to Freedom: Escape from Slavery among Bonded Africans in the Indian Ocean World, c. 1750-1962," in *Structure of Slavery in Indian Ocean Africa and Asia*, ed. Gwyn Campbell (London and Portland: Frank Cass, 2004), 52-69; and Noel Malcolm, *Agents of Empire: Knights, Corsairs, Jesuits and Spies in the Sixteenth-Century Mediterranean World* (Oxford and New York: Oxford University Press, 2015).

[8] Genovese, *Roll, Jordan, Roll*, 598. On resisting one's own enslavement see Keith Bradley, "Resisting Slavery," in *Slavery and Society at Rome*, ed. idem (Cambridge: Cambridge University Press, 1994), 107-131; Michael Craton, *Testing the Chains: Resistance to Slavery in the British West Indies* (Ithaca and London: Cornell University Press, 1982); and Gary Y. Okihiro (ed.), *Resistance: Studies in African, Caribbean, and Afro-American History* (Amherst: University of Massachusetts Press, 1986).

[9] John Hope Franklin and Loren Schweninger, *Runaway Slaves: Rebels on the Plantation* (Oxford and London: Oxford University Press, 1999). See also Camp, *Closer to Freedom*, ch. 2.

of marronage does not only speak to an individual fleeing slavery but looks at the receiving society as a whole, the maroon community. Although the presence of American maroons was significantly less ostentatious than in Brazil, Jamaica, or Suriname, Herbert Aptheker calculated that within the present limits of the United States, there existed at least 50 maroon communities from the late seventeenth to the mid-nineteenth century.[10] In the last years, historians have applied the concept of marronage to diverse groups in wildly different contexts. This necessitates some terminological clarification to explain why the focus of this study does not include maroons.

Whereas earlier works mostly focused on the geographical isolation of maroons, revisionist historians have emphasized societal exclusion as a more useful tool to understand marronage.[11] New scholarship has pointed out that maroon communities often not only lived in close proximity to dominant society but were also in constant contact with white people on basis of work agreements and trade. Especially in the nineteenth century, the grade of isolation was not as high as has hitherto been assumed.[12] Much literature also kept the concept so broad as to make it applicable to different contexts throughout the Americas. João José Reis and Flávio dos Santos Gomes, for instance, have suggested that marronage is "flight that led to the formation of groups of fugitive slaves with whom other social persons frequently associated, [and which] took place in the Americas where slavery flourished."[13] This definition pays tribute to the variety among the numerous maroon communities and emphasizes flight, community, and the constant arrival of newcomers.

These broader definitions are also a result of language. In Latin American contexts, the distinction between marronage and slave flight without marronage complicates itself further because all runaway slaves were usually called *cimarrones* (maroons). Also, jails and depots that received captured runaway slaves were *depósitos de cimarrones*, with the word "maroon" used as a substitute for runaway slave. Several historians, amongst whom Latin Americanists

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[10] Herbert Aptheker, "Maroons within the Present Limit of the United States," in *Maroon Societies: Rebel Slave Communities in the Americas*, ed. Richard Price (Baltimore and London: Johns Hopkins University Press, 1979), 151-152, originally in *Journal of Negro History* 24:2 (1939): 167-184.

[11] Geographical isolation referred in many cases to flight to wilderness areas. The most well-known maroon communities of the Americas were in Jamaica, Brazil, and Suriname because they caused a threat to colonial authority and consequently left a variety of traces in the archives. This holds particularly true for maroon communities that engaged in warfare or other violent confrontations with the authorities. This is the conventional concept that prevails within Latin American and Caribbean slavery studies. See, for instance, Richard Price (ed.), *Maroon Societies: Rebel Slave Communities in the Americas* (Baltimore and London: Johns Hopkins University Press, 1979); Alvin O. Thompson, *Flight to Freedom: African Runaways and Maroons in the Americas* (Kingston: University of West Indies Press, 2006); and Glenn Alan Cheney, *Quilombo dos Palmares: Brazil's Lost Nation of Fugitive Slaves* (Hanover: New London Librarium, 2014).

[12] Sylviane A. Diouf, *Slavery's Exiles: The Story of the American Maroons* (New York and London: New York University Press, 2014). For maroons working for whites, also see Ted Maris-Wolf, "Hidden in Plain Sight: Maroon Life and Labor in Virginia's Dismal Swamp," *Slavery & Abolition* 34:3 (2013): 446-464; and Maria Helena Pereira Toledo Machado, "From Slave Rebels to Strikebreakers: The Quilombo of Jabaquara and the Problem of Citizenship in Late-Nineteenth-Century Brazil," *Hispanic American Historical Review* 86:2 (2006): 247-274. For Brazil, historians already claimed in the 1990s that there had always been a certain interaction and even cooperation between maroons and slave society. For very contradictory insights into Brazilian *quilombos* (the Portuguese term for maroon settlement) over centuries, see João José Reis and Flávio dos Santos Gomes (eds.), *Liberdade por um fio: História dos quilombos no Brasil* (São Paulo: Companhia das Letras, 1996).

[13] João José Reis and Flávio dos Santos Gomes, "Introdução: Uma História da Liberdade," in *Liberdade por um fio: História dos quilombos no Brasil*, ed. Idem (São Paulo: Companhia das Letras, 1996), 10. Likewise, Alvin O. Thompson claimed that marronage "involved both flight from slavery and the establishment of free communities. Thompson, *Flight to Freedom*, 1.

feature most prominently, have described slave flight to urban areas, as a form of "urban marronage."[14] The same holds true for francophone settings where runaway slaves in cities are often claimed to have committed *marronnage urbain*.[15] Within the United State, Louisiana presents a special case where until the mid-nineteenth century, jail ledgers were partly kept in French and in which the terms "runaway slave" and "marron" were used interchangeably.[16]

The opening of the concept and its adaption to areas with differing semantic traditions did not come without problems.[17] On the one hand, the focus on geographical demarcation was taken away, which allowed for a higher inclusion of various forms of marronage. On the other hand, the concept has too readily been applied to a diverse multitude of contexts. However, when approaching runaway slaves as maroons, the relation between them and their receiving societies on the one side, and slaveholding society on the other side requires particular attention. Of special interest for this dissertation are the considerations by Steven Hahn, who has examined African American communities in the northern states along demographics, migration patterns, residency, and social and political organization. Not explicitly calling them maroons, Hahn pointed to their internal coherence, social experiences, autonomous institutions, and legal backgrounds as factors that might qualify them for marronage.[18] These elements also apply to refugees in southern cities, yet the interpretations of their political ideas and attitudes distinguish this study from Hahn's view. Hahn recognized that black communities in the North were "under siege." Racism, racial discrimination, and hostility by dominant society—all organized by the overarching existence of slavery—determined this siege. And although he rightly concluded that societal exclusion featured prominently, Hahn misses to see that this

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[14] Pedro Deschamps Chapeaux labelled runaway slaves hiding in Havana *cimarrones urbanos* (urban maroons) and the city an immense *palenque urbano* (urban maroon settlement). Pedro Deschamps Chapeaux, "Cimarrones urbanos," *Revista de la Biblioteca Nacional de Cuba José Martí* 11:2 (1969): 147, 162, originally published as *Los cimarrones urbanos* (La Habana: Editorial de las Ciencias Sociales, 1983). Eduardo Saguier has used the same term for Buenos Aires. Eduardo R. Saguier, "La Crisis Social. La fuga esclava como resistencia rutinaria y cotidiana," *Revista de Humanidades y Ciencias Sociales* 1:2 (1995): 125. Brazilian historians have produced a number of accounts on urban slave flight, some of them using the terminology of marronage. For example, José Maia Bezerra Neto, "Histórias urbanas de liberdade: escravos em fuga na cidade de Belém, 1860-1888," *Afro-Ásia* 28 (2002): 221-250.

