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INTRODUCTION

Although the nineteenth-century US South has often served as a static proxy for systems of racial slavery in the modern era, this slaveholding society in fact developed out of a number of structural transformations that radically altered the nature of slavery and freedom in the Atlantic world. The last quarter of the eighteenth century and the first half of the nineteenth century indeed witnessed both an unprecedented expansion of black freedom and an unprecedented expansion of slavery, not just in North America but throughout the Americas. For millions of African Americans, this was an age of emancipation. Whereas prior to the American Revolution (1775–1783), slavery was legally sanctioned and rarely challenged throughout the western hemisphere, during the second half of the eighteenth century, bondage came under increasing attack by prominent thinkers in Europe and America who condemned the institution as immoral, sinful, inefficient, socially undesirable, and politically untenable. Transatlantic discourses and social and political movements had a profound effect on public opinion and the very status of slavery throughout the Atlantic world. This period witnessed the legal abolition of slavery in various parts of the Americas and of the transatlantic slave trade. It also witnessed a significant spike in manumissions and

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self-purchase schemes by slaveholders who for whatever reason (whether ideo-logical, religious, or financial) wished to free some or all of their bondspeople, resulting in the emergence or bolstering of free black communities even *within* slaveholding territories.[1]

Even as significant numbers of enslaved people exited slavery during this period, however, millions more found themselves increasingly trapped in what Dale Tomich and others have dubbed the "second slavery," a period of renewed intensification and expansion of slavery in regions such as the US South, Brazil, and Cuba, largely as a result of the successful adoption and rapid expansion of American short-staple cotton, Brazilian coffee, and Cuban sugar-cane production around the turn of the nineteenth century. While some parts of the Americas (such as the northern US) saw their free black populations considerably augmented, others devolved into "freedom's mirror," as Ada Ferrer has argued. The western hemisphere became increasingly bifurcated between regions where slavery was disappearing and regions where slavery was expanding.[2]

The geography of slavery and freedom that emerged in North America in the half-century following the American Revolution encapsulated this bifurca-tion. On the eve of the Revolution, the southern colonies of British North America had long constituted mature plantation-based slave societies, but slavery existed and was legally sanctioned throughout the continent, from Canada to Mexico. The Revolution constituted a turning point, however, as it mobilized a series of messy and exceedingly complicated transitions from slavery to freedom in regions where slavery was peripheral, and from slavery to a more deeply entrenched second slavery in the slave societies of the American South. The northern US, British Canada, and the Republic of Mexico—regions where African slavery never came to dominate local economies—all abolished slavery within their borders between 1777 and 1833. The first strikes were enacted in the northern US, where state-level abolition was achieved through a maze of gradual emancipation acts, state constitutional clauses, and court verdicts between 1777 and 1804. By 1804, all of the US states and territories north of the Mason-Dixon line and Ohio River had either prohibited slavery or put it on the path to destruction with gradual eman-cipation policies, and by 1808, the transatlantic slave trade had been officially banned throughout the United States. British Canada similarly chipped away at slavery until it had all but disappeared, even before Imperial Emancipation was announced in 1833. And in newly independent Mexico, a confusing series of partial and even contradictory emancipation laws were passed in the 1820s, ultimately resulting in national emancipation in 1829. In none of these "free soil" regions did formerly enslaved people enter into conditions of full equality with white populations. In the northern US, structural racism, discrimina-tory laws, and poverty constituted heavy burdens on free black communities. In Canada and Mexico, the laws promised equal treatment, but in practice free blacks there were also subjected to severe discrimination and structural

poverty. In all of these parts of the continent, however, slavery was clearly and unequivocally placed on the path to destruction in the Age of Revolution.[3]

In the southern US, by contrast, slavery not only survived the Age of Revolutions but underwent an enormous geographic expansion. Although manumission laws were briefly relaxed in the revolutionary era, especially in the Upper South—where free black communities were bolstered between 1790 and 1810—slavery itself proved largely impervious to the arguments of abolitionists in other parts of the continent. Originally concentrated in the tidewater tobacco lands of the Chesapeake (Virginia, Maryland, and Delaware) and coastal sea islands and rice swamps of the Carolina and Georgia Lowcountry during the colonial period, southern slavery indeed spilled across the Appalachians and into the Deep South like an unstoppable torrent during the first half of the nineteenth century, mainly due to the successful introduction of cotton in the newly acquired lands of the southern interior (as well as sugar in the south of Louisiana). In the age of the second slavery, slavery in North America became a "southern" institution—the South's "peculiar institution," as it was often referred to. Southern slavery grew at an unprecedented rate, transformed half of the US into a "cotton kingdom"—with cotton production surging from 3000 bales in 1790 to over 4 million bales in 1860—and became characterized by a number of unique features, including a slave population that was almost entirely born in slavery; the development of a massive internal slave trade that wrought havoc on slave communities; the dominance of cotton plantation agriculture in the lives of most enslaved people; the curtailment of manumissions; and the rise of a continent-wide refugee crisis, as freedom seekers fled to parts of the continent where slavery had been abolished.[4]

This chapter explores the institution of slavery in one of its most well-known contexts, delving in particular into enslaved people's entry into various slavery settings, the extraction of their labor, and limited paths to freedom in the decades before final emancipation during the US Civil War.

