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

Müller, V.F.

Citation

Müller, V. F. (2020, January 16). *Cities of refuge : slave flight and illegal freedom in the American urban South, 1800-1860*. Retrieved from https://hdl.handle.net/1887/82707

Version: Publisher's Version

License: Licence agreement concerning inclusion of doctoral thesis in the Institutional Repository of the University of Leiden

Downloaded from: https://hdl.handle.net/1887/82707

Note: To cite this publication please use the final published version (if applicable).

Cover Page

Universiteit Leiden

The handle http://hdl.handle.net/1887/82707 holds various files of this Leiden University dissertation.

Author: Müller, V.F.
Title: Cities of refuge : slave flight and illegal freedom in the American urban South, 1800-1860
Issue Date: 2020-01-16

Conclusion

The Ambiguities of Illegal Freedom

Thousands of enslaved people found permanent but illegal freedom in US antebellum southern cities. This dissertation, by placing these people at the center of analysis, is the first study to investigate the nature of internal slave flight, how spaces of freedom in the urban South were created and how refugees from slavery navigated them. Based on the analyzed material, it is possible to portray the emblematic urban refugee. In most cases it was a fit man in his twenties who escaped to a city. He had had several owners, had seen close family members be sold away, and had worked in a profession which provided him with mobility. He had a large network of acquaintances in the city he fled to, had been there before, and was integrated into the black community of a lower-class neighborhood. He worked as a day laborer on the docks, tirelessly trying to make a living. He tried to behave and act like a free man in order to avoid attention, dodged the watchmen, steered away from crimes, and was eventually buried in an all-black cemetery.

This emblematic refugee and thousands of men and women whose experiences resembled his, were able to live as if they were free because mobility allowed them to make preparations, the (free) black population was large enough to absorb them, spatial segregation and social exclusion of black people provided a space in which they could live unnoticed, and the economic restructuring of the urban labor markets demanded workers of any legal background in large numbers. State and local authorities could have prevented the flight and integration of hundreds of slave refugees in the cities, but diverging interests led them to largely tolerate their presence. These aspects combined created *de facto* cities of refuge in the midst of slavery.

Placing slave refugees in the context of their social environment has produced an account full of ambiguities. In the era of the second slavery, expansion and intensification rendered the institution tighter. The number of those caught in bondage grew, and the possibilities to exit slavery decreased. A gigantic domestic slave trade and the curtailing of manumission practices turned the lives of enslaved men and women in the American South into an impasse. Things looked dire for millions of them. At the same time, the changing nature of slavery produced scenarios which turned out to be beneficial for freedom seekers. The slave hiring system was of particular importance because it created an enslaved population that experienced autonomy. Enslaved people used this opportunity to broaden their horizons, enlarge their networks, forge new contacts, and practice for passing as free or as self-hired

slaves. Ironically, slave hiring also contributed to keeping slavery alive in cities and led to job competition for the free lower classes.

With experiences as hired slaves or not, there were many factors that influenced slave flight, and only a few people had the right preconditions to combine breaking free, migrating to a city, and living and working there. These few people foremost belonged to the mobile slave elite, a group of bondspeople that enjoyed a high mobility and oftentimes had contacts into near urban areas. Growing urbanization speeded these developments up, and slaveholders who came to understand themselves as paternalist benefactors contributed their part to furnishing selected bondspeople with sufficient leeway which they could use as a springboard to escape. In this context, this study has provided estimates about the numbers of slave refugees in four different cities according to their absorptive power. In the period between 1800 and 1860, New Orleans was at the beginning the place that received most slave refugees. The restructuring of the administrative apparatus after the inclusion into the American republic, the disunity of city authorities along ethnic lines, and the cultural variety of the population created a constellation in which refugees did not attract attention. Baltimore, the city with the highest growth rates, surpassed New Orleans and became in the second half of the antebellum era the dominant city of refuge. Charleston must have received more freedom seekers than Richmond in the first decades but in later times, the situation changed. Due to Richmond's development into an industrial center, it came to absorb slave refugees who both passed as free and as self-hired slaves. In Charleston, most escapees tried to pass as self-hired slaves, yet the presence of slaveholders produced the tightest geography of control of all four cities and with it the least chances for refugees.