[15] See Jean-Germain Gros, *State Failure, Underdevelopment, and Foreign Intervention in Haiti* (New York: Routledge, 2012), 72; Aline Helg, *Plus jamais esclaves!: de l'insoumission à la révolte, le grand récit d'une émancipation (1492-1838)* (Paris: Éditions La Découverte, 2016), 64; and Anne Pérotin-Dumon, *La ville aux Iles, la ville dans l'île: Basse-Terre et Pointe-à-Pitre Guadeloupe, 1650-1820* (Paris: Éditions Karthala, 2000), 665. Moreover, francophone scholarship on slave flight has long evolved around the concepts of *petit marronage* and *grand marronage*. They correspond to what is here approached as temporary and permanent slave flight. Marjolein Kars, "Maroons and Marronage," *Oxford Bibliographies* (August 30, 2016), DOI: 10.1093/obo/9780199730414-0229, accessed June 15, 2017.

[16] Police Jail Daily Reports, 1820-1840, New Orleans (La.) Police Jail/Parish Prison, NOPL.

[17] Whereas scholarly contributions in Spanish, Portuguese, and French base their terminology on primary sources, publications in the English language often neglect to illuminate the reader about their use of terminology. See, for instance, Michel S. Laguerre, *Vodoo and Politics in Haiti* (New York: Palgrave Macmillan, 1989), 72; Shauna J. Sweeney, "Market Marronage: Fugitive Women and the Internal Marketing System in Jamaica, 1781-1834," *William & Mary Quarterly* 76:2 (2019): 197-222; and the English translation of Helg's *Plus jamais esclaves*: Aline Helg, *Slave No More: Self-Liberation before Abolitionism in the Americas* (Chapel Hill: University of North Carolina Press, 2019).

[18] Steven Hahn, *The Political Worlds of Slavery and Freedom* (Cambridge and London: Harvard University Press, 2009), 29, 32. Hahn has followed up on Ira Berlin's thought experiment of whether the entire black population of the antebellum northern states of the United States was a maroon community. Ira Berlin, "North of Slavery: Black People in a Slaveholding Republic," *Yale, New Haven and American Slavery Conference* (September 26-27, 2002), URL: http://www.virginia.edu/woodson/courses/aas-hius366a/berlin.pdf, accessed June 16, 2017.

exclusion emanated from white society only.[19] It is imperative, however, to note that black northerners, although their exclusion created spaces to craft new black politics, sought integration into American society and racial integration.[20] Southern urban slave refugees, as will be shown, likewise aspired to inclusion.[21] This is why they cannot be conceptualized as maroons. Although they liberated themselves by breaking the law, in all other aspects their intention was to play by the rules imposed by dominant society. They were not out-laws.

The last group of runaway slaves were composed of men and women who freed themselves by crossing political borders and stepping on free soil. The most common denominations for these people are fugitive slaves. Understanding them as escapees from slavery "who had no intention of returning to their masters," Damian Pargas has recently offered a conceptualization of different spaces of freedom in North America that opened up and continued to evolve in the nineteenth century. He distinguishes between migrations that led enslaved people into sites of *formal*, *semi-formal*, and *informal* freedom. Formal freedom was to be found in places where slavery was abolished, and slaves who entered them were considered legally free and safe from rendition. This followed the principle of "free soil." In sites of semi-formal freedom, state and federal legislation collided, creating grey zones in which the freedom of individuals could be contested although they found themselves on soil where slavery had been abolished (such as the northern US). Sites of informal freedom, lastly, were located within slaveholding territory.[22] There, fugitives from slavery tried to live *as if they were free*, even if they had no legal claims to freedom.

As mentioned above, the bulk of historical scholarship has focused on men and women who freed themselves by setting foot on free soil. The American literature is heavily dominated by studies that examine slave flight from the southern to the northern states and British Canada via the Underground Railroad (a network of abolitionists and escape agents).[23] In recent years scholars have also turned their attention to other border regions such as Spanish Florida and,

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[19] Hahn, *Political Worlds*, 34.

[20] Idem, 43; Patrick Rael, *Black Identity and Black Protest in the Antebellum North* (Chapel Hill: University of North Carolina Press, 2002); and Stephen D. Kantrowitz, *More than Freedom: Fighting for Black Citizenship in a White Republic, 1829-1889* (New York: Penguin, 2012), 28-29. It should be added that in order to qualify as maroons, the mentioned exclusion had to also stem from the communities that absorbed runaway slaves. In this regard it is imperative to take a closer look at black people's relation to slaveholding society.

[21] This interpretation is based on Monica Schuler' conceptualization that maroons separated *themselves* from slaveholding society. Schuler followed the older definition by Leslie Manigat who has claimed that the aspiration of a maroon was "to live, actually free, but as an outlaw, in areas (generally in the woods or in the mountains) where he [or she] could escape the control of the colonial power and the plantocratic establishment." Monica Schuler, "Maroons (Cimarrones)," in *Encyclopedia of Latin American History and Culture* (2008), URL: http://www.encyclopedia.com/humanities/encyclopedias-almanacs-transcripts-and-maps/maroons-cimarrones, accessed November 7, 2017; and Leslie F. Manigat, "The Relationship between Marronage and Slave Revolts and Revolution in St. Domingue-Haiti," *Annals of the New York Academy of Sciences* 292 (1977): 421-422.

[22] Damian Alan Pargas, "Introduction: Spaces of Freedom in North America," in *Fugitive Slaves and Spaces of Freedom in North America*, ed. Idem (Gainesville: University Press of Florida, 2018), 3-6. For a conceptual discussion of the principle of free soil, see Sue Peabody and Keila Grinberg (eds.), *Free Soil in the Atlantic World* (New York and London: Routledge, 2015), originally published as a special issue of *Slavery & Abolition* 32:3 (2011).

[23] A selection of contributions include Leon Litwack, *North of Slavery: The Negro in the Free States, 1790-1860* (Chicago: University of Chicago Press, 1961); Daniel G. Hill, *Freedom Seekers: Blacks in Early Canada* (Toronto: Stodaart, 1992); Larry Gara, *The Liberty Line: The Legend of the Underground Railroad* (Lexington: University Press of Kentucky, 1996); Gordon Barker, *Fugitive Slaves and the Unfinished American Revolution: Eight Cases, 1848-1856* (Jefferson: McFarland, 2013); and Eric Foner, *Gateway to Freedom: The Hidden History of the Underground Railroad* (New York and London: W. W. Norton, 2015).

increasingly, Mexico.[24] Permanent and long-term refugees from slavery, who by intent and by outcome never migrated out of the slaveholding South, have barely been the focal point of historical studies. This is surprising given that contemporaries did not conceal their awareness of them. Northern US journalist Frederick Law Olmsted, for one, found that "throughout the South slaves are accustomed to 'run away.'"[25] Although Olmsted's main argument rested on temporary flight, it was well known that runaway slaves were often absent for months, years, and for good. After all, the innumerous notices in newspapers furnished long-term slave flight with a high visibility.

