

READING WARS

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PREFACE

Once again, we're fighting wars over reading. Who gets to read? What do they get to read? These days, the right is obsessed with removing LGBTQ books from school and public library shelves and with making sure students read only the Correct views of American history. The left is obsessed with eradicating right-wing fantasies, not to say lies, from the internet, and with airbrushing or even purging racist texts. You don't have to stoop to whataboutery to notice a suspicious resemblance.

But maybe "once again" is wrong. Maybe we've always fought these wars, even if the enemies come and go. In this book, I'll explore the history and politics of anxieties about readers and reading. Those anxieties have repeatedly triggered homicidal fury. (I am not writing hyperbolically.) The tale is mordantly interesting in its own way. It also offers insight into where we are now.

* * *

I bet you're the kind of person who takes it for granted that millions of books are at your disposal, almost instantaneously, on your tablet or laptop or smartphone; maybe you take it for granted that anyone with the time, money, and inclination has the same wealth of opportunities. Books line the shelves of many American households. Books for children are strewn around. Babies stare at books with red and white and black pictures. What's remarkable is not that developmental psychologists think those pictures help babies learn to see. What's remarkable is that we package them as books. Welcome to reading, they say. It's easy to think that people should be and are in fact free to read whatever they like.

That stance is historically and politically novel. Yes, we prize reading far more than do many other regimes. The Taliban are violently opposed to educating women. That *violently* refers not only to the vehemence of their opposition, but also to their tactics. These people burn down schools. Usually girls' schools, but their enthusiasm in the cause isn't always so pointedly misogynistic and it isn't always limited to demolishing buildings. In Peshawar in 2014, the Taliban massacred some 132 students, boys and girls alike, and burned some women teachers alive. Not that Afghans fall dutifully in line. "I'm illiterate," confessed Nizamuddin, a farmer. "It's like I am blind. I have to be led by others. And so that is why I want my daughters to be educated." The Chinese government uses sophisticated AI, tens of thousands of unblinking censors too, to constantly scrub the internet. The Soviet Union kept a registry of all typewriters, with samples of their typed letters they could use to track down offending texts, so readers circulating *samizdat* texts were flirting with murky chances of brutal punishment.¹

Don't preen complacently as you recall how diligently, how viciously, repressive regimes have controlled who can read and what they can read. We—I suspect that that *we* sweeps in all the Western liberal democracies, but here I'll focus on America and Britain—have our own repellent history of cracking down, often violently, on what's been seen as the dangerous business of reading. I want to explore some episodes in that history, to dissect what lofty political principles were advanced to justify the crackdowns. I want to do that partly to figure out

¹ "Peshawar Attack," *Belfast Telegraph Online* (17 December 2014); Adam Nossiter, "In Taliban-Controlled Areas, Girls Are Fleeing for One Thing: An Education," *New York Times* (17 May 2021).

what's at stake in our own easy commitment to the view that reading is unremarkable, that people ought to be able to read whatever they like—but partly too to suggest that traces of those older political views linger.

Of course, we've not settled on the view that everyone gets to read everything. In November 2021, one Virginia county school board voted unanimously to remove "sexually explicit" books from school libraries. Yes, you want to know who gets to draw up the list and how they decide what's on it. One grimly enthusiastic board member wanted the books burnt. He sounded quaint, like some Rip van Winkle roused from his dogmatic slumbers—or like a morsel of MSNBC bait. (Rachel Maddow duly tweeted out the story to her more than 10 million followers.) But I bet that if you accused him of something like that, he'd be happy to summon tradition to his side. And he'd be quite right, for one sprawling tradition, anyway. Then, too, some desperately want disinformation—a dilute bleach solution cures covid, Trump won the 2020 election, yada yada—removed from the internet, but of course we disagree about quite what counts as disinformation ("I don't know about bleach, but vaccines cause autism"), and about whom exactly we should trust to remove it.²

But there's a less flashy and more ominous sort of problem. Some Americans are too poor to clutter their homes—if they have homes—with books. Some live far from public libraries. Some are functionally illiterate, some illiterate pure and simple, and if it's hard now to find defiant champions of keeping them

² Michelle Goldberg, "A Frenzy of Book Banning," *New York Times* (12 November 2021); <https://twitter.com/maddow/status/1458534377122631680> (last visited 18 April 2024); for the video, see <https://twitter.com/bubbaprogram/status/1458521438269366283> (last visited 18 April 2024).

illiterate, it's sadly easy to find people callous about the crappy schools and pinched opportunities that consign them to illiteracy. So yes, I've got concerns about, oh, the brouhaha over drag queen story hour and what it means about our gender politics. But I think it pales next to the everyday ongoing scandal of illiteracy, sometimes arising not from malign neglect but from deliberate policy. I'll return to such contemporary resonances of my tale. I'll leave others to you, not least what to make of the fact that the ancestors of today's Black Lives Matter activists and evangelical Christians fought the same titanic battles, often side by side.

I'll treat struggles over reading as a way to illuminate thorny debates about freedom, equality, and citizenship, debates at the heart of how we understand—and whether we should embrace—liberal democracy. What should we make of free speech? Why do we think of political leaders as public servants? (Or do we?) Have we placed an unfortunate bet on the promise of individual rationality? And do the raging fevers of our day mean we've lost the bet?

Here are a couple of snapshots of the sorts of episodes we'll be canvassing.

* * *

He'd never been much of a reader. When he picked up a book, he later recalled, "anywhere from one to nearly all of the words...might as well have been in Chinese." Was he actually reading? No, he admitted. He was going through "book-reading motions." His handwriting wasn't much better: "slow, painstaking, ragged." Think about what it must feel like to pick up a book and grasp some words, but have plenty of other cryptic strings of letters tauntingly stare back at you. Anyway, he had other matters to attend to: sex, drugs, crime.

Eventually, he landed in prison. Lucky for him, it was an odd prison, with a library bequeathed by a millionaire. The prisoners were free to wander among the hundreds of volumes and help themselves. He got a dictionary, a notebook, and some pencils; and he started laboriously copying from the dictionary. He figured he wrote over a million words. No surprise that his writing got better.

So did his reading. “I could for the first time pick up a book and read and now begin to understand what the book was saying. Anyone who has read a great deal can imagine the new world that opened.” Prison lights went out at 10:00 p.m. He wrecked his eyes reading in the dim light stealing into his cell from the corridor. Guards walked by every hour to check on the inmates. He’d pretend he was sleeping and he’d keep reading hours into the night.

His time in prison sped by as he read. He read polymath W. E. B. Du Bois and historian Carter G. Woodson. He read Will Durant, popularizer of history and philosophy, and H. G. Wells, novelist and sometime Fabian socialist. He read Mendel on genetics, pamphlets of the Abolitionist Anti-Slavery Society, more history, more philosophy. He read endlessly, and, endlessly absorbed, he educated himself. “Months passed without my even thinking about being imprisoned,” he remembered. “In fact, up to then, I never had been so truly free in my life.”³

That young man was Malcolm X. His *Autobiography* remains popular among American prisoners—when they can get hold of it. In January 2022, one Tennessee prison rejected a shipment from Books to Prisoners, a group that does

³ *The Autobiography of Malcolm X*, with Alex Haley (New York: Grove Press, 1965), 158-59, chap. 11.

just what their name suggests. “Malcolm X not allowed,” said the terse, scribbled rejection on the parcel. Books to Prisoners followed up and got a form letter, officially from the Assistant Commissioner of Prisons. The letter offers a checklist of reasons. We could dispute whether prisoners should have access to sexually explicit materials, but most of the reasons are sensible enough. For instance, Tennessee doesn’t want its prisoners to read stuff that “contains plans for escape.”⁴

But whoever actually filled out the form checked “Other,” that infamous bureaucratic escape hatch, and added, “Malcolm X Book.” That brusque language repeats but does not begin to justify the prison’s initial decision to reject the book. Mustn’t have those prisoners reading the *Autobiography*, even if it regularly stars on best-of lists. Why not? Because Malcolm X once championed Elijah Muhamad’s Nation of Islam? Because he boldly championed black power? Did Tennessee prison authorities have any reason at all? Maybe they feared that reading Malcolm X would set their prisoners free, too—or as free as you can be behind bars.⁵

Malcolm X wasn’t alone. George Jackson, whose published prison letters made a splash, reported that the “ultrabright” light outside his new cell let him read after midnight. “I generally get two or three hours of sleep a day,” he said; “six hours of exercise, and the rest reading and writing.” (More sleep made him “feel guilty.”) “I’ve read extensively in the fields of social-economic and political

⁴ <https://twitter.com/B2PSeattle/status/1478564068071985158> (last visited 15 January 2022).

⁵ <https://twitter.com/B2PSeattle/status/1479257455263637506> (last visited 15 January 2022).

theory and development,” he reported, and “as much St. Augustine as I could stomach.” “I’ve read *thousands* of books.”⁶

No doubt less heralded prisoners have devoured books. No doubt it’s been infrequent, and maybe now it’s impossible. The crackdown on reading in state prisons is increasingly harsh. In 2023, PEN America reported on the ban of endless thousands of books. Stevie Wilson, imprisoned in Pennsylvania, commented that the authorities “just don’t want incarcerated folx to have books. [We] have video games, movies, tv, but no books. [They] just don’t want people to be thinking critically.”⁷

* * *

Guess what book has attracted the most baleful attention of the censors. No, not radical political pamphlets; not pornography; not children’s books sympathetically portraying gay and transgender characters. Nowhere close. The answer, as we’ll see, is (drum roll...) the holy word of God.

Britain’s Sunday school movement took off in the late eighteenth century. Millions of children, some adults too, attended thousands of schools. Rescuing them from illiteracy enabled them to read the Bible. What staunch Protestant could complain? Well, some did. Don’t imagine that they were mavericks, oddballs, heretics. Sometimes people have worried about the wrong books getting in the hands of the wrong people. But sometimes they have pursued a

⁶ *Soledad Brother: The Prison Letters of George Jackson* (New York: Coward-McCann, [1970]), 64, 208, 66, 87. Jessica Mitford, “A Talk with George Jackson,” *New York Times* (13 June 1971).

⁷ Moira Marquis and Juliana Luna, PEN America, “Reading between the Bars,” at <https://pen.org/report/reading-between-the-bars> (last visited 19 April 2024).

more audacious agenda: better, they've decided, that ordinary men and women not be able to read at all.

John Byng contemptuously acknowledged "the general voice, that now brawls aloud in favor of Sunday schools, and on the uses of reading and writing." But he knew better. Literacy was a dangerously transportable skill. Readers could slurp up immorality. Writers could get away with forgery. Byng pressed his complaint as the French Revolution began. Its progress wasn't calculated to soothe him. Months after Louis XVI met the guillotine, Byng was traveling through Kettering, some eighty miles north of London. He sputtered at the town's Sunday school. "In this refined age, we burst from our egg-shells full of information;—we crawl sceptics; we fly philosophers, spinning webs of sophistry to entangle all around us: And, soon, to be freed from religion, and government,—we shall become as *happy* as the French."⁸

Thomas Ruggles, a justice of the peace, conceded that the poor had to be instructed in religion. No need, though, to teach them how to write. "There must be in society hewers of wood and drawers of water; if all are good penmen, where are those to be found who will contentedly perform the laborious offices of society?" Those hewers and drawers come from Joshua 9:21-27, but I doubt Ruggles thought through his Biblical reference. Theirs is the cursed inferior status the Gibeonites occupy after they trick Joshua into not slaughtering them.

⁸ John Byng, *The Torrington Diaries*, ed. C. Bruyn Andrews, 4 vols. (London: Eyre & Spottiswoode, 1934-1938), 2:80 [22 June 1789]. I'd wondered if the published version should say *bawls* instead of *brawls*, so I turned to the manuscript. *Brawls* is right; but the published version has *great* instead of the original's *general*: John Byng, *A Most Labourieuse Journeye into Distant Counteyes; June, 1789*, Oxford, Bodleian Libraries, MS. Eng. misc. d. 518. Byng, *Diaries*, 3:211 [15 July 1793].

Ruggles worried about reading, too. “If we could confine the poor boy to reading his Prayer Book and his Testament only, nothing but good would arise from teaching poor children to read; but the art being acquired, can we be sure whither the use of it may lead?” Champions of Sunday schools were well-intentioned but naïve. The only sensible Sunday school, he emphasized, would be “a school of daily industry” to groom the lower orders for uncomplaining lives of undignified labor. Reading would give them haughty airs—and let them read dangerous texts. The Sunday schools meant to bring glad tidings, but they were playing with fire. And blood.⁹

From the Bible to radical pamphlets to insurrection: in the terrified imaginations of conservatives, the drop was precipitous. No wonder, fumed Arthur Young, “that the friends of reform, and zealous admirers of French equality, are strenuous for Sunday and charity schools.” Responding, one newspaperman chortled at Young’s panic. “I wonder he did not also recommend the cutting out of men’s tongues, lest they should speak seditious words. Without tongues, they would be equally, perhaps more serviceable as slaves; as hewers of wood and drawers of water.” This newspaperman’s jaundiced crack about slaves means that he had a surer sense of Scripture than Ruggles did.¹⁰

Even a churchman came to regret the enterprise. Sunday schools were “pious but ill-judged,” opined a sub-rector at Oxford University. “By teaching all

⁹ Thomas Ruggles, “On the Police and Situation of the Poor,” *Annals of Agriculture, and Other Useful Arts* (1793), 20:336-38; also in Ruggles, *The History of the Poor*, 2 vols. (London, 1793-94), 2:179-81.

¹⁰ *The Example of France, a Warning to Britain*, 4th ed. (London, 1794), 165; [Daniel Stuart], *Peace and Reform, against War and Corruption* (London, 1794), 150 n. 11. Stuart was no radical: see *DNB*, s.v. Stuart, Daniel.

the lowest people to read, they open an avenue into the minds of the multitude," an avenue radicals were gleeful to march down. "They hope to drench with their political poison the weak and ignorant." The radicals would destroy the constitution—and the church would have destroyed itself. Soon after publishing this ominous flourish, he was promoted to rector.¹¹

Some thirty years later, Sunday schools were more popular than ever. Workers had been ignorant, reported a chronicler of the cotton industry. "Sunday schools have greatly assisted in dispelling this thick cloud of ignorance, they have taught the people to read," and cheap publications "have taught them to reason and think for themselves." "From being only a few degrees above their cattle in the scale of intellect, they became Political Citizens." Those capital letters aren't eccentric or casual. Reading gave these workers a dignified status. They were proud citizens, not humble subjects. No longer should anyone imagine them as deferential inferiors. No longer should anyone dismiss them with contempt.¹²

* * *

People have been fighting over who gets to read, and what they get to read, for many centuries. Opponents of reading weren't, aren't, crazy or sadistic. I want to give their views a hearing, partly because they're inherently interesting, partly because they're a lens giving us a sharp focus on all kinds of political disputes. At some dizzyingly high level of abstraction, we'll see the same sorts of

¹¹ Edward Tatham, *Letters to the Right Honourable Edmund Burke on Politics* (Oxford, 1791), 94-95; *DNB*, s.v. Tatham, Edward.

¹² Richard Guest, *A Compendious History of the Cotton-Manufacture* (Manchester, 1823), 37-38.

doubts, over and over, about the competence and judgment of ordinary men and women. I'm a political theorist, but the air is too thin up there. The politically interesting stuff is much closer to the ground, where we will find fascinating variations on a theme.

I have another reason to chart my excursion. It's that the case against reading is disgusting. The hallowed political views it supports are disgusting, too. Here I'll say something brief and cryptic about why: that stuff is dehumanizing. Details—and arguments—to follow.

* * *

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ONE / STOP THE PRESSES!

Let's launch our exploration in St. Louis, not quite two centuries ago. Presbyterian minister Elijah Lovejoy was publishing the *St. Louis Observer*, an antislavery newspaper. In October 1835, the locals got angry and the paper announced it would stop discussing slavery while Lovejoy was out of town. Anyway the commotion was temporary, or so suggested the paper. Its cause? "Several of our most respectable citizens" had dealt harshly with two white men who'd stolen "Major Dougherty's negroes"—pause over the possessive, please, and while you're at it, the verb too—and some sixty "of our most wealthy and influential citizens" decided to whip the two instead of hanging them. They solemnly took turns administering the punishment. (Word circulated later that one of the two was innocent.) The paper had already received an elegant warning: "The public mind is greatly excited" and violence was imminent.¹

The appeals to social respectability are striking. So are resolutions passed by citizens of St. Louis later that month. Free speech, they declared, didn't mean that abolitionists had a moral right to discuss slavery, in person or in print. "It is the agitation of a question too nearly allied to the vital interests of the slaveholding States to admit of public disputation." Abolitionists' seditious talk was "calculated to incite insurrection and anarchy" and break up the Union. However lofty the constitutional questions, miscegenation was barely submerged in these discussions, and here it surfaced in fury at "the most preposterous and impudent doctrine advanced by the infatuated Abolitionists...."

¹ Joseph C. and Owen Lovejoy, *Memoir of the Rev. Elijah P. Lovejoy; Who Was Murdered in Defence of the Liberty of the Press, at Alton, Illinois, Nov. 7, 1837* (New York, 1838), 155, 135-38.

Its practice would reduce the high intellectual standard of the American mind to a level with the Hottentot." Scripture sanctioned slavery. What more needed to be said? So the citizens authorized a committee to seek out those promoting abolition and report them to the mayor. Should the government hesitate, a "committee of vigilance" would act.²

Lovejoy defied the warnings. He would indeed exercise his constitutional right of free speech. He didn't know a single abolitionist who favored miscegenation. It was revolting to suggest that the Bible sanctioned slavery. "I can die at my post," he proclaimed, "but I cannot desert it." Mere public swaggering? He echoed it in a letter to his brother, and reading this bit must have been chilling: "Whatever may be the consequences, I think, I trust, that through the grace of God, I am prepared to meet them—even unto death itself." The *Observer's* jittery owners promptly asked him to resign as editor. He did. Someone helped him by repaying a \$500 loan taken out on the paper's premises.³

Editor or not, Lovejoy kept on publishing; the locals kept on resisting. After "his printing establishment was attacked with great violence," Lovejoy decided that he could no longer publish in St. Louis. He announced that decision in the paper, but a mob destroyed his office anyway. His press survived and he shipped it across the Mississippi River to the little town of Alton. The change in the paper's title to the *Alton Observer* might seem casual, but it was momentous: Lovejoy was moving from slave state Missouri to free state Illinois. The press

² "Meeting of the Citizens," *Daily Evening Herald and Commercial Advertiser* [St. Louis] (29 October 1835), also in *Shepherd of the Valley* [St. Louis] (7 November 1835).

³ "To My Fellow Citizens," 5 November 1835, from the *Observer*, reprinted in *Memoir*, 140-54; the quotation is at 154; Elijah Lovejoy to his brother, 2 November 1835, in *Memoir*, 156; Elijah Lovejoy to his brother, [January 1836], in *Memoir*, 164-65.

was unloaded—and unattended. “Some malicious or misguided persons...utterly destroyed” it. The good citizens of Alton promptly held a meeting, but they didn’t vow to banish this journalist. Instead they resolved to buy him a new printing press. One newspaper reported that Lovejoy promised he wouldn’t attack slavery. Later, his brother categorically rejected that report.⁴

Indeed, Lovejoy never wavered and the town’s hospitality didn’t last. By the summer of 1837, he was urging the formation of an Illinois Anti-Slavery Society. (Serving as corresponding secretary and member of the executive board, Lovejoy convened a meeting of the group that fall.) That article provoked a meeting of “a large and respectable concourse of the citizens of Alton” and a lawyerly text, complete with findings marked *Whereas*. Lovejoy, they found, had persevered in publishing “his incendiary doctrines.” (Hang onto that adjective; we’ll explore it later.) They disliked slavery, they declared, but the abolitionists’ zeal for immediate emancipation was unacceptable. Emancipation would have to be gradual and the southern states would have to agree to it. Five citizens were delegated to speak to Lovejoy and find out if he was willing to stop.⁵

But the five didn’t meet with Lovejoy. Instead they wrote yet another ceremonious letter, this one peppered with *herewith* and *whereupon*. What disreputable mob does that? Listen to these lofty phrases: “With the utmost

⁴ Elijah Lovejoy to Joseph Lovejoy, 30 July 1836, in *Memoir*, 181; “Alton and Mr. Lovejoy,” *Du Buque Visitor* (9 November 1836); *Sangamo Journal* [Springfield IL] (6 August 1836); “Lovejoy’s Pledge,” *Emancipator* (1 February 1838), running a 22 December 1837 letter from Owen Lovejoy.

⁵ *Alton Observer—Extra: Proceedings of the Ill. Anti-Slavery Convention: Held at Upper Alton on the Twenty-Sixth, Twenty-Seventh, and Twenty-Eighth October, 1837* (Alton, 1837), 3, 12; *Memoir*, 214-20.

deference to your feelings as a man, and your rights as a citizen," they wrote, "we respectfully request that you will at your earliest convenience" advise them on whether he meant to carry on. Lovejoy answered decorously. "Permit me to express my gratification at the kind and courteous terms" of your letter, he cooed. "Your letter is all I could desire." (It's worth remembering that all these polite incantations can be uttered or written in all kinds of tones, not least icy fury, with all kinds of meanings and insinuations, not least sarcastic dismissal.) Still, he could address them only as five individuals, not as any kind of official representatives. His right of free speech was constitutionally protected, divinely granted too, and no group, however constituted, could legitimately challenge it. He would indeed discuss slavery. His sole concession was that he would keep his language calm. He must have known that that wouldn't suffice.⁶

"We had hoped that our neighbors would have ejected from amongst them that minister of mischief, the *Observer*, or at least corrected its course," snarled a St. Louis newspaper. "Something must be done in this matter, and that speedily!" Several days later, a crowd encountered Lovejoy on the street. "Give him hell!" shouted one man. Others beseeched the crowd to run him out of town on a rail, to tar and feather him. Poised, Lovejoy told them they could do with him as they liked if they first brought the medicine he was carrying to his sick wife. They agreed. Then he instructed them, "You had better let me go; you have no right to detain me." Were they cowed? I don't know, but they let him go.⁷

⁶ *Memoir*, 226-29.

⁷ "Abolition," *Missouri Republican* (17 August 1837); An Eye-Witness [Henry Tanner], *The Martyrdom of Lovejoy* (Chicago, 1881), 122-24.

But then the crowd stormed the *Observer's* offices and destroyed the printing press and the type. Undaunted, Lovejoy launched a fund-raising campaign for yet another printing press, the third of this dreary little tale. Antislavery papers as far away as New York ran rousing appeals. The new press arrived; as it made its way through town, people cried out, "there goes the Abolition press, stop it, stop it." But it made its way safely and was guarded by a constable. When the constable left, though, a crowd promptly broke in, rolled the printing press back to the Mississippi River, smashed it, and dumped in the pieces. They ignored the mayor's telling them to disperse, but he opined that "he never witnessed a more quiet and gentlemanly mob."⁸

Three strikes and he's out? "There is a dogmatical stubbornness about this man that excites our astonishment and surprise," drily commented one paper. Some were ready to strike Lovejoy himself. A crowd gathered by his home. Two ruffians burst in and tried to pull him out of the house. His wife made her way past the crowd; one man threatened her with a dagger; she slapped his face and pressed on; holding her husband, she kept striking the mob. Out of some curious chivalry, the mob withdrew. Mrs. Lovejoy fainted and the mob returned. One of the two who first entered Lovejoy's house egged on the rest by charging that his wife had been raped by a black man—and that Lovejoy had encouraged the rapist. More fracas, more exits, then Lovejoy reluctantly yielded to his wife's and friends' demands and slipped away. He ordered a fourth printing press.⁹

⁸ *Memoir*, 231-34, 245-46; see E. P. L., "Appeal: To the Friends and Subscribers of the Alton Observer" and "Lovejoy's Appeal," *Emancipator* [New York] (14 September 1837); *Memoir*, 250-51.

⁹ "Another Abolition Press Destroyed in Alton, Ill.," *Iowa News* [Du Buque] (7 October 1837); *Memoir*, 250-60.

More meetings, more resolutions: should fans of participatory democracy be gleeful? Lovejoy addressed a meeting where some championed his right of free speech and others condemned it. His opponents positioned observers in St. Louis to look out for the new press. A cat-and-mouse game ensued. Lovejoy thought of landing the press downriver from St. Louis, but rain muddied the roads and killed that plan. He decided instead to spirit the press into Alton in the middle of the night and lodge it in a warehouse. Meanwhile, the mayor convened the town's council and told them he was worried about more lawbreaking. An alderman suggested sending Lovejoy and his allies a note explaining why they shouldn't publish an abolitionist newspaper in Alton. The mayor scoffed that he wouldn't sign any such measure. But he did show up when the press neared the shore. And he did tell those allies of Lovejoy ready to receive it that he would instruct any mob to scatter—and tell those stationed in the warehouse to open fire. But there weren't enough rowdies to mount a real threat. The press was stowed safely away.¹⁰

The debacle came less than twenty-four hours later. We have an official narrative from the mayor. Apparently some thirty or forty men assembled in the warehouse to guard the press. Some twenty or thirty opponents showed up and “demanded the press, and said they would not be satisfied until it was destroyed; said they did not wish to injure any person or other property, but insisted on having the press.” Those inside the warehouse refused. Those outside threw stones for a while. Then a shot rang out from the warehouse and mortally

¹⁰ Rev. Edward Beecher, *Narrative of Riots at Alton: In Connection with the Death of Rev. Elijah P. Lovejoy* (Alton, 1838), 85-91; *Memoir*, 268-84.

wounded a man outside. The crowd scattered, regrouped, and urged the mayor to tell those guarding the press that they were bent on destroying the press.