Processes of Enslavement During the Second Slavery

From a global—or even an Atlantic—perspective, one of the most unique features of North American slavery in the era of the second slavery was its heavily "creolized" and self-reproducing slave population. In other words, at the time that the US South embarked on its unstoppable wave of expansion in the early 1800s, a vast majority of enslaved people in the southern states were not enslaved in acts of captive-taking or war or violence, as was the lot of most enslaved people throughout history. Rather, they were *born in slavery*. The American South ultimately developed the largest slave population in the Atlantic world—numbering over 4 million by 1865—but all told the North American mainland accounted for a relatively minor proportion of the transatlantic slave trade. According to the Trans-Atlantic Slave Trade Database (TSTD), roughly 365,000 captive Africans boarded ships bound for

North America between 1650 and 1865; just over 306,000 disembarked in North American ports. This out of a total of over 10 million transported to the Americas in the same period.[5] The development of a creolized slave population and positive population growth indeed began well before the American Revolution even broke out and can be explained by the relatively temperate climate on the North American mainland as well as the lack of sugar plantations. Neighboring Caribbean slave societies, by contrast, which were located in the tropical zone and dominated by sugar plantation economies, witnessed devastating mortality rates and negative population growth due to diseases and the higher death rates specifically associated with the cultivation of sugarcane. The opposite was true in North America. By the start of the war already some 80 percent of American blacks, and as many as 90 percent of those living in the Upper South (the tobacco states of Virginia, Maryland, Delaware) and northern US, were born in America. By the outbreak of the US Civil War in 1861, the conflict that would result in final emancipation, virtually all of the South's four million enslaved people had been literally considered property from the moment they were conceived. They had never known anything other than slavery and most were several generations removed from Africa.[6]

The early emergence of a self-reproducing American-born slave population meant that American slaveholders were less dependent on the transatlantic slave trade than their Caribbean and Brazilian counterparts, certainly around the turn of the nineteenth century when the cotton revolution began to transform the US South and the slavery began to expand geographically from the Atlantic seaboard into the new states and territories of the Deep South. In the wake of the Revolution itself, the natural increase of the slave population in the southern states even helped facilitate a political compromise between the northern and southern states that allowed for the definitive abolition of the transatlantic slave trade to the US in 1808. In the decades prior to the ban, planters in South Carolina and Georgia made a last-ditch effort to import as many Africans as they could before abolition took effect—ultimately bringing in over 63,000 "saltwater" Africans between 1787 and 1808—but by and large a substantial majority of enslaved people living in North America, including the Lower South, after the American Revolution was born in slavery. The process of physical *enslavement*, whereby a person experienced a violent transition from a situation of non-slavery to slavery, was not applicable to most African Americans in the age of the second slavery.

There were exceptions, to be sure. Indeed, there were two illegal and numerically relatively minor—yet nevertheless violent and horrifying—means by which Africans and African Americans became enslaved in the US South even after the ban of 1808. First, an illegal transatlantic slave trade transported over 5,000 captive Africans into mainland North America between 1808 and 1865, according to the TSTD (some recent estimates place the figure at around 8,000). Illegally transporting enslaved Africans was a serious offense that not only violated federal laws but also international treaties with Great Britain, whose navy regularly patrolled the Atlantic and seized ships that

contained human cargo bound for the Americas. The offense carried with it the death penalty, but that did not deter some determined smugglers and privateers from attempting to make vast amounts of money by supplying labor-hungry southern planters with additional slave labor. Illegal cargoes trickled onto North American shores right up until the final years of American slavery. The last slave ship to arrive in the US, the *Clotilda*, docked in Alabama in 1860, carrying a cargo of 110 men, women, and children from what is now Benin and Nigeria. Fresh memories of terrifying captive-taking and the traumatic middle passage were thus still very much alive in the US South on the eve of emancipation.[7]

A second method of illegal enslavement in the age of the second slavery entailed kidnapping free blacks and selling them into slavery in the southern states. Some such cases were characterized by outright seizure, while others were disguised as attempts by slaveholders to falsely retrieve runaway slaves who had supposedly run to the new free states. The figures for such practices are hazy, but the fact that kidnapping and fraudulent seizure of alleged runaway slaves was seen as a major problem in the border regions between the northern and southern US—especially as the northern states began to abolish slavery at the same time that slavery began to expand in the South—is clear from the flurry of anti-kidnapping legislation passed by northern states around the turn of the nineteenth century. Pennsylvania, for example, went to great lengths to enact legal mechanisms designed to prevent the kidnapping of free blacks within its borders. The Pennsylvania legislature passed laws in 1788 and 1790 that threatened fines and punishments for unlawful "man-stealing" of African Americans and prohibited their removal from the state. Massachusetts applied *habeas corpus* laws to African Americans who were dubiously "claimed' as runaways by southerners in order to ensure legal protection. Other northern states applied similar laws in order to protect their free black populations from unjust seizure and sale in the South. Despite such legislation, however, kidnapping remained a serious problem throughout the age of the second slavery, and prominent cases—such as that of Solomon Northup, whose 1853 memoir *Twelve Years a Slave* sent a chill through northern free black communities—commanded national attention and bolstered the abolitionist movement.[8]