The absence of permanent freedom seekers within the South in the historical literature is striking. After all, it constituted the greatest slave flight in American history. This does not mean that leading experts in slavery studies have not noticed this phenomenon at all. For example, Peter Kolchin has observed that an "even larger number" of bondspeople than those who fled north stayed in the slaveholding states, "making their way to cities and merging with the free black population." Leonard Curry has claimed that "an unknown number of persons classified as free persons of color in the cities were probably fugitive slaves and their offspring." And according to Ira Berlin, "runaways were a continuing problem for Southern municipalities."[26] Betty Wood has provided the most information on urban runaways when claiming that expanding family networks and the prospect of selling their labor power attracted female and male escapees from slavery to Savannah, Georgia.[27]

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[24] Jane Landers, *Black Society in Spanish Florida* (Urbana and Chicago: University of Illinois Press, 1999); Rosalie Schwartz, *Across de Rio to Freedom: US Negroes in Mexico* (El Paso: Texas Western Press, 1975); and Sean Kelley, "Mexico in His Head: Slavery and the Texas-Mexican Border, 1810-1860," *Journal of Social History* 37:3 (2004): 709-723. A number of contributions stress the frailty of formal freedom. For instance, Sarah E. Cornell, "Citizens of Nowhere: Fugitive Slaves and Free African Americans in Mexico, 1833-1857," *Journal of American History* 100:2 (2013): 351-374; James David Nichols, "Freedom Interrupted: Runaway Slaves and Insecure Borders in the Mexican Northeast," in *Fugitive Slaves and Spaces of Freedom in North America*, ed. Damian Alan Pargas (Gainesville: University Press of Florida, 2018), 251-274; and Thomas Mareite, "Conditional Freedom: Free Soil and Fugitive Slaves from the US South to Mexico's Northeast, 1803-1861" (Ph.D. diss., Leiden University, 2019). Additionally, some scholars have looked at runaway slaves who joined native American groups. See Barbara Krauthamer, "Kinship and Freedom: Fugitive Slave Women's Incorporation into Creek Society," in *New Studies in the History of American Slavery*, ed. Edward E. Baptist and Stephanie Camp, 148-165 (Athens and London: University of Georgia Press, 2006); and Roy E. Finkenbine, "The Underground Railroad in 'Indian Country': Northwest Ohio, 1795-1843," in *Fugitive Slaves and Spaces of Freedom in North America*, ed. Damian Alan Pargas (Gainesville: University Press of Florida, 2018), 70-92.

[25] Frederick Law Olmsted, *Our Slave States.* Vol. III: A Journey in the Back Country (New York: Mason Brothers, 1860), 476.

[26] Peter Kolchin, *American Slavery 1619-1877* (New York: Hill and Wang, 1994), 158; Leonard P. Curry, *The Free Black in Urban America, 1800-1850: The Shadow of the Dream* (Chicago: University of Chicago Press, 1981), 4; Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South* (New York: Pantheon Books, 1974), 42. Michael Zeuske has identified *huida urbana* (urban flight) in the black neighborhoods of large Atlantic cities like Havana, Matanzas, New Orleans, and Santiago. Michael Zeuske, *Sklavereien, Emanzipationen und atlantische Weltgeschichte: Essays über Mikrogeschichten, Sklaven, Globalisierungen und Rassismus* (Leipzig: Leipziger Universitätsverlag, 2002), 146. Historians who specialize in antebellum cities have, additionally, been able to provide some more contextual information on urban slave flight. See William A. Link, *Roots of Secession. Slavery and Politics in Antebellum Virginia* (Chapel Hill: University of North Carolina Press, 2003), 106; Seth Rockman, *Scraping By: Wage Labor, Slavery, and Survival in Early Baltimore* (Baltimore: Johns Hopkins University Press, 2009), 35; and Christopher Phillips, *Freedom's Port: The African American Community of Baltimore, 1790-1860* (Urbana and Chicago: University of Illinois Press, 1997), 67.

[27] Wood is one of very few scholars who have devoted several pages in their books to urban runaways. Betty Wood, *Women's Work, Men's Work: The Informal Slave Economies of Lowcountry Georgia* (Athens: University of Georgia Press 1995), 111-118.

It is no coincidence that these scholars all mentioned the presence of runaway slaves in southern *cities*. The strategy to achieve and maintain freedom was to camouflage oneself among the existing free black populations. Black people were in the antebellum period most numerous in urban areas. Nevertheless, most of the historical studies on runaways in southern cities have approached them as temporary absconders or have merely mentioned their presence in the urban South. Therefore, it is necessary to conduct a thorough investigation on their numbers, profile, lived experiences, and the context of their endeavors.[28] Due to the growth of the urban free black population in the post-revolutionary era, it became possible for refugees to find shelter, and to live permanently in the midst of slavery. Departing from these observations, this dissertation sets out to put permanent urban runaway slaves at the center of analysis. Since these men and women stayed *within* slaveholding territory, running away had no basis in law, and people who went down this path had to reckon with never being legally free because the freedom they aspired to had no basis in law. Drawing from Pargas' conceptualization of spaces of freedom, this contribution will add the dimension of *illegal* freedom in the urban South to our understanding of the runaway landscape between 1800 and 1860.

Cities of Refuge

Throughout the antebellum period and even before, the vast majority of southern newspapers daily published advertisements in which slaveholders asked readers to look out for their escaped human property. A great many enslaved men, women, and children were assumed to be at some place outside the slaveholding South but even more were thought to be hiding *within* the South, particularly in cities. Apart from runaway slave ads, there were countless announcements by jails, workhouses, and other detention centers for slaves and black people that prove the presence of escaped slaves in the cities. In May 1838, a black man "calling himself Sam, who has for some time passed in the City, as a free Negro," was apprehended and "Lodged in the Work House" in Charleston. The workhouse clerk, who hoped to find Sam's legal owner through the "Committed to Jail"-advertisement, also "believes there are several runaways in the same situation in this place" and recommended to "let the officers look to it!"[29] The assessment of the situation by an employee of the workhouse shows that the issue of runaway slaves was a perceptible one but it can certainly not tell about the quantitative dimension of the phenomenon. Yet, jail ledgers and police records provide fragmented ground for estimates.

According to jail records, during the early 1830s there was one black person jailed for being suspected to be a runaway slave in Baltimore every one and a half days on average.[30] This study assumes that in the first decades of the antebellum period, dozens of slave refugees

[28] Until now, the contributions by Damian Pargas on the American South and the author on Richmond, Virginia, are the only ones to make the experiences of permanent urban runaway slaves the focus of the research. Damian Alan Pargas, "Urban Refugees: Fugitive Slaves and Spaces of Informal Freedom in the American South, 1800-1860," *Journal of Early American History* 7:3 (2017): 262-284; and Viola F. Müller, "Illegal but Tolerated: Slave Refugees in Richmond, Virginia, 1800-1860," in *Fugitive Slaves and Spaces of Freedom in North America*, ed. Damian Alan Pargas (Gainesville: University Press of Florida, 2018), 137-167. They are, however, not the only ones outside the United States. For Brazilian contributions, see Bezerra, "Histórias urbanas de liberdade;" and Flávio Gomes, "Africans and Petit Marronage in Rio de Janeiro, ca. 1800-1840," *Luso-Brazilian Review* 47:2 (2010): 74-99.

[29] *Charleston Mercury*, May 11, 1838.

[30] Baltimore City Jail (Runaway Docket), 1836-1850, MSA.

gravitated to the city annually. In later decades, due to the rapid growth of the city, the possibilities to find work, and the extending personal networks of the enslaved, it must have been hundreds. For New Orleans, with its size and long tradition struggling with runaway slaves, similar numbers are estimated. For instance, during 15 months in 1858 and 1859, 913 people were arrested as runaway slaves there.[31] Louisiana even established a centralized state depot for runaway slaves in 1857.[32] In Charleston, residents of African descent formed the majority until the 1850s and the city also had the highest percentage of slaves of all American cities. In general, large slaveholding decreased in the urban South between 1800 and 1860. Richmond was the exception. With its massive use of enslaved workers in tobacco manufacturing and iron production Richmond ranked first in combining slavery and industrialization.[33]

Fifty Dollars Reward.

Ranaway on the 20th of June last, a Negro Fellow named JIM, a Ta lor by trade, and well known about the city.— For some years past he has been fishing, and passed as a fisherman. Jim is a stout Negro, about 5 feet 10 or 11 inches high, and rocks very much when he walks, speaks rough and slow, he has very large feet, he had on when he went away, a Pea Jacket, very much patched, and a pair of drab pantaloons nearly new. Jim has a ticket to work out, that he got from me, dated in February last; he may show that and hire himself to a Taylor. The above reward will be paid on proof of his being harbored or employed by any person, and ten dollars for the delivery of him at No. 105, Tradd-street, or the Work House.