The mayor relayed the message. Those inside responded that they wouldn't surrender to lawless violence. The mayor commanded the crowd outside to disperse. They listened politely but didn't budge. More were gathering and they were armed; calls to burn the warehouse mounted. Worried that further efforts to calm the situation would fail or even backfire, the mayor gave up. "Scenes of the most daring recklessness, and infuriated madness followed in quick succession." The building was lit on fire. Those inside shot at and wounded a few outside; those outside returned fire. Lovejoy made his way to the warehouse doorway. Recall that he'd vowed not to desert his post, even if it killed him. And the state's attorney general had predicted Lovejoy's death. Perhaps he had even deviously encouraged it. Did this stubborn minister imagine that he could persuade the crowd to back off? He had prevailed before, but not this time. Shot four times in the chest, he died instantly. Another source reports five shots, with Lovejoy running back upstairs and exclaiming, in the style of the day's tawdry melodramas, "I am shot! I am shot! I am dead!"¹¹

¹¹ "Riot at Alton—Outrageous Murder," *The Caledonian* [St. Johnsbury VT] (28 November 1837), reprinting an 8 November 1837 letter from Alton that appeared in the *Cincinnati Journal*, and see *Litchfield Enquirer* [CT] (30 November 1837); "The First Martyr Has Fallen, in the Holy Cause of Abolition!" *Emancipator* (23 November 1837), apparently from the *Cincinnati Journal*; Eye-Witness, *Martyrdom*, 150-51. For a racist defense of slavery coupled with a sincere claim that Lovejoy was within his rights in publishing and shooting to defend himself, see "Great Abolition at the Tabernacle," *Morning Herald* [NY NY] (30 November 1837). John Quincy Adams wanted Congress to consider the episode: *Congressional Globe* (13 December 1837); "Proceedings of Congress," *Alexandria Gazette* (16 December 1837), or "Debate in the House of

Only then did those inside agree to relinquish the press, and only if they got safe passage to withdraw. Withdrawing, they were fired on anyway, and one was hit in the shoulder. The victors burst into the warehouse. They threw the offending printing press onto the wharf, shattered it, and tossed the pieces into the river. They didn't vandalize any other property; indeed, one put out the fire and they peacefully disbanded. Trials led to acquittals.¹²

Consider a scattering of reactions from faraway Vermont. One paper condemned "one of the most atrocious and cold blooded murders ever committed" and denounced "a brutal mob." Lovejoy was "the first martyr to the cause of humanity," lamented another. Better had he died in Christian self-denial instead of vigorous self-defense, commented yet another, but still he was a martyr. The Anti-Slavery Society of Ferrisburgh pressed that thought further. They resolved that Lovejoy and his supporters "were bound to adhere strictly to the principle of non-resistance, and to have suffered patiently the spoiling of their goods." Their actions might "set an example to the slave so fearful in its tendencies and so repugnant to the principles of our organization." (Like

Representatives," *Madisonian* [Washington DC] (19 December 1837); *Journal of the House of Representatives* (14 February 1838).

¹² John M. Krum, "To the Public," *Sangamo Journal* (18 November 1837), reprinted from the *Alton Spectator*, which seems not to have survived. See too "Mayor's Office," *Iowa News* [Du Buque] (18 November 1837); "Abolition Riot and Deaths at Alton," from the *Cincinnati Whig*, in *Herald of the Times* [Newport RI] (23 November 1837); "Dreadful Riot and Deaths at Alton, Illinois," *Virginia Free Press* [Charlestown] (30 November 1837); "Shocking State of Society at Alton," *Maumee Express* [Maumee City OH] (2 December 1837); "The Affair at Alton," *South Branch Intelligencer* [Romney VA] (2 December 1837); Beecher, *Narrative*, 104-107. A Member of the Bar of the Alton Municipal Court and William S. Lincoln, *Alton Trials* (1838), 158; "The Alton Riot Trials," *Vermont Chronicle* (28 February 1838).

slaveholders, many abolitionists worried about slave revolts.) Other papers even ran mawkish poetry celebrating Lovejoy.¹³

But not everyone saw the Lovejoy fiasco that way. One Virginia paper derided lachrymose efforts to cast Lovejoy as a martyr. “Lovejoy was an obstinate, wrong headed, evil minded man. — We sincerely lament the circumstances which led to his unfortunate fate, but we cannot overlook his criminal obstinacy in his evil purposes.” Writing as if there’d been some breach of etiquette, the paper that had been struck by Lovejoy’s dogmatic stubbornness took the news of his death in stride: “We hope that this will be the end of such unpleasant scenes, and that the Abolitionists will no longer continue in the dissemination of their disorganizing doctrines.” The paper that had denounced Lovejoy as a minister of mischief blamed those who’d “madly and obstinately persisted in the attempt to establish an abolition press.” With frantic repetition, a New York City paper assailed “a wicked, corrupt and immoral press,” “the corrupt, ignorant, and immoral press of the north,” “a brutal and barbarian

¹³ “Blood!!!” *Vermont Watchman and State Journal* [Montpelier] (27 November 1837); “Mob at Alton—Rev. E. P. Lovejoy Murdered!” *The Caledonian* (28 November 1837). See too Thomas T. Stone, *The Martyr of Freedom: A Discourse Delivered at East Machias, November 30, and at Machias, December 7, 1837* (Boston, 1838), 3-4. “The Alton Murder,” *Vermont Telegraph* [Brandon] (6 December 1837). The 29 November 1837 issue of the paper rounds up detailed accounts and excerpts from other papers’ coverage; for more such surveys, see *Morning Herald* [NY] (30 November 1837); “The Voice of the Public Press,” *Emancipator* (30 November 1837). *Vermont Telegraph* (31 January 1838). See the parallel resolutions from the Massachusetts Anti-Slavery Society in “The Riot and Murder at Alton,” *Liberator* (24 November 1837) and from the Hallowell Anti-Slavery Society in “The Alton Outrages,” *Maine Farmer and Journal of the Useful Arts* (26 December 1837). And compare William E. Channing, *A Letter to the Abolitionists, with Comments* (Boston, 1837). “Poetry,” *The Caledonian* (14 May 1839); “Poetry,” *Vermont Telegraph* (29 January 1840). See too “The Poet’s Corner,” *Emancipator* (25 January 1838).

press,” “the brutal and corrupt press of Wall Street,” “the whole brutal, barbarian, credit press of the Union.” This paper staunchly defended slavery and this very story was liberally peppered with unflinching racism. Shelve any benign assumptions you might have about the antebellum North: New York City wasn’t yet the hub of the illegal slave trade, but it had keen commercial interests in the cotton trade. A year before this paper denounced the corrupt press, the governor of New York instructed the legislature that the abolitionists had established a press in the city, “one of their principal magazines, from which they have sent their missiles of annoyance into the slaveholding States.” These maniacs threatened peace, commerce, and “the public interest.” Their schemes were “visionary and pernicious.” He wanted the legislature to find some way “to put an end to the evils which the abolitionists are bringing upon us and the whole country.”¹⁴

The Massachusetts Anti-Slavery Society ridiculed the zealous destruction of Lovejoy’s four printing presses. “As if the annihilation of a cast-iron machine, and of little pieces of lead and antimony combined, were the extinction of

¹⁴ *Alexandria Gazette* (23 November 1837). Contrast *South Branch Intelligencer* [Romney VA] (2 December 1837); *Iowa News* (15 November 1837); “Mob Violence in Illinois,” *Daily National Intelligencer* [Washington DC] (20 November 1837), also reprinting a 10 November 1837 story from the *Missouri Republican*. Likewise in *Alexandria Gazette* (21 November 1837) and *Constantine Republican* [MI] (10 January 1838). “Murder and Riot at Alton—Abolition—The Press,” *Morning Herald* (25 November 1837); Jonathan Daniel Wells, *The Kidnapping Club: Wall Street, Slavery, and Resistance on the Eve of the Civil War* (New York: Bold Type Books, 2020); John Harris, *The Last Slave Ships: New York and the End of the Middle Passage* (New Haven, CT: Yale University Press, 2020); *Journal of the Assembly of the State of New-York, at Their Fifty-Ninth Session* (5 January 1836), 31. Leon F. Litwack, *North of Slavery: The Negro in the Free States, 1790-1860* (Chicago: University of Chicago Press, 1961), remains indispensable (for our purposes, esp. chaps. 3-4).

intangible truth and never-dying justice!" Yet Massachusetts's attorney general denounced resolutions defending free speech. "The white people" of Missouri, a slave state, and Illinois, a free state—the only people whose views mattered—had agreed in the decision to squelch Lovejoy's paper. "Here was an abolition paper, in their judgment, violating the principles of religion, morality and order; exciting a servile war, under the guise of freedom, and preaching murder, in the name of Christianity."¹⁵

Whatever you make of the attorney general's stance, the Massachusetts Society's ridicule was stupid. How does intangible truth circulate? How does it penetrate the hearts and skulls of its obstinate opponents? Maybe by word of mouth. But nineteenth-century Americans deployed a magical technology for amplifying their voices, for making them less evanescent, too. That technology was the printing press. Cast-iron machines, lead type, paper: these vehicles of ideas are tireless, crucial too. But they impassively churn out pernicious ideas when duly summoned—and people will not agree on which ideas are pernicious. No wonder Lovejoy's foes destroyed four printing presses. I doubt that most of the crowd wanted to murder Lovejoy. I take at face value their claim that all they wanted was the dread press. The point was to silence him, lest wrong ideas find their way to the wrong readers, and all hell break loose.

It's tempting to frame the demolition of printing presses as an incursion on the free speech rights of authors. After all, Lovejoy was muzzled, finally and

¹⁵ *Sixth Annual Report of the Board of Managers of the Massachusetts Anti-Slavery Society: Presented January 24, 1838* (Boston, 1838), 35; James T. Austin, *Speech Delivered in Faneuil Hall, December 8, 1837, at a Meeting of Citizens Called on the Petition of William E. Channing and Others* (Boston, 1837), 7-8. For more on this meeting, see "Alton Mob: Faneuil Hall Meeting," *Herald of the Times* [Newport RI] (14 December 1837).

definitively. But the worry wasn't what he might write. It was about what others might read. Imagine saying to Lovejoy, "you're free to write whatever you like. Just do it in this locked soundproof room. Stack up the papers you write; gaze on them fondly; just don't think of circulating them to others." Or take the speech version. The government wields some clever electronic technology that cancels all sound waves as they come out of your mouth, so only lip readers have a clue what you're saying. Then they wield a device that distorts the image of your moving lips. "Say anything you like!" exclaims the chortling technician. "Freedom of speech is sacrosanct!" If you're worried about what others might read, it's much easier to choke off the worrisome words at their source. We'll see this chokepoint strategy repeatedly, and every time we see it, think about deprived readers, not silenced writers.

PESTIFEROUS BREATH AND GENTLEMEN OF THE FIRST STANDING

James Birney planned to publish an antislavery paper in Kentucky. Abolitionist Theodore Weld encouraged him: it "would give impulse incalculable to our cause in both free and slave States." A few months later, *The Liberator*, William Lloyd Garrison's abolitionist weekly, announced that indeed Birney would start publishing his *Philanthropist* in Danville, Kentucky, where he'd grown up. But Birney would get cold feet.¹⁶

¹⁶ Theodore D. Weld to James Birney, 16 February 1835, in *Letters of James Gillespie Birney 1831-1857*, ed. Dwight L. Dumond, 2 vols. (New York: D. Appleton-Century Company, 1938), 1:180; "Proposals for Publishing in the Town of Danville, Kentucky," *Liberator* (30 May 1835).

Alarmed by his plan to promote “immediate emancipation,” some thirty residents of Danville conveyed to Birney their “dread” and “utter abomination” of what his project would produce. “All of us,” they insisted, “believe slavery a moral and political evil.” It could end all in good time, perhaps with a colonization scheme. They conceded that no state law banned the likes of his projected paper. But when life or limb was threatened, those attacked had “the right of *immediate resistance* and *competent defence*.” The quiet threat was clear enough. (Years later, Birney’s son would write that it was “made clear to Mr. Birney that he could neither print a paper nor hold a meeting in Kentucky, and that he could not travel in the State without losing his life.”) And the stakes were catastrophically high:

You are surrounded by a great number of slaves who have been taught, by your diligence and that of others, to read, and the plantations throughout the whole vicinity are to be secretly infested, and the minds of many, now happy and contented slaves, are to be poisoned with doctrines calculated *only* to disquiet and harass their owners, and rivet upon the slaves themselves, still more desperately close, the bonds of their servitude. You injure yourself. You injure society at large. You injure the slaves themselves. *You do good to none.*

Later we'll see ample reason to doubt that many slaves could read. But we'll see too how worrisome many found it that even a few could read, and, from their abysmal point of view, how reasonable their worries were.¹⁷

Birney responded, promptly, politely, stubbornly. The state constitution guaranteed freedom of the press. But slavery was doomed anyway. The only question was how it would die. "There is no other way of arriving at the truth, in any question involving large interests, but through discussion." That discussion was already underway, it was inevitable, and no effort to wall off Kentucky could succeed. In fact, he continued, public discussion of slavery would avoid violence. Some four or five hundred citizens held a "highly respectable meeting" in late July 1835. They resolved that Birney's "scheme" was "wild, visionary, impracticable, impolitic, and contrary to the spirit of our laws, and at war with the spirit of our Constitution." Birney learned more about the meeting from a friendly letter.¹⁸

Consider some of the arguments on offer. Suppose a man burst into a house with a dagger drawn, "about to stab a friend of yours in the heart." Would you reason with him and explain the imminent bad consequences? No, urged one citizen. "You would interfere and with force should it be necessary." Another rejected Birney's appeal to freedom of speech and the press. Suppose, he offered, that someone were slandering you and you were to try to hold him accountable. Imagine the absurdity of his responding airily that he had the right

¹⁷ Gen. William Birney, *Sketch of the Life of James G. Birney* (Chicago, 1884), 15; F. T. Taylor and others to James Birney, 12 July 1835, *Letters of Birney*, 1:197-200.

¹⁸ James Birney to F. T. Taylor and others, 22 July 1835, *Letters of Birney*, 1:204-210; "James G. Birney, Esq.," *Richmond Whig & Public Advertiser* (11 August 1835); Thomas Ayres to Birney, August 1835, *Letters of Birney*, 1:212-15.

to speak and publish whatever he liked. Then this opponent of Birney's generalized the point. "The constitution does *not* give a man the right to speak and print to the injury of individuals nor the community." A third chimed in. Suppose someone were heading to talk to your slaves, and when you asked him what he intended to say, he answered, "why, I am going to tell them that you have no right to make them work for you, and that they are by right as free as you are"? Couldn't you tell him to leave before he delivered these sentiments? If he persisted, "wouldn't you think you had the right to *horizontalize* him sir?" This last argument, nifty coinage and all, met with "great applause."

These piquant offerings dramatize a point that ought to trouble those reciting cheery slogans about free speech. Speech can have immediate bad consequences. Well, there's a slogan for that, too: Oliver Wendell Holmes's "clear and present danger." (Lurking in the background, conceptually and biographically, is John Stuart Mill's example of someone circulating the view that grain dealers rob the poor to a mob in front of a grain dealer's house.) But there's more. The man strolling onto your property to talk to your slaves without your permission is a trespasser. And—English common law had had this idea centuries ago—we can think of trespass more abstractly as the invasion of another's right. You have a right that others not slander you. You can properly complain even if there is no downstream harm to your reputation. That would reduce your damages or even leave you with nominal damages of one dollar, but it would not mean you haven't been wronged.¹⁹

¹⁹ First advanced by Holmes in writing for a unanimous Court: *Schenck v. United States*, 249 U.S. 47, 52 (1919) (upholding a conviction under the Espionage Act); John Stuart Mill, *On Liberty* (London, 1859), 100-101.

The impatience with Birney's gestures toward free speech depends on the belief that his abolitionist weekly would injure individuals and the community alike. You can roll your eyes at the thought that it would injure even "happy and contented slaves," and I'll roll mine too. But his opponents weren't making a simple mistake. Not everything that comes out of a mouth or a printing press should be protected. The question is what side of the line an abolitionist paper in a slave state is on. The more general question is what beliefs make sense of the thought that more or less anybody ought to be able to read more or less anything. I'm going to put off that question and instead continue to explore political battles over reading.

His opponents offered thinly veiled threats of violence, but Birney wasn't backing down. The *Olive Branch*, a local publication, ran a letter from Birney: "I would say to those threatening violence to Mr. B's press—if you wish to make Mr. Birney *popular*, if you wish to see the cause of abolition, prosper, if you wish to have your names heralded abroad in to the whole world, why tear down his press. If you wish to see none of these things let it alone." Sounds like impending cataclysm, but a market transaction defused the situation. To Birney's chagrin, the printer of the *Olive Branch*, the man he'd lined up to print the *Philanthropist*, sold out—literally. The man who'd sold the press in the first place recalled years later that the printer still owed him money for it, so "to save the town from the disgrace" of destroying a press and driving Birney from the state, he decided to

take it back. If you like thinking that politics is the realm of coercion but the market is the realm of freedom, pause here.²⁰

Birney surrendered. He couldn't publish his paper in Kentucky, he realized, and Christians should leave Southern states and wait for divine vengeance. So Birney launched *The Philanthropist* in Ohio; the first issue appeared on New Year's Day, 1836. He called on advocates of freedom of speech and of the press to bankroll his paper. Birney didn't get killed, but his paper didn't flourish, either. Indeed the mere notice that he intended to begin elicited menacing denunciation. The paper would be "so near Cincinnati," worried a paper in that city, "as to make the pestiferous breath of his paper, spread contagion among our citizens." (Not just near, but soon enough there: *The Philanthropist* started in the little town of New Richmond, but a few months later moved to Cincinnati.) Readers wouldn't be learning about news or contemplating political arguments. They'd be infected. That means they'd be corrupted or harmed, with rational deliberation having nothing to do with it. The paper also cast Birney's impending publication as "an attempt to brow-beat public opinion in this quarter." Again, deliberation has nothing to do with it. Somehow the language of his publication would hector, intimidate, coerce its readers. "We hope,"

²⁰ James Birney to Mr. Dismukes, *Olive Branch* (25 July 1835), in James G. Birney Papers, Clements Library, University of Michigan, Folder 2, Oversized Materials; Peter Dunn and others to James Birney, 6 August 1835, *Letters of Birney*, 1:230-31; James Birney to patrons of the *Philanthropist*, [August 1835], *Letters of Birney*, 1:232-35. *Autobiography of Dr. J. J. Polk* (Louisville, KY, 1867), 153, also 34-35. I owe the Polk reference to Betty Fladeland, *James Gillespie Burney: Slaveholder to Abolitionist* (Ithaca, NY: Cornell University Press, 1955), 117 n. 47.

concluded the paper, that Birney “will find the public so inexorably averse to this mad scheme, that he will deem it his interest to abandon it.”²¹

Birney managed only half a year before some fifteen or twenty stealthy opponents struck. (Birney already knew he wasn’t winning any popularity contests. When he lectured in a local town, people hurled rotten eggs.) Breaking in through a roof window at midnight, they threw sheets and blankets over a doubtless terrified office boy and demanded to know where the printer kept his type. A woman reported that one of the opponents exclaimed, “damn him, cut out his heart.” They destroyed the press, copies of an overdue issue too. Then they tore up and inked the printer’s supply of blank paper. The mayor offered a \$100 reward for the arrest and conviction of the malefactors. The cash came from Birney and his allies, who thought the mayor’s language a covert invitation for the violence to continue. Days later a contrary placard went up, offering \$100 for the seizure of that “fugitive from justice,” Birney.²²

Birney’s opponents plastered the city with threats. “Abolitionists BEWARE,” warned a handbill. “If an attempt be made to re-establish their press, it will be viewed as an act of defiance to an already outraged community, and on

²¹ James Birney to Gerrit Smith, 13 September 1835, *Letters of Birney*, 1:243; James Birney to Joseph Healy, 2 October 1835, *Letters of Birney*, 1:250; *Evening Post* [NY NY] (30 December 1835); *Southern Telegraph* [Rodney MS] (5 February 1836). This story and many others I’m citing are drawing on and reproducing stories from issues of the *Cincinnati Whig* that seem not to have survived.

²² “Items,” *South Branch Intelligencer* [Romney [W.] VA] (21 May 1836); *Charlotte Journal* [NC] (27 May 1836); “Outrage in Cincinnati,” *National, and Constitutional Advocate of Universal Liberty* (3 August 1836); [James Birney], *Narrative of the Late Riotous Proceedings against the Liberty of the Press, in Cincinnati* (Cincinnati, 1836), 12, 16, 17. For the identification of Birney as the author of this volume, see *Letter of Dr. William E. Channing to James G. Birney* (Cincinnati, 1836), 3.

their heads be the results which will follow." This attribution of responsibility sounds hauntingly like abusive men's blaming hapless women for provoking their violent assaults.²³

But "the fanatic was determined to persevere," so not quite two weeks later, several thousand assembled. Eager not to seem like a crazed mob, they installed a chair, named officers, and adopted resolutions. Yes, just like the people who assembled to move against Lovejoy, and just like more such people we'll meet soon enough. No, no one circulated a playbook called *How to Silence the Abolitionist Press while Looking Respectable*. Nor is there any reason to think one deeply original crowd was then mimicked by others. Enough that the culture offered concepts ready to be deployed by the like-minded. The crowd resolved that Birney's work was "unjust to our sister States" — there's more here than a regard for federalism, but that doesn't make the nod to federalism a mere pretext, either — and "prejudicial to our own quiet and prosperity." They appointed a committee of twelve to let Birney know that public opinion was staunchly opposed to his continuing his publication, to appeal to his "patriotism and philanthropy" to stop, and to let him know that if he refused they couldn't be responsible for the consequences.²⁴

Ah, the diplomatic niceties: the committee and Birney exchanged several notes before finally arranging a meeting. That meeting was long, but the

²³ Reproduced in Betty L. Fladeland, "James G. Birney's Anti-Slavery Activities in Cincinnati 1835-1837," *Bulletin of the Historical and Philosophical Society of Ohio* (October 1951); also in *Letters of Birney*, facing 1:32.

²⁴ "Abolitionism in Cincinnati!" *Richmond Enquirer* (5 August 1836); "Anti-Abolition Meeting in Cincinnati," *Cheraw Gazette* [Cheraw SC] (9 August 1836), crediting the *Cincinnati Whig*, has a quite different rendition of the language of the resolutions.

committee got nowhere. Then they sought a written response from Birney, who indeed responded, along with other members of the state's Anti-Slavery Society, with the decorous cadences you've come to expect. "Whilst we feel ourselves constrained altogether to decline complying with your request, as submitted last evening, *to discontinue the Philanthropist*," they purred, "we think it but just to ourselves, and respectful to our fellow-citizens generally, to offer a brief exposition of the reasons that persuade us to this course." The substance, though, was as intransigent as you've also come to expect. *The Philanthropist* had some 12,000 readers in Ohio, readers devoted to abolishing slavery. The request to stop publication was "insolent"; compliance would be an "unmanly" surrender to the horrible forces of slavery. The gender profile is striking: real men publish fearlessly. The committee that had implored Birney to stand down knew defeat when they saw it. They passed one last resolution "to express their utmost abhorrence of every thing like violence, and earnestly to implore their fellow-citizens to abstain therefrom."