As stated above, however, violent enslavement—whether through the illegal transatlantic slave trade or illegal kidnapping in North America itself—was a lot of a relatively small minority of enslaved people in the era of the second slavery. Most enslaved people were born in slavery and never had to undergo a *process* of enslavement. African American slaves born in the era of the second slavery did, however, experience something similar: forced migration and the terrifying reallocation of their bodies to distant slave markets in the *domestic* slave trade, a process that severed millions from loved ones, forced its victims into chained coffles or onto filthy steamboat ship holds, and transported human cargoes across vast distances to parts of the continent they had only heard horror stories about. Ira Berlin famously dubbed this experience the "second

middle passage." As slavery expanded westward into the cotton (and sugar) regions of the Deep South, enslaved people were increasingly removed from their homes along the Atlantic seaboard and "sold down the river" to the heart of the new slavery in the southern interior. The domestic slave trade affected virtually all enslaved people, either directly or indirectly. It not only replaced the transatlantic slave trade after 1808 in terms of supplying southern slaveholders with enslaved labor but indeed numerically far exceeded it. Estimates suggest that between the American Revolution and the US Civil War, over a million American-born African Americans were sold from one state to another in the domestic slave trade—a figure that at least doubles (and almost triples) the estimated number of Africans transported to North America in the transatlantic slave trade.

The domestic slave trade wrought havoc on slave families and slave communities, especially those living along the eastern seaboard. Highly sophisticated and extensively organized, it plucked individual able-bodied men and women in their late teens and twenties from their homes and catapulted them to plantations hundreds or even thousands of miles away. Victims were often sold to slave traders with no prior notice (in order to prevent resistance), who marched them to filthy urban holding pens for weeks or even months, and finally transported them overland or by ship to the Deep South, where they were hawked to eager purchasers on auction blocks or in private transactions. Scholars have estimated that forced separations probably destroyed one out of every three first marriages among slaves in the Upper South; at least half of all slave families in the region were ruptured through the deportation of either a spouse or child during the antebellum period. Local sales and the westward migration of slaveholders from the eastern seaboard to the southern interior, moreover, severed cross-plantation marriages as well as extended family bonds in countless slave communities. While victims of the domestic slave trade were not *enslaved* in the process—they had always been enslaved—they did experience the sudden and violent forced migration and alienation that characterized enslavement in most societies.[9]

SLAVE LABOR IN THE ANTEBELLUM SOUTH

Whether forcibly migrated to the Deep South or not, enslaved people throughout the southern states were primarily valuable for their labor in commercial cash-crop agriculture, especially cotton, but also tobacco, rice, and sugar. The antebellum South was overwhelmingly rural and evidence suggests that about three-quarters of adults spent most of their working lives as field laborers, while one-third primarily performed other duties. Broadly speaking, the southern states in the era of the second slavery can be divided into four regions of slave-based agriculture. The Upper South (the Chesapeake region and the states spread along the southern shores of the Ohio River) was characterized by small tobacco and wheat farms; the tidewater Lowcountry (the barrier islands and lowlands of the South Carolina and Georgia coast)

contained relatively large and isolated rice and sea-island cotton plantations; the vast Deep South (the southern interior, stretching from the South Carolina upcountry all the way to Texas) constituted the "cotton kingdom" of the United States and quickly became the center of gravity for southern slavery; and in the semi-tropical parishes of southern Louisiana, plantations were dedicated to the cultivation of sugarcane. Slave-based agriculture varied from region to region but slave labor and plantation organization shared certain characteristics throughout the southern states.[10]

The demographics in the entire region, for example, were characterized by relatively modest-sized slaveholdings and close contact between enslaved African Americans and free white society. Unlike most Caribbean slave societies, the slave population in the American South never constituted a majority of the total population, making up about one-third of the southern population during this era. Most did not live on massive plantation estates with hundreds of slaves, as was the case in many Caribbean plantation districts, as neither cotton nor tobacco necessitated economies of scale and could be cultivated on small farms as well as large plantations. Instead, about one-quarter of American slaves lived on holdings with less than 10 slaves; half lived on holdings with between 10 and 49; and one-quarter on large plantations with more than 50. Even in the cotton regions of the Deep South, fully half of the enslaved people lived on holdings with less than 32 slaves. The only pockets of the South with structurally large plantations and local majority slave populations were the Lowcountry and southern Louisiana, due to the economies of scale necessary to cultivate rice and sugar, respectively. In a few counties and parishes in these regions, the average plantation size surpassed 100, but in the South as a whole such districts were rarities.