ALEXANDER ENGLAND.

July 4 wis3—m

Twenty Dollars Reward.

A Mulatto Boy, named *George*, about 19 years old, 5 feet 3 or 4 inches high, absented himself from his Master's House, on Wednesday Evening, and is supposed to be harbored in the City.— He took with him 3 suits of clothes, and had on black pantaloons and vest, and a white Jacket. Also a pair of long sharrow boots. He has two distinguishing marks on his forehead. He will be forgiven if he returns of his own accord.

Masters of vessels and others, are warned not to harbor him.

WM. PAYNE & SONS.

June 30 sw6

Figure 2: Runaway Slave Ads in *City Gazette and Commercial Daily Advertiser*, July 7, 1821.

In Charleston and Richmond, slightly fewer escaped bondspeople might have sought refuge than in Baltimore and New Orleans. For Charleston, incarceration statistics from December 1858 to October 1860 show that on average 14 people were jailed as runaway slaves every month.[34] In earlier times, these numbers were smaller because in 1838 and 1839, 115 runaway slaves were arrested.[35] For Richmond, police records reveal that during a ten-year period between 1834 and 1844, the Richmond Police was tasked to look out for 935 runaway slaves who were believed by their owners to be in the city. 74 were reported to have been caught, 14 returned to their enslavers voluntarily, and 847 remained unaccounted for.[36] In addition, from 1841 to 1846, the city jailed 215 black

[31] G. Stith, *Message of the Mayor to the Common Council*, October 11, 1859, in Richard C. Wade, *Slavery in the Cities: The South 1820-1860* (London, Oxford, and New York: Oxford University Press, 1964), 219.

[32] *Annual Report of the State Engineer to the Legislature of the State of Louisiana* (Baton Rouge: J. M. Taylor, 1859), 24.

[33] Wade, *Slavery in the Cities*, 21-22; Midori Takagi, '*Rearing Wolves to Our Own Destruction': Slavery in Richmond, Virginia, 1782–1865* (Charlottesville: University Press of Virginia, 1999); Claudia Dale Goldin, *Urban Slavery in the American South, 1820–1860: A Quantitative History* (Chicago: University of Chicago Press, 1976); and Ronald L. Lewis, "Slavery in the Chesapeake Iron Industry, 1716-1865" (Ph.D. diss., University of Akron, 1974).

[34] Proceedings of the City Council of Charleston, S. C., 1859 I; and Charleston (S. C.) City Council, Proceedings of Council, POC-002 M: 1859-1870, CCPL.

[35] Bernard Edward Powers, Jr., "Black Charleston: A Social History, 1822-1885" (Ph.D. diss., Northwestern University, 1982), 27.

[36] Daybook of the Richmond Police Guard, 1834-1844, Alderman Library, Special Collections, UVA, transcribed in Leni Ashmore Sorensen, "Absconded: Fugitive Slaves in the Daybook of the Richmond Police Guard, 1834-1844" (Ph.D. diss., College of William and Mary, 2005).

people suspected of having escaped from slavery.[37]

In all undocumented migrations, the numbers are unclear. It is nevertheless possible to make estimates based on the size of the black populations, the growth of the respective cities, possible work opportunities, and the number of newspaper announcements. Most relevant for a numerical assessment are jail statistics. Splitting the antebellum era into two parts, New Orleans was the most likely destination of the four cities in the period 1800 to 1830. Probably 70 to 90 refugees arrived there each year. Baltimore and Charleston followed with about 40 to 60 freedom seekers. And Richmond had the lowest numbers: no more than 30 refugees per year in the first decades. In the second part of the antebellum period, urbanization, industrialization, and demographics changed the picture. Baltimore clearly became the most promising city of refuge. It might have received 150 to 200 people each year. Between 100 and 150 arrived in New Orleans, the only large city in the entire Deep South. Richmond offered from 1830 on more jobs for black people and could have absorbed 100 to 120 slave refugees. The lowest numbers doubtlessly went to Charleston: maximum 80.[38] While taking into account that considerable numbers of urban freedom seekers did not succeed in their endeavors and were arrested and brought or sold back into bondage, towards the end of the antebellum period, the numbers of runaway slaves in Baltimore and New Orleans must have amounted into the thousands, and in Richmond and Charleston into the hundreds. For the entire urban South, these numbers might have accumulated into the tens of thousands, enlivened by the constant influx of newcomers.

Since the freedom for runaway slaves in southern cities was illegal, it entailed an illegal status for those who attempted to seize it. This brings them close to the twentieth-century categorization of undocumented migrants, which implies that they were living somewhere without the authority to do so.[39] This also applied to other people referred to in this study as illegal or undocumented, who either had no permission to live where they were living, had no documentation, or false documentation. Being "undocumented" was not an official status in the antebellum era; the concept will be applied here, however, to explain a liminal status between free and unfree and to stress the migration experiences of these men and women. And indeed, scanning them through the lens of migration theory unearths parallels that enable us to better understand the social experiences of the freedom seekers as migrants and newcomers in receiving societies.

Fleeing slavery was a decision. Not everybody was able to take this decision and not everybody who took this decision succeeded or acted the same way. After all, then and now, individuals weigh the costs (in this context, risks and consequences) and benefits of migration. Migration historians often argue that usually, people prefer to stay home but are, for a variety of reasons, compelled to leave in order to, for instance, escape political persecution, improve their material conditions, or create a better future for their children.[40] Although all of this can

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[37] Richmond (Va.), City Sergeant, Mss 3R415661, Section 1, Register 1841-1846, VHS.

[38] These estimates refer to the freedom seekers within the city limits. Suburbs, which were not officially part of a given city, and towns nearby also absorbed refugees, of whom many went to the cities during the day to work. The importance of suburbs will return later in this study.

[39] Alice Bloch and Sonia McKay, *Living on the Margins. Undocumented Migrants in a Global City* (Bristol and Chicago: Policy Press, 2016), 5.

[40] Jan Kok, "The Family Factor in Migration Decisions," in *Migration History in World History. Multidisciplinary Approaches*, ed. Jan Lucassen, Leo Lucassen, and Patrick Manning (Leiden and Boston: Brill, 2010), 215-216; and Massimo Livi Bacci, *A Short History of Migration* (Cambridge: Polity, 2012), 55.

also be an additional factor for slave migrants, the fact that these people were legally chattel and property, and "home" referred to the place where they were forced to live with their enslaver, does change the picture. American slavery, one of the most absolute, oppressing, and restricting labor regimes in history, adds a context in which migration decisions (and in fact all decisions enslaved people took) cannot be analyzed without taking the specific environment into consideration.

For example, contrary to other refugees in history, slave refugees broke the law by fleeing. In the legal logic of the antebellum United States, they stole a body that belonged to another person—they legally stole themselves. Furthermore, they forfeited loss of money and future work power for their owners. In a society where enslavement was justified on basis of law, thousands of enslaved people could only reach freedom *against the law*.[41] When slaves fled and took material things with them, they not only resumed ownership of their own bodies but also of possessions that they considered theirs by nature. By extension, people who broke free from bondage had an idea that what they did was right.[42] And although their actions were illegal in the eyes of those enacting the laws, for those oppressed they seemed licit and fully justifiable.[43] Nevertheless, it also holds true for refugees from slavery that migrating in the sense of fleeing implied a rupture and necessitated a total reorganization of one's familiar life.[44]

Applying a great many methods of migration studies, this study follows in the footsteps of recent contributions on American slave flight that have shifted the terminology from fugitives to refugees.[45] It hopes to detect factors that allowed enslaved people to flee and that helped them integrate into urban communities. Although these people did not self-identify as refugees, there are a number of arguments why this terminology is not only useful but indeed appropriate. The labelling of people who escaped from slavery as refugees demarcates them from the judicially charged term "fugitives" which contains the connotation of desertion and

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[41] "Freedom against the law" follows Christopher Hill's observation of seventeenth-century English law not as an instrument of justice but of oppression. Christopher Hill, *Liberty Against the Law: Some Seventeenth-Century Controversies* (London: Allen Lane, 1996).