Each of the cities housed thousands of free African Americans. To understand the lives of slave refugees, we first had to understand the dynamics of free black populations that functioned as receiving societies. The mere growth of the free African American population was the most relevant reason to explain the increase in slave flight. And also here, we have seen a great many ambiguities. For individual free black men and women, the legal and social situation deteriorated because white Americans culturally and economically resented black people, pushed them closer to enslaved people, and legislature grew increasingly tight around them. Exclusion from white American society worsened over time. Conversely, social exclusion paired with spatial segregation in cities provided unique spaces where free, enslaved, and runaway people of African descent lived beyond the constant control of dominant society. Mostly negative developments for free black Americans, hence, had positive sides for slave refugees. A white society, for whom segregation from black people was eventually more important than control over them, proved to be a helpful factor in crafting cities of refuge. In this context, it has been shown that class-based residential segregation existed (on a smaller scale than in later times) before the Civil War. Although the conditions of free black people as a whole worsened over the decades, a growing number of freedom seekers joined them in southern cities.

The reason why this was possible for so many refugees was also that the free black population was much more heterogenous than historians have hitherto assumed. This study has revealed that there were more groups of undocumented free African Americans, who lived in *de facto* freedom but in violation of state legislation. Systematically tracing these undocumented people has shown that analogous to the slave refugees who sought illegal

freedom in the southern states, parts of their receiving society likewise had an illegal status. These people were either manumitted or lived in a place against the law. Like refugees, they had no documentation to prove their freedom or legal residence. This process of illegalization went into two directions. Firstly, undocumented people struggled with similar scenarios as refugees, including tax payments, registration of property, asserting themselves against employers and contractors, hiding from watchmen, and, most importantly, possessing a very fragile freedom that could at any time be questioned and contested. This brought them closer together. Secondly, the fact that an illegal black population existed in the American urban South made them relatively easy targets of police surveillance and legal executive measures. Runaway slaves could fall victim to these measures even if they were not explicitly targeted, and the occasional arrests of undocumented people aggravated the risk for refugees. However, they were never extensive enough to curtail slave flight.

Social experiences varied from place to place depending on legal frameworks, economic factors, and social developments. Economically thriving and demographically growing urban centers formed the most promising cities of refuge. The era of the second slavery was so beneficial because it produced highly mobile bondspeople and, simultaneously, large demand for a diverse labor force in the cities. Economic developments called for highly flexible, malleable, and powerless workers. Because the economy offered anonymity and non-commitment in return, it provided acceptable places for people who constantly had to be on the watch. Labor demand was an important element in crafting cities of refuge and capitalism had a positive side for slave refugees. With the right information, they integrated into those sectors of the economy where black people were overrepresented and, due to their vulnerable situation, acquiesced to the exploitative conditions. Thereby, they continued fueling the urban economy with cheap laborer. Although in the short run, this worked out to the advantage of refugees and other undocumented people, in the long run, it harmed the social-economic position of all black workers.

By extension, this also impacted the larger working classes. White people of the lower and lower middle classes were the ones whose economic and cultural resentment of black people eventually caused the only recorded measures that were taken with noticeable impact. At the end of the antebellum era, whites were politically strong enough to demand concessions from the authorities. For reasons of practicality, executive actions were directed at the undocumented black population, which—because refugees were part of it—also affected the latter. As a consequence, dozens of African American men and women were arrested.

The application of these measures, however, remained sporadic and symbolic, and urban slave refugees remained an integral part of southern cities. Large in number, they influenced local communities, the labor markets, and municipal politics, but political discussions about their presence in southern cities were extremely limited. This topic was complex and conflict-loaded, and southern city leaders were cautious to stretch it out to their regular political agendas. In this context, this study has shown a plethora of opportunities slave refugees could draw on but has also showcased the limitations of seeking freedom. People who aimed at freeing themselves against the law were apprehended on the way towards a city or in the cities where control by slaveholders had been replaced by a public system of control. Those who were caught were jailed, sent back to their owners, sold, or forced to work for the benefit of the municipality, the state, and white society at large.