Also unlike many of their Caribbean counterparts, most slaveholders in the American South permanently resided on their estates and supervised labor and operations personally. This was especially true on farms and plantations with fewer than 30 slaves, where a vast majority of enslaved people lived. On the smallest farms with fewer than 10 slaves, slaveholders often worked in the fields alongside their slaves. Only on large estates was a more complicated organization necessary, with overseers and even black "drivers" and "stewards" (enslaved assistants to the overseer or master) supervising gangs of laborers as they marched through the fields in lockstep. On Lowcountry rice plantations, plantation owners were often semi-absentees, residing by the seaside or in the mountains during the summer months, due to the prevalence of malaria in the region. These districts also contained the largest and most isolated plantations in the South, with intricate organizational structures that included subdivided plantations into separate "farms" and placed a great deal of authority in the hands of black drivers while the white slaveholders were away. Only there did enslaved people live on vast estates in an overwhelmingly black world, as was common in the Caribbean. Again, however, these districts were exceptions to the rule for the South as a whole.

Agricultural labor was arduous and characterized by a basic "sunup to sundown" workday, although the number of hours and tempo of labor varied with the seasons and according to different crops, with harvesttime constituting the period with the most intense and quick-paced labor (often up to twelve or fourteen a day, as field hands worked far into the evening and even night). During the rest of the year fieldwork was constant but adapted to the number of daylight hours and the rhythm of specific crops. The threat of the lash ensured a steady pace, interrupted by short periods of more intense labor when it was necessary. There were regional variations, however. On the smallest tobacco and wheat farms in the Upper South, for example, cash-crop fieldwork was alternated with general farm work, including tending to livestock and truck farming operations. The Lowcountry and southern Louisiana also (again) constituted exceptions to the rule. On the rice plantations, field laborers worked according to the "task system," whereby each laborer was assigned a certain task (for example, a number of acres to hoe), and was free to go home after his or her work was finished. Many finished their tasks within eight hours. On Louisiana sugar plantations, by contrast, plantation work was characterized by a furiously intense pace throughout the year, even in the winter (as the harvest could stretch well into December and preparation for the next planting began in January). Field hands there worked with a quasi-industrial discipline and knew little respite; during the winter harvest, they often doubled with shift-work in the sugar-processing mills, which were kept running day and night.

As stated above, roughly one-quarter of enslaved people in the southern states performed labor other than fieldwork. Some of these lived on farms and plantations but were assigned other duties, many of which were age- and gender-specific. For women and children who were considered too young to work in the fields, the main alternative to fieldwork was domestic—cleaning, washing, cooking, and catering to the personal comforts of the slaveholding family. Opportunities to perform skilled or managerial work—as drivers, coachmen, carpenters, and boatmen, for example—were more limited to large plantations and often reserved for men. In practice, however, even non-field laborers were often rotated in and out of the fields during especially intense periods in the agricultural calendar. During the harvest season, for example, it was all hands on deck throughout the southern states. Even children were sent out to the fields to carry water to the other laborers.

Relatively few enslaved African Americans experienced slavery in non-agricultural settings. Cash-crop agriculture undergirded the southern economy and dominated the institution of slavery, and farms and plantations therefore dominated the demand for slave labor. By 1860, however, roughly 5 percent of the southern slave population lived and worked in towns or cities (with more than 2500 residents), a statistic that was regularly augmented by "hired" slaves—enslaved people from the countryside who were hired out by their owners to work for an urban employer for a year. The adaptation of slavery to urban settings was not particularly successful overall, and indeed urban slavery

declined slightly over time during the second slavery. The reason is that in urban settings enslaved people were quite simply more difficult to control and supervise. They moved about more freely and anonymously, associated with free blacks, were better able to trade for prohibited goods, and lived in a way that seemed closer to freedom than their rural counterparts. Nevertheless, urban slave labor did characterize the lives of thousands of African Americans in the era of the second slavery. In towns and cities across the South, enslaved people worked as domestic servants (especially women), but also as washerwomen, skilled craftsmen, factory hands, and various kinds of day laborers. Virtually all of the South's major cities were riverside or seaside port towns—Baltimore, Washington, Richmond, Charleston, Mobile, New Orleans, St. Louis, Louisville—and enslaved people could be found in every harbor, loading and unloading ships, and transporting goods to and from warehouses. Most of the goods shipped out were agricultural commodities produced by their enslaved counterparts in the rural hinterlands—bales of cotton, barrels of sugar and molasses, and crates of dried tobacco recently processed in urban tobacco factories.[11]

Whether they labored in the countryside or urban areas, however, all enslaved African Americans in the southern states lived in a world in which their labor was coerced through the threat of violence and forced separation from loved ones. Slaveholders in the era of the second slavery ironically developed an ideology of master–slave relations that scholars have dubbed "paternalism," a concept that refers to white southern admonitions to take "good care" of enslaved people—whom they frequently referred to as "my people" or even "my black family"—so that threats and violence would be unnecessary. The close contact between white and black in the antebellum South did indeed lead to white slaveholders to take a more personal and day-to-day interest in their slave populations, and white southern literature and public rhetoric were dominated by assurances that the enslaved population was happy, well-cared for, well-fed and well-housed, and even "loved" by white slaveholders. As Walter Johnson has argued, however, paternalism constituted more a desperate alibi in the face of scathing abolitionist attacks than an ideology that actually guided master–slave relations in practice. Slavery more closely resembled a war, and violence—both physical and psychological—lay at the heart of its successful operation. To the enslaved population, the paternalistic "personal interest" their owners took in their lives amounted to an extraordinary amount of interference, as they attempted to dominate and insert themselves into every single aspect of slave life, from how much they ate to how they reared their children to how clean their cabins were. Violence and the threat of violence undergirded the entire institution.