[42] Contemporary testimonies like slave narratives and interviews clearly express the view of enslaved people that slavery was morally wrong. See, for example, Frederick Douglass, *Narrative of the Life of Frederick Douglass, an American Slave. Written by Himself* (Boston: Anti-Slavery Office, 1845); Harriet Ann Jacobs, *Incidents in the Life of a Slave Girl. Written by Herself*, ed. Lydia Maria Child (Boston: 1861), 55; and Benjamin Drew, *A North-Side View of Slavery. The Refugee: Or the Narratives of Fugitive Slaves in Canada. Related by Themselves, with an Account of the History and Condition of the Colored Population of Upper Canada* (Boston: John P. Jewett & Company; Cleveland: Jewett, Proctor, and Worthington; New York: Sheldon, Lamport, and Blakeman; and London: Trübner & Co., 1856). Abolitionist organizations also publicly declared that slaves had "a right to flee from bondage." Foner, *Gateway to Freedom*, 83. For a selection of anti-slavery writings by black and white contemporaries, see C. Bradley Thompson (ed.), *Anti-Slavery Political Writings, 1833-1860. A Reader* (Armonk and London: M. E. Sharpe, 2004).

[43] These were two conflicting understandings of what was legitimate. For the legitimation of illegal migration, see Marlou Schrover, Joanne van der Leun, Leo Lucassen, and Chris Quispel, "Introduction," in *Illegal Migration and Gender in a Global and Historical Perspective*, ed. Idem (Amsterdam: Amsterdam University Press, 2008), 10.

[44] Kok, "Family Factor," 216.

[45] Harvey Amani Whitfield, *Blacks on the Border: The Black Refugees in British North America, 1815-1860* (Burlington: University of Vermont Press, 2006); Chandra Manning, *Troubled Refuge: Struggling for Freedom in the Civil War* (New York: Alfred A. Knopf, 2016); Amy Murrell Taylor, *Embattled Freedom: Journeys through the Civil War's Slave Refugee Camps* (Chapel Hill: University of North Carolina Press, 2018); and Oran Kennedy, "'The Strong Cords of Affection': Enslaved African American Families and Escape to the U.S. North and Canada, 1800-1861," in *The African American Experience: From Slavery to Liberation*, ed. Joshua Farrington and Gwen Graham (Richmond: Eastern Kentucky University Libraries, forthcoming).

criminalization, and reflects the perspective of the slaveowners.[46] "Refugees" points to their desire to literally "seek refuge" from slavery by escaping to nearby urban areas. It also underscores the urgency of their escape from an oppressive condition and shifts the focus to their experiences as migrants.[47] Those who escaped slavery and left the South, had little hope of ever going back. Contemporary northern anti-slavery activists saw them as refugees in need of asylum.[48] Following up, some scholars have begun to approach flight from antebellum slavery as one of the "first major refugee crises" in US history.[49]

Those who stayed within the South may not have caused diplomatic crises but their sheer numbers were at least equally potent. Simon Newman has emphasized that when running away turned into an act of resisting slavery with explicit consequences for the larger community, it took on a political dimension.[50] Hence, tracing slave refugees in southern cities has the potential to unearth their and their helpers' attitudes vis-à-vis the system they were fleeing from and the society they were fleeing to. Because they broke the law by running away and because they deprived their owners of their legal property, which they "hid" in the cities, slave refugees must have had a considerable impact on state and municipal politics. Departing from the assumption that urban spaces of freedom were not stable, it will in this context be examined how the presence of refugees and their growing numbers influenced, among others, the regulation of self-hiring of slaves, police surveillance, and prison infrastructure. Moreover, it will chart how their impact on legislation led to increasing oppression of free people of African descent. This is an important element when further scrutinizing why and how urban black residents supported runaways. In short, approaching runaway slaves as refugees enables a close inspection of the relation between them and the society they fled to, which is paramount to understanding the creation of cities of refuge.

Southern cities housed the largest concentrations of free African Americans. Apart from that, studying cities provides promising insights due to the intense interplay between different groups, the relative density of court and police records, and the specific nature of the urban labor markets. According to Charles Tilly, they traditionally have a special place in academic studies, particularly when concerning migrants, because the essence of cities cannot be disconnected from the collision between those already there and the newcomers. This interaction is much stronger than in non-urban settings.[51] Historians have stated that, when writing urban history, fundamental issues include governance, planning, segregation, injustice,

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[46] Other terms that will be applied in this dissertation include freedom seekers, escapees from slavery, absconders from slavery, and runaway slaves. The notion of self-emancipators will be dismissed because emancipation implies a legal dimension, which is missing here.

[47] For a critique of rigid separations between different categorizations of migrants, for example, refugee, labor, and family migration, see Marlou Schrover, "Labour Migration," in *Handbook Global History of Work*, ed. Marcel van der Linden and Karin Hofmeester (Oldenbourg: De Gruyter, 2017), 443-478.

[48] Drew, *North-Side View.*

[49] David Blight, "Frederick Douglass, Refugee," *The Atlantic* (February 7, 2017), URL: https://www.theatlantic.com/politics/archive/2017/02/frederick-douglass-refugee/515853/, accessed June 5, 2019; and Damian Alan Pargas, "Promised Lands: Seeking Freedom in the Age of American Slavery," Inaugural Lecture, Leiden University (May 25, 2018), URL: https://openaccess.leidenuniv.nl/bitstream/handle/1887/62349/Oratie_D.A._Pargas.pdf?sequence=1, accessed June 5, 2019.

[50] Simon P. Newman, "Rethinking Runaways in the British Atlantic World: Britain, the Caribbean, West Africa and North America," *Slavery & Abolition* 38:1 (2017): 50.

[51] Charles Tilly, "Cities and Migration," *Center for Research on Social Organization* (CSRO) Working Paper #147 (Ann Arbor: University of Michigan, 1976), 1.

and criminality.[52] These dynamics, which run through this study, created contested and shifting spaces.

Space becomes relevant for this study to stress not only *when* but also *where* illegal freedom became achievable, and explains why refugees from slavery sought it. Cities as localities of refuge are thereby only the first—and most obvious—part of the answer. Connecting to the understandings that the concept of the "spatial turn" has brought up, space is not only of physical nature but also a social and cultural construct that results out of social relations. In this light, further insights will be generated by shifting the perspective to perceptions of different urban groups, usage and appropriation of physical places, and relations of power.[53] African American communities, indispensable to this narrative, play a particular role. In the antebellum American South, space was structured along gender, race, and, increasingly as the nineteenth century moved on, class. Access to public space depended on these factors and varied over time and according to the time of the day. Slave refugees in southern cities had to navigate these spaces within cities and within the social worlds they were fleeing to. Urban spaces of freedom absorbed thousands of them. In this light, Baltimore, Richmond, Charleston, and New Orleans truly were cities of refuge.