That plea failed. Some four or five thousand people struck again at Birney's printer's office. Those who burst in tossed printing materials out the windows, "amid the cheers of the immense mass of people below." They broke up the printing press, dragged the biggest piece through the streets, and tossed it into the river. And they burned most of Birney's books and papers. Violence against Birney himself? Armed with tar and feathers, the mob headed to his house. His teenaged son told them that Birney had skipped town, as indeed he had. Birney rode through the night and returned just after dawn. Had he returned when the streets weren't empty, he reported, "I would have been

instantly seized and lynched." The mob moved on to trash the premises of some racially mixed brothels, some "six or seven small negro houses of bad character, too," and didn't disband until 3:00 in the morning. I keep saying *mob*, but a Nashville newspaper declared, "The individuals engaged in the proceedings were gentlemen of the first standing and respectability in the place." Birney's son saw it differently. "The whole country seems to be going mad," he moaned. (He was also thinking of the attack in Troy, New York, on his father's friend, abolitionist Theodore Weld. A crowd dragged Weld from the pulpit. "Stones, pieces of bricks, eggs, cents, sticks, &c., were thrown at me.") The next day, a crowd—that word is less loaded than *mob*, though that doesn't make it the safe scholarly choice—got word that Birney might be hiding in a particular building. They deputed a few to search the premises. Birney wasn't there and the mayor persuaded them to go home.²⁵

New York observers were divided. An Albany newspaper denounced Birney's putative devotion to freedom of speech and of the press as a kind of perverse insanity "set up to justify an irritating and merciless warfare against the domestic institutions, the property and the lives of the people of the southern

²⁵ "From the Cincinnati Whig, August 1," *Daily National Intelligencer* (9 August 1836); *Evening Post* (1 August and 11 August 1836); *Narrative of the Late Riotous Proceedings*, 36-37; "Riot in Cincinnati," *Commercial Advertiser* [NY NY] (10 August 1836); "National Banner and Nashville Whig," (10 August 1836); "More Mob Spirit," *Alexandria Gazette* (11 August 1836); "Mob at Cincinnati," *Niles' Weekly Register* (13 August 1836); *Cheraw Gazette* (16 August 1836). *Narrative*, 30-31, reproduces two messages sent by Birney's opponents. James Birney to Lewis Tappan, 10 August 1836, *Letters of Birney*, 1:349. James Birney Jr. to William Birney, 4 August 1836, Birney Papers, Box 2, Folder 21; "Letter from Mr. Weld," 11 June 1836, *Liberator* (25 June 1836). See Alpha to the *Philanthropist*, [July 1836], Birney Papers, Box 2, Folder 21.

states." Birney was playing with fire. Why couldn't abolitionists "learn to respect the feelings, the peace and safety of the community, and cease to draw upon themselves, and those whose welfare they profess to have at heart, palpable evils, ten-fold greater than the comparatively imaginary evil they seek to redress?" A Schenectady paper shot back that it was "humiliating" to see the Albany paper endorsing "the mob spirit so rife thro'-out our land." The state Anti-Slavery Society insisted that if Ohio's "constitution is to go for any thing except mere waste paper," Birney had to be able to continue.²⁶

The Philanthropist chugged along through late 1843; Birney hit the lecture circuit and ran for president on the Liberty Party ticket in 1844. But I'll leave his saga with his provocative 1838 exchange with a South Carolina Congressman concerned not particularly about *The Philanthropist*, but about all the work of the Anti-Slavery Societies. "To what classes of persons do you address your publications," asked the Congressman, "and are they addressed to the judgment, the imagination, or the feelings?" Imagination and feelings are surely far less skeptical categories than brow-beating and contagion, but the worry is related. Was Birney in the business of offering reasoned arguments or was he being inflammatory?

As a cudgel to bash preference aggregation and interest-group pluralism, two mechanical pictures of democratic politics, deliberative democracy is attractive. A crucial aspect of democratic politics is sustained debate, in and out of legislatures, between citizens and legislators too, about what ought to be done

²⁶ *Albany Argus* (12 August 1836); *Cabinet* [Schenectady NY] (17 August 1836); *Proceedings of the First Annual Meeting of the New-York State Anti-Slavery Society, Convened at Utica, October 19, 1836* (Utica, 1836), 35.

and why. But there's more to our politics, there should be more to our politics, than dispassionate arguments on the common good, justice, individual rights, and the like. It would be crazy to cast political argument on the model of a boring graduate seminar, where people weigh evidence and arguments about issues none of them cares much about. Does that get tangled up with the pursuit of preferences and interests? Of course. But—here's the crux—surely people passionate about injustice may properly rely on inflammatory appeals to rouse others from their dogmatic slumbers.

Birney's response to the Congressman took a different tack. The publications were "intended for the great mass of intelligent mind, both in the free and the slave states." Despite sensational claims, abolitionists never had placed their publications in the hands of slaves. Birney averred that he had no interest in appealing to "the worst passions of the slaves," no interest in promoting slave revolts, either. Those Cincinnati gentlemen, and many more like them, would have taken Birney's claim to address intelligent mind as delirious nonsense. There's no simple fact of the matter here about what the words on the page do and don't say, though there's plenty of room for spirited interpretive disagreement about that. There's a larger dispute about what it means to publish such words, to offer them to readers at large, and how those readers are likely to react.²⁷

²⁷ *Correspondence between the Hon. F. H. Elmore, One of the South Carolina Delegation in Congress, and James G. Birney, One of the Secretaries of the American Anti-Slavery Society* (New York, 1838), 6, 20.

WILL THE REAL TRUE AMERICANS PLEASE STAND UP?

The next decade, Cassius Clay took to the press to inform his fellow citizens of Kentucky that he'd emancipated his slaves. (Yes, this is the Cassius Clay after whom Muhammad Ali was initially named. It was "a slave name," declared Ali. "I didn't choose it and I don't want it.") Soon after, he launched the *True American*, a Lexington newspaper. He had the courage—the foolhardiness? the effrontery?—to publish in the same state Birney had fled from before managing to print a single issue. Soon the *True American* ran a long story entitled, "What Is to Become of the Slaves in the United States?" Plans to expel the slaves from the country were hopeless. Only a trickle were being settled abroad; their numbers were dwarfed by population increase; no nation had ever expelled numbers anywhere close to 3.5m. "The conventions of man" had turned "the accidental distinction of color" into a permanent badge of dishonor. That was the worst feature of slavery. Ancient slavery featured no such visible racial line, so it was relatively easy for the newly freed to melt into the population. But it would take huge struggles on many fronts to overcome the legacies of slavery and racism. Legislatures should launch the work of educating the slaves and preparing for gradual emancipation. "Free colored people" should have "full political rights to hold office, to vote, to sit on juries." Social rights could be left to convention and time. Slaveholders themselves should join the campaign for emancipation. They should realize that they would meet their former slaves as fellow citizens. "Above all they must make up their minds to rid themselves of all those prejudices that run against the free negro."

“It is in vain for the master to try to fence his dear slaves in from all intercourse with the great world, to create his little petty and tyrannical kingdom on his own plantation, and keep it for his exclusive reign,” warned the newspaper. “He cannot shut out the light of information any more than the light of heaven.” Yet people were happily dozing while “the volcano thunders beneath us.” Far better, surely, to work for a future of “sameness of feeling” and “identity of interests” between white and black Americans.²⁸

Two days later, Clay learned that a meeting of indignant citizens had been called. He roused himself from his sickbed—he’d had typhoid fever—and showed up to protest to the twenty or so present that he hadn’t promoted slave insurrections. Any such project was obviously ludicrous; slaveholders invoked that “Bug-a-boo” to cling to power. Were there somehow an insurrection, he’d be as ready as anyone else to take up arms to resist it. In the paper, he’d urged only changes in national policy. He prepared a handbill to circulate in his own defense. I don’t think it was empty bravado. Addressing his enemies, he conceded that they could “seal their triumph with my blood.” But that victory would be an outrage against the Constitution, against freedom, against divine law, against “the moral sense of all mankind.”²⁹

Clay crawled back into bed. One signatory hand-delivered not a get-well card, but an exceedingly polite letter. Savor its elegance:

²⁸ Cassius M. Clay, *To the People of Kentucky* ([Lexington?, 1845]), 7. The pamphlet’s end is dated January 1845. Stuart Cosgrove, *Cassius X: The Transformation of Muhammad Ali* (Chicago: Lawrence Hill Books, 2020), 117; *True American* (12 August 1845).

²⁹ *Appeal of Cassius M. Clay to Kentucky and the World* (Boston, 1845), 5; also in “C. M. Clay’s Appeal—No. V,” in *The Writings of Cassius Marcellus Clay: Including Speeches and Addresses*, ed. Horace Greeley (New York, 1848), 303.

LEXINGTON, 14th Aug., 1845.

CASSIUS M. CLAY, ESQ.

SIR:—We, the undersigned, have been appointed as a committee upon the part of a number of the respectable citizens of the City of Lexington, to correspond with you, under the following resolutions.

Resolved, That a Committee of three be appointed to wait upon Cassius M. Clay, Editor of the "True American," and request him to discontinue the publication of the paper called the "True American" as its further continuance, in our judgment, is dangerous to the peace of the community, and to the safety of our homes and families.

In pursuance of the above, we hereby request you to discontinue your paper, and would seek to impress upon you the importance of your acquiescence. Your paper is agitating and exciting our community to an extent of which you can scarcely be aware. We do not approach you in the form of a threat. But we owe it to you to state, that in our judgment, your own safety, as well as the repose and peace of the community, are involved in your answer. We await your reply, in the hope that your own good sense and regard for the reasonable wishes of a community in which you have many connexions and friends, will induce you promptly to comply with our request. We are instructed to report your answer to

a meeting, to-morrow evening, at three o'clock, and will expect it by two o'clock, P. M., of to-morrow.

Respectfully, &c.

B. W. DUDLEY,

THO. H. WATERS,

JOHN W. HUNT

You have to admire their disavowing any threat, as if they were disinterested observers, not a trio appointed to represent those aggrieved “respectable citizens.”

Clay met their deadline with cool defiance. “Traitors to the laws and constitution cannot be deemed respectable by any but assassins, pirates and highway robbers.” “Go tell your secret conclave of cowardly assassins,” he jeered, “that C. M. Clay knows his rights and how to defend them.” One report said that he moved his sickbed to the paper’s office and wrote his will.

“Everybody understood from the fearless and determined character of Mr. Clay, that he would have to be killed before they could succeed in their object.”³⁰

Clay’s defiance appalled the locals. Time for another meeting, this one attended not by twenty but by several thousand. Hours before, a writer in one Lexington paper cautioned against “the disgrace of mob violence” and embraced free speech. Clay abruptly pivoted in a newly apologetic handbill—or so it seemed. He would “do all I conscientiously can do for your quiet and

³⁰ “To a Just People,” *True American—Extra* (15 August 1845), in HC2 Box 1/6, Cassius Marcellus Clay Collection, Special Collections & Archives, Hutchins Library, Berea College. The broadside is reprinted in *Writings of Clay*, 287-92. “Cassius M. Clay—Great Excitement at Lexington,” *Richmond Palladium* [IN] (27 August 1845).

satisfaction.” He’d had nothing to do with another inflammatory story that his paper had run. He pledged to cut back on the paper’s commentary on slavery. The handbill was even signed with the ritual “Your obedient servant.”

This abject surrender wasn’t enough. Those attending the meeting seized on Clay’s refusal to lay down his arms and his boasting that he knew how to defend himself. It was the literal truth, they charged: he’d hired engineers to fortify his newspaper’s office and he’d stockpiled mines, muskets, and cannon. His defiance was stunning. “To a mild—a wonderfully mild request—to discontinue the paper, the haughty and infatuated fanatic responded in terms of outrage.” Either he was insane or he was in fact preparing for civil war and slave insurrection.³¹

The meeting also saw the adoption of formal resolutions. Any abolitionist paper was flatly unacceptable in Lexington. A committee of sixty would be “authorized to repair to the office of the ‘True American,’ take possession of press and printing apparatus, pack up the same, and place it at the rail road office for transportation to Cincinnati.” Sixty! You don’t need sixty people to pack up and haul a printing press. Maybe you choose sixty to demonstrate visually how much popular support you have. More likely, you assemble sixty people to cow others into submitting. If Clay tried again, the committee resolved, they’d assemble again. No slouches, they promptly marched to the paper’s office. The city marshal gave them the key, which he had because Clay surrendered it to

³¹ P., “Prodigious Excitement in Lexington,” *Courier-Journal* (18 August 1845); *Courier-Journal* (22 August 1845). See too “Removal of C. M. Clay’s Press: Address, Delivered in Lexington, on the Occasion of the Removal of C. M. Clay’s Press, and the Suppression of the ‘True American,’ the 18th of August, 1845,” in *Speeches and Writings of Hon. Thomas F. Marshall*, ed. W. L. Barre (Cincinnati, 1858), 196-210.

obey a court order. The mayor told them they were acting illegally, but volunteered that the city couldn't resist their action. So the committee faithfully executed its charge. With a delicious nod to legality, they held themselves liable for any lost or damaged property. With another, they preened themselves: "In some countries, Mr. Clay might have dreaded summary popular vengeance on his person, or secret murder. He is among a people who abhor mobs, who know no Lynch law, and where assassination is unheard of." Lovejoy's shade could have disagreed. The committee chair solemnly notified Clay that they had "carefully put up" his press and type—they were "taken down by master workmen" and "packed and shipped in good order," the *Lexington Observer & Reporter* claimed later—and paid to ship them to Cincinnati.³²

Afterward, one account agreed that the locals had plenty to worry about. The *True American* had made slaves "idle and insolent." Some had refused to work. Slaves were even singing songs praising Clay as their deliverer. Another account branded the *True American* a lethal vehicle of the abolitionists. "The plunder of our property, the kidnapping, stealing and abduction of our slaves, is a light evil in comparison with planting a seminary of their infernal doctrines in

³² *History and Record of the Proceedings of the People of Lexington and Its Vicinity, in the Suppression of the True American* (Lexington, 1845), 31-33; *Appeal of Cassius M. Clay to Kentucky and the World* (Boston, 1845), 15; also in "C. M. Clay's Appeal—No. V," in *Writings of Clay*, 307. H. Edward Richardson, *Cassius Marcellus Clay: Firebrand of Freedom* (Lexington: University Press of Kentucky, 1976), 53 mentions the episode but offers no citation for the injunction. Geo. W. Johnson to C. M. Clay, 19 August 1845, *Lexington Observer & Reporter* (20 August 1845). The opening pages of the *History and Record* are drawn from that issue of the *Lexington Observer & Reporter*; the microfilm copy is often illegible. *Lexington Observer & Reporter* (27 August 1845). Note the letters from James B. Clay in *Lexington Observer & Reporter* (23 August 1845).

the very heart of our densest slave populations." At a popular meeting, a neighboring county adopted resolutions vigorously approving the suppression of the *True American*. The *Lexington Observer & Reporter's* lofty condescension captures a local reaction. "Men may write books if they please to prove that this was a *lawless* procedure, and in utter violation of the principles of the Constitution and laws, by which our rights and property are protected. It will avail nothing. There may be a state of things in which Constitution and laws are totally inadequate to the public protection and in that event popular action (though usually to be deprecated) must be executed."³³

Clay followed his press to Cincinnati. There he flatly denied that he'd offered any compromise. "This story is calumnious and morally impossible." Several years later, clinging to his principles, he was stabbed in the ribs for defending emancipation at a public meeting. He was reported dead, but later he ran for governor and served in Lincoln's administration.³⁴

So Clay lived on, but the *True American* didn't. Score it a victory for the distinguished citizens of Lexington.

³³ "Lexington Outrage," *Cleveland Daily Herald* (25 August 1845); see too *Boston Atlas* (29 August 1845), *Newburyport Herald* (2 September 1845), *Arkansas Gazette* (8 September 1845), *Vermont Chronicle* [Bellows Falls] (10 September 1845). The original report from the *Louisville Journal* seems not to survive. *Lexington Observer & Reporter* (20 August 1845); *The Life of Cassius Marcellus Clay: Memoirs, Writings and Speeches* (Cincinnati, 1886), 479-88; *Lexington Observer & Reporter* (23 August 1845).

³⁴ *Life of Clay*, 111; "Particulars of the Cassius M. Clay Difficulty," *Examiner* (23 June 1849); C. M. Clay to T. I. Goddin, 2 July 1849, *Examiner* [Louisville KY] (7 July 1849); *Speech of C. M. Clay, at Lexington, Ky. Delivered August 1, 1851* (n.p., 1851); *Life of Clay*, chaps. 13-14. See too "Cassius M. Clay in Reply to R. M. Walsh," *New-York Tribune* (31 December 1845).

WHAT'S LAW GOT TO DO WITH IT?

The austere vocabulary of law and political theory is showing up in these matters, and I want to linger over it. It's a mistake to imagine popular violence as senseless eruption, the exuberant explosion of primordial passion, as if people don't have reasons, as if they don't try to justify what they're up to. Those exceedingly polite letters we've seen weren't mere burlesques, as if the goons thought it amusing to ape their alleged superiors. Indeed, remember that those marching and brandishing weapons were sometimes described as the leading citizens in town. Nor was their violence randomly visited on any nearby target. Recall how carefully the crowd bent on taking Lovejoy's press—and finally his life—protected the other things in the warehouse.

These people thought that their governments had refused to apply the law. That refusal, they thought, left them no recourse but to act themselves. Not out of lawless desperation, but by assuming the authority they had delegated to the government. Appeals to popular sovereignty are barely in the margins here. So for instance the *Lexington Observer & Reporter* applauded the suppression of the *True American*. "The people have at once, independent of the magistrate, the right of defense." If they had a "well grounded apprehension of great, and, it may be, irreparable injury, the use of force for the community is lawful and safe."³⁵

A more specific legal appeal grounds the same point. The *True American* was "a nuisance of the most formidable character—a public nuisance," maintained Clay's foes. When they said *nuisance*, they didn't mean that the paper was irritating, like a gnat buzzing in their ears. The core idea of nuisance in the

³⁵ *Lexington Observer & Reporter* (20 August 1845).

common law is that it's an invasion of others' peaceful enjoyment of their property. Sometimes *property* means land, but—this motif is familiar in the common law—sometimes it just means rights. (So too in political theory: recall Locke's glossing property as "Life, Liberty and Estate.") In 1837, a Lexington newspaper happily predicted that the new city council and mayor "will relieve the citizens from the further nuisance of stone dust, which has been heretofore so liberally bestowed upon them." As an 1840 legal treatise put it, "*Nuisance* (annoyance) is any thing that works hurt, inconvenience, or damage." Now watch the explicit endorsement of self-help, not as a general matter something law smiles on: "When the nuisance is *public*, such as the obstruction of a highway, any person may prostrate or abate it; and for this purpose he may, if necessary, enter upon the land of the party erecting or continuing it, doing as little damage as possible to the soil or buildings." Action that might be violent beckons here, but it's restrained.³⁶

So Clay's foes warned "that if resistance be offered, we will force the office at all hazards, and destroy the nuisance," but graciously offered that instead he could shut down his office and they'd pack up the press and send it out of the

³⁶ *History and Record*, 30; [John Locke], *Two Treatises of Government* (London, 1690), 305; "City Election," *Kentucky Gazette* (12 January 1837); John Holmes, *The Statesman, or Principles of Legislation and Law* (Augusta, [ME], 1840), 406-407; but contrast David Gibbons, *A Treatise on the Law of Dilapidations and Nuisances*, 2nd ed. with additions (London, 1849), 401 ("A private nuisance may be abated by party injured by it, provided he commits no riot in the abatement; but a public nuisance cannot be abated by an individual, unless he is specially inconvenienced thereby"). See too, for instance, Francis Hilliard, *The Elements of Law; Being a Comprehensive Summary of American Jurisprudence*, 2nd ed. rev. and enlarged (New York, 1848), 310. I mostly agree with Richard B. Kielbowicz, "The Law and Mob Law in Attacks on Antislavery Newspapers, 1833-1860," *Law and History Review* (Fall 2006).

state wherever he liked. Was state law on their side? Consider an 1838 case. Fed up with a Danville home “which was the resort of felons, thieves, loafers, and other dishonest, vicious and disorderly persons,” the locals tore down the house and tarred and feathered the homeowner. He sued. The court agreed there was a public nuisance, and acknowledged the familiar thought “that individuals have a right to abate a public nuisance without the aid or authority of any public proceeding.” But the court insisted on precision. The home itself wasn’t the nuisance. It wasn’t as if it had been built in the middle of a public road. The nuisance was the use to which the house had been put. Self-help couldn’t properly extend to extinguishing a “moral” nuisance by destroying the physical premises where it went on. So the homeowner’s suit could proceed.³⁷

So—it is a nice question—did the law permit irate citizens to destroy a printing press vomiting out noxious antislavery sentiments? Is the press more like the site of a nuisance or more like the nuisance itself? Legalisms aside, there’s room to think that the opponents of antislavery newspapers were profoundly misguided, that they were adopting wretched tactics in a wretched cause. Still, it doesn’t make a lot of sense to help yourself to that view by summoning up mob violence and hysteria as if they expose the opponents as thoughtless, gibbering, crazy. It’s fatuous to dismiss out of hand the opponents’ case against letting people read texts that challenged the fundamentals of social

³⁷ *History and Record*, 32; *Gray v. Ayres*, 37 Ky. 375 (Court of Appeals, 1838). The same court quashed an indictment charging a man with permitting “a certain house of ill fame, known as a resort for idle, noisy, and dissolute persons” to be kept on his property. The court held that Lexington’s ordinances didn’t apply: *Krickle v. Commonwealth*, 40 Ky. 361 (1841). That doesn’t mean there’s no recourse for moral nuisances. It means the government needs to pass a better criminal law.

order, and it remains fatuous even when you agree that the social order in question was profoundly unjust.

But I want to regale you with more jolly stories.

MORE POLITICAL FESTIVITIES

Had you lived in the little town of Parkville, just across the Missouri River from Kansas City, and had you lived there a decade after the inglorious silencing of Cassius Clay's *True American*, you'd have been able to watch a parade featuring a striking oddity, a printing press wearing a white cap. After surprisingly quiet organizing, "ten or fifteen of our most respectable country acquaintances" kicked things off; some two hundred joined in the festivities.

Before the parade, the crowd paused to consider tarring and feathering W. J. Patterson. One man volunteered that everyone there knew they'd intended to do it, then to run him out of town on a rail. They had George Park in their sights, too. But Park happened to be out of town and Patterson's wife was clinging to him. Another man assured the crowd that "he despised [Patterson] as strongly as any man could," but urged mercy, lest they gravely distress his wife or have to grab her. More chivalry: the crowd took a vote and narrowly decided to let Patterson go.

Then they adopted eight resolutions by enthusiastic voice votes and lopsided margins. Park and Patterson, they resolved, were "traitors to the State and county." The crowd would "meet here again, on this day three weeks, and if we find G. S. Park or W. J. Patterson in this town *then* or at any subsequent time, we will throw them into the Missouri River, and if they go to Kansas to reside, *we*

pledge our honor as men, to follow and hang them wherever we can take them." You've got to admire the mix of ceremonial form and bloodthirsty vengeance. They resolved too "that we will suffer no person, belonging to the Northern Methodist Church, to preach in Platte county after this date, under penalty of tar and feathers for the first offense and a hemp rope for the second." More in a bit on why they worried about that church. Then the crowd—jubilant? somber? rowdy?—and the press paraded through the little town and arrived triumphantly at the Missouri River, where the crowd threw the press into the river. The story ricocheted around the country.³⁸

Of what loathsome crime, what grievous betrayal, were Park and Patterson guilty? They'd been publishing the *Industrial Luminary*—right, using that drowned printing press. The crowd also resolved that the *Luminary* was "a nuisance, which has been endured too long, and should now be abated." Once

³⁸ It originally appeared in an extra edition of the *Platte Argus* (16 April 1855) which seems not to have survived. See, with the usual incidental variations, *Liberty Weekly Tribune* [Liberty MO] (20 April 1855); *Weekly Brunswicker* [Brunswick MO] (21 April 1855); *Daily Quincy Whig* [Quincy IL] (23 and 24 April 1855); *Tri-Weekly Messenger* [Hannibal MO] (24 April 1855); *Squatter Sovereign* [Atchison KS] (24 April 1855); *New Albany Daily Register* [IN] (25 April 1855); *Alton Weekly Courier* [Alton IL] (26 April 1855); *New York Herald* (26 April 1855); *New York Times* (26 April 1855); *Evening Post* (26 April 1855); *Daily National Intelligencer* (27 April 1855); *Evansville Daily Enquirer* [IN] (28 April 1855); *True Democrat* [Little Rock] (1 May 1855); *Weekly Wisconsin* [Milwaukee] (2 May 1855); *Delphi Dollar Journal* [IN] (2 May 1855); *Ohio State Journal* [Columbus] (2 May 1855); *The Standard* [Fort Wayne IN] (3 May 1855); *Georgetown Herald* [Scott County KY] (3 May 1855); *Richmond Palladium* (4 May 1855); *Kansas Herald of Freedom* [Lawrence] (5 May 1855); *National Anti-Slavery Standard* [NY NY] (5 May 1855); *The Catholic* [Pittsburgh] (5 May 1855); *People's Journal* [Coudersport PA] (17 May 1855); *Empire County Argus* [Coloma CA] (9 June 1855).

again we see the legal concept. Once again we see a crowd claiming it was legally authorized to proceed.³⁹

But locals found the *Luminary* irritating, too, a gnat buzzing unrelentingly, and their irritation wasn't new. Over a month before the parade, the *Squatter Sovereign*, a wonderfully belligerent Kansas newspaper, had been complaining about the *Luminary's* abolitionism. "We like to see Parkville prosper," they'd asserted, "and are willing to record every step taken for its advancement." So they'd happily reported the organization of a ferry company, the expansion of the town, its coming application for a city charter. Just one more step beckoned. "The sooner it is done, the better for the town. — It is the *moving* of Messrs. Park's & Patterson's Abolition-Newspaper Manufacturing establishment...to some deep hole in the Missouri River!"⁴⁰

Does an abolitionist paper run an ad offering to sell a "Negro-woman, 20 years of age"? Or another, offering four slaves being sold in probate? Issue after issue of the *Luminary* ran a prospectus forthrightly saying, "The Political principles will be Democratic," and of course that was the pro-slavery party of the day. Does an abolitionist paper report with no comment on a new municipal ordinance dictating that slaves be whipped up to twenty lashes for violating any other ordinance? The charge of abolitionism was a typically overheated attempt to redraw the boundaries of acceptable party opinion. (Compare today's use of *RINO* and *squish*.) In vain did the *Luminary* protest "the men who so loudly boast of their democracy — and who affect to entertain a sort of superlative contempt

³⁹ "Highly Important from Parkville," *Squatter Sovereign* (24 April 1855).