In the countryside, the most common punishment for any infraction—but especially work-related—was a whipping, and most enslaved people experienced at least once during their working lives. Many slaveholders inflicted more severe punishments to maintain order—public humiliation, private jails, stocks, and deprivation of privileges (such as visiting family members who lived

on other farms or plantations on the weekends). Less common were more brutal forms of torture, although accounts of slaveholders burning, mutilating, and even killing enslaved people in a passioned frenzy were certainly not unheard of. In testimonies both during and after slavery, enslaved people described slaveholders (both their own and those they came into contact with in the neighborhood) as anywhere from "good" to psychopathic. In urban areas, slaveholders outsourced physical punishments to professionals. Many major cities such as Charleston and New Orleans had public workhouses where enslaved people could be sent to be whipped, imprisoned for a specific period of time, and brutally worked liked mules in mills. Domestic servants—both in the countryside and in urban settings—were arguably even more susceptible to work-related punishments. At the beck and call of their masters day and night, they were routinely knocked around and beaten with whatever was to hand—from scalding water to candlesticks and fireplace pokers.[12]

The most dreaded punishment to enslaved people in any setting, however, was one that left no physical scars but rather psychological ones: the threat of forced separation from loved ones, especially being sold away in the domestic slave trade. For enslaved people living in the Upper South, especially, the threat of sale to the Deep South was the most important instrument of coercion employed by slaveholders, who regularly threatened their slaves that they would "put them in their pocket" (meaning convert them to cash by selling them to traders) if they failed to perform their work properly. Enslaved people knew that sale was a very real possibility—most knew someone from their own community who had been sold and never heard from again, and the domestic slave trade was moreover a visible feature of southern life, especially in the supply regions. Slave traders and their coffles regularly crisscrossed the region, snatching up young men and women for transportation to the cotton and sugar plantations. The headquarters and pens of slave-trading firms were visible in every town and city. The prospect of the auction block terrified enslaved people, as it threatened to permanently separate them from their homes, families, and friends. They also feared labor conditions in other regions. Enslaved people who were used to tobacco cultivation, or urban labor, heard fearsome rumors about the backbreaking work of slaves on the cotton and sugar plantations. Slaveholders in the supply regions, especially the Upper South, again handily used such rumors—and indeed sometimes actively promoted them—to keep their enslaved people in line.[13]

Paths to Freedom

In the era of the second slavery, two narrow paths to freedom existed for enslaved people living in the southern states. The first consisted of legal manumission. The second consisted of running away to various spaces of freedom throughout the continent.

Manumissions were in fact not uncommon in the wake of the American Revolution and into the first decade or two of the nineteenth century. The

revolutionary climate that led to the abolition of slavery in the northern US indeed caused southerners to briefly rethink bondage within their own states as well. Slavery was challenged—albeit with less vigor—in the southern states, especially in the Upper South. Attempts to abolish slavery there failed, but the era witnessed a brief yet significant relaxation of manumission laws, particularly in the Upper South, as well as a spike in manumissions and self-purchase arrangements throughout the slave states.[14]

The manumission trend began in the Chesapeake region of the Upper South, specifically in Virginia, which passed an *Act to Authorize the Manumission of Slaves* in 1782, greatly simplifying the conditions for manumission throughout the state. Many slaveholders from the revolutionary generation made good use of the act. Whereas before 1782, less than one percent of Virginia's African American population was free, by 1790, free blacks accounted for 4.2 percent of the total, and by 1810, they had reached 7.2 percent, surging in absolute numbers from 1800 to 30,570 in less than 30 years. Towns throughout the region saw their free black populations grow considerably.[15] The rest of the Chesapeake followed suit. Maryland reversed its colonial restrictions on individual manumissions in 1796, and by 1810, almost a quarter of its African American population was free. In Delaware, 78 percent of the black population was free by the end of the first decade of the nineteenth century. In the Upper South as a whole more than 10 percent of the African American population had legally exited slavery by 1810, and by the eve of the Civil War parts of the Upper South had come to virtually resemble free states. In 1860, over 90 percent of the black population of Delaware and 49 percent of that of Maryland was free. Cities such as Baltimore and Washington had free black populations that outnumbered their slave populations, often by substantial margins, as manumitted slaves from rural areas gravitated towards urban centers. Even further south in North Carolina, some 10 percent of the African American population was free by 1860.