Today's concept of US-American sanctuary cities is about the relation between a city's policies regarding undocumented residents and undocumented immigration. It emphasizes the discrepancy between different levels of legislation and the local execution thereof. Whereas in the nineteenth century, American cities did not intentionally turn into spaces of freedom, this research investigates whether southern cities could *by outcome* function similarly to sanctuary cities in the sense that large numbers of escaped slaves could live there *relatively* undisturbed. Following the definition of current-day American sanctuary cities that "don't fully cooperate with federal efforts to find and deport unauthorized immigrants," this will be explored for the case of freedom seekers in the South.[54] The experiences of slave refugees surely touched the social, economic, legal, and political realms. Asking how slave refugees navigated urban spaces of freedom relates in this context also to how they managed to live "under the radar." How did they avoid confrontation with local authorities when they had to find jobs and housing? How vulnerable were they to a—possibly—arbitrary treatment by employers and co-workers? Under what circumstances did refugees manage to successfully blend in in a given city so that their presence would not be too obvious?[55]

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[52] Nicolas Kenny and Rebecca Madgin, "'Every Time I Describe a City': Urban History as Comparative and Transnational Practice," in *Cities Beyond Borders: Comparative and Transnational Approaches to Urban History*, ed. Idem (Farnham and Burlington: Ashgate, 2015), 4.

[53] Edward W. Soja, *Postmodern Geographies: The Reassertion of Space in Critical Social Theory* (London and New York: Verso, 1989); and Doris Bachmann-Medick, "Spatial Turn," in *Metzler Lexikon Literatur- und Kulturtheorie. Ansätze—Personen—Grundbegriffe*. Fourth Edition, ed. Ansgar Nünning (Stuttgart and Weimar: J. B. Metzler, 2008), 664. Space as a construct was introduced in Henri Lefebvre, *La production de l'espace* (Paris: Éditions Anthropos, 1974). On space and its relation to community formation, see Marlou Schrover and Jelle van Lottum, "Spatial Concentrations and Communities of Immigrants in the Netherlands, 1800-1900," *Continuity and Change* 22:2 (2007): 215-252.

[54] Dara Lind, "Sanctuary Cities, Explained. The Stereotype and the Reality," *Vox* (March 8, 2018), URL: https://www.vox.com/policy-and-politics/2018/3/8/17091984/sanctuary-cities-city-state-illegal-immigration-sessions, accessed September 3, 2018.

[55] Tal Kopan, "What are Sanctuary Cities, and Can They be Defunded?," *CNN Politics* (March 26, 2018), URL: https://edition.cnn.com/2017/01/25/politics/sanctuary-cities-explained/index.html, accessed September 3, 2018; and Halimah Abdullah and Alexandra Jaffe, "Trump Signs Executive Orders Aimed at Cracking Down on Illegal

Sanctuary cities in the US are often driven by the idea of refraining from reporting undocumented residents. In a way, the idea of their proponents is to render the city a safer space for their heterogeneous population.[56] For the nineteenth-century US South, it is unlikely that any hospitality for the undocumented was driven by comparable humanitarian concerns. Slavery was universally accepted by southern policy makers as the foundation of the social order. If a city decided not to actively chase runaway slaves, it ostensibly disregarded this credo. One might therefore expect that it was a matter of economic interest or legal responsibility (and the expenses that came with it) when cities did not actively tackle the problem of slave refugees. If these theses hold true, the interests of city authorities must have stood in sharp contrast to those of slaveholders for whom slave flight constituted a financial loss. Whether this was actually the case, however, are questions that will be answered in this dissertation. In this context, this study also discusses the influence undocumented residents had on such issues regarding urban politics and economy.

A Chaotic Choir

This dissertation combines slavery studies with migration history. It speaks to basic questions of the study of migration, including who the migrants were, why migration occurred, the experiences of migrants in their receiving societies, and the economic, social, and political consequences.[57] Applying a spatial and demographic approach, *Cities of Refuge* is a thoroughly social history. It will help paint a more nuanced picture of slave flight in the antebellum United States. First, this study will contribute to the academic literature by reconceptualizing and providing a more complete understanding of the geography of freedom in North America. Second, it will advance an alternative view of runaway slaves within the South as permanent freedom seekers, much like their counterparts in the rest of the continent. But it also does more. Following these people reveals a political agenda and social dynamics that maneuvered people into a *de facto* illegal status long before the process of illegalization of migration took place.[58]

Although it has been pointed out that slave flight within the southern states was a phenomenon known to contemporaries, individual southern refugees from slavery could only be successful in their endeavors when they managed to stay invisible to the authorities (and to people who might betray them). Writing a history about them is challenging because fleeing and hiding people have left few traces in the archives. Political and societal discussions that explicitly addressed slave refugees in southern cities were rare, which has led historians to hitherto largely ignore them. This seems at first sight contradictory to the claim that they put themselves on the political agenda. It is important, therefore, to keep in mind that southern political leaders had reasons not to frequently emphasize this issue. One example is the legal

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Immigration," *NBC* (January 25, 2017), URL: https://www.nbcnews.com/news/us-news/trump-signs-executive-orders-aimed-cracking-down-illegal-immigration-n712096, accessed September 3, 2018.

[56] Lind, "Sanctuary Cities, Explained."

[57] Barbara Schmitter Heisler, "The Sociology of Immigration. From Assimilation to Segmented Integration, from the American Experience to the Global Arena," in *Migration Theory. Talking Across Disciplines*, ed. Caroline B. Brettell and James F. Hollifield (New York and London: Routledge, 2000), 77.

[58] On the construction of migrant illegality, see Marlou Schrover, Joanne van der Leun, Leo Lucassen, and Chris Quispel (eds.), *Illegal Migration and Gender in a Global and Historical Perspective* (Amsterdam: Amsterdam University Press, 2008).

liability to protect the property of slaveholders. This was because property rights over slaves had to be enforced like other property rights. Another example are the diplomatic disputes with the northern states, that were based on accusations of facilitating slave flight. And when it came to slaveholders themselves, there was a common understanding that it was their own responsibility to retrieve their runaway slaves if they were still in the same jurisdiction. Despite these complexities, there are a variety of sources that confirm slave refugees' presence in southern cities and shed light on their experiences. Based on a clear majority of widely known sources and a—surprising, yet small—part of lesser known sources, this dissertation aims to place people who have thus far not been the protagonists of a historical study at center stage.

To begin with, there are records produced by slaveholders. Runaway slave advertisements demand a careful approach because they reflect the opinions and speculations of slaveowners rather than the actual trajectories of slaves fleeing. Yet, a good number also reveal facts, most importantly, about when escaped slaves were seen after their flight. Michael Mullin has stressed that these newspaper notices (that also included "Committed"-ads by jailers) are fairly objective sources when compared to other sources. The subscribers of the announcements neither defended slavery nor justified their involvement in it.[59] They also constitute the most detailed description of enslaved people in the Americas and offer revealing insight into their treatment, professional skills, family networks, and life courses. Slaveholders furthermore compiled plantation management books, diaries, and private correspondence, and were involved in the composing of petitions and court documents.

Secondly, there are sources that represent the views of those held as slaves. Court records, although produced by the slaveholding class, are sources that—in a few instances—let us perceive the voices of slave refugees themselves. Yet, they were, as Michael Zeuske reminds us, already constructed and reflected by other people at the time that they were created. Official forms of legal statements shaped the words of attestants, defendants, and plaintiffs in predetermined ways. Court recorders reproduced testimonies in legal, standardized language. For this reason, these voices are distorted.[60] Less distorted are autobiographies and interviews. Unlike runaway slave narratives written by (mostly) men who fled to the North, there are no equivalents that would cover southern-internal flight. Yet, some of the autobiographies by formerly enslaved people deal with experiences in the South that can be instrumented to understand the endeavors of southern refugees. Together with a few interviews conducted by the Federal Writers' Project in the 1930s under the auspices of the Works Progress Administration, they are the most important sources in which the voices of the slave refugees themselves can be heard.[61]

The critique of these autobiographies as historical documents is widely known, as John Ernest has discussed. Their authenticity has in great parts been challenged on ground of the involvement of white editors serving the abolitionist course. Therefore, historians have for a

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[59] Mullin, *Flight and Rebellion*, 39-40.

[60] Michael Zeuske, "Die Nicht-Geschichte von Versklavten als Archiv-Geschichte von ‚Stimmen' und Körpern," in *Jahrbuch für Europäische Überseegeschichte* 16 (2016): 79.