In the cities, authorities' tolerance was determined by the influence of the local elites whose composition changed over the course of the antebellum period and strongly depended on the particular place. For example, the firm position of the slaveholders in Charleston, as they made sure that the laws on racial control were enforced, was the reason why the chances for slave refugees were much smaller there than in other places. Baltimore, governed by industrialists, who did not care where their flexible labor force came from, stood on the other end of the spectrum. Richmond was the place where slaveholders and industrialists were most symbiotic, thereby combining capitalist and slavocratic interests, and New Orleans, with a mix of planters, merchants, and (limited influence of) industrialists took on a middle position between Charleston and Richmond.

All these findings demonstrate that spaces of freedom in southern cities arose through an interplay of different actors: freedom seekers and their receiving societies crafted them deliberately. Slaveholders were unable to prevent flight. State authorities produced a large population of illegal people that camouflaged refugees. Local authorities did not attribute sufficient importance to the topic because it did not hold high priority, and urban employers benefitted from it. The growing white middle classes, driven by racism and the desire to distinguish themselves from poor people, constructed physical places that supported the invisibility of people who should not be there. The paradox of the time was that many of the developments that benefitted refugees and created spaces of freedom were not nearly as beneficial for legally free black Americans. Many of these developments indeed limited their freedom. For slave refugees, a life in illegal freedom was preferable to a life in slavery. At least, refugees had control over their own lives, largely escaped the threat of sale, could freely chose whom they married, and succeeded at exiting the amoral system of slavery. Refugees possessed the right preconditions like passes, freedom papers, information about the urban environment, and access to shelter, and knew how to navigate spaces of freedom. By either passing as free or as hired slaves, they demonstrated knowledge about the local contexts and sophisticated acting skills. When they were not passing as slaves, acting and forged documentation were also a step to initiate a process of legalization, and a few managed to slowly join the ranks of those *de facto* and *de jure* free.

Whether these people managed to legalize their residency or pass their illegal status on to their children, they all resisted the system of slavery. This contestation occurred in the case of the freedom seekers who sought refuge in the South in a way too invisible and clandestine as to put them on the same page with abolitionists who lived their activism on public stage. In the North and abroad, an impressive number of formerly enslaved people who had achieved their freedom by running away, were on the forefront in the fight the abolition, including Frederick Douglass, Sojourner Truth, and Ellen and William Craft. Those who stayed in the South, however, also contributed to the fight against slavery, yet in a different manner. Stressing its racially integrated nature, Manisha Sinha has lately shown the variety of different actors and methods involved in the movements that eventually led to the abolition of slavery and argued that "slave resistance, not bourgeois liberalism, laid at the heart of the abolition movement."[883]

Despite silently disappearing, those who ran away or resisted slavery otherwise spoke with a very loud and very public voice that they did no longer accept their situation. Hundreds of southern newspapers with up to a dozen runaway slave advertisements daily were the best

[883] Sinha, *Slave's Cause*, 1.

proof. Although amounting into the tens of thousands over the course of the antebellum era, the numbers of refugees were not large enough to jeopardize the stability of southern plantation slavery. Yet, their presence in the cities contributed to the decline of urban slavery. By integrating into an urban population segment that offered its labor power cheap and flexibly, they sufficiently diversified the laboring classes and provided employers with the desired labor.

It is important to remember that the endeavors of slave refugees were clandestine, that these people freed themselves contrary to law, and that they consciously remained in the midst of slavery. They even pretended to be slaves to remain free. These men and women fled from the most powerful groups in southern society, were supported by less powerful groups, but essentially depended on those with the least power—free blacks of various legal statuses. Setting themselves free against the law, they knew that they were continuously threatened with detection, recapture, and reenslavement. Why, then, did they not escape from the slaveholding South where only illegal freedom was achievable? Why did they not try to migrate to places of free soil where they could be legally free? Regions that had abolished slavery were springing up all around the United States after 1820 and included Canada, Mexico, Central America, and parts of South America and the Caribbean.

The answers to these questions have been given throughout this dissertation. Although family separation was often the trigger to flee, by becoming short-distance migrants, refugees could stay close to home, networks, kin and loved ones. Reversely, the lack of social contacts in more remote places impeded long-distance flight of many freedom seekers. After all, only a small share of all refugees to the northern states, for instance, were aided by informal organizations like the Underground Railroad. Although freedom in the South remained illegal and refugees could not expect to ever be legally free, the consequences were not that drastic when remembering that their lives did not differ much from the lives of other free African Americans. The fact that there was work did not imply that they could get out of poverty. Racism, economic discrimination, social exclusion, and the negation of political rights were realities black Americans in the northern states likewise experienced every day. This closes the circle leading back to maroons who, regardless of their physical proximity to whites and the degree of hostility between them and slaveholding society, always lived as outlaws. Slave refugees, conversely, lived in severe poverty, but they did not attempt to elude the legal reach of society, which drastically discriminated against them. The African American communities they joined considered themselves Americans and the places they grew up in, home. Their common desire was racial integration. The longing for citizenship and inclusion motivated them to subordinate themselves to the rules and laws of white society.