By contrast, manumission laws in the Lower South—where planters were more intensely committed to preserving slavery at all costs—were not relaxed in a meaningful way, and the number of manumissions therefore remained far more limited than in the Upper South in the revolutionary era. Nevertheless, the proportion of free blacks in the Lower South doubled from 1.6 percent of the black population in 1790 to 3.9 percent in 1810. In the Lowcountry, the colonial practice of manumitting favorite slaves (not unfrequently the mulatto offspring of slaveholders) and setting them up in urban trades continued after the Revolution. Such practices augmented the number of "free persons of color," often tied through patronage to the planter class, laying the groundwork for the region's antebellum free black population, especially in major cities like Charleston (where a third of the free black population of South Carolina lived), Savannah and later Atlanta, as well as countless smaller towns. The largest free black population in the revolutionary Lower South, however, lived in Louisiana, beyond the borders of the United States at that time. Between 1769 and 1803 Spanish laws in the territory allowed for self-purchase

arrangements, and as a result, the free black population in port towns all along the Gulf coast grew steadily, especially in New Orleans. By the time the US took control in 1803, over 37 percent of the black population in New Orleans was free.[16]

Even as manumissions spiked across the South in the revolutionary period, however—significantly in the Upper South and more modestly in the Lower South—white southerners grew increasingly anxious about the growth of the free black population in their midst. The insurrection on Saint-Domingue and the insurrection plot of Gabriel Prosser, a manumitted blacksmith in Virginia who attempted to organize a major slave rebellion in the Richmond area in the summer of 1800, convinced many white southerners that free blacks formed a potential threat to their society. The fading of the revolutionary era and the transition to the antebellum period witnessed a conservative backlash throughout the southern states, characterized by renewed attempts to crack down on the free black population, prevent the entry of free blacks from other states, and close the doors to manumission.[17] In both South Carolina and Virginia, the most important slave states of the South, the backlash commenced even before the turn of the new century. By 1800, South Carolina had passed an anti-manumission law that required slaveholders to secure approval from the courts before freeing any slaves; by 1820, manumission could only be granted by the General Assembly, and by 1841, manumissions were barred altogether. In Virginia, the legislature prohibited the entry of free blacks from other states in 1793, and in 1806, it passed its own anti-manumission law that required all freed slaves to leave the state. Other states followed suit, making manumission only a very limited path to freedom in the era of the second slavery.[18]

With avenues to manumission and legal emancipation from slavery increasingly blocked, enslaved people in the nineteenth-century US South pursued the only other option available to them to escape slavery: they fled to various "spaces of freedom" throughout North America, unleashing one of the largest refugee crises in North American history. Over 100,000 ultimately fled to the northern states and Canada in the half-century prior to the US Civil War. Over 4,000 are thought to have fled south across the border into Mexico after the 1830s. Tens of thousands attempted to illegally pass as free blacks in southern towns and cities with newly augmented free black populations, like Baltimore, Washington, Charleston, and New Orleans.[19]

The changing geography of slavery and freedom that characterized the late eighteenth and early nineteenth centuries not only provided enslaved people trapped in the second slavery with a renewed sense of urgency to flee bondage but also new opportunities to actually do so. Prior to the American Revolution, the possibilities to escape slavery were largely limited to strategies of wilderness marronage; passing for free in port towns that had very small free black populations; and fleeing to the enemies of their masters in specific geopolitical conflicts. None of these options were very reliable or sustainable in the long term, and relatively few enslaved people succeeded in attaining freedom

by such means. The expansion of black freedom in the revolutionary era, however—both in free soil territories and in urban areas within slaveholding states (as a result of the wave of manumissions)—greatly enhanced enslaved people's possibilities to successfully flee slavery. It disrupted the link between blackness and slavery that had hitherto prevailed (and been taken for granted) throughout the hemisphere. By the early nineteenth century, various parts of North America constituted spaces where African Americans were not— or at least not automatically—marked as enslaved, and where runaways could realistically attempt to live as free people.

Not all of these spaces provided runaways with the same legal protections from reenslavement. Three distinct spaces of freedom can be distinguished, each of which constituted a separate legal regime of asylum for runaways. First, enslaved people fled to spaces of *informal freedom*. These were places *within* the slaveholding states where enslaved people attempted to flee slavery by trying to disguise their identities and pass for free, especially in urban areas with relatively substantial free black communities such as Baltimore, the District of Columbia, Richmond, Charleston, and New Orleans, but also in a myriad of smaller towns scattered all across the South. In spaces of informal freedom, runaways had no legal claim to freedom or protection from reenslavement. Their successful navigation of freedom and evasion of recapture was based almost exclusively on their ability to hide their true identities, often by employing strategies aimed at achieving anonymity, integrating into free black communities, and procuring false documents (especially passes and freedom certificates).[20]

Second, enslaved people fled to spaces of *semi-formal freedom*, or places where slavery was abolished according to free soil principles, but where the precise status of fugitive slaves, as well as the conditions for their potential reenslavement, were contested by different legal authorities representing overlapping jurisdictions. In spaces of semi-formal freedom, slavery either did not exist or was on the path to destruction, but asylum for refugees from slavery was not guaranteed. The concept refers specifically to the northern states in the antebellum period, where slavery was abolished (either gradually or immediately) but where overarching federal fugitive slave laws, enshrined in Article IV of the US Constitution as well as the Fugitive Slave Act of 1793 and its amended version of 1850, theoretically allowed for the rendition of runaway slaves to their owners in the southern states. Conflicting interpretations of federal fugitive slave laws and constitutional protections of due process, as well as state anti-kidnapping and personal liberty laws, however, often resulted in serious challenges to fugitive slave renditions, including legal disputes and mass civil disobedience. Refugees from slavery in the antebellum northern US enjoyed more protections from reenslavement than their counterparts passing for free in southern towns and cities, but their freedom nevertheless remained precarious, highly dependent on the compliance of sympathetic members of the community (including local authorities), and subject to conflicting interpretations of the law.[21]