[61] The Federal Writers' Project (FWP) was a program by the Works Progress Administration. Between 1936 and 1938, FWP employees interviewed over 2,300 formerly enslaved Americans, which resulted in the publication of a 17-volume-set in 1941 entitled *Slave Narratives: A Folk History of Slavery in the United States from Interviews with Former Slaves*. The digitized collection "Born in Slavery: Slave Narratives from the Federal Writers' Project, 1836-1838" is accessible at LOC, URL: https://www.loc.gov/collections/slave-narratives-from-the-federal-writers-project-1936-to-1938/about-this-collection/, accessed August 15, 2019.

long time dismissed the testimonies of enslaved people as unreliable.[62] They are, however, no less reliable than sources produced by slaveholders. Moreover, the fact that few narratives were challenged by contemporary southerners by the time they were published adds to their credibility, as John Blassingame has remarked. In his critique, Blassingame was rather concerned with their representability. With the bulk of accounts stemming from the Upper South and more than one third written by refugees, the average slave had no voice in them, he argued.[63] Since this study does not claim to present an account of the institution of slavery, and neither the average slave on the plantation, but precisely runaway slaves who are disproportionately represented as authors of narratives, their autobiographies offer a justified and helpful tool to bring into play the voices of the people under analysis.

Lastly, a variety of sources stem from people who were neither slaveholders nor enslaved people. Jail and police records of different sorts give insight into numbers and, occasionally, the responses of those taken up. Despite being fragmentary because many have not been preserved, they are of special importance because they are *explicit* qualitative and quantitative sources about slave refugees. Apart from that, there is a variety of *implicit* evidence. By taking the context into account, it is possible to read between the lines and detect the presence of refugees in southern cities and in the labor markets. Therefore, this dissertation draws on newspaper articles, legal petitions, legislative ordinances, political speeches, travel accounts, federal and local census returns, church registers, municipal reports, and city directories.

The employment of a particularly broad array of source material provides perspectives from as many angles as possible. By consulting and combining diverse evidence, the attempt of this study is to counterbalance the silence about slave refugees in the historical archives. This silence is a result of the uneven distribution of power in the archives. Stephan Palmié has stressed that the documentary traces historians find are usually left by the "winners" and are always highly biased. Palmié has applied the French term *sans papiers* to refer to the "victims of violent and inhumane pasts that never 'made the record'" as "undocumented migrants from the past."[64] Slave refugees in the light of this study are, hence, doubly undocumented: They are undocumented migrants within the southern states as well as having left few traces in the archives. At the same time, the fact that they are hard to find in the archives testifies to their success as people whose strategy was not to be visible.

Despite all these obstacles, this study will show that it is possible to write their history, even with scarce sources. Stephanie Camp, in an attempt to stress the importance of studying slave resistance, has addressed the question *how*. "Assuming that few new sources will come to light," she reasoned, "we need innovative ways to read our existing ones."[65] Following her

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[62] John Ernest, "Introduction," in *The Oxford Handbook of the African American Slave Narrative*, ed. Idem (Oxford and New York: Oxford University Press, 2014), 4.

[63] John W. Blassingame, "Using the Testimony of Ex-Slaves: Approaches and Problems," in *The Slave's Narrative*, ed. Charles T. Davis and Henry Louis Gates, Jr. (Oxford and New York: Oxford University Press, 1991), 80-84. The "problem" of slave autobiographies was rather that they were painful. According to Ernest, slave narratives are "difficult in the attempt to tell a deeply intimate story of violation, and difficult in the means by which that story is related and received." For the same reason, the WPA interviews were long ignored. Additional critique rested on that they were conducted by white people, that the narrative was pressed into a static format, and that the interviewees had been children at the time of their enslavement, which had impacted their memory. Ernest, "Introduction," 8-9.

[64] Stephan Palmié, "The Trouble with History," *Small Axe* 17:42 (2013): 195-196, 201.

[65] Camp, *Closer to Freedom*, 2.

call, this dissertation draws many "reverse conclusions," for example, from people who failed (and ended up imprisoned) to shed light on those who succeeded. Asking negative questions like why these people are not in the archives and why they did not cause large political discussions are starting points for comprehension. About *how to write* the history of slave refugees, this study converges with Michael Zeuske's claim that it is not possible to reconstruct the entire life history of not even one enslaved person based on archival material. A prosopographical approach, however, leads the fragmentary voices in the archives to form a choir. Beautifully formulated by Zeuske, this will be a "chaotic choir," with many contradictions, and solo parts will be rare. Yet, it will be a choir capable of carrying and transmitting a narrative.[66]

In order to stress the perspective of those who were not in the position to leave the bulk of the evidence we now use to write about them, this dissertation takes some semantic considerations. Many enslaved people who later became refugees took surnames or completely changed their names before they made their first attempts towards freedom. By doing so, they rejected the authority of their masters over anything else than their labor and stressed their own humanity, thereby mentally preparing themselves for a life after slavery. It was one of the most visible acts of self-determination. Others changed their names afterwards for protection. In order to pay deference to this self-determination and to the lives they chose for themselves, this dissertation will, wherever possible, emphasize the names of enslaved people, freedom seekers, and those who helped them over the names of slaveholders. It will use the last names and the names enslaved people gave themselves before using the names imposed on them by those holding them as property. Terms like African Americans, people of African descent and black people will be used interchangeably. Enslaved or black Americans will likewise be applied, knowing that they were legally no Americans due to the lack of citizenship. These people, however, as various historians have shown, saw themselves as Americans, because they were born on American soil and because it was they who had built the country.[67]

Based on case studies of the cities Baltimore (Maryland) and Richmond (Virginia) in the Upper South, and Charleston (South Carolina) and New Orleans (Louisiana) in the Lower South, this research focuses on the integration of slave refugees.[68] These places have been selected because they were among the largest southern cities in the antebellum era and contained the largest numbers of urban African Americans residents, both free and enslaved.[69] As port cities and centers of commerce, they provide dynamic settings for long-term research.

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[66] Zeuske, "Nicht-Geschichte," 76, 79.

[67] Martha S. Jones, *Birthright Citizens: A History of Race and Rights in Antebellum America* (New York and Cambridge: Cambridge University Press, 2018); and Mariana L. R. Dantas, *Black Townsmen: Urban Slavery and Freedom in the Eighteenth-Century Americas* (New York: Palgrave Macmillan, 2008).

[68] The Upper South encompasses Maryland, Delaware, Virginia, North Carolina, Kentucky, Tennessee and Missouri. The Lower South encompasses South Carolina, Georgia, Florida, Alabama, Mississippi, Arkansas, Louisiana, and Texas. References to the Deep South include Georgia, Alabama, Mississippi, and Louisiana.

[69] Washington, D.C., as federal district and a city with large numbers of free African Americans, was also a central spot for runaway slaves, slaveholders, slave traders, and very importantly, political debates about slave flight to the northern states. Due to the high presence of northerners, politicians, and abolitionists in D.C., the dynamics regarding slavery were different than in other southern places. D.C. is not included in this study for the benefit of Baltimore. Other large enough cities which could have been chosen are Savannah (Georgia), Norfolk (Virginia), and St. Louis (Missouri). Savannah and Norfolk have been dismissed for the inclusion of Charleston and Richmond, respectively. St. Louis, by contrast, functioned as a gateway to freedom in the North rather than a place of integration for large numbers of refugees.