⁴⁰ *Squatter Sovereign* (6 March 1855).

for all who differ from them, and designate them *abolitionists*.” Enough for their opponents that the paper registered an “earnest protest” against the “mischievous innovation” of squatter sovereignty. Parkville was just across the river from Kansas, about to hold its infamous bloody election. Opposing the right of the locals to adopt slavery was, in the eyes of the paper’s critics, tantamount to abolitionism—indeed, to treason.⁴¹

Some derided the formal resolutions and talk of nuisance that were supposed to make the crowd look respectable and their actions legal. “A more cowardly, causeless, ruffianly affair never took place in the South,” fumed one Massachusetts newspaper. “It was a wanton, dastardly attack, which, even according to the common creed of pro-slavery morality, was wholly unprovoked.” An Ohio paper struck the same stance: “In the whole course of our experience, we have met with nothing so highly spiced with unmitigated villainy.” “Mob” and “mobocracy,” chorused a Missouri paper. A mob, agreed a Kentucky paper. “We do not know that we should feel any very deep regret at hearing that some of the worst of them have been sent after Mr. Park’s printing-press to the bottom of the Missouri river.” One eyewitness recalled that some of

⁴¹ “For Sale,” *Industrial Luminary* (14 November 1854); “Sale of Slaves,” *Industrial Luminary* (30 March 1855); “Wagons, Carts, &c.,” *Industrial Luminary* (11 October 1853); “Conservative Democracy,” *Industrial Luminary* (18 July 1854); “A New Plank in the Platform,” *Industrial Luminary* (24 October 1854). The *Luminary* ran the prospectus when the paper was published by Park and J. H. Cundiff (for instance, “The Industrial Luminary, Published Weekly,” 2 August 1853), when Park and Cundiff dissolved their partnership (“Dissolution” and “The Industrial Luminary, Published Weekly,” 2 May 1853, and when Patterson came onboard (“The Industrial Luminary, Published Weekly,” 16 May 1854), so it’s not as if change of ownership changed the paper’s party stance. On Park’s views, see too *To the Citizens of Parkville and Vicinity!* (Parkville, 27 November 1855).

the “mobocrats” had first intended to ship the press to Boston, chosen I suppose as the nefarious headquarters of abolitionism. A New York paper raised the ante. “Savages,” they repeated sternly. A writer for Kansas’s *Herald of Freedom* declared himself and his family ready to do battle, deeming “a transit into the future life with ... a goodly number of printing press destroyers a favor rarely to be met with.”⁴²

Fans of the parade doubled down. The *Squatter Sovereign* jeered at a report that Park himself had declared that “all good citizens of Parkville are opposed to the mob and their action.” “The meeting which passed those resolutions was large and respectable,” they spat back, “composed of many our oldest and best citizens.” Indeed, all the town’s “good citizens” agreed “in consigning your press to a watery grave.” A Missouri newspaper warned that they’d be identifying “other traitors in Parkville,” elsewhere too.⁴³

Upstanding citizens or lawless mob? Executing a judgment against a public nuisance or wantonly destroying private property? Park sued the crowd’s leaders and won a \$2,500 judgment. So one court, anyway, decided that a lawless mob had wantonly destroyed private property. But that doesn’t settle the matter.

⁴² “The Parkville Mob,” *Massachusetts Spy* [Worcester] (2 May 1855); “The Missouri Mob—A Press Destroyed,” *Eaton Democrat* [Eaton OH] (3 May 1855); “Parkville Mob,” *Tri-Weekly Messenger* [Hannibal MO] (24 April 1855); “Mr. Park of Parkville,” *Courier-Journal* (9 May 1855). See also the language in two almanacs: *The American Almanac and Repository of Useful Knowledge, for the Year 1856* (Boston, 1855), 371; Joel Munsell, *The Every Day Book of History and Chronology* (New York, 1858), 150. A. Goodyear to [George S.] Park, 1 September 1855, Frances Fishburn Archives and Special Collections, Park University, Parkville, MO; “Further Enormities Committed by the Western Savages,” *Evening Post* (26 April 1855); “A Free Press,” *Herald of Freedom* (21 April 1855).

⁴³ “George S. Park,” *Squatter Sovereign* (12 June 1855); *National Era* [Washington DC] (17 May 1855), reprinting a story from the *Platte Argus* that seems not to have survived.

That *can't* settle the matter. Nor can the sensible observation that private actors had taken matters into their own hands, that the government never authorized any action against the *Luminary*. It's still an open question whether the crowd's actions were legitimate. Aren't there good reasons to think that ordinarily, only the government may properly use or authorize coercion? Sure. But it would be rash to think that private violence is never justified.⁴⁴

Wasn't the crowd shredding Park and Patterson's rights of free speech? That's what Park thought. He too might end up in the Missouri River, he conceded. But even "his death will not destroy the freedom of the AMERICAN PRESS!" Skeptics might well have thought that his ensuing rhapsodies about the deep convictions of all freemen and divine principles wired into the universe were so much blather. Months later, Park took his chances on being doused—remember the crowd's measure banning him from Parkville—and returned to town to pursue some complicated matters involving his property. Assurances that Park would be there for just a few days didn't mollify the locals. They prepared for violence. I don't know if they followed through.⁴⁵

Addressing a meeting in downtown Boston, Park argued that the freedom of the press had been "taken away at the instigation of rowdies and blacklegs." Who could live in such a community? He'd rather "live in pandemonium," he announced; he'd rather "live with the Digger Indians." The language, echoing the New York paper's invocation of savagery, is a sordid reminder of the racist

⁴⁴ *Examiner* (15 April 1848); *Writings of Clay*, 108; Roy V. Magers, "The Raid on the Parkville Industrial Luminary," *Missouri Historical Review* (October 1935), 41.

⁴⁵ Geo. S. Park to the public, *Herald of Freedom* (23 April 1855); "Excitement at Parkville," *Daily Quincy Whig* (23 November 1855).

undertones in contemporaries' rankings of how civilized different communities were. I suppose you could tiptoe around the point and argue that the image of Parkville's rowdies and blacklegs falling lower than the Digger Indians had nothing to do with race. Good luck.⁴⁶

In nearby Clay County, a crowd adopted more resolutions. They endorsed the actions against the *Luminary*, the resolution "to expel the traitors Park and Patterson" too. They bluntly rejected appeals to free speech. "To speak or publish in a slaveholding community sentiments calculated to render slaves discontented, to incite them to escape or rebel, is not an exercise of the 'liberty of speech,' but is an act of positive crime of the highest grade, and should receive summary and exemplary punishment." They too banned the Northern Methodist Church, and they said why: that church was opposed to slavery. So their sermons had to be unsayable, outside any plausible conception of the free exercise of religion. Newspapers ran grimly ecstatic stories on these Clay County resolutions. Their only regrets were that Platte County had beaten Clay County to the punch—and that Park hadn't been "lashed hard and fast to the press." And they closed with unadulterated racism. Opponents of "long cherished institutions, guaranteed to us by the Constitution" — in a word, slavery — were welcome to "leave the country for one more congenial to the feelings, and where

⁴⁶ "The Parkville Outrage—Meeting at the Meionaon," *Herald of Freedom* (30 June 1855). The original story, from the *Boston Telegraph*, seems not to have survived. On the Meionaon, see R. L. Midgley, *Sights in Boston and Suburbs, or Guide to the Stranger* (Boston, 1856), 51-53.

their professions of so much warm attachment to the negro race will be respected.”⁴⁷

Let’s ponder one take.

As much as we abhor mob law, we say, with our hand on our heart, that we rejoice that the Missourians have shown, by something stronger than paper protests and wordy resolutions, a purpose to resist the steady and long continued efforts of fanatical scoundrels to invade their rights and to jeopard their domestic, social and political safety. The time has gone by for mincing matters. These men are our enemies. — They would heartily rejoice to see the faggot applied to our dwellings, and the knife to our throats. They should be dealt with as such, and, if war results, let it come. If this is not a fighting question, none ever appealed to the most sacred sympathies of the human bosom. — We trust that the Missourians will continue the good fight they have begun, and, if need be, call on their brethren in the south for help to put down by force of arms the infernal schemes hatched in northern hot-beds of abolition for their injury. There is no other way to deal with people who have taken leave of reason, who refuse to listen to the considerations of humanity, and who trample on the word of God, and the constitution of their country, in their insane efforts to compass their diabolical ends.

⁴⁷ “The Parkville Mob—Resolutions” and “Our View upon the Clay County Resolutions,” *Kansas Free State* [Lawrence] (7 May 1855); see too *Liberty Weekly Tribune* [MO] (27 April 1855), for just the former story. *Herald of Freedom* (12 May 1855), runs the same two stories and attributes the latter to the *Enterprise* of Richfield, MO, which seems not to have survived.

The opening is tricky. The point might be that ordinarily, mob violence is abhorrent, but in this setting it's justified. I suspect, though, that the writer meant to concede that mob violence is abhorrent, but to brush that aside as having nothing to do with these matters.⁴⁸

Regardless, the central thrust is not that southerners should realize that ostensibly impotent words might lead to bloody outcomes. It's not that southerners shouldn't be fooled when abolitionist writers who'd love to burn homes and slash throats hide behind words, nor that it's great that the southerners haven't responded with empty words themselves. It's that abolitionist words themselves invade their rights and threaten their safety. Their fiendish opponents don't just speak or write; they "trample." Their wicked actions flout the word of God, the Constitution too. The feverish last sentence gears up for the final blow: "insane efforts to compass their diabolical ends." The verb *compass* means to contrive or devise, usually something bad. It too is a legal echo, intended or not, this time of Britain's Treason Act of 1800, which prohibited "compassing...the death of the king." These lunatic northerners are actually

⁴⁸ "Southern Blood and Slavery," *Ogle County Reporter* [Oregon IL] (29 June 1855); *The South-Western* [Shreveport] (13 June 1855); also for instance in *Daily American Organ* [Washington DC] (15 May 1855); *Fremont Journal* [OH] (18 May 1855); *Sumter County Whig* [Livingston AL] (30 May 1855); *Burlington Free Press* (1 June 1855). The language crossed the Atlantic to London's *Anti-Slavery Reporter* (1 October 1855). The original, from the *Mobile Advertiser and Register*, seems not to have survived. I've silently corrected two typographical errors.

William Phillips, *The Conquest of Kansas, by Missouri and Her Allies* (Boston, 1856), 90-92, boasts a colorful account of testimony before a Congressional committee by one Tom Thorpe, pro-slavery but objecting to the destruction of the *Industrial Luminary's* press. There is no such testimony in *Kansas Affairs: Hearings before the United States House Committee on Elections, and House Select Committee to Investigate the Troubles in the Territory of Kansas, Thirty-Fourth Congress, First Session* (Washington, DC, 1856).

attempting to do something devilish and treacherous. Not by secretly organizing slave revolts, but by publishing these toxic words. The *Anti-Slavery Bugle* fired back that this diagnosis was itself “astonishingly wicked.”⁴⁹

That white cap worn by the *Luminary’s* press as it made its way to the Missouri River itself echoed a familiar legal ritual. No mere jaunty decorations, white caps covered convicts’ heads when they faced execution. John Brown, the abolitionist who seized the federal armory in Harpers Ferry in the hopes of launching a slave uprising, would wear one at his execution. So would Mary Surratt, executed for conspiring in Lincoln’s assassination. So the mob had the *Luminary’s* dread printing press don a cap in yet another bid to command the ritualized forms of law. It indicated that the press wasn’t being destroyed. It was being punished for its misdeeds with the death sentence. Commodity fetishism has a demented cousin in jurisprudence.⁵⁰

DANGEROUS WORDS

The crowds destroying these printing presses were sure that the offending publications had flouted the rightful boundaries of free speech. That’s wrong, I

⁴⁹ 39 & 40 Geo. 3 c. 93; *OED* s.v. *compass*, v., 1.2a; “Red-Hot,” *Anti-Slavery Bugle* [Salem, Ohio] (21 July 1855). The paper also flogged the story in “A Common Cause,” *Anti-Slavery Bugle* (19 May 1855).

⁵⁰ Josiah Gilbert Holland, *History of Western Massachusetts*, 2 vols. (Springfield, 1855), 1:258; P. R. Hamblin, *United States Criminal History* (Fayetteville, 1836), 148; “A Scene under the Gallows,” *Squatter Sovereign* (6 May 1856); A Pioneer California Journalist [James O’Meara], *The Vigilance Committee of 1856* (San Francisco, 1887), 29; “Execution of Paul Kingston,” *Cape Girardeau Weekly Argus* (3 December 1863); “Execution of John Brown,” *State Record* [Topeka] (17 December 1859); “The Great Execution,” *Evening Star* [Washington DC] (7 July 1865).

think. But I have no patience for a familiar strategy for rebutting such claims, which is to assert that our commitment to free speech must be unafraid, unwavering, unconditional. This terrain is mined with explosive controversies and it's worse than fatuous to stroll around as if they're not there.

So-called absolutism, the position that no restrictions on speech are ever justified, sounds stirring. But it's a laughable nonstarter, unless you're willing to defend the rights of people to say, in earnest, "I'll pay you \$30,000 to murder my wife," or "your money or your life," or "wanna buy my powdered plant? it'll cure your stage 4 cancer," and to say those things with legal impunity. (Justice Holmes's example of shouting fire in a crowded theater is the least of the problems with absolutism.) Tempted to hang onto absolutism and say that we can regulate such utterances because they're action, not speech? They are after all the acts of soliciting a crime, threatening someone, and making a fraudulent offer. Justices Black and Douglas tried to save their absolutism with that strategy. Yet it's nothing but an exhausted wheeze, because the distinction between speech and action is endlessly manipulable. The *Industrial Luminary* engaged in the actions of assailing their opponents, denouncing the flood of Missouri citizens voting in Kansas's election, and so on. Or suppose you're marching downtown with a sign demanding that the president be impeached. Are you expressing a political view or are you performing the action of demonstrating? Both descriptions are perfectly apt. But then the distinction between speech and action isn't the innocent ground of the distinction between what people have a right to say and what they don't. It's simply another way of describing that same distinction. All the work of deciding whether something is protected as speech or

regulable as action is happening offstage, with unstated arguments or no arguments at all, and that won't do.⁵¹

When I say that these matters are controversial, I don't mean that I'm torn about them. For me, I wish for us, they couldn't be easier. The *Observer* and the *Philanthropist* and the *True American* and the *Industrial Luminary* had a right to say what they did. (It's tempting to underwrite that claim by adding that they were right to say it, but any remotely serious account of free speech won't succumb to that temptation.) The mobs were wrong to pass their resolutions and destroy those presses. Their actions weren't legitimate, though their appeals to legal form counted as utterly plausible. That's precisely why they earn the name *mob*, even if they were identified as respectable citizens on the basis of whatever social status they enjoyed or whatever roles in the community they played. To make good on my stance, I'll have to show why you might believe it's perfectly sensible to let people assail the fundamental organizing principles of their social order, why you should be casual—even happy—about letting people read and consider such views, why you should reject the impulse to worry that their doing so will shred social solidarity and open the way to chaos. I hereby issue a promissory note to show you why it's sensible to adopt that stance.

I'm not a moral cretin, so I know how to tote up the moral stakes. I care lots more about Lovejoy's death than I do about shattered printing presses. But the furious destruction of printing presses lets me zero in on the political stakes. Again, the worry wasn't about what the likes of Lovejoy and Birney and Clay and Park and Patterson might write. It was about what nameless suspect others

⁵¹ *Schenck v. United States*, 249 U.S. 47, 52 (1919).

might read and the shudderingly awful consequences of their reading it. Reading here isn't carefree, an idle way to pass the time on a rainy afternoon. Reading isn't innocent, so that universal literacy is obviously a great good, or so that fiery defenses of repellent publications are moving, even exalted. Reading isn't proud, an inspiring path to class mobility and informed participation in public life.

Reading is lethally corrosive. That's why presses had to be shattered—or punished—for the refuse they disgorged.

TWO / READING BIBLES AND BURNING THEM

“The Church has always taken action to destroy the plague of bad books.” The writer, no jaundiced or ignorant observer, was referring to the Roman Catholic Church. Indulge me: I’ll identify him later. The last thing the world needed was ordinary men and women perusing bad books. Bad books were Satan’s lures to the unwary, seducing them into outrageous sin.

The bad book the Church worried about most? The one it moved heaven and earth to vanquish? Scripture—or, as Church authorities would have insisted, mistranslations of Scripture. But the authorities worried too about the limited abilities of lay readers. The relentless campaign against translating, publishing, and reading Scripture careened across centuries and continents, leaving bloodshed, even death—and, insisted its champions, the word of God unsullied—in its wake. Here I’m going to focus on England in the early 1500s, before Henry VIII broke with Rome and England emerged, startlingly, as a Protestant power. But I will also survey a broader landscape.

Take another comment: “Either we must root out printing, or else printing will root out us.” I won’t be coy again. These words are from a sermon by the vicar of Croydon during the reign of King Henry VIII. Or so claims the indefatigable chronicler and defender of Protestants, John Foxe. Henry ruled from 1509 to 1547, but we can be more precise. The vicar in question was one Rowland Phillips, who held that post between 1522 and 1538. He was worried about printed translations of the Bible.¹

¹ John Foxe, *The First Volume of the Ecclesiastical History Contaynyng the Actes and Monuments* (London, 1570), 838; also in Foxe, *The First Volume of the Ecclesiastical History*,

We need to be cautious. Foxe and many of the other Protestant writers I'll draw on weren't trying to stand above the fray and craft impartial histories. They were polemicists, hell-bent on exposing what they saw as the crazed abuses of the Roman Catholic Church and on championing the Reformation. What they found most scandalous, even Satanic, was that the Catholic Church had fought for centuries to stop ordinary men and women from reading the Bible. Protestant zealots branded the Church the Whore of Babylon, the Pope the Antichrist. That menacing imagery from the Book of Revelations summons up apocalyptic conflict at the end of days. Surely it's sensible to wonder about the factual integrity of their reports.

But the central thrust of their attacks is dead on. The Catholic Church did fight to stop people from translating and publishing the Bible. They did fight to stop ordinary men and women from reading it. I was inclined to doubt Foxe's claim that Pope Gregory XIII celebrated the St. Bartholomew's Day Massacre of 1572, in which thousands of French Protestants were slaughtered. But Foxe was right. Gregory ordered an annual Te Deum to commemorate the event; he struck a special medal with an angel holding a cross over Protestants being killed; he added some new frescoes to the Sistine Chapel's antechamber. Like it or not, we learn something here about Christian humility and charity.²

Contayning the Acts & Monumentes (London, 1576), 682; DNB s.v. Phillips, Rowland. In quoting older sources, I've usually modernized spelling throughout this book.

² Foxe, *Actes and Monuments of Matters Most Speciall and Memorable*, 2 vols. ([London], 1583), 2:2153; Robert M. Kingdon, *Myths about the St. Bartholomew's Day Massacres, 1572–1576* (Cambridge, MA: Harvard University Press, 1988), 45–46; Carter Lindberg, *The European Reformations*, 2nd ed. (Chichester: Wiley-Blackwell, 2010), 279. For Satan as the mastermind behind the Church's opposition to Scripture reading, see *The Catholic*

I know of no independent evidence that Rowland Phillips actually uttered that striking warning about printing. Actual or not, the words of the vicar's sermon would have surprised nobody. Take for instance this dose of published venom from a Protestant. What, he asked, so troubled one vocal Catholic? "That the Scriptures are published in the common known tongues, and that the simple people of all sorts (whom otherwise you call dogs, and swine, and filthy brute beasts void of reason) may understand them. This," he sneered sarcastically, "is that great, and horrible error: This is the error of all errors." The bit about dogs and swine alludes to Jesus's injunction, "Give not that which is holy unto the dogs, neither cast ye your pearls before swine, lest they trample them under their feet, and turn again and rend you." We will see this language over and over, and I'll argue that it crystallizes the deepest issues about the politics of reading.³

Set aside your denominational stance (or lack of one). Today it's easy to read the Bible. Many translations are online, at the library, in the bookstore. Many institutions will mail you a free copy. You can read the Bible with rapt devotion, with ironic mockery, with idle curiosity, or however else you like. The

Epistles, in *Luther's Works*, ed. Jaroslav Pelikan and others, 79 vols. to date (St. Louis: Concordia Publishing House, 1955-) 30:105, reflected in *A Commentarie or Exposition vpon the Two Epistles Generall of Sainct Peter and that of Sainct Iude, First Faithfully Gathered out of the Lectures and Preachings of that Worthie Instrumente in Goddes Church, Doctour Martine Luther*, trans. Thomas Newton (London, 1581), 88 verso; see too William Perkins, *Satans Sophistrie Answered by Our Sauour Christ and in Diuers Sermons Further Manifested* (London, 1604), 72; Thomas Gibson, *Meditations vpon the Hundred and Sixteene Psalmes Very Profitable for All Christians* (London, 1607), 78; Richard Ward, *Theological Questions, Dogmaticall Observations, Evangelicall Essays* (London, 1640), 106.

³ John Jewel, *A Defence of the Apologie of the Church of Englande* (London, 1567), 477; Matthew 7:6. See too Francis Dillingham, *A Quartron of Reasons, Composed by Doctor Hill, Vnquartered, and Prooued a Quartron of Follies* (Cambridge, 1603), 67; Tho[mas] Beard, *A Retractive from the Romish Religion* (London, 1616), 336-37.

ready availability of the text is, for us, utterly unremarkable. So it's easy to nod your head approvingly at these Protestants, to be as aghast as they were. Not so fast! The Church had plausible arguments to justify its harsh stance. Again, they worried about translation errors. Far more important, they were adamant that ordinary readers were incompetent. Such readers would ransack Scripture, misunderstand passages, adopt heresies—and spread them. Satan would grin approvingly and all hell would break loose. Before, I wondered whose side God was on. Now we have to wonder whose side Satan was on.

Hell would break loose not just theologically, but also politically. Social order depended on stopping the translation, publication, and reading of Scripture. Some twenty years after Henry broke with Rome, one Englishman indicted “the damnable liberty of having [the Bible] in the vulgar tongue” and “the irreverent and lewd handling of the multitude.” Most people, he declared, are evil, and Jesus didn't want them “handling...his secrets.” This Catholic wasn't even vaguely original in enlisting that same injunction against giving what is holy to dogs, casting pearls before swine to denounce publishing the Bible. (Just for instance, Henry Knighton had already done that in the fourteenth century.) This Catholic invited his reader, presumably neither canine nor porcine, to examine—and flinch from—the worldly effects of ordinary people reading the Bible: impudent servants, immoral sex, “contempt of all Godly order...and unbridled boldness to all mischief.” “High time,” he concluded triumphantly, to withdraw the English translation.⁴

⁴ [John Standish], *A Discourse Wherin Is Doubted Whether It Be Expedient that the Scripture Should Be in English for Al Men to Reade that Wyll* (London, 1554), “The Thirde

But now I'm jumping ahead of myself. Let's back up.

HALLOWED TRADITION

The Church was already cracking down on Bible reading in 1229. The Council of Toulouse thought that only the clergy could have the Old or New Testament; the laity could possess only the Psalms and texts for church services. They added, "we most strictly forbid their having any translation." Around 1260, a churchman catalogued the heresies of the Waldensians. One cause of their heresies? Peter Waldo had gotten Scripture translated. The churchman's report drips scorn and betrays anxiety. "I have seen and heard a certain unlearned, illiterate rustic who could recite the Book of Job word for word, and many others, who knew the entire New Testament perfectly. And since they were illiterate laypeople, they expounded scripture falsely and corruptly." I don't think *illiterate* here means that they couldn't read, but picked up the text listening to others. I think *illiterate* has the force of *uneducated*. These laypeople know the text perfectly only in the mindless sense in which a parrot might recite something. Ask them what it means and they erupt in pernicious heresies.⁵

Probation," chap. 1, "The Syxte Probacion," "The .XIX. Probacion"; Matthew 7:6; *Knighton's Chronicle 1337-1396*, ed. and trans. G. H. Martin (Oxford: Clarendon Press, 1995), 242-45.

⁵ "Council of Toulouse, 1229," in *Heresy and Authority in Medieval Europe: Documents in Translation*, ed. Edward Peters (London: Scolar Press, 1980), 195; "The Passau Anonymous," in *Heresy and Authority*, 151. For a later view of the Waldensian heresy, [Edward Knott], *Mercy & Truth: or Charity Maintayned by Catholiques* ([Saint-Omer], 1634), pt. 1, 224-25; for a response, William Chillingworth, *The Religion of Protestants a Safe Way to Salvation: or An Answer to a Booke Entitled Mercy and Truth: or, Charity Maintain'd by Catholiques, Which Pretends to Prove the Contrary* (Oxford, 1638), 10.