Third, enslaved people fled to spaces of *formal freedom* beyond the borders of the United States in the late antebellum period, especially from the 1830s through the 1850s. Spaces of formal freedom were places where slavery was abolished according to free soil principles but where *no* extradition or rendition agreements with southern slaveholders existed that might theoretically make refugees from slavery vulnerable to rendition and reenslavement. In spaces of formal freedom, an asylum for runaway slaves from the US was unconditional and guaranteed, at least on paper. In the Age of Revolution various spaces of formal freedom developed in the immediate vicinity of the US and within reach of the most determined runaway slaves, most notably after abolition policies were enacted in British Canada (between 1793 and 1833) and the Republic of Mexico (1829), but also throughout the Caribbean (such as Haiti in 1804; the British Empire—including the Bahamas—in 1833; and the French colonies in 1848).[22]

The spaces of freedom that developed in the period between the American Revolution and the Civil War were far from perfect but they provided enslaved people trapped in second slavery with *options*. A runaway from the Virginia countryside in the 1840s could attempt to escape slavery in a southern city like Baltimore, a northern state like Pennsylvania, or a foreign territory like Upper Canada. There were good reasons for individual runaways to prefer certain destinations over others, depending on their circumstances. Factors such as social and support networks, geographic proximity, rumors, political developments, and sheer circumstance lured freedom seekers to various destinations. Slave flight in turn not only led to freedom for some but also further exacerbated the structural tensions wrought by the second slavery—the fierce commitment to slavery's expansion combined with the expansion of black freedom throughout North America. By the 1840s and 1850s, for example, exasperation with urban free blacks' assistance to runaway slaves in southern cities led many white southerners to call for the expulsion or reenslavement of all free blacks. Frustration with abolition policies in Canada and Mexico and both countries' refusal to sign extradition treaties for runaway slaves led to diplomatic rows and—along the southern border—even armed conflict. And white southerners' fury with northerners' obstruction of fugitive slave renditions ultimately led them to take their states out of the Union altogether, unleashing a bloody civil war that would end in definitive abolition and the destruction of slavery's last bastion in North America.

Conclusion

North American slavery in the nineteenth century was in many respects a unique institution. Increasingly "peculiar" to the US South—as all other parts of the continent set bondage on the path to destruction in the revolutionary period—it expanded across the southwestern states and territories at an unprecedented rate. Its slave population mushroomed to over 4 million on the

eve of emancipation in 1865, and yet this expansion was almost entirely self-sustaining, without the captive-taking that predicated the expansion of slavery in other global contexts (or even colonial America itself). Fueled largely by the cotton revolution and the insatiable demand for agricultural labor in the southern interior, it stimulated a vast forced migration of enslaved people from the eastern seaboard to the Deep South, destroying families and communities in its wake. As southern slaveholders became ever more committed to black enslavement, they shut the doors to manumission, leaving slave flight to various spaces of freedom throughout the continent as the only conceivable way out for those trapped in the second slavery.

Notes

1. Christopher Brown, *Moral Capital: The Foundations of British Abolitionism* (Chapel Hill: University of North Carolina Press, 2006); Manisha Sinha, *The Slave's Cause: A History of Abolition* (New Haven: Yale University Press, 2017), 34–193.

2. Dale W. Tomich and Michael Zeuske, eds., "The Second Slavery: Mass Slavery, World Economy, and Comparative Microhistories, Part I" [special issue], *Review: A Journal of the Fernand Braudel Center* 31, no. 2 (2008); Anthony E. Kaye, "The Second Slavery: Modernity in the Nineteenth-Century South and the Atlantic World," *Journal of Southern History* 75, no. 3 (Aug. 2009): 627–50; Ada Ferrer, *Freedom's Mirror: Cuba and Haiti in the Age of Revolution* (New York: Cambridge Univesity Press, 2014).

3. Ira Berlin, *Generations of Captivity: A History of African-American Slaves* (Cambridge, MA: Harvard University Press, 2003), 119–23, 135–50, 159–244; Peter Kolchin, *American Slavery, 1619–1877* (New York: Hill & Wang, 1993), 80–85; Sue Peabody and Keila Grinberg, "Free Soil: The Generation and Circulation of an Atlantic Legal Principle," *Slavery & Abolition* 32, no. 3 (2011): 331–39.

4. Berlin, Generations of Captivity, 159–244; Walter Johnson, *River of Dark Dreams: Slavery and Empire in the Cotton Kingdom* (Cambridge, MA: Harvard University Press, 2017).