At this point, this research feeds into the findings of other historians like Mariana Dantas, Patrick Rael, and Martha Jones, who systematically interpreted the attitudes and behaviors of black Americans vis-à-vis the country they lived in. They have shown that black people were conscious that it was they who built the country. They knew that they were not only part of American society but actively shaped it. “Americanness” that identified the country, was not something black Americans took on, they contributed constructing it. Therefore, black struggle was ultimately always dominated by the fight for citizenship.[884] Contrary to their aspirations, the exclusion from American society led black people to close

[884] Dantas, *Black Townsmen*; Rael, *Black Identity*, 282; Jones, *Birthright Citizens*; and Cullen, *American Dream*, 64, 82.

ranks and to channel their focus towards autonomous organization.[885] In the cities, where they clustered, they thereby created spaces where newcomers and people who, according to white law, should be enslaved, could integrate and become invisible before the authorities.

The factors that made urban slave flight possible and the ways they interplayed were not restricted to antebellum American cities. Placing Baltimore, Richmond, Charleston, and New Orleans at the center of analysis, this study has identified situations and events that carved out opportunities which could offer enslaved people spaces of freedom. There is no reason to assume that combinations of similar factors did not apply to other cities, which makes it possible to expand the findings of this dissertation outside of the United States. In all urban centers within slaveholding territory, where free black populations lived, escapees from slavery must have been able to blend in with them. Runaway slaves surely lived in smaller cities and towns throughout the South as well as in urban centers in Cuba and Brazil, the other main locations of the second slavery.

Permanent freedom without a basis in law has been neglected in historical studies on slavery. Alongside literature on temporary absconders in the South, maroons in wilderness areas, and refugees to territories of free soil, this study complements the field of research on slave flight on the North American continent.[886] It has highlighted how the era of the second slavery changed the geographies of slavery, slave control, and ultimately, freedom. It has demonstrated that refugees from slavery were a hardly discernable yet important segment of the populations in the cities. Freedom from slavery in the South was possible.

When slavery was abolished in 1865, the phenomenon of slave refugees disappeared with it. However, many of the other events that have played a part in this narrative, did not. Societal exclusion of black Americans wore on. Spatial segregation aggravated. Criminalization of black people became routinized and the forced labor of convicts institutionalized. Writing a social history of any group of the antebellum United States other than the white elite means not only to acknowledge their existence and their share in society. It also provides an important tool to understand today's social attitudes regarding race relations. As Ira Berlin has pointed out, academic engagement with slavery was strongest in those times when race relations in the United States found themselves hitting rock bottom.[887] Inevitably, coming to terms with racial conflicts heavily depends on the engagement with social conditions that have their origin in times of slavery. The repeated resurgence of scholarly work on slavery echoes the public demand for answers and shows that there are still a great many areas that have remained in the dark and now need to be more thoroughly lit. Social historical approaches like the one of this dissertation provide a key element to paint a whole picture of a society that was built upon slavery and continues to bear the scars of it.

---

[885] Because independent institutional organization is an element which would qualify communities of former slaves and their descendants as maroons, it is important to note that also these organizations followed the rules of white society. Martha Jones has remarked that the very incorporation of the church, the symbolic and literal center of most black communities, occurred according to official law. Land had to be formally purchased, the church officially registered, an enslaved minister perhaps manumitted. In this process, they got involved with white attorneys, justices of the peace, and clerks. Jones, *Birthright Citizens*, 18.

[886] The main works include Franklin and Schweninger, *Runaway Slaves*; Diouf, *Slavery's Exiles*; Foner, *Gateway to Freedom*; and Pargas' collective volume, *Spaces of Freedom*.

[887] Ira Berlin, "American Slavery in History and Memory and the Search for Social Justice," *Journal of American History* 90:4 (2004): 1251.