Over a century before Henry broke with Rome, the Archbishop of Canterbury forbade the translation of any part of Scripture. Even reading such a translation, he warned, would earn excommunication. The target this time was the Lollards, another abortive—perhaps I should say aborted—movement denying that priests had any special authority and demanding sweeping reforms of the Church. How effective were the authorities, church and state alike, in squelching attempts to get a translated Bible into the hands of ordinary folks? In 1496, Spain’s ambassador to England reported dryly that if you read the Bible to the English, they’d think they were hearing the Qur’an.⁶

Eventually, of course, the Roman Catholic Church lost control and the Protestant Reformation took off. There’s no point fussing over a date. You could choose 1517, when Martin Luther (allegedly) nailed his 95 theses to a church door; or 1531, when Henry VIII broke with Rome. If you must choose a date, don’t overlook 1516, the year of that remarkable scholar Erasmus’s searing demands: “I disagree entirely with those who do not want divine literature to be translated into the vernacular tongues and read by ordinary people, as if Christ taught such convoluted doctrine that it could be understood only by a handful of theologians, and then with difficulty,” he wrote. He wanted “every woman” — his Latin, *mulierculae*, indicates women of lower status — “to read the Gospel, to read the Epistles of Paul. And oh,” he exclaimed, “that these books were

⁶ “Mr. Wharton’s Observations on the Foregoing Memorials,” in John Strype, *Memorials of the Most Reverend Father in God, Thomas Cranmer* (London, 1694), 263; Rodrigo González de la Puebla to King Ferdinand and Queen Isabella, in *Cal. S. P., Spain* (11 July 1496). For parliamentary crackdown on the Lollards, see 2 Hen. V s. 1 c. 7 (1414).

translated into every tongue of every land so that not only the Scots and the Irish but Turks and Saracens could read and get to know them—somehow or other.”⁷

Don’t overlook 1525, when William Tyndale began publishing his translation of the New Testament.

A WAR OF WORDS

A student at Oxford University, Tyndale was an odd duck in writing in English: Latin was the learned tongue of the day. Preacher, scholar, and translator of Erasmus, Tyndale once sputtered, “I defy the Pope and all his laws.” God permitting, he added, he’d make a ploughboy know more Scripture than the Pope did. Probably in the summer of 1523, he sought permission from Bishop Cuthbert Tunstall of London to start translating the Bible. No wonder he didn’t get it: the English church was still Catholic. He decided to leave England, probably less than a year later, and ended up in Antwerp.⁸

Tyndale translated the New Testament. News of Tyndale’s project inspired Tunstall to warn his archdeacons of the “peril and danger of our subjects, and especially the destruction of their souls.” The translation would “without doubt...contaminate and infect the flock committed unto us with most deadly poison and heresy.” He instructed the archdeacons to tell their parishioners to

⁷ “The Paracelsus of Erasmus of Rotterdam to the Pious Reader” [1516], trans. Ann Dalzell, in *The New Testament Scholarship of Erasmus: An Introduction with Erasmus’ Prefaces and Ancillary Writings*, ed. Robert D. Spider (Toronto: University of Toronto Press, 2019), 410-11 and n. 40.

⁸ David Daniell, *William Tyndale: A Biography* (New Haven, CT: Yale University Press, 1994), 45-46; Foxe, *Actes* (1583), 2:1075; and see Daniell, *Tyndale*, 70-71; Foxe, *Actes* (1583), 2:1076; Daniell, *Tyndale*, 83-86, 108.

hand over their translations on pain of excommunication. A deceptive intermediary arranged with Tunstall to buy up one of Tyndale's printings, so Tunstall could burn the volumes. Tyndale mischievously accepted the offer. He explained that he could use the new funds to support his work on a corrected translation, and that the world would recoil from the church staging a Bible burning. The books were "openly burned" in a churchyard. Tyndale had expected no less. And in fact frenzied protests resounded through the decades. But Rome's legate to England was delighted. "No holocaust could be more pleasing to God," he purred.⁹

Tireless, Tyndale translated the Pentateuch and the Book of Jonah. He revised his New Testament. He wrote commentaries on Biblical texts. Along the

⁹ Foxe, *Actes* (1583), 2:1018; and see Christopher Anderson, *The Annals of the English Bible*, 2 vols. (London, 1845), 1:118-19. [Edward Hall], *The Vnion of the Two Noble and Illustre Famelies of Lancastre & Yorke* ([London], 1548), fol. clxxxvi recto – fol. clxxxvii verso, fol. clxxxiii verso. On the more general politics and pageantry of book burning from the 1520s to the 1640s, see David Cressy, "Book Burning in Tudor and Stuart England," *Sixteenth Century Journal* (Summer 2005). [William Tyndale], *That Fayth the Mother of All Good Works Iustifieth Us* ([Antwerp, 1528]), "To the Reader," n.p. See for instance John Jewel, *A Replie vnto M. Hardinges Answere* (London, 1565), 543; A[nthony] Anderson, *An Exposition of the Hymne Commonly Called Benedictus with an Ample & Comfortable Application of the Same, to Our Age and People* (London, 1574), 59-60; D. [William] Fulke, D. Heskins, D. Sanders, and M. Rastel, *Accounted (Among Their Faction) Three Pillers and Archpatriarchies of the Popish Synagogue (Vtter Enemies to the Truth of Christes Gospell, and All That Syncerely Professe the Same) Ouerthrowne, And Detected of Their Several Blasphemous Heresies* (London, 1579), 583-84; [Thomas Lupton], *A Persuasion from Papietrie: VVrytten Chiefeley to the Obstinate, Determined, and Dysobedient English Papists* (London, 1581), 155, 161; [Matthew Sutcliffe], *A Briefe Replie to a Certaine Odious and Slanderous Libel* (London, 1600), 44; "A Sermon vpon the Sixt of Iohn," in *Sermons of the Right Reverend Father in God Miles Smith, Late Lord Bishop of Gloucester* (London, 1632), 35; Zachary Catlin, *The Hidden Treasure: Opened in Two Sermons* (London, 1633), 34. [Lorenzo] Campeggio to [Thomas Wolsey], *L. and P., Foreign and Domestic, Henry VIII* (21 November 1526).

way, he found time to pen scathing polemics defending his enterprise. “Came Christ to make the world more blind?” he demanded. He anticipated Catholic churchmen’s threadbare arguments: that lay readers weren’t suitably detached; that they were immersed in worldly affairs; that if they read the Bible in translation, “then would the lay people understand it every man after his own ways”; that they needed curates to instruct them. Tyndale rebutted these arguments. Churchmen were themselves immersed in worldly affairs. Curates didn’t understand Scripture any more than Turks did. The insult redoubles the Spanish ambassador’s crack, which Tyndale couldn’t have known, because now it’s aimed not at ordinary men and women but at the very churchmen entrusted with teaching them. Curates didn’t understand even the bits they recited at mass; they mumbled mindlessly to keep their jobs and fill their bellies.

Tyndale brandished John 5:39: “Search the Scriptures.” People had to be able to read for themselves to appraise the teachings of the Church. Then he brandished Matthew 7:16: “By their deeds ye shall know them.” What were the Church’s deeds? They governed people who’d never consented to their rule. They sold dispensations from sin—or from acts they labeled sinful, even when Christ had said nary a word about them. They compelled people to pay for churchmen who didn’t teach them. Judge you by your deeds? he angrily asked churchmen. “So are ye false prophets and the disciples of Antichrist.”¹⁰

No less an antagonist than Thomas More—a statesman distinguished enough to become Speaker of the House of Commons and Lord Chancellor; a

¹⁰ William Tyndale, *The Obediēce of a Christen Man and How Christēn Rulers Ought to Governe* (Antwerp, 1528), n.p.

Catholic devout enough to wear a hairshirt and flagellate himself—entered the lists against Tyndale, whom he'd brand "the captain of our English heretics." "Unlearned folk," he warned, "were likely to take harm and conceive diverse heresies in their hearts ere they could perceive his falsehood." Tyndale claimed that he wanted his translation to enlighten the faithful, to bring them fabled glad tidings, to lead them to God. But his translation was a disaster. Worse than Turks, Tyndale had deliberately mistranslated Scripture and inserted heresies as evil as those in the Qur'an. (I am not going out of my way to ferret out insulting references to Turkey and the Qur'an. For centuries in England, they served as stock tropes for ghastly corruption.) His translation would corrupt his innocent readers in ways they wouldn't even grasp. *New Testament*, More sniffed, was the "wrong name" for Tyndale's abomination. It was a "great marvel," he charged, "that any good Christian man having any drop of wit in his head would...complain of the burning of that book."¹¹

In More's view, Tyndale's readers don't deliberate. They don't even consult church authorities for guidance with difficult passages. They read with

¹¹ Thomas More, *The Answere to the Fyrst Parte of the Poysened Brooke, Which a Namelesse Heretyke Hath Named the Souper of the Lorde* (London, 1533), preface, n.p. See too More to John Frith, 7 December [1532], in *The Correspondence of Sir Thomas More*, ed. Elizabeth Frances Rodgers (Princeton, NJ: Princeton University Press, 1947), 441-42, 444; *A Dyaloge of Syr Thomas More Knyghte: One of the Counsayll of Oure Souerayne Lorde the Kyng...with Many Other Thyngys Touching the Pestylent Sect of Luther and Tyndale* (London, 1529), bk. 4, chap. 7; bk. 3, chap. 8. On the Qur'an as a model of religious corruption, see too *A Friend of True Reformation, and His Native Countrey, A Lamentable Representation of the Effects of the Present Toleration: Especially as to the Increase of Blasphemy and Damnable Errours by the Liberty of Teaching and Printing of Them* (London, 1656), 5; and see *Philanax Protestant or Papists Discovered to the King* (London, 1663), 30-31, lumping Catholics together with "Mahomet."

“blind affection” and are “infected with the fever of heresies.” Theirs is reading without judgment, reading without intelligence, reading without comprehension. But it is emphatically not reading without effect. These hapless readers slurp up words and then terrifying things happen to them, behind their backs if you like. They are greedily ingesting poison. They never even realize that they’ve been stricken. They imagine themselves as newly healthy.¹²

Tyndale was having none of it. He shot back that “we” — that apparently innocent pronoun means that he stands proudly alongside his readers — ought “not to be as an ox or an ass with our understandings.” Who was distorting Scripture? The Church. Armed with the text, readers could judge the Church’s “penance, pilgrimages, pardons, purgatory,” the stupid absolutions and “strange holy gestures.” Everyone could see for himself, judge the Church, and find appalling corruption. That pregnant “we,” the army of unlettered, unlearned, unleashed Christians hungry for the word of God, weren’t clueless. They were competent, indeed, competent with a vengeance: they would reform Christianity and bring long overdue justice to the Church. Tyndale drew up a more sweeping indictment. “Malicious and wily hypocrites,” he fulminated, “stubborn and hard hearted in their wicked abominations,” his opponents inveighed against translation and heresies “to keep the world still in darkness,” to promote “vain superstition and false doctrine to satisfy their filthy lusts, their proud ambition and insatiable covetousness.” They were “enemies of all truth.” I doubt Tyndale’s appeal to filthy lust is metaphorical, and if you imagined that sexual

¹² *The Cōfutacyon of Tyndales Answere Made by Syr Thomas More Knyght Lorde Chaūcellour of Englande* (London, 1532), n.p.

abuse is a relatively new wrinkle in Church history, I'm going to have to disappoint you. Thomas Cranmer, the first Protestant archbishop of Canterbury, reported on a petty canon "accused of buggery by three boys," given his quarter's wages, and sent off without discipline, who then strutted around London "as good a virgin priest as the best." He could triple the size of his book, Cranmer added ominously, if he "should but briefly touch all the histories that I have known of the incontinency of priests."¹³

Tyndale's indictment is a classic *ad hominem* gibe. Instead of grappling with the merits of his opponents' position, Tyndale impeaches their motives. That Catholic churchmen knew that their theology was bankrupt, that they tried to keep Scripture secret to conceal their duplicity and line their wallets, became a

¹³ William Tindale, *An Answere vnto Sir Thomas Mores Dialoge* (Antwerp, 1531), "William Tindale to the Reader," n.p.; [William Tyndale,] [*The Pentateuch*] (Antwerp, 1530), "W. T. to the Reader," n.p.; *A Confutatio of Unwrittē Verities* ([Wesel, 1556]), n.p. Consider too, for instance, [Henry Brinkelow], *The Complaynt of Roderyck Mors, Somtyme a Gray Fryre* ([Strasbourg, 1542]), n.p., assailing "our lecherous bishops, or rather sodomites, as chaste as a salt bitch": "If all the bishops of England were hanged, which keep harlots and whores, we should have fewer popish bishops than we have." (The original is "sawt bytch," and a bit of *OED* legwork suggests *sawt* is *salt*, a., 2.b, extending the sense from a bitch in heat: "Lecherous, salacious; hence (of desire), inordinate.") Or consider William Lithgow, *A Most Delectable and True Discourse, of an Admired and Painefull Peregrination from Scotland* (London, 1616), 29, reporting on a priest found with a whore and murdered: "O, if all the Priests which do commit incest, adultery, and fornication, (yea and worse, *Il peccato carnale contra natura*) were thus handled; and severely rewarded; what a sea of Sodomiticall irreligious blood would overflow the halfe of *Europe*, to staine the spotted colour of that Roman Beast." On the execution of a priest who got three widows and their three daughters pregnant, see William Lithgow, *The Totall Discourse, of the Rare Adventures, and Painefull Peregrinations of Long Nineteene Yeares* (London, 1640), 347-48: "Lo there is the chastity of the Romish Priests, who forsooth may not marry, and yet may miscarry themselves in all abomination especially in *Sodomy*, which is their continuall pleasure and practise."

comforting catechism in English Protestant polemics. But I'm doubly doubtful. Timeservers aside, surely the Catholic Church had plenty of principled champions. Anyway, people might have loathsome motives for saying things that are nonetheless right. So I'm not going to dwell on accusations of illicit motives, pressed by both sides in this slashing debate.¹⁴

More redoubled his attack. Tyndale asserts that everyone can read the Bible, he complained, but Tyndale knows perfectly well that some people can't read at all. Even those who could read might falter in trying to grasp the translated text. "What if I be unlearned?" he asked plaintively. "What if I can read and have it in my language, and yet understand it but slenderly?" Even skilled readers might be baffled in citing passages and then hearing preachers responding with apparently contradictory passages. "Unlearned hearers" listening to "doubtful disputations" would have no idea which readings were right, which wrong and desperately pernicious. Only the authority of the Church could rescue people staggering in interpretive mazes. Relying on that authority, even "a poor simple woman" wouldn't be seduced by Tyndale's heresies. Another *muliercula*, this one cleaving to the true path by spurning the putative

¹⁴ See for instance the scripted dialogue in N. N. [Peter Talbot], *A Treatise of the Nature of Catholick Faith, and Heresie, with Reflexion upon the Nullitie of the English Protestant Church, and Clergy* (Roüen, 1657), 77; Simon Patrick, *A Sermon Preached before the King, on the Second Sunday in Advent, Decemb. viii. 1678* (London, 1678), 34-35; [Nicholas Stratford], *The Lay-Christian's Obligation to Read the Holy Scriptures* (London, 1687), 17; [Nicholas Stratford], *The Peoples Right to Read the Holy Scripture Asserted* (London, 1687), 76; and another scripted dialogue in [John Gother], *The Catholic Representer, or The Papist Misrepresented and Represented*, pt. 2 (London, 1687), 53.

solicitude of Erasmus and Tyndale. Authority, not interpretation, is the way to truth. Submission, not debate, is the only sensible recourse for the faithful.¹⁵

The polemics wound on. Leaving the faithful to stumble in darkness, Tyndale insisted, meant risking their damnation. "I do marvel greatly," he growled, that anyone would oppose translating Scripture into every language. He sounds obdurate, though in the midst of these tense years, a functionary informed Henry VIII that a teary Tyndale had offered "that if the King would only allow a bare text of Scripture to be put forth...he would never write more, and immediately throw himself at the feet of the King." Should we think this man of God was wavering, tempted by Satan?¹⁶

Plenty of others weighed in. For instance, in a nicely understated reversal of Catholics' invoking the Biblical bit about dogs and swine, one observer charged that Tyndale's opponents "furiously bark against the word of God." They didn't really object to how he'd rendered particular passages. The Church had been inveighing against the very idea of translating Scripture for over a century; they'd always had "inward malice...against the word of God." And he taunted his Catholic opponents. With their "idle bellies" Churchmen had plenty of time to produce an accurate translation if they actually wanted one. Another mocked More's confidence in authority. If the Church tells you that "black is white, good is bad, and the devil is God: yet must you believe it, or else be burned as heretics." Yet another writer sided with More and shuddered at the

¹⁵ Thomas More, *The Second Part of the Coſutacion of Tyndale Answere in Which Is Also Confuted the Chyrche That Tyndale Deuyseth* (London, 1533), iii-v.

¹⁶ William Tyndale, *A Path Way i[n]to the Holy Scripture* (London, 1536), prologue; Stephen Vaughan to Henry VIII, 20 May 1531, SP 1/65 f. 252.

heresies bubbling over from Tyndale's books and the zeal of all sorts of readers to cling to them.¹⁷

But I don't want to linger over the torrid debate itself. I want to step delicately over the borders of the printed pages and survey what was happening in the world.

UP IN SMOKE

In 1527, Erasmus's friend alerted him to campaigns in Spain to ban his books. Monks started a rumor that they were going to burn everything he'd written. The Inquisition found cause for concern, but didn't reach a conclusion: a panel, sent home when the plague hit, never reconvened. In 1529, Erasmus was nonchalant about a rumor that his books had been condemned and a massive pile of them had been burnt in France. "By such schemes the stupid class of monks is confident of victory," he jeered. Nonchalance didn't come so easily to everyone in these matters, and that's for bleakly good reason.¹⁸

¹⁷ *A Compendious Olde Treatyse, Shewynge Howe That We Ought to Have ye Scripture in Englysshe* (Antwerp, 1530), n.p.; [George Joye], *The Souper of the Lorde Wher Vnto, That Thou Mayst Be the Better Prepared and Suerlyer Enstructed* (Antwerp, 1533), fo. 8. For the attribution to Joye, see William A. Clebsch, "More Evidence That George Joye Wrote The Souper of the Lorde," *Harvard Theological Review* (January 1962). Sir William Barlow, *A Dyaloge Describing the Original Groūd of These Lutheran Faccyons, and Many of Theyr Abuses* (London, 1531), n.p.

¹⁸ Juan de Vergara to Erasmus, 24 April 1527, in *The Correspondence of Erasmus: Letters 1802 to 1925*, trans. Charles Fantazzi (Toronto: University of Toronto Press, 2010), 91; Lu Ann Homza, "Erasmus as Hero, or Heretic? Spanish Humanism and the Valladolid Assembly of 1527," *Renaissance Quarterly* (Spring 1997); Erasmus to Alfonso de Valdés, 21 March 1529, in *The Correspondence of Erasmus: Letters 2082 to 2203*, trans. Alexander Dalzell (Toronto: University of Toronto Press, 2012), 147. Compare Erasmus to Jacopo

Even as Henry VIII scoured Europe for canon lawyers willing to say that divorce was permissible, he did his damndest to forbid ordinary men and women from reading the wrong sort of books. A royal proclamation from 1530 banned books printed abroad—the locale was presumptive evidence that the English authorities wouldn't approve them—and some particularly mischievous titles. Those even possessing such books should be hauled in to face the wrath of the king and his council, to be “corrected and punished for their contempt and disobedience, to the terrible example of other like transgressors.” No one could print any new book about Scripture without approval from the diocese, and the printed book had to identify printer and the diocese's examiner, so the regime could more easily track down offenders. Most dramatically, the proclamation reported that Church primates and other luminaries had decided that no one but those specifically appointed to work on the text could possess any translation of Scripture. Those not handing in the forbidden books would also “suffer, to the dreadful example of all other like offenders.”¹⁹

Thomas More acerbically recounts the plight of my first dreadful example, Thomas Hitton. People in Gravesend suspected Hitton had stolen some clothes. Searching him, they found letters concealed in his coat, letters unorthodox enough to get him hauled in for questioning by the archbishop of Canterbury

Sadoletto, 1528, in *The Correspondence of Erasmus: Letters 1926 to 2081*, trans. Charles Fantazzi (Toronto: University of Toronto Press, 2011), 368. Those tempted, as I once was, to think of Erasmus as a kind of *le bon David* figure, tolerant, urbane, and charming to the core, should consider Erasmus to Willibald Pirckheimer, 2 November 1517, in *The Correspondence of Erasmus: Letters 594 to 841*, trans. R. A. B. Mynors and D. F. S. Thomson (Toronto: University of Toronto Press, 1979), 164-71.

¹⁹ *Tudor Royal Proclamations*, ed. Paul L. Hughes and James F. Larkin, 3 vols. (New Haven, CT: Yale University Press, 1964-69), 1:193-97 (22 June 1530).

and the bishop of Rochester. Hitton refused to swear that he'd tell the truth, but indicated that he'd continue to teach the gospel "after his own mind and his own opinion." Who needs the authoritative guidance of the church when they can read Scripture for themselves and exercise independent judgment? Some of Hitton's opinions must have dismayed his questioners. Marriages didn't have to be solemnized in church, he asserted. Extreme unction and confirmation were unnecessary. Indeed, saying the mass was "rather sin than virtue." He rejected transubstantiation, too. Despite such "abominable heresies," Hitton volunteered "that the holy ghost was within him." Where had he gotten these repellent views? From reading Tyndale. The churchmen patiently tried to save Hitton, More reports, but he was obstinate. So they turned him over to the secular authorities to be burnt to death in February 1530. Ever judicious, More comments that Hitton took "his wretched soul with him straight from the short fire to the fire everlasting."²⁰

By turns rapturous and outraged, John Foxe recounts the plight of my next three victims. Studying law at the University of Cambridge, Thomas Bilney was struck by a passage in Erasmus's Latin translation of Scripture. Eager to share his love of Christ, "marveling at the incredible insolence of the clergy," Bilney began preaching. Cardinal Wolsey had him thrown in prison. In late 1527, confronted with a battery of questions to see if he'd departed from the true Catholic faith, Bilney offered one especially revealing answer. No, he agreed, the Catholic Church could not err—but he defined that church as "the whole congregation of

²⁰ *Cofutaycon of Tyndales Answere*, preface sig. Bb recto – Cc verso; see Tindale, *Answere*, fo. lxix.

the elect...known only to God," and not the pope, cardinals, archbishops, and the rest. Bilney offered much more of this sort of thing, but he buckled as the trial went on. After repeated appeals, Bilney abjured his heresies, more or less. When you think about the Inquisition, the Church's ongoing program to investigate heresy, it's tempting to imagine the inquisitors as nasty sadists. Maybe some were, but that won't do. The Inquisition was devoted to reclaiming souls from Satan and restoring the Church's authority to guide the faithful to salvation. Plenty of inquisitors were utterly sincere in beseeching those who'd strayed from the Catholic faith to return to God's hallowed paths.

But there was always backsliding. After a couple of years agonizing over his abjuration, Bilney returned to preaching outdoors and reaffirming his former beliefs. Worse, perhaps, he encountered a Norwich woman who was a religious recluse—the last *muliercula* I'll note, but stay on the lookout for more—and gave her a couple of Tyndale's publications, one his translation of the New Testament. Unamused, the authorities tossed him back into prison. Bilney was burnt at the stake in August 1531.²¹

John Tewkesbury, a leatherseller, owned a Bible and read other work by Tyndale, too. Hauled before Tunstall, the bishop of London, in April 1529, Tewkesbury valiantly defended his beliefs for a week. He maintained that Tyndale had proceeded with "good zeal, and by the spirit of God." Tunstall told Tewkesbury that Tyndale's views were "false, erroneous, damnable, and

²¹ Foxe, *Actes and Monuments* (1583), 2:998-1013. On the slippery issues surrounding Bilney's first abjuration, see Greg Walker, "Saint or Schemer? The 1527 Heresy Trial of Thomas Bilney Reconsidered," *Journal of Ecclesiastical History* (April 1989), especially 224-25; William Rockett, "Juristic Theology in More's Polemics: The Bilney Case," *Moreana* (June 2014).

heretical, and reproved and condemned by the Church,” and assured Tewkesbury that he’d be “very sorry” to “declare him a heretic.”

The authorities released Tewkesbury, I suppose to give him time to reconsider his views, and then hauled him back in. Tunstall presented one of Tyndale’s worrisome positions after another. Over and over, Tewkesbury responded that he found nothing wrong, that it was “good and plain enough.” The bishop “exhorted him to recant his errors” —and Tewkesbury, who must have known full well the stakes of his theological grilling, responded impudently, “I pray you reform yourself, and if there be any error in the book, let it be reformed, I think it be good enough.” The next day, Tunstall summoned other authorities to witness the leatherseller’s audacity. An unruffled Tewkesbury repeated his declarations of allegiance to Tyndale’s views—but weeks later he backed down.