5. See slavevoyages.org/voyage/.

6. Kolchin, *American Slavery, 1619–1877*, 49.

7. John Harris, *The Last Slave Ships: New York and the End of the Middle Passage* (New Haven: Yale University Press, 2020); Sylviane Diouf, *Dreams of Africa in Alabama: The Slave Ship Clotilda and the Last Africans Brought to America* (New York: Oxford University Press, 2007).

8. Matthew Pinsker, "After 1850: Reassessing the Impact of the Fugitive Slave Law," in *Fugitive Slaves and Spaces of Freedom in North America*, ed. Damian Alan Pargas (Gainesville: University Press of Florida, 2018), 95–98; Richard S. Newman, "'Lucky to be Born in Pennsylvania': Free Soil, Fugitive Slaves, and the Making of the Pennsylvania Anti-Slavery Borderland," *Slavery & Abolition* 32, no. 3 (2011): 414.

9. There is a rich literature on the domestic slave trade and its effects on slave communities. See for example: Michael Tadman, *Speculators and Slaves: Masters, Traders, and Slaves in the Old South* (Madison: University of Wisconsin

Press, 1989); Walter Johnson, *Soul by Soul: Life Inside the Antebellum Slave Market* (Cambridge, MA: Harvard University Press, 1999); Damian Alan Pargas, *Slavery and Forced Migration in the Antebellum South* (New York: Cambridge University Press, 2014).

10. For more on slave labor in various agricultural regimes of the American South, see Berlin, *Generations of Captivity*, 159–244; Kolchin, *American Slavery*, ch. 4; Calvin Schermerhorn, *Unrequited Toil: A History of United States Slavery* (New York: Cambridge University Press, 2018), 127–48.

11. Rashauna Johnson, *Slavery's Metropolis: Unfree Labor in New Orleans During the Age of Revolutions* (New York: Cambridge University Press, 2018); Seth Rockman, *Scraping By: Wage Labor, Slavery, and Survival in Early Baltimore* (Baltimore: Johns Hopkins University Press, 2009); Richard Wade, *Slavery in the Cities: The South, 1820–1860* (New York: Oxford University Press, 1967).

12. Kolchin, *American Slavery*, 93–132; Berlin, *Generations of Captivity*, 159–244.

13. Pargas, *Slavery and Forced Migration*, 56–93.

14. Kolchin, *American Slavery*, 80–85; Berlin, *Generations of Captivity*, 119–23, 135–50; Rosemary Brana-Shute and Randy J. Sparks, eds., *Paths to Freedom: Manumission in the Atlantic World* (Columbia: University of South Carolina Press, 2009).

15. General Assembly of Virginia, "An Act to Authorize the Manumission of Slaves (May 1782)," reprinted in, *The Statutes at Large; Being a Collection of All the Laws of Virginia from the First Session of Legislature, in the Year 1619*, ed. William Waller Hening (Richmond, VA: George Cochran, 1823), 11, 39.

16. Sinha, *The Slave's Cause*, 93–94; Kolchin, *American Slavery*, 81; Berlin, *Generations of Captivity*, 127–28, 137, 142; Robert Olwell, "Becoming Free: Manumission and the Genesis of a Free Black Community in South Carolina, 1740–1790," in *Against the Odds: Free Blacks in the Slave Societies of the Americas*, ed. Jane G. Landers (New York: Routledge, 1996), 1–19.

17. Sinha, *The Slave's Cause*, 92–95; Kolchin, *American Slavery*, ch. 3.

18. Sinha, *The Slave's Cause*, 86, 94; Bernard E. Powers, *Black Charlestonians: A Social History, 1822–1885* (Fayetteville: University of Arkansas Press, 1994); Kolchin, *American Slavery*, 81.

19. For more on the concept of "spaces of freedom" throughout North America, see *Fugitive Slaves and Spaces of Freedom in North America*, ed. Damian Alan Pargas (Gainesville: University Press of Florida, 2018); Damian Alan Pargas, *Freedom Seekers: Fugitive Slaves in North America, 1800–1860* (New York: Cambridge University Press, 2022).

20. John Hope Franklin and Loren Schweninger, *Runaway Slaves: Rebels on the Plantation* (New York: Oxford University Press, 1999), 124–48; Amani Marshall, "'They Will Endeavor to Pass for Free': Enslaved Runaways' Performances of Freedom in Antebellum South Carolina," *Slavery & Abolition* 31, no. 2 (2010): 161–180.

21. Andrew Delbanco, *The War before the War: Fugitive Slaves and the Struggle for America's Soul from the Revolution to the Civil War* (New York: Penguin Press, 2018); Richard M. Blackett, The Captive's Quest for Freedom: Fugitive Slaves, the 1850 Fugitive Slave Law, and the Politics of Slavery (New York: Cambridge University Press, 2018).

22. Franklin and Schweninger, *Runaway Slaves*, 116–23; Jeffrey Kerr-Ritchie, "Fugitive Slaves Across North America," in Leon Fink, ed., *Workers across*

the Americas: The Transnational Turn in Labor History (New York: Oxford University Press, 2011).

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