Their geographical dispersion takes into account the regional distinctions of slavery, uneven economic developments, and the unique race relations that came to evolve differently due to social and cultural factors. Therefore, this study hypothesizes that the black populations—although in all four cities large enough to absorb large numbers of refugees from slavery—had varying social experiences that extended to freedom seekers as newcomers in their communities. Studying them closely, *Cities of Refuge* complicates the conventional historical view that sees the free black population as a legally homogeneous mass. Although historians have noted the undefined status that resulted from achieving freedom contrary to law, this study is one of the first to analyze the implications for this population. Following slave refugees into southern cities provides a venture to contribute to additional fields like urban history and urban slavery.[70] This approach allows us, furthermore, to put the experiences of black Americans into the spotlight, which have not nearly sufficiently been accredited in the urban context.

The layout responds to fundamentally different political and social developments in the Upper and Lower South throughout the antebellum era. Whilst the ratio of the enslaved to the white population was highest in Virginia, a relatively growing free black population can be observed in the Upper South in contrast to a shrinking one in the Deep South. Labor and production were of different nature in different regions. The most prominent commodities produced varied from tobacco and wheat in the Upper South to rice and cotton in the Lower South, and cotton and sugar in the Deep South. The structure of work and the relevance of urban slavery in a variety of domains likewise varied.[71] Each of the four cities under analysis has a rich and unique history of its own. Comparative sections will unearth variations and differences, both in literature and primary sources. The reader will notice that in different parts of this dissertation, the four cities will be differently weighed. This is due to literary and style considerations but also due to an imbalance of sources. As a whole, however, this dissertation aims to illuminate the urban dimension of slave flight across the South. This representative picture will paint continuities in more obvious colors than differences and stress the conditions and dynamics that help explain the phenomenon of urban slave refugees in general.[72]

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[70] City and town slaves are of special interest because they formed a deviation from the average plantation slaves. The very nature of labor, the construction of the social environment, and the mechanisms of control were fundamentally different in the context of urban than of rural-agricultural slavery. Urban slavery has certainly received less attention than plantation slavery, and southern cities have received less attention than northern cities. For a selection of literature, consult Wade, *Slavery in the Cities*; T. Stephen Whitman, *The Price of Freedom: Slavery and Manumission in Baltimore and Early National Maryland* (Lexington: University Press of Kentucky, 1997); Takagi, *Rearing Wolves*; Thomas N. Ingersoll, *Mammon and Manon in Early New Orleans: The First Slave Society in the Deep South, 1718–1819* (Knoxville: University of Tennessee Press, 1999); Daniel E. Walker, *No More, No More: Slavery and Cultural Resistance in Havana and New Orleans* (Minneapolis: University of Minnesota Press, 2004); James M. Campbell, *Slavery on Trial: Race, Class, and Criminal Justice in Antebellum Richmond, Virginia* (Gainesville: University Press of Florida, 2007); Dantas, *Black Townsmen*; Leslie Harris and Daina Ramey Berry (eds.), *Slavery and Freedom in Savannah* (Athens: University of Georgia Press, 2014); and Clifton Ellis and Rebecca Ginsburg, *Slavery in the City: Architecture and Landscapes of Urban Slavery in North America* (Charlottesville: University of Virginia Press, 2017).

[71] Furthermore, the southern slave population was not homogeneous and neither were the settings and tasks they performed. Every state and every city had their particular dynamics with regard to slavery and its development. Depending on place and time, bondspeople worked on small or large plantations, with overseers or in contact with their owners, with absentee or resident masters, in gang or task systems. In South Carolina and Louisiana, they could even have free black or Native American owners.

[72] The account begins with the growth of the free African American population and stops shortly before the American Civil War, an event which dramatically changed the course of history. There are a number of topics that are not included or not put to the forefront, like the experiences of slave refugees during war times. This is because

Chapter Synopsis

Evolving around the main question how and why spaces of freedom arose in southern cities, and how slave refugees navigated those spaces, this study will investigate different themes per chapter. These themes include larger societal, economic, and political processes, like the changing conditions of a life in slavery that enabled certain enslaved people to escape, their integration into (free) African American communities, their strategies to earn a living, and the political attitudes towards them by white city dwellers. Most of these processes worked in favor of slave refugees while some of them also worked to their disadvantage.

Chapter one, "The Changing Landscape of Freedom," provides the background to the period under analysis and the context of American slavery. It will discuss several developments that came together in the antebellum era and led to an increase in slave flight, with particular attention for the rapid growth of the free black population. Scrutinizing the increasingly tight legal restrictions imposed on free African Americans, which were also a consequence of their contribution to craft spaces of freedom, the chapter proposes that the concept of illegality is crucial to understanding the conditions of large parts of the population into which refugees sought to integrate. This finding will run through the rest of the dissertation.

While slavery was expanding, it became more feasible for a small group of enslaved people to make a successful flight attempt. Introducing the concept of the mobile slave elite, chapter two, "A Mobile Elite: Profiling Southern Refugees," presents a profile of urban freedom seekers. Answering the questions who these refugees were and why and how they could escape, this chapter highlights mobility, gender, age, and professional skills as factors that were relevant to southern slave flight. It includes sections that scrutinize the slave-hiring system as a possible facilitator of flight, the bolsters and obstacles refugees encountered during their escapes, and the practicalities of passing as free. Furthermore, this chapter links the decisions of runaways to stay in the midst of a region of legalized slavery to family ties, support networks, and their sense of belonging.

The following two chapters address the integration experiences of slave refugees in the cities which help explain why it was possible for them to stay free. Chapter three, "Finding Refuge," deals with the social and spatial integration in the cities of Baltimore, Richmond, Charleston, and New Orleans. With emphasis on the urban black populations as receiving societies, it scrutinizes the interplay of spatial segregation, societal exclusion, and criminalization of African Americans in rapidly urbanizing contexts as both supportive and limiting elements for the creation of spaces of freedom. Chapter four, "From Slavery to Poverty," examines the integration into the urban labor markets. Departing from the hypothesis that refugees had to be able to know the landscape of labor, they had to take the racial coding of work, different regulatory regimes in the cities, and demographic developments into account in order to successfully navigate these spaces.

Chapters two through four evolve around slave refugees and their receiving societies and take, when necessary, the perspective of other societal players into account. Chapter five, "Illegal but Tolerated," shifts the focus to include the different interest groups in the cities, whose interplay helps explain the phenomenon of refugees in the urban South. The emphasis is

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the aim of this study is to draw a representative account of the processes that made slave flight possible in everyday conditions.

on the political economy in relation to black labor. It attempts to unearth the contradictions behind the refugee population whose presence was largely condoned. Because some people—with increasing economic and political power—gained from the presence of slave refugees, they contributed to the creation of spaces of freedom. Of special relevance were the enactment of laws, their non-execution, and the diverging interests of different players at different political levels. Together with chapter two and four, gender plays a particular part in this chapter because it infused the possibilities of escape, the labor markets, and the politics of retrieval.

Students of slave resistance are often criticized for downplaying the power of slaveholders.[73] However, the American abolitionist and author of *Twelve Years a Slave*, Solomon Northup, for instance, tried innumerable times to get out of slavery but did not succeed to escape for twelve years. Being born a free man in New York, he was kidnapped in 1841 in Washington D.C. and sold down to Louisiana where he was forced to work on a cotton plantation.[74] It is important to keep in mind that Northup was the rule rather than the exception. It was not the lack of power of volition nor physical fitness that impeded Northup from breaking free. As will be shown, only a small part of the enslaved population was able to escape bondage. For them, the mechanisms of control were weaker than is often assumed. Putting the experiences of these people center stage, this study will demonstrate that the dimensions of southern-internal slave flight were drastic, and argue that southern cities constituted cities of refuge.

[73] Camp, *Closer to Freedom*, 2.

[74] Solomon Northup, *Twelve Years a Slave: Narrative of Solomon Northup, a Citizen of New-York, Kidnapped in Washington City in 1841, and Rescued in 1853, from a Cotton Plantation near the Red River in Louisiana* (Auburn: Derby and Miller; Buffalo: Derby, Orton and Mulligan; and London: Sampson Low, Son & Company, 1853).