Private recantation might well have been enough had the authorities worried only about Tewkesbury’s afterlife. But they wanted more, I suppose to underline their authority and remind others tempted to stray of what awaited them. They had Tewkesbury “carry a faggot” —that is, clutch a bundle of sticks, a mark of shame that prefigured being burnt alive at the stake—in St. Paul’s Church, through Newgate market and Cheapside, in St. Peter’s Church and Leadenhall market. They required him to embroider faggots on his left and right sleeves and wear them “all his lifetime,” or anyway until they lifted that part of his sentence. Then he’d have to stay in a monastery until they let him go, and then never leave London without permission.

Two years later, it turned out that Tewkesbury had removed those embroidered faggots—he didn't deserve to wear them, he declared—and that he'd still been reading Tyndale and still believed what he read. The new bishop of London excommunicated him and handed him off to the tender mercies of the government. In December 1531, Tewkesbury was burnt alive at the stake. "There was never wretch," reckoned More, "better worthy."²²

A lawyer who provided free services to the needy, James Bainham was "an earnest reader of the Scriptures." Hearing that Bainham had unorthodox views, More had him imprisoned, whipped, and tortured. (Or so claims Foxe. More staunchly denied torturing Bainham.) Questioned, Bainham denied one core Catholic belief after another. Most explosively, he insisted that in recent years Scripture was "better declared" than it had been for eight centuries. Why? Because "the New Testament now translated into English, doth preach and teach the word of God." He himself had a copy of Tyndale's New Testament, other books by Tyndale too. Threatened with death, Bainham wavered and went back to prison. Months later, the ecclesiastical court offered him a detailed abjuration, but again he wavered over the terms and went back to prison. Days later, he succumbed and was soon released.

Mere weeks later, Bainham abjured his abjuration. He showed up in church clutching Tyndale's New Testament, another book by Tyndale, too, "and stood up there before the people in his pew, there declaring openly with weeping tears, that he had denied God." Seized again, questioned again, Bainham

²² OED s.v. *faggot*, n., 1.2a; Foxe, *Acts and Monumentes* (1576), 996-98; *Cōfutacyon of Tyndales Answere Made by Syr Thomas More*, preface, n.p.

sounded like he might be submitting. But then he blurted out, “If a Turk, a Jew, or Saracen do trust in God and keep his law, he is a good Christian man.” For good measure, he denied transubstantiation: “The bread is not Jesus Christ, for Christ’s body is not chewed with teeth, therefore it is but bread.” What could one do with such a fiend? He too was handed over to the civil authorities and burnt to death in April 1532.²³

You’re forgiven if you’re shrinking from the cruelty, a reminder of the lethal stakes of the wrong people reading the wrong books. Those inclined to defend the authorities—there always have been such people—often note that they sought abjurations, not executions. Those persuaded of the errors of their ways, or for that matter those prudent or cowardly enough to lie or zip their lips, weren’t burnt to death. Quite so. But let me note two more executions.

In Antwerp, one Henry Phillips, a rogue and staunch opponent of Henry VIII, managed to ingratiate himself with Tyndale and then betrayed him. The procurer-general of Charles V, King of Spain and Holy Roman Emperor, took a lethal interest in Tyndale’s heretical translations, and by a subterfuge Phillips got Tyndale arrested in May 1535. Tyndale was squirrelled away outside Brussels in a forbiddingly secure castle. The Englishman with whom Tyndale had been staying tried to help; Phillips got him arrested too. (Tyndale’s host managed to escape and head back to England.) In August 1536, Tyndale was found guilty of

²³ *The Apologye of Syr Thomas More Knyght* ([London, 1533]), 199 verso. Peter Ackroyd, *The Life of Thomas More* (London: Chatto & Windus, 1998), 291, credits More’s denial. Foxe, *Actes and Monuments* (1583), 2:1027-30.

heresy and condemned to die. He was hanged, then for good measure burnt at the stake.²⁴

Meanwhile, Thomas More had been chafing at Henry VIII's increasingly bold assertions of independence from Rome, chafing too at oaths demanding increasingly explicit renunciations of papal authority. He denied point blank that Henry was the head of the church, or so dubious evidence suggested. In July 1535, he was convicted of violating the Treason Act and sentenced to be hanged, then drawn and quartered. Henry VIII interceded—how beneficent his royal mercy!—and changed the sentence to decapitation. More was a base traitor, so his severed head was stuck on a pike and displayed by London Bridge for weeks. More was a distinguished Catholic martyr, so the Church made him a saint in 1935.²⁵

Stunning new vistas appeared after Henry broke with Rome. The vicar of Croydon (the one who warned that either the Church would root out printing or printing would root out the Church) faced charges of praemunire, the crime of insisting on papal jurisdiction in England. The initial statute, more narrowly concerned with legal disputes escaping the royal courts for appeal to Rome, was centuries old, but it gained fierce new bite after 1531. Some churchmen held firm

²⁴ The main source is the confusing treatment in John Foxe, *Actes and Monuments of These Latter and Perilous Dayes Touching Matters of the Church* (London, 1563), [515]-16. It's helpfully elucidated and supplemented in Daniell, *Tyndale*, chaps. 14-15.

²⁵ 26 Hen. VIII c. 13 (1534). On the trial, see especially *Thomas More's Trial by Jury: A Procedural and Legal Review with a Collection of Documents*, ed. Henry Ansgar Kelly, Louis W. Karlin, and Gerard B. Wegemer (Woodbridge: Boydell Press, 2011); Ackroyd, *Life*, chaps. 30-33. Consider More to Henry VIII, 5 March 1534, *The Last Letters of Thomas More*, ed. Alvaro de Silva (Grand Rapids, MI: William B. Eerdmans Publishing Company, 2000), 45-47.

to their Catholic faith. Others gingerly swallowed the new dispensation. Suddenly, Bible reading was fine, even mandatory: one writer warned that hell awaited those who wouldn't read Scripture. "Burn the Bibles," one Protestant chortled. "Burn them again; fume, and fret, rage, and do what you can: yet bidding battle to God, he will be found stronger than you, and ye shall not prevail."²⁶

State and church officials inspected stubborn institutions and ordered compliance. Hugh Latimer, Bishop of Worcester, instructed the monks of St. Mary's not to "discourage any manner of lay-man or woman" from reading Scripture. Edward Lee, Archbishop of York, echoed the instruction. Archbishop

²⁶ L. and P., *Foreign and Domestic, Henry VIII*, 5:196; and see, qualifying Phillips's sentence, 5:255. More generally see "Fasti Oxoniensis," in Anthony Wood, *Athenae Oxoniensis*, 2nd ed. enlarged, 2 vols. (London, 1721), 1:34; Raphael Holinshed, *The Firste [Laste] Volume of the Chronicles of England* (London, 1577), 1524; 27 Edw. III, s. 1 (1353); and see 16 Rich. II, c. 5 (1393). [Guy de Brès], *The Staffe of Christian Faith Profitable to All Christians, For to Arme Themselves agaynst the Enimies of the Gospell*, trans. John Brooke (London, 1577), 309; [Perceval Wibun], *A Checke or Reproofe of M. Howlets Vntimely Shreeching in Her Maiesties Eares, with an Answeare to the Reasons Alleadged in a Discourse Thereunto Annexed, Why Catholikes (as They Are Called) Refuse to Goe to Churche* (London, 1581), sig. Pp verso. See too [Thomas Lupton], *A Persuasion from Papistrie: Wrytten Chiefeley to the Obstinate, Determined, and Dysobedient English Papists* (London, 1581), 155, 161; John Favour, *Antiquitie Triumphant over Novelty* (London, 1619), 166; "A Sermon vpon the Sixt of John," in *Sermons of the Right Reverend Father in God Miles Smith, Late Lord Bishop of Gloucester* (London, 1632), 35; Thomas Adams, *A Commentary or, Exposition vpon the Divine Second Epistle Generall, Written by the Blessed Apostle St. Peter* (London, 1633), 155-56; William Jones, *A Commentary vpon the Epistles of Saint Paul to Philemon, and to the Hebrews* (London, 1635), 334; Robert Dingley, *Divine Opticks: or, A Treatise of the Eye* (London, 1654), 72-73. See too the rhapsody in *The Strange and Wonderful Predictions of Mr. Christopher Love, Minister of the Gospel at Laurence Jury, London: Who Was Beheaded on Tower-Hill, in the Time of Oliver Cromwell's Government of England* (London, [1651]), 47-48.

Cranmer reported startling detail from Oxford University, notoriously a bastion of Catholic loyalty. *Papa*, Latin for Pope, appeared in church books and resounded in song even after it had been dutifully blotted out. Reading the Bible aloud over dinner wasn't permitted. One dean threatened that if he saw a student with a New Testament, he'd burn it. A classical scholar declared "that studying the Scripture was subversion of good order."²⁷

Many of the faithful didn't see it that way. Discount all you like for hyperbole and still the rendition offered by Cranmer's chronicler captures a radical cultural break. He recorded the "joy" with which English subjects received the translated Bible. Not just the educated, he emphasized, not just spirited fans of the Reformation, but also "all the vulgar, and the common people." "Everybody that could, bought the Book, or busily read it, or got others to read it to them, if they could not themselves; and...elderly people learned to read on purpose. And even little boys flocked among the rest to hear portions of the holy Scripture read."²⁸

²⁷ "Latimer's Injunctions for S. Mary's Worcester," 1537, in *Visitation Articles and Injunctions of the Period of the Reformation*, ed. Walter Howard Frere, 3 vols. (London: Longmans, Green & Co., 1901), 2:12-13; "Archbishop Edward Lee's Injunctions for York Diocese," c. 1538, in *Visitation Articles*, 2:46. I was led to this source by A. G. Dickens, *Lollards and Protestants in the Diocese of York 1509-1558* (London: Oxford University Press, 1959), 169-70. Thomas Cranmer to Thomas Cromwell, *L. and P., Foreign and Domestic, Henry VIII* (8 October 1538). A century later, one college at Oxford was reported for neglecting Bible reading at meals: *Cal. S. P. Domestic: Charles I* (1 April? 1638). See too *Injunctions Exhibited by Iohn by Gods Sufferance Bishop of Norwich in His First Visitation* (London, [1561]), n.p., asking "Whether any man hath burned or caused the holy Bible to be burned, torn or defaced or hath conveyed it out of the Church that it should not be read of the people."

²⁸ John Strype, *Memorials of the Most Reverend Father in God Archbishop Cranmer* (London, 1694), 63-64.

Ordinary men and women eager to read Scripture sparred with recalcitrant churchmen and appealed to the government for help. When Somerset villagers wanted to study the Bible, their priest denounced them as “heretics and knaves and Pharisees.” In a Hastings church, the parish clerk said he was confident he’d see the day when the Bible and its champions would be burnt. An Enfield man alerted the king’s trusty adviser that his vicar and priest were persecuting him for reading Scripture—and that they’d taught many of his fellow parishioners “to hate the Bible.” Depositions against churchmen included the eye-popping tale of one who said he’d throw people in jail for reading the Bible—and who did throw someone in jail for daring to show him the king’s injunction that people be permitted to do just that.²⁹

Charges piled up against a vicar of Leneham, including that he had sneered, “You fellows of the new trickery that go up and down with your Testaments in your hands, I pray you what profit take you by them?” But a sometime curate of Leneham took the opposite view, taking to the pulpit to assure the faithful that everyone was always free to read the Bible. So in Leneham in 1543, the choice to pick up a Bible wasn’t innocuous or private. It

²⁹ G. R. Elton, *Policy and Police: The Enforcement of the Reformation in the Age of Thomas Cromwell* (Cambridge: Cambridge University Press, 1972), 25; *L. and P., Foreign and Domestic, Henry VIII* (9 October 1539); John Hamon to Thomas Cromwell, n.d., *L. and P., Foreign and Domestic, Henry VIII* (December 1539); *L. and P., Foreign and Domestic, Henry VIII* (August-December 1543). See too *A Supplication of the Poore Commons, Wherunto Is Added the Supplication of Beggars* ([London, 1546]), 275-76.

came fraught with ominously heavy theological and political baggage. Not just in Leneham. Not just in 1543.³⁰

Time to wander away from the tense battles of England in the early 1500s. Spoiler alert: It's not as though calm refuge beckons.

THE 1600S AND ON

Catholics sometimes blustered that it was a blatant lie that they weren't free to read the Bible. The bluster is false; they weren't. Catholics sometimes charged that putative translations full of error weren't really the Bible, any more, said one, than Aesop's Fables or the Qur'an. That claim is trickier.³¹

In 1642, civil war between king and parliament broke out in England. Married to a Catholic, leaning toward theological views that discomfited many fond of the Anglican Church, let alone Puritans, King Charles I attracted support from Catholics. And some of those Catholics fought against Bible reading. "An army of Papists," charged a Puritan, "have lately in a most impious manner, shit

³⁰ *L. and P., Foreign and Domestic, Henry VIII* (August-December 1543). For more scorn of popery and "the Bible book burned," see "Of Obstinate Papists," in Robert Crowley, *One and Thyrye Epigrammes wherein Are Briefly Touched So Manye Abuses, That Maye and Ought to Be Put Away* ([London], 1550), n.p.

³¹ For instance, *The Catholick Mirrour: Or, A Looking-Glasse for Protestants* (Paris, 1662), 135-36. Contrast, from that same year, Peter [Pierre] du Moulin, *The Novelty of Popery, Opposed to the Antiquity of True Christianity*, trans. Peter du Moulin (London, 1662), 167-69. *The Reconciler of Religions: or, A Brief Decider of All Controversies in Matters of Faith* ([London], 1663), 40-41. See too for instance [William Manby], *Some Considerations towards Peace and Quietness in Religion: In Answer to the Question, Whether the Multitude Are Fit Readers of Holy Scripture* (n.p., 1680), 11-12. These positions echoed for many decades: see for instance N. G., "The Reading of the Holy Scriptures," *The Orthodox Journal, or Catholic Monthly Intelligencer* (December 1813).

upon the English Bible in folio, defaced and burnt many Testaments, and Godly English books” in a Marlborough bookseller’s house. (What’s the pious way of doing such things?) He added that he’d heard reports that Bibles had been burnt in Reading.³²

The king lost first the war, next his head. After the regicide, Puritan rule was rocky, but it permitted the comforts of Bible reading. A 1649 eulogy for the Countess of Suffolk reported that she read six chapters of the Bible every morning, so that she could read the whole text twice a year. Nor did you have to be an aristocratic woman to read the Bible. A 1658 eulogy for one Mrs. Elizabeth Scott praised her ecstatically for how zealously she imparted religion to her children. She had them keep the Sabbath, she catechized them, and she taught them to read the Scriptures. A heartfelt plea went up to Parliament for educating all children “until (at least) they can read the Bible.” A dying minister advised his children to “read the Bible often, and with reverence.”³³

³² William Prynne, *The Sovereigne Power of Parliament and Kingdomes Divided into Foure Parts* (London, 1643), pt. 1, 112.

³³ Edw[ard] Rainbowe, *A Sermon Preached at Walden in Essex, May 29th: At the Interring of the Corps of the Right Honorable Susanne, Countesse of Suffolke* (London, 1649), 21; Tho[mas] Case, *The Excellent Woman: A Sermon Preached at the Funeral of Mrs. Elizabeth Scott...on the 16 of Decemb. 1658* (London, 1659), 69, and see 115-16; *Long Parliament-Work, (If They Will Please To Do't) for the Good of the Commonwealth* (London, 1659), 5. See too Oliver Hill, *Epistola ad Anglos: Being an Introduction out of a Larger Treatise into the Mysteries of True Christian Religion* (London, 1689), 56; *The Last Advice of Mr. Ben. Alexander (Late Minister of West-Markham, in the County of Nottingham) to His Children* (London, 1659), 31-32; Dorothy Leigh, *The Mothers Blessing: or The Godly Counsaile of a Gentle-Woman Not Long Since Deceased, Left Behind for Her Children* (London, 1616), 22, 46-48; Rev. [Daniel] Fisher, *The Child's Christian Education: or, Spelling and Reading Made Easy: Being the Most Proper Introduction to the Profitable Reading the Holy Bible*, 9th ed. (London, 1768), v, 22.

Such tones resounded after the restoration of Charles II in 1660. “Read the Bible daily,” another minister instructed his readers. Caleb Vernon, a Dublin boy who died when he was twelve years old, could read the Bible when he was four and was skilled in it when he was six. A London boy who didn’t quite make it to twelve so delighted in reading the Bible that when he was six and stricken with sore eyes, he defied his doctor’s orders to stop reading. Deeming it God’s will that he read, he almost went blind. Mary Whiting’s widowed mother dutifully taught her to read, so that she “could (and had) read the Bible all over, very young,” her brother reported when she died at twenty-two. These people were celebrated. Their Bibles weren’t burnt. Neither were they.³⁴

By 1698, one English preacher swaggered with easy confidence. “What a sad thing is it in Popery,” he commented, that “not one of the common People...dares bring a Bible to Church with him.” A good Catholic must not own or read a Bible, “must not meddle with it,” lest he adopt some heresy, “or

³⁴ A Somersetshire Minister [Richard Fairclough], *A Pastors Legacy, to His Beloved People* (London, 1663), 70; [John Vernon], *The Compleat Scholler: or, A Relation of the Life, and Latter-End Especially, of Caleb Vernon Who Dyed in the Lord on the 29th of the Ninth Month, 1665* (London, 1666), 9; James Janeway, *A Token for Children: Being an Exact Account of the Conversion, Holy and Exemplary Lives, and Joyful Deaths, of Several Young Children* (London, 1676), 65, 73-74; John Whiting, *Early Piety Exemplified, in the Life and Death of Mary Whiting, a Faithful Handmaid of the Lord; Who Departed This Life, in the 22th Year of Her Age*, 2nd ed. ([London, 1681]), 2. For the thought that six-year-olds should be reading the Bible, see [Stephen Penton], *New Instructions to the Guardian* (London, 1694), 63. See too [Lewis Stuckley], *A Gospel-Glasse, Representing the Miscarriages of English Professors* (London, 1667), 141-45; [John] W[ade], *Redemption of Time the Duty and Wisdom of Christians in Evil Days* (London, 1683), 41, 52-52, 334-35; Matthew Hale, *Letter from Sr Matthew Hale, K^t, Sometime Lord Chief Justice of England: to One of His Sons, after His Recovery from the Small-Pox* (London, 1684), 25; [Simon Patrick], *Search the Scriptures: A Treatise Shewing That All Christians Ought to Read the Holy Books* (London, 1685), 58-61.

rather,” he corrected himself—corrected his imagined Catholic opponent, that is—lest he learn how brazenly corrupt the Catholic Church was, how indefensible its doctrines. Not so for English Protestants. Happily, he told them, “You can come to church with your Bibles under your arms, and have not only leave, but are entreated to compare what we say with the Oracles of God, to satisfy your selves of the truth of what we deliver, and to believe your own eyes.”³⁵

The days of burning Bibles, let alone burning people, seemed so distant by 1855 that there was something farcical about the prosecution of Redemptorist Father Vladimir Petcherine in Dublin on charges of Bible burning. Petcherine’s lawyer warned the jury against the invidious prejudice “that the Catholic Church is the enemy of the Holy Bible—that she fears and hates its divine teachings, and would utterly destroy it if she could.” He went on to pooh-pooh the charge. Yes, apparently a single copy of the Bible had been burnt with some other cast-off books, but Petcherine had nothing to do with that. Yes, he had consigned a book “of bestial and revolting impunities” chock full of obscenity to the flames. That wasn’t the Bible; it was *The Mysteries of London*. That was a book full of “poison” and Petcherine was a public benefactor in destroying it. It took the jury just 45 minutes to bring in an acquittal. Petcherine burst into tears. Reporting the verdict, the *Protestant Magazine* clasped that old-time religion and reminded their readers that “Rome’s hatred to the Bible is proverbial.”³⁶

³⁵ Anthony Horneck, *Several Sermons upon the Fifth of St. Matthew, Being Part of Christ’s Sermon on the Mount*, 2 vols. (London, 1698), 1:45-46.

³⁶ *A Special Report of the Trial of the Rev. Vladimir Petcherine: (One of the Redemptorist Fathers), in the Court House, Green-Street, Dublin, December, 1855, on an Indictment*

TYNDALE'S POSTHUMOUS VICTORY

The fights here, often inflammatory, sometimes murderous, took place all over Europe. Here's one last execution, apparently from around 1572, reported by the ever tireless Foxe. It's that of an Avignon bookseller who enraged some French bishops by openly selling copies of the Bible in French and refusing to back down. Over legal objections, doubtless displeased by the bookseller's pointedly reminding them that they had just purchased some pornography, the bishops had the bookseller burnt to death with two Bibles hanging on his neck. Man and Bible burnt at once: never let it be said that the early modern French state was grotesquely inefficient.³⁷

Charging Him with Burning the Protestant Bible at Kingstown, ed. James Doyle (Dublin, 1856), 36, 7, 45, 67; "The Bible-Burning Case," *Protestant Magazine* (1 January 1856). For Bible burning in 1827 Ireland, see "Carlow," *The Standard* [London] (20 October 1827). For Bible burning in 1848 Birmingham, "Burning of the Bible by a Roman Catholic Priest," *Morning Post* (11 December 1848); "Burning the Scriptures," *Trewhman's Exeter Flying Post* (14 December 1848); I. Casebow Barrett, *The Protestant Bible Burnt: A Sermon, Preached in St. Mary's Church, Birmingham, on Sunday, December 17th, 1848*, 2nd ed. (London, 1848). For a late bit of ferocious discipline among Protestants about a wayward *muliercula*, see Mrs. E. P. W. Packard, *Modern Persecution: or Insane Asylums Unveiled*, 2 vols. (Hartford, 1873); on the Bible classes that figured prominently in Packard's sorry case, see Linda V. Carlisle, *Elizabeth Packard: A Noble Fight* (Urbana, IL: University of Illinois Press, 2010), 53-56; more generally see Kate Moore, *The Woman They Could Not Silence* (Naperville, IL: Sourcebooks, 2021).

³⁷ Foxe, *Actes* (1583), 2:946-47. See the 1754 engraving in the Hulton Archive at <https://www.gettyimages.com/detail/news-photo/circa-1572-an-avignon-bookseller-accused-of-selling-bibles-news-photo/51241683>, last visited 8 June 2022; see too *A Bookseller Burnt at Avignon in France for selling Bibles in the French Tongue with Some of Them Tied around His Neck*, Bridgeman Education XJF173675. Compare Foxe, *Actes and Monuments* (1583), 2:1207, on Thomas Sommers's agility in throwing his New Testament three times through the fire to avoid having it burnt. But consider too Foxe, *The First Volume of the Ecclesiastical History Contaynyng the Actes and Monuments* (1570), 1894, on William Wolsey and Robert Pigot's choosing to embrace copies of the New Testament

Let me quickly survey authoritative Catholic denunciations of translating and reading the Bible on that broader historical stage. In 1534, a Spanish preacher who served as confessor to the king vigorously approved of Ferdinand and Isabella's having prohibited translating Scripture or even possessing a translation. "They were wise enough to be fearful of giving their people...the opportunity of going astray." He summoned up the Waldensians and sighed over the Beghards, "all uneducated people and quite unable to read or write." Despite these dismal experiences, Luther insisted that Scripture was "perfectly clear and easy to understand" and should be translated. "I shall prove," snarled the preacher, "that Luther, and everyone else who agrees with him on this subject, is crazy."³⁸

In 1549, a Spanish bishop suggested that the devil must have invented the project of letting ordinary people read the Bible. That nefarious project would lead contemptible readers into embracing heresy and into spurning the authority of priests. It would expose Scripture itself to contempt. For centuries, indignant Protestants seized on his language, a "boldly belched out...blasphemy," to show how deeply depraved the Catholic Church was.³⁹

as they were burnt to death. On contemporary understandings of the relationship of the text and the book, see Avner Shamir, "Bible Burning in Reformation England," *Historisk Tidsskrift* (2014), and more generally Shamir's *English Bibles on Trial: Bible Burning and the Desecration of Bibles, 1640-1800* (London: Routledge, Taylor & Francis, 2017).

³⁸ Fr. Alfonsi de Castro, *Aduersus Omnes Hereses Lib. XIII* ([Paris], 1543), sig. d iii verso and recto. Thanks to Peter Maxwell-Stuart for translating the Latin, and for reporting that *delirare*, "is crazy," might also bear the sense of "is deviating from the straight path." The bitterly polemical context makes me prefer the former rendition.

³⁹ Martino Peresio, Aiala [Martin Pérez de Ayala], *De Divinis, Apostolicis Atque Ecclesiasticis Traditionibus* (Cologne, [1549]), 47. Thanks to Peter Maxwell-Stuart for

In 1564, the Catholic Church's Council of Trent published the first Index of Prohibited Books. Condemning indiscriminate reading of the Bible, the Council held that the faithful needed written permission from a church official to read the Bible, even to possess it; even the regular clergy needed permission. 1602 saw the publication of Cardinal Bellarmine's insistence that translations of Scripture ought not be read in public and ought not be generally available. In a grim reminder of the perils of policing orthodoxy, this work of Bellarmine itself appeared briefly on the Index of Prohibited Books.⁴⁰

translating the Latin. The quotation is from James Durham, *The Blessednesse of the Death of Those that Die in the Lord* ([Glasgow], 1681), epistle dedicatory, n.p. See too, for instance, Sam[uel] Hieron, *The Doctrines Triall* (London, 1616), 42; "Popery a Novelty," in *The Morning-Exercise against Popery: or, The Principal Errors of the Church of Rome Detected and Confuted* (London, 1675), 179; [William Denton], "Pope and Popish Doctrine," in *The Ungrateful Behaviour of the Papists, Priests, and Jesuits, towards the Imperial and Indulgent Crown of England* (London, 1679), n.p. (also in Denton, *The Burnt Child Dreads the Fire* [London, 1675], n.p.); *Several Weighty Considerations Humbly Recommended to the Serious Perusal of All, but More Especially to the Roman Catholicks of England* (London, 1679), 11; *The Novelty of Popery, and the Antiquity of the Religion of Protestants* (Philadelphia, 1840), 26. See the chapter-and-verse indictment of Papists in Thomas Wilson et al., *A Complete Christian Dictionary*, 8th ed. enlarged (London, 1678), "An Epistle to the Reader," no. 14, n.p.; A Real Catholick of the Church of England [Thomas Barlow], *A Few Plain Reasons Why a Protestant of the Church of England Should Not Turn Roman Catholick* (London, 1688), 19-20; James Serces, *Popery an Enemy to Scripture* (London, 1736); *Antibiblion, or The Papal Tocsin*, nos. 1-5 (1817).

⁴⁰ *Index Librorum Prohibitorum cum Regulis Confectis per Patres a Tridentina Synodo* (Rome, 1546), 15-16; thanks to Caroline Humfress for translation. Or see "Ten Rules Enacted by the Council of Trent, and Approved by Pope Pius IV., in a Bull, Issued on the 24th of March, 1564," in *The Doctrinal Decrees and Canons of the Council of Trent, Translated from the First Edition Printed at Rome, in 1564, with a preface and notes by W. C. Brownlee* (New York, 1845), 100-101; *Disputationvm Roberti Bellarmini Politiani Cardinalis*, 4 vols. (Paris, 1602), 1:42 verso – 45 verso, esp. 44 recto. For translations, see <https://www.aristotelophile.com/Books/Translations/BellarminoControversyOne.pdf> and <https://sensufidelium.us/apologetics/robert-bellarmines-controversies-of-the->

In 1713, Pope Clement XI rattled off a series of Jansenist heresies. Among them: “It is an illusion to persuade oneself that knowledge of the mysteries should not be communicated to women by the reading of Sacred Scriptures.” This heresy and others, sputtered the pope, were “false, captious, evil-sounding, offensive to pious ears, scandalous, pernicious, rash, injurious to the Church....” In 1766, Pope Clement XIII inveighed against “the offensive licentiousness of books.” “Accursed men,” he fumed, “vomit the poison of serpents from their hearts for the ruin of the Christian people by the contagious plague of books which almost overwhelms us.” He called the bishops to arms—or, I suppose, to flames. “The substance of the error will never be removed unless the criminal elements of wickedness burn in the fire and perish.” That sounds like the authors, not the books, doesn’t it? In 1816, Pope Pius VII revealed his “great and bitter sorrow” that Scripture was being “spread everywhere in every vernacular tongue.”⁴¹

christian-faith-volume-1-on-the-word-of-god/st-robert-bellarmino-chapter-sixteen-the-objections-of-the-heretics-are-solved/, last visited 1 June 2021. *Dictionnaire de Théologie Catholique* (Paris, 1910), s.v. “Bellarmino,” 563-64. For Protestant invective against Bellarmine, see *John Niccols Pilgrimage, Whrein [sic] Is Displaied the Liues of the Proude Popes, Ambitious Cardinals, Lecherous Bishops, Fat Bellied Monkes, and Hypocritical Iesuites* (London, 1581), sig. N4; or, more temperately, Francis Dillingham, *A Probleme, Propovnded* (London, [1616]), 1-3; also Gilbert Coles, *Theophilus and Philodoxus, or Several Conferences between Two Friends; The One a True Son of the Church of England, the Other Faln off to the Church of Rome* (Oxford, 1674), 35-36.

⁴¹ *Unigenitus*, at <https://www.papalencyclicals.net/clem11/c11unige.htm>, last visited 16 September 2021; *Christiana Reipublicae*, at <https://www.papalencyclicals.net/clem13/c13chris.htm>, last visited 16 September 2021; *Magno et Acerbo*, in Henry Denzinger, *The Sources of Catholic Dogma: Enchiridion Symbolorum*, trans. Roy J. Deferrari (St. Louis: B. Herder Book Co., 1957), 398-400.

It's finally time to reveal the author of the comment I opened with: "The Church has always taken action to destroy the plague of bad books." So wrote Pope Gregory XVI in 1832. He wasn't sounding doleful or reluctant. He wasn't confessing prior sins and vowing reforms. He wasn't even impassively reporting a fact. He was boasting. Gregory took baleful aim at "that harmful and never sufficiently denounced freedom to publish any writings whatsoever and disseminate them to the people.... We are horrified to see what monstrous doctrines and prodigious errors are disseminated far and wide in countless books, pamphlets, and other writings which, though small in weight, are very great in malice."⁴²

The Index of Prohibited Books, occasionally revised, chugged along right into the 1960s before the Church abandoned it. That's around when the Second Vatican Council declared, "Easy access to Sacred Scripture should be provided for all the Christian faithful.... the Church by her authority and with maternal concern sees to it that suitable and correct translations are made into different languages." (You can find precursors of this staunch declaration from Pius XII in 1943, Pius X in 1907.) I have no theological interest in sorting out what still distinguishes the Catholic Church's approach from those of various Protestant denominations. But Thomas More and other staunch Catholics of his day—well, not just of his day; of centuries before and after his day—would have reeled in

⁴² *Mirari Vos*, at <https://www.papalencyclicals.net/greg16/g16mirar.htm>, last visited 16 September 2021.

consternation from any such official announcement. The Second Vatican's move away from the Latin mass pales by comparison.⁴³

Recall the vicar of Croydon's premonition: "Either we must root out printing, or printing will root out us." The Catholic Church has of course survived. And while the invention of the printing press obviously matters, I'm no fan of the view that it inexorably brings more or less anything in its wake. Still, it took centuries, but the Catholic Church's dramatic reversals on translating Scripture and on the desirability of ordinary men and women reading it mean that there's a sense in which the vicar was right.⁴⁴

Let's zoom ahead in our expedition and eavesdrop on Viscount Goderich's withering comments in the House of Lords in 1828. "The Church of Rome, as it was in former times, no longer exists." Yes, there was still a pope, and ceremonies, and councils. But the Church had become "nothing but a bugbear...."

⁴³ "Cardinal Concedes Holy Office Acted Dictatorially," *New York Times* (17 April 1966); *Die Verbum* (18 November 1965), § 22, available at https://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_const_19651118_dei-verbum_en.html, last visited 11 August 2021; *Divino Afflante Spiritu* (30 September 1943), available at https://www.vatican.va/content/pius-xii/en/encyclicals/documents/hf_p-xii_enc_30091943_divino-afflante-spiritu.html, last visited 28 February 2024; *Qui Piam* (21 January 1907), available at https://www.vatican.va/content/pius-x/en/letters/documents/hf_p-x_let_19070121_qui-piam.html, last visited 28 February 2024. See generally Robin Vose, *The Index of Prohibited Books: Four Centuries of Struggle over Word and Image for the Greater Glory of God* (London: Reaktion Books, 2022); nineteenth-century readers could have consulted Joseph Mendham, *An Account of the Indexes, Both Prohibitory and Expurgatory, of the Church of Rome* (London, 1826).

⁴⁴ In denying that the printing press dictates more or less anything, I am emphatically agreeing with Michael Warner's remarkable *The Letters of the Republic: Publication and the Public Sphere in Eighteenth-Century America* (Cambridge, MA: Harvard University Press, 1990); see especially the preface.

The pope of these days is not the pope of former days." Why? "This is owing to the march of intellect; and whatever sneers may be thrown out against this advance, you may as well try to stop the inundation of the Nile with the palm of your hand, as to check the increase of intellect, and improvement."⁴⁵

We'll return to the march of intellect.

⁴⁵ *Hansard* (9 June 1828); contrast *Morning Chronicle* (17 February 1829), and James Douglas, *Errors Regarding Religion* (Edinburgh, 1829), 124-25. In an error by then common, Douglas attributes the vicar of Croydon's remark to Cardinal Wolsey. So too William Godwin, *Enquiry Concerning Political Justice, and Its Influence on Morals and Happiness*, 3rd ed. corr., 2 vols. (London, 1798), 1:279; *Monthly Review* (September 1824), 102; *Baltimore Literary and Religious Magazine* (January 1835), 16; *Anecdotes of Books and Authors* (London, 1836), 20; Basil Montagu, *Knowledge Error Prejudice and Reform* (London, 1836), 42, 82; "The Press," *Chartist Circular* (22 August 1840), 195; "Substance of a Lecture," *The Movement and Anti-Persecution Gazette* (30 March 1844), 122; F. Knight Hunt, *The Fourth Estate*, 2 vols. (London, 1850), 1:38; "Revolutions," *The People: Their Rights and Liberties, Their Duties and Their Interests* ([December] 1850), 302; "Great Objects attained by Little Things," *Harper's New Monthly Magazine* (February 1852); 331; "Importance of Little Things," *Ladies' Repository* (August 1852), 315; Kazlitt Arvine, *Cyclopaedia of Anecdotes of Literature and the Fine Arts* (Boston, 1852), 652. For an indignant correction, John Galt, *The Life and Administration of Cardinal Wolsey*, 3rd ed. (Edinburgh, 1824), 304.

THREE / CENSORING PROTESTANTS

I confess that the story I just told is incomplete. No, not that I sidestepped any hidden generosity from the Catholic Church about reading. Rather that I played along with Protestant triumphalism about trusting ordinary men and women to read and interpret Scripture.

That won't do. Meet Joan Bocher, in trouble well after Henry VIII had broken with Rome and England had gone Protestant. Bocher had rejected the orthodox account of the sense in which Mary was Jesus's mother. Alarmed, the church authorities hauled her in again and again. I suppose they scolded her, beseeched her, tried valiantly to get her to climb down. Maybe they threatened her. But "she was so extravagantly conceited of her own notions, that she rejected all they said with scorn."

Bocher was a repeat offender. Some six years earlier, she'd abjured another heresy, but then she publicly returned to her error—and won a pardon. Bocher, or so a later account had it, was "dishonest of her body with base fellows." She had concealed copies of Tyndale's translation of the New Testament under her clothes and smuggled them into the royal court. Still, the king didn't want to sign her death warrant. The head of the church leaned on him. Didn't Mosaic law dictate stoning blasphemers? Bocher's was no trivial error: she'd contradicted the Apostles' Creed. The king signed "with tears in his eyes." Right, he wasn't as implacable as plenty of other monarchs have been. No surprise: he was twelve years old. Bocher was burnt at the stake in 1550.

That reluctant king was Edward VI, the first ruler of England raised as a Protestant. The churchman urging Bocher's death was Archbishop of Canterbury

Thomas Cranmer, also a Protestant. No wonder Edward fretted that burning Bocher was “a piece of cruelty too like that which they had condemned in Papists.” Indeed, when Mary took the throne in 1553 and flipped the realm back to Catholic, the body count zoomed up. We know her as Bloody Mary because during her several years on the throne at least 274, most of them children, were burnt at the stake for refusing to convert. Cranmer was burnt, too. But—Edward also burned George van Parris for denying Jesus’s divinity—Bocher’s fate should remind us that Protestant authorities, too, were horrified at what ordinary men and women might think when they read the Bible.¹

“Go read Scripture,” Bocher “scoffed” at the churchman trying to save her from a heretic’s fiery death. Marvel at the audacity of this utterly confident reader. Even the impending flames didn’t shake her conviction that she understood the Bible better than did the Church of England. Recall that just a few decades before, Erasmus had longed for the day when *mulierculae* could read Scripture for themselves. He must have had precisely the likes of Joan Bocher, a woman of nondescript status, in mind. I wonder if he realized just how such readers might interpret Scripture—and just how brutally the authorities might respond.²

¹ G. R. Elton, *Reform and Reformation: England, 1509-1558* (Cambridge: Cambridge University Press, 1977), 386; Susan Brigden, “Youth and the English Reformation,” *Past & Present* (May 1982), 65-66.

² *L. and P., Foreign and Domestic, Henry VIII* (miscellaneous [Palm Sunday], 1543). And see *L. and P., Foreign and Domestic, Henry VIII* (11 May 1528); Gilbert Burnet, *The History of the Reformation of the Church of England: The Second Part* (London, 1681), 111-12; for the Latin sentence against Bocher and the certificate, 167-68; John Foxe, *The Seconde Volume of the Ecclesiasticall Historie, Conteyning the Acts and Monuments* (London, 1583), 1295; N.

Here's another kind of qualification to Protestant triumphalism. There is in fact an authoritative Catholic translation of Scripture. What we call the Douay Bible has a complicated publication history. It began as the Rheims New Testament in 1582, and right away you can see the Church's ongoing worries. The translator disavows the "erroneous opinion...that the holy Scriptures should always be in our mother tongue." His was a rearguard action, forced by "heretical translations" that were "poisoning the people under color of divine authority." In the primitive Church, even the learned were not free to read the Bible. Nor were translated versions "in the hands of every husbandman, artificer, apprentice, boy, girl, mistress, maid, man...every tinker, taverner, rhymer, minstrel." The author is rattling off those social types derisively, to bring to loathsome ground the actual content of lofty sentiments about the priesthood of all believers. "In those better times," he reflected nostalgically, "men were neither so ill, nor so curious...to abuse the blessed book of Christ." Happily, before the rise of printing it was hard to circulate copies to everybody. Before corrupt translations circulated widely, students didn't teach their masters, children didn't scold their fathers, the flock didn't control pastors. Satan was behind the suggestions "that the Scriptures are made for all men" and that priests kept it from them out of malice. "No, no, the church does it to keep them from blind ignorant presumption." "The excessive pride and madness of these

D. [Robert Parsons], *A Temperate VVard-VVord, to the Turbolent and Seditious VVach-word of Sir Francis Hastings* ([Strasbourg], 1599), 16-17.

days” made “every man and woman” a Bible reader and a bold critic of religious authorities, of Scripture itself.³

The Rheims translation was peppered heavily with “large ANNOTATIONS” to guide the reader safely through—past—interpretive dilemmas. Let people read without supervision and they won’t agree. Not if they’re reading a book as long, difficult, and ambiguous, even contradictory, as Scripture. Protestant churchmen confronting the likes of Joan Bocher would have conceded the point, insisted on it, as promptly and easily as the Catholic Church. Still, why didn’t the authorities ignore Bocher and her eccentric heresies? Who cares if people disagree about the immaculate conception, about the trinity, about religion itself? Who cares if the authorities think the Song of Solomon is an allegory of Christ’s love of his church and irreverent readers think it’s soft porn? (“One must admit that the allegory is a bit strong,” quipped Voltaire, “and that we don’t know what the church understands when the author says his little sister has no tits.”) Consider Thomas Jefferson’s sentiment from a couple of centuries later. He insisted, “it does me no injury for my neighbor to say there are twenty gods, or no god. It neither picks my pocket nor breaks my leg.” That sounds flippant, as if Jefferson were a crusading village atheist. Better, I think, to take it as a proposal about what the state should find cognizable as harm. It’s of a piece with Jefferson’s affection for the separation of church and state.⁴

³ *The New Testament of Iesus Christ, Translated Faithfully into English...in the English College of Rhemes* (Rhemes, 1582), preface, n.p.

⁴ [Voltaire], *Dictionnaire philosophique, portatif*, nouvelle éd. (Londres, 1765), 315, s.v. *Salomon*; Thomas Jefferson, *Notes on the State of Virginia* (London, 1787), 265.

It would be rash to say that such thoughts were literally unthinkable in 1550 England, but they would have seemed absurd. It's one thing to concede that the state shouldn't worry about salvation. It's another to imagine the state governing without the assistance of the church. Church and state were intertwined, not separate. That's in part because state capacity was sorely limited. For instance, there was no bureaucracy to collect taxes. Until the late seventeenth century, the state turned to so-called tax farmers. Once Parliament voted, the crown held the legal right to levy a tax. The crown would then sell that right to private actors, the tax farmers. They'd pay somewhat less than the expected value of the tax in whatever region they were buying the right for. So tax farmers absorbed some of the risks of coming up short—and had every incentive to be aggressive in their collection efforts. And for centuries England's government conscripted churchmen to give prescribed sermons. Already in 1547, the faithful were being instructed that God commanded "payments of due taxes." Tax farming and obligatory sermons offer exemplary reminders of how anemic the early modern British state was, compared to today's juggernaut states.⁵

A century after Bocher was burnt at the stake, over a century before Jefferson shrugged at religious disagreements, the great political theorist Thomas Hobbes called on the government to "examine the Doctrines of all books before they be published. For the Actions of men proceed from their Opinions; and in

⁵ John Brewer, *The Sinews of Power: War, Money and the English State, 1688-1783* (London: Unwin Hyman, 1989), 91-93; "Of Obedience," in *Certayne Sermons, or Homelies Appoynted by the Kynges Maiestie, To Be Declared and Redde, by All Persones, Vicars, or Curates, Euey Sodaye in Their Churches* (London, 1547), n.p.

the well governing of Opinions, consisteth the well governing of men's Actions." Hobbes was controversial, unsavory, reviled as an atheist. Still, this call was humdrum, boring, embraced as common sense. England's government did not always rely on prepublication review. But the idea that people's opinions had to be governed, that reading was risky business? That idea united otherwise very different English governments.⁶

Hobbes's point is perfectly plausible. We could enlist it as part of a simple syllogism:

- Social order depends on people agreeing on fundamental moral and political principles.
- If you let people read whatever they like, people will end up disagreeing on topics large and small, including fundamental moral and political principles.
- Therefore, in the well governing of Opinions, consisteth the well governing of men's Actions.

The syllogism assumes that a wide range of views will be published. In a world where all kinds of texts are available—there are cheap pamphlets, there are booksellers hawking wares in public, there are bookstores (to say nothing of the internet)—it's going to be very hard to crack down on reading. In a world where paper and pens (to say nothing of word processors) are readily available, it's going to be very hard to crack down on writing. More prudent, then, to try to restrain production, to control what can be published. More prudent to adopt a chokepoint strategy.

⁶ Thomas Hobbes, *Leviathan* (London, 1651), 91.

Nor was Hobbes weirdly nostalgic for the repression of times past. A couple of decades after he wrote, after the restoration of Charles II marked the end of the Puritan republic, England's government was still cracking down on unsupervised reading and printing. A preview of coming attractions: three men who'd attending nonconforming meetings—that is, those held outside the benign authority of the Anglican Church—were tossed into “one of the worst places” in Newgate prison. Another prisoner lent them a candle to read a Bible chapter. The prison keeper took away the candle. A decade later, the authorities finally tracked down another nonconformist. They staked out his house, heard him reading, and dumped him into Newgate.⁷

I'll take up three vantage points to pursue this strategy for throttling unsupervised reading. First, I'll survey a series of statutes and royal proclamations over almost three centuries from early modern England. My survey isn't exhaustive. But I haven't opportunistically chosen eccentric or extreme cases, either. Indeed, I'll be emphasizing how ordinary, even repetitive, the cadences and preoccupations of these legal measures were. Second, I'll descend closer to the ground of social practice and canvass what actually happened as England's government tried to control the press. Third, I'll descend closer yet and survey a rogues' gallery of individuals who got in trouble with the law. I'll wrap up by sketching some early modern English arguments about controlling the press. I'll focus on what staunch champions of that control had to

⁷ *A Reply to the Bristol-Narrative* [sic] ([Bristol], 1675), 13; *The Records of a Church of Christ, Meeting in Broadmead, Bristol, 1640-1687*, ed. Edward Bean Underhill (London, 1847), 484.

say. Their views were dominant, if only because the state so consistently sought control. But I will note some pointed criticisms.

Don't lose sight of King Edward's fear that Protestants' treatment of heretics was distressingly like Catholics'. We've already seen enough to know that he was onto something, and we'll see more. Remember too that the Catholic Church worried not just about (mis)translations of Scripture, but also about other kinds of pernicious publications. So did the Protestant governments of early modern England.

LAW ON THE BOOKS

The texts of statutes and royal proclamations work in two ways. They have consequences. For instance, prosecutors pursue new charges and people are punished. But they are also richly expressive. I don't mean that prosecution and punishment are shot through with symbolic meaning, though they sure are. I mean something more prosaic: Parliament and the crown explained, sometimes at colorful length, what they were up to. Their language circulated. The most obvious case is that proclamations were published as freestanding broadsides. No, they weren't bestsellers. But published words can circulate well past their initial readers, because people talk about what they read. So these legal texts weren't just in-house communications to state officials. Sometimes the state required churchmen to read these too aloud during services. Officials might have assumed or hoped, that their language would instruct subjects, that subjects' talk would be dutiful, even reverential. Or, better yet, that subjects wouldn't talk at all, that instead they'd silently gulp down the prescribed words and

unthinkingly believe them. As we'll see, that's how many people thought reading works—or, to underline the possibilities of historical contingency, how it worked then, or for most people then. So we should think of these texts and their publication as efforts to help construct ideology or political culture, too.

In 1414, Parliament cracked down on an uprising of the Lollards. Anyone convicted of heresy would forfeit his property to the crown. Here's a taste of the remarkable heresies on offer: in 1457 one Lollard was charged with holding that the cross shouldn't be venerated, that the priest's prayers over the host did nothing but worsen it as bread, and that a man and a woman's joint consent sufficed to marry them, with the church's solemnization adding nothing but a gratuitous bit of priestly avarice. Justices of the peace and other officials were instructed to seek out those promoting heresy, not least "common Writers of such Books," and have them arrested and prosecuted.⁸

That was when England was still Catholic. Jump forward to 1539, after Henry VIII broke with Rome, and you find much the same story. Parliament passed An Act Abolishing Diversity in Opinions. (It's commonly referred to today as the Act of Six Articles. That airbrushes away the dramatic point and tactics of the law.) Lamenting that "variable and sundry opinions" about six articles of the faith had given rise to "great discord and variance" among the clergy, "amongst a great number of vulgar people" too, the act laid down orthodox belief and imposed penalties. Those denying transubstantiation, even

⁸ *The Victoria History of the Counties of England: Cambridge and the Isle of Ely*, ed. L. F. Salzman et al., 10 vols. [later titles vary] (London: Oxford University Press for the University of London Institute of Historical Research, 1938-2002), 2:164-65; 2 Hen. V c. 7 (1414).

in writing, would face death by burning. Those speaking against the other articles would be felons and would face the death penalty. Here public reading was beneficial, indeed, was imposed by law. Clergymen were required to read the text of the act—it isn't short—in services at least four times a year.⁹

A royal proclamation was in the works, too. The draft says, “No man shall openly read the Bible or New Testament, nor expound the mysteries thereof to any other; nor that any person or persons shall openly read the Bible or New Testament in the English tongue in any churches or chapels” — “or elsewhere,” added the king in his own handwriting. People could read “quietly and reverently” — “quietly and with silence,” “secretly,” added the king — “for their own instruction and edification.” So here public reading was a lethal threat. You could recite an English statute in public; you might have to. But not the word of God.¹⁰

A couple of years later, a royal proclamation insisted the Bible was to be read “humbly, meekly, reverently, and obediently.” For good measure the proclamation promptly echoed the first three adverbs. In 1541, Parliament passed An Act for the Advancement of True Religion and the Abolishment of the Contrary. “Seditious people, arrogant and ignorant persons,” weren't only preaching in public. They were also expounding their mad doctrines in “printed books, printed ballads, plays, rhymes, songs, and other fantasies.” Popular rhymes and songs weren't beneath the state's notice. On the contrary, they were

⁹ 31 Hen. VIII c. 14 (1539).

¹⁰ Alas I cannot confidently decipher Henry's hand in British Library, Cotton Cleopatra E/IV f. 362 (1539); *Tudor Royal Proclamations*, ed. Paul L. Hughes and James F. Larkin, 3 vols. (New Haven, CT: Yale University Press, 1964-69), 1:285 (June 1566).

seed grounds of insurrection. So Parliament announced its intention to deploy “laws dreadful and penal to purge and cleanse” the realm of “all such books, writings, sermons, disputations, arguments, ballads, lays, rhymes, songs, teachings, and instructions.” They singled out “the crafty false and untrue translation of Tyndale” for malevolent attention: it would be illegal even to own Tyndale’s work. Henry had put Tyndale’s great adversary, Thomas More, to death not quite eight years before. Imagine More posthumously considering this legislation. What’s his facial expression?¹¹

Henry had his churchmen produce their own authoritative translation of the Bible. The resulting Great Bible drew extensively on Tyndale’s work. Still, this Protestant regime found unadulterated Tyndale too threatening to tolerate. Henry vetted the Bishops’ Book, the authoritative statement of the Anglican faith. Political imperatives, not any alleged expertise in theology or ancient languages, made him alter the text. Then again, a king who kept the title Defender of the Faith, once bestowed on him by the pope, and who surely was convinced that it was God’s will that the realm be well governed, could have seen himself as acting perfectly properly in correcting the bishops’ work.¹²

That 1541 Act for the Advancement of True Religion also complained that “a great multitude” of the king’s subjects, “most specially of the lower sort,” had “abused” the privilege of reading the Bible. They’d fallen into “diverse naughty

¹¹ *Tudor Royal Proclamations*, 1:297 (6 May 1541); 34 & 35 Hen. VIII c. 1 (1541).

¹² J. J. Scarisbrick, *Henry VIII* (Berkeley, CA: University of California Press, 1968), 405. See *The Institution of a Christen Man, Conteynyng the Exposition or Interpretation of the Comune Crede* (London, 1537); *A Necessary Doctrine and Erudition for any Christen Man Set Furthe by the Kynges Maiestye of Englande* ([London, 1543]); John Strype, *Memorials of the Most Reverend Father, in God, Thomas Cranmer* (London, 1694), appendix, 57-61.

and erroneous opinions.” (In the day’s lexicon, *naughty* wasn’t a term of mild reproof, something like our *impish* or *mischievous*. It meant *morally bad, wicked*, with intimations of *vicious, uncontrollable*.) So women (excepting aristocrats), apprentices, laborers and others of the “lower sort” could no longer read Scripture, not even privately. If they did, they’d earn a prison term of one month. Repeat offenders would have to abjure their errors and “bear a faggot” — carry around a bundle of sticks, the sort used to burn people alive; recall John Tewkesbury’s sentence — as a mark of shame. Should they continue to offend, they’d forfeit their property and be imprisoned for life.¹³

Parliament was dead serious about forbidding the lower orders to read, about using some unholy mix of social status and gender to distinguish competent readers from the lethally incompetent. Glancing at the statute over two centuries later, Lord Kames scoffed, “What a pitiful figure must the poor females have made in that age!” But notice the timing: Joan Bocher was breaking the law when she read Scripture. In Protestant England.¹⁴

A 1546 proclamation from Henry VIII denounces how under pretense of expounding and declaring the truth of God’s Scripture, diverse lewd and evil-disposed persons have taken occasion to utter and sow abroad, by books imprinted in the English tongue, sundry pernicious and detestable errors and heresies, not only contrary to the laws of this realm, but also repugnant to the true sense of God’s law and his word; by reason whereof certain

¹³ OED s.v. *naughty*, adj. and int., 2a.

¹⁴ [Henry Home, Lord Kames], *Sketches of the History of Man*, 2nd ed., 4 vols. (Edinburgh, 1778), 2:29.

men of late, to the destruction of their own body and soul, and to the evil example of others, have attempted arrogantly and maliciously to impugn the truth....

Mere possession of the work of Tyndale and others would be a criminal offense; those owning such horrible books would have a grace period of less than two months to turn them in for the authorities to burn. Printers now had to identify themselves and authors in the work they printed, to make it easier for the authorities to track down offenders. No one without a special license from the crown could import any book about Christianity.¹⁵

The next year, churchmen were instructed to tell the faithful not just to pay their taxes, but also to read Scripture “humbly, with a meek and lowly heart.” No such nudges could have contented Catholic Queen Mary. Her government never tried to withdraw the Great Bible from circulation; maybe she knew the limits of her power. But months after taking the throne in 1553, she told church officials to strive for “the condemning and repressing of corrupt and naughty opinions, unlawful books, ballads, and other pernicious and hurtful devices.” The next year, she redoubled the law’s acrimonious attention to those who wrote “books containing wicked doctrine” – and to those who read or even possessed copies of works by Luther and Tyndale, by some twenty other writers too, and then ominously added “any other like book...by any other person or persons, containing false doctrine, contrary, and against the Catholic faith, and the doctrine of the Catholic Church.” Anyone with any copies of any such books had to hand them in to be burnt. Mary instructed church and state officials to track

¹⁵ *Tudor Royal Proclamations*, 1:373-76 (8 July 1546).

down those books, indeed to “enter into the house or houses, closets, and secret places of every person” suspected of hanging onto them. An even more ferocious proclamation followed. Anyone holding onto such a book instead of burning it would be “taken for a rebel” and executed under martial law. The problem isn’t that a book sits on a shelf collecting dust. It’s that someone might read it. The surest way to prevent that is to seize and destroy the book. And the shift from crime to insurrection underlines how momentous the stakes were. Reading could topple the realm.¹⁶

Elizabeth restored the Church of England. But she too tried to suppress books assailing the newly resettled faith. In 1573, she ordered printers, bookbinders, “and all other men” to hand in copies of books assailing the Book of Common Prayer, the Church’s way of administering the sacraments, and other Church practices, or else face a prison term. Within months, she raised the stakes. Denouncing the “shameless, spiteful, and furious brains having a trade in penning of infamous libels” and “venomous and lying books,” she charged everyone “to despise, reject, and destroy such books and libels whensoever they shall come to their hands.” Note her willingness to conscript ordinary subjects to enforce this public policy.¹⁷

¹⁶ “A Fruitfull Exhortation, to the Readyng and Knowledge of Holy Scripture,” in *Certayne Sermons*, n.p.; David Loades, *Politics, Censorship and the English Reformation* (London: Pinter Publishers, 1991), 205; “Articles Sent from the Queen’s Majesty unto the Ordinary,” March 1554, in *Visitation Articles and Injunctions of the Period of the Reformation*, ed. Walter Howard Frere, 3 vols. (London: Longmans, Green & Co, 1910), 2:326; *Tudor Royal Proclamations*, 2:57-60 (13 June 1555), 90-91 (6 June 1558).

¹⁷ *Tudor Royal Proclamations*, 2:375-76 (11 June 1573), 376-79 (28 September 1573).

Mary incorporated the Stationers' Company in 1557; Elizabeth renewed the charter in 1559. These stationers aren't people selling fancy writing paper; they're tradesmen producing books. A 1586 decree from Star Chamber denounced recent "great enormities and abuses...by diverse contentious and disorderly persons professing the art or mystery of Printing or selling of books." All printing presses had to be registered with the company. Unregistered presses would be destroyed and their owners would be imprisoned for a year. The number of presses would be limited, at the discretion of the archbishop of Canterbury. The location of presses would be limited, too: one press for Oxford University, one press for Cambridge University, and no other presses outside London and its suburbs. Exceptions involving legal publications and the queen's printer aside, no new writings could be published without prior official approval. The presses of those violating this rule would be destroyed and the offenders would serve six-month terms. Wardens of the company, or any pair they deputed, could "search in all workhouses, shops, warehouses of printers, booksellers, bookbinders, or where they shall have reasonable cause of suspicion." They could seize texts printed in defiance of the rules, arrest those defying them, and destroy their presses. Another provision echoed the one permitting wardens and deputies to search all kinds of premises, dropped the bit about probable cause, and spelled out the consequences for devices outside the rules. The wardens "shall cause all such printing presses and other Instruments

of printing to be Defaced, melted, sawed in pieces, broken, or battered at the smith's forge, or otherwise to be made unserviceable."¹⁸

Seventeenth-century England tells much the same story. James I called on the authorities to find and seize "scandalous and offensive Books or Pamphlets." In the 1620s, charters to individual printers granting them exclusive rights to print certain texts were common enough to produce a standard form. In 1629, then Bishop of London William Laud prepared a text for Charles I denouncing "an unsufferable liberty in printing." In 1637, Star Chamber imposed time in the pillory and whippings for unlicensed printers. In the runup to the civil war of the 1640s and after its outbreak, Charles I and his opponents both tried repeatedly to crack down on the press. Charles was put to death in January 1649 and England became a republic under Oliver Cromwell. Months later, fretting about "the multitude of Printing-houses, and Presses erected in by-places and corners, out of the Eye of Government," Cromwell's Parliament sharply limited the number of printing presses and moved against "Scandalous, Seditious and Libellous Pamphlets, Papers and Books," "any Book, Pamphlet, Treatise, Ballad, Libel, sheet or sheets of News, that shall contain any seditious, treasonable or blasphemous Matter," with fines, prison terms, and whatever other penalties the law might prescribe. That Parliament didn't see itself as striking out in a new direction on these matters. It called for the vigorous enforcement of older laws. Cromwell himself would order the destruction of unlicensed presses. "No man

¹⁸ "The Newe Decrees of the Starre Chamber for Orders in Printinge," 23 June 1586, in *A Transcript of the Registers of the Company of Stationers of London, 1554-1640*, ed. Edward Arber, 5 vols. (London, 1875-1894), 2:807-12. I owe the reference to Joad Raymond, *Pamphlets and Pamphleteering in Early Modern England* (Cambridge: Cambridge University Press, 2003), 67.

must print or write books,” mused John Berkenhead, an opponent of the regime.¹⁹

¹⁹ *Stuart Royal Proclamations*, ed. James F. Larkin and Paul F. Hughes, 2 vols. (Oxford: Clarendon Press, 1973-83), 1:584 (25 September 1623). John Rushworth, *Historical Collections of Private Passages of State*, 8 vols. (1659-1722), 2:2. On forms, see for instance *An Abstract of His Majesties Letters Patents, Graunted vnto Roger Wood and Thomas Symcocke* (London, 1623); *An Abstract of His Maiestie Letters Patents, Graunted vnto Thomas Symcocke* (London, 1628). *A Decree of Starre-Chamber, Concerning Printing, Made the Eleventh Day of July Last Past. 1637.* (London, 1637), sig. G3 verso. *An Order of the Commons in Parliament, Prohibiting the Printing or Publishing of Any Lying Pamphlet Scandalous to His Majestie, or to the Proceedings of Both or Either Houses of Parliament* (London, 1642); *A Speciall Order of Both Houses Concerning Irregular Printing, and for the Suppressing of All False and Scandalous Pamphlets, 26 August 1642, in A Declaration of the Lords and Commons Assembled in Parliament, That Whatsoever Souldier or Souldiers Shall Breake Open, Pillage, or Ransacke Any Mans House, under Colour That They Are Papists, or Persons Dis-affected (without Command of Their Captaine) Shall Be Pursued and Punished According to the Law as Felons* (London, 1642), n.p.; *An Order of the Lords and Commons Assembled in Parliament: For the Regulating of Printing, and for Suppressing the Great Late Abuses and Frequent Disorders in Printing Many False, Scandalous, Seditious, Libellous and Unlicensed Pamphlets, to the Great Defamation of Religion and Government* (London, 1643), reprinted as An Ordinance for the Regulating of Printing, 14 June 1643, in *Acts and Ordinances of the Interregnum, 1642-1660*, ed. C. H. Firth and R. S. Rait, 3 vols. (London, 1911), 1:184-86. An Act against Unlicensed and Scandalous Books and Pamphlets, and for Better Regulating of Printing [20 September 1649], in *Acts and Ordinances*, 2:245-54. This follows on An Ordinance against Unlicensed or Scandalous Pamphlets, and for the Better Regulating of Printing [30 September 1647], in *Acts and Ordinances*, 1:1021-23. Ordering that act's implementation, and authorizing breaking down doors (at 4), is *A Warrant of the Lord General Fairfax to the Marshall General of the Army, to Put in Execution the Former Ordinances & Orders of Parliament, and Act of Common Councill, Concerning the Regulating of Printing, and Dispersing of Scandalous Pamphlets* (London, 1649); for strenuous opposition, see *To the Right Honourable, the Supreme Avthority of This Nation: The Commons of England in Parliament Assembled: The Humble Petition of Firm and Constant Friends to the Parliament and Common-Wealth, Presenters and Promoters of the Late Large Petition of September 11. MDCXLVIII* ([London, 1649]). William Ball, *A Brieffe Treatise Concerning the Regulating of Printing Humbly Presented to the Parliament of England* (London, 1651), proposes a stricter code partly drawing on existing law. *Orders of His Highnes the Lord Protector, Made and Published by and with the Advice and Consent of His*

Restored to the throne in 1660, Charles II promptly installed Berkenhead as licenser of the press. However cataclysmic a break the interregnum was, the promulgation of rules to control the press chugged smoothly along. 1662 saw Charles sign into law what we now call the Licensing Act. Here too the original title is more informative: it was An Act for Preventing the Frequent Abuses in Printing Seditious Treasonable and Unlicensed Books and Pamphlets and for Regulating of Printing and Printing Presses. The act referred to “the general licentiousness of the late times” and its “many evil disposed persons,” and surely republican regicide was a novel problem. But the act’s purported remedies were perfectly familiar. Limit the number of printing presses. Stop people from printing “any heretical seditious schismatical or offensive Books or Pamphlets.” Have duly authorized licensers screen publications and have those publications registered with the Company of Stationers before they go to print. Control imported publications. Limit the number of printing presses and keep them under the thumb of the Stationers. Authorize Stationers and others to search premises where they know “or upon some probable reason suspect” that printing and binding are going on, and if the suspects can’t produce the requisite

Council, for Putting in Speedy and Due Execution the Laws, Statutes, and Ordinances, Made and Provided against Printing Unlicensed and Scandalous Books and Pamphlets, and for the Further Regulating of Printing (London, 1655), 509-110 (so misnumbered in the original); [John Berkenhead], *Paul’s Churchyard* ([London, 1651?]), n.p., question 74 (I owe the reference to P. W. Thomas, *Sir John Berkenhead 1617-1659: A Royalist Career in Politics and Polemics* (Oxford: Clarendon, 1969), 180). See too General [George] Monck to Secretary [of State James] Thurloe, 26 December 1654, in *A Collection of the State Papers of John Thurloe*, 7 vols. (London, 1742), 3:45; Monck to Thurloe, 18 February 1658, *State Papers*, 6:811-12. Consider the opening cadences of *A Presse Full of Pamphlets: Wherein, Are Set Diversity of Prints, Containing Deformed and Misfigured Letters: Composed into Books Fraught with Libellous and Scandalous Sentences* (London, 1642), n.p.

license, seize the printed matter—and authorize justices of the peace to send the offenders to prison. Should the printed matter “contain matters therein contrary to the Doctrine or Discipline of the Church of England or against the State and Government,” present it to high church or state officials to have it suppressed.²⁰

Charles’s 1676 proclamation trotted out the usual references to “diverse malicious and disaffected persons” and “false, infamous, and scandalous Libels.” But—recall how limited state capacity was—it offered rewards for private actors willing to enforce the law: twenty pounds for locating a private press “used for imprinting unlicensed Pamphlets or Books”; fifty pounds for turning in the author of such texts or even anyone ferrying such texts to the printer.²¹

A 1687 proclamation from James II paid affectionate tribute to the 1662 Act from the “Reign of Our late Dearest Brother.” With a rather different tone, it cracked down on new entrants into the trade of bookselling. “Loose and disorderly People commonly called Hawkers and Peddlers of Books, have taken upon them to receive or buy several Unlicensed, Seditious, and many times, Treasonable Books and Pamphlets, framed and contrived by malicious persons.” Only those duly apprenticed to the trade (for seven years!) or inheriting it from their fathers could sell books. Then came the usual command to a host of state officials, stationers too, to use “their best and utmost Powers, Skills and

²⁰ *DNB* s.v. Birkenhead [Berkenhead], Sir John; 14 Car. II c. 33 (1662).

²¹ *By the King: A Proclamation for the Better Discovery of Seditious Libellers* (London, 1675). (The proclamation was issued 7 January 1675 old style.)

Endeavors...for the utter Suppressing and Preventing of the Printing and Publishing of all such Unlawful Books and Pamphlets aforesaid.”²²

In 1688, James II was chased off the throne. Newly installed King William and Queen Mary soon announced that their mercy for opponents had its limits. They would tolerate no more “sundry False, Infamous, and Scandalous Libels.” *Libels* here aren’t what we call defamatory publications, that is wrongful assaults on reputation, but more generally writings “of a treasonable, seditious, or immoral kind.” In 1735, the Council of Trade and Plantations alerted the crown to a New York printing press spewing out “the most virulent libels and most abusive pamphlets.” The next year, New York’s governor opined that if only he could send the ringleaders back to England, “the spirit of faction would be entirely broke,” but, he added regretfully, he didn’t have enough evidence to convict them.²³

Note the deep consensus. No surprise that Catholic England worried about who was reading what. But Protestant England worried, too. Royalist England worried. Republican England worried. We’ve been assured that the Glorious Revolution swept aside the Stuarts’ crypto-Catholic abuses, but William and Mary worried about who was reading what, just as James I, Charles I, Charles II, and James II had. The stuttering repetition of key provisions, decade after

²² *By the King, a Proclamation for Suppressing and Preventing Seditious and Unlicensed Books and Pamphlets* (London, 1687); also with incidental variations in *London Gazette* (13-16 February 1687).

²³ *By the King and Queen, A Royal Proclamation for the Better Discovery of Seditious Libellers* (London, 1692); OED s.v. *libel*, n., 5a; Council of Trade and Plantations to the Queen, *Cal. S. P. Colonial, America and West Indies* (28 August 1735); President [George] Clarke to the Duke of Newcastle, *Cal. S. P. Colonial, America and West Indies* (7 October 1736).

decade, betrays not just how impotent these repressive measures were, but just how assiduously devoted these governments were to controlling what people could read. These regimes worried enough to impose criminal punishment, to urge church and state officials to purge the land of noxious publications, to try desperately to patrol the unruly business of reading, to govern opinion. Again, Hobbes's dictum that "in the well governing of Opinions, consisteth the well governing of men's Actions" counted as simple common sense. And that meant closely supervising the press. So this chapter's title, "Censoring Protestants," is—pardon the wordplay—true in two senses: Protestants got censored, and Protestants did the censoring.

LAW IN ACTION

It's always a mistake to think that all laws are vigorously enforced, come what may. It's especially a mistake with governments whose authority is fragmented, even flickering. Censorship more or less collapsed during the civil war of the 1640s. The Licensing Act of 1662 lapsed for a few years in 1679, then lapsed for good in 1695. You might sardonically grin at the impact—or lack of impact—of some of the legal measures I've surveyed. First prize in futility goes to Elizabeth's 1573 proclamation demanding that everyone turn in copies of books assailing Church practices: not a single book was turned in. Then again, some putative criminals were bumbler, too. Second prize in futility goes to William Carter. Released from prison in 1580—he'd been caught publishing illicit books on a secret press—he re-equipped his workshop and started up again. But

he didn't bother to find a new hiding spot. Surprise! the authorities found him. This time he was tortured and executed.²⁴

So one mistake would be inferring that the law on the books was enforced or followed consistently. But another mistake would be dismissing the formidable statutes, proclamations, and decrees I've canvassed as pointless gestures. However fitfully, state and church officials deployed them, sometimes to devastating effect. Indeed a fragmentary legal scheme with multiple actors enforcing multiple rules means that authors and printers never can be secure; a weak state does not make people more free. Under Charles I, Richard Mountagu dutifully obtained the legally required permission to print his book. But the House of Commons was unamused by what they saw as his "great Encouragement of Popery" and assault on church and state alike. Charles followed up with a proclamation demanding that everyone with a copy of Mountagu's book hand it in.²⁵

Laws can be overenforced, too, or anyway so it can reasonably seem. Printer William Bentley was appalled when Henry Hills and John Field, duly deputized, repeatedly seized his printers' forms and sheets of the New Testament. Bentley wasn't a "Lawful Master-Printer," jeered an anonymous response. "The truth is, he was a Paper-Seller." Even if he were a printer,

²⁴ Bishop Edw[in] Sandys to Lord Treasurer Burghley and the Earl of Leicester, 5 August 1573, in John Strype, *The Life and Acts of the Most Reverend Father in God, John Whitgift* (London, 1718), app., 20; Loades, *Politics*, 120.

²⁵ Richard Mountagu, *Appello Caesarem: A Iost Appeale from Two Vniust Informers* (London, 1625), "The Approbation," sig. B verso; *Journal of the House of Commons* (7 July 1625). For a particularly offending passage, see Mountagu, *Appello Caesarem*, 43-44; *Stuart Royal Proclamations*, 2:218-20 (17 January 1628).

continued his faceless adversary, two prior offenses with “Popish-Books” should have legally disqualified him from ever printing again. Bentley’s name had in fact appeared years before on a list of dozens instructed by Council to print neither “any seditious scandalous or treasonable pamphlet paper books or pictures...nor any pamphlet paper or books of news not licensed.” Maybe the offending New Testament fell in the latter category. Maybe the regime was capriciously punishing an old offender. Sometime or other, Bentley petitioned Parliament for the right to print Scripture. That might have been the petition Council referred to a committee in 1651. I don’t know what became of it. Perhaps Bentley was clearly right—or clearly wrong—to protest the seizure of his work. But perhaps the matter was genuinely blurry, not just blurry at a historical distance. The conflict simmered for years, as we learn from an anguished 1660 complaint of some London printers. Hills, Field, and a third printer, they claimed, had wrongfully arrogated to themselves the approved manuscript of the King James Bible. With the help of “an unlawful and enforced entrance in the *Stationers Register*,” they were publishing an edition that anyway was dreadfully corrupt.²⁶

²⁶ *The Case of William Bentley Printer at Finsbury Near London, Touching His Right to the Printing of Bibles and Psalms* ([London, 1656]). See too *The Case of the Printery at Finsbury, Concerning Printing of the Bible* ([London, 1659]); *A Short Answer to a Pamphlet, Entituled, The case of VWilliam Bentley Printer at Finsbury near London, Touching His Right to the Printing of Bibles and Psalms* ([London, 1656]); SP 25/150 ff. 1, 11 (9 & 11 October 1649); *A Catalogue of the Harleian Manuscripts in the British Museum*, 4 vols. (London, 1808-1812), 3:539 (undated); Council of State, Day Proceedings, SP 25/22 f. 65 (19 September 1651); *The London Printers Lamentation, or, The Press Oppresst, and Over-prest* ([London, 1660]), 6, italics reversed. On the economics and politics of publishing the Bible, see too Bishop of Oxford to Sir Leoline Jenkins, SP 29/438 f. 23 (19 June 1684). Bentley was one of the signatories to *A Word for God: or A Testimony on Truths Behalf* ([London, 1655]), an

Legal uncertainty and penalties both deter the cautious. In estimating how effective English censorship was, it can't be enough to catalogue manuscripts rejected by the licenser, presses seized and destroyed by the authorities, and the like. It is surely relevant that under one percent of books published between 1603 and 1625 triggered any efforts at suppression or punishment. The apparatus of censorship creaked and sputtered. But it wasn't impotent. There is no sensible way to estimate how many authors didn't write at all, or wrote more cautiously than they would have liked to. (Richard Baxter heatedly protested a licenser's refusal of his work, but he protested only posthumously, and only after the Licensing Act of 1662 lapsed.) There is no way to track down how often printers decided not to take their chances on errant manuscripts. It would be odd to be confident that those numbers were trivially low.²⁷

The Company of Stationers had obvious economic interests in cracking down on secret presses. They also understood they were helping to govern opinions. But the same dynamics meet their counters. Like others in business, printers wanted to make money. "As for the Printing-trade," offered one member of Parliament, "it is like robbing, not altogether done for malice, but for reward." Those with illicit presses saw an opportunity to make money by printing illicit

anguished appeal to Cromwell to reclaim the "blessed cause" (4) the people had fought for.

²⁷ Cyndia Susan Clegg, *Press Censorship in Jacobean England* (Cambridge: Cambridge University Press, 2004), 19. Randy Robertson reports that just under 3% of titles got in trouble between 1641 and 1700, including those published in British North America—and that that is some 2,600 titles. See https://www.academia.edu/372922/Prefatory_Note_to_The_British_Index_1641_1700 and https://www.academia.edu/1598680/The_British_Index (last visited 13 August 2022). Richard Baxter, *Reliquiae Baxterianae*, ed. Matthew Sylvester (London, 1696), pt. 1, 123; and see pt. 1, 441.

publications. Indeed, they could charge higher prices because they were taking on the risk of prosecution. “An unlicensed Book bears Treble the price,” reported one observer. And others were drawn to the possibilities of distributing texts and views the regime frowned on.²⁸

The Jesuits cranked out illegal publications from a secret press. Surely they were in it for the ideas, not to make money. The government finally tracked down and seized the press in 1581. Nine years later, a Shropshire sheriff found printing tools that William Hamner had hidden in a cave. But the constable and a helper let Hamner slip away. Indignant about this “very malicious and undutiful” carelessness, Privy Council approved holding the two in jail until Hamner himself was apprehended. Surprised that the sheriff hadn’t immediately searched Hamner’s house for offending publications, Privy Council instructed him to do just that, and to send them whatever offending texts he found, along with those printing tools.²⁹

In 1613, the authorities raided Lostock Hall. Word had it that James Anderton’s funeral in the hall’s chapel had featured Catholic rites. The authorities found a press and copies of Catholic texts. The Chancellor of the Exchequer informed one of the king’s clerks that he had met with the bishop of Chester to arrange for the taboo wares to be held safely. An inventory duly

²⁸ *Grey’s Debates of the House of Commons* (15 November 1680); Richard Atkyns, *The Original and Growth of Printing* (London, 1664), 16.

²⁹ E. E. Reynolds, *Campion and Parsons: The Jesuit Mission of 1580-1* (London: Sheed and Ward, 1980), 88-92, 128; *Acts of the Privy Council*, new ser., ed. John Roche Dasent et al., 46 vols. (London, 1890-1964), 13:154, 186, 264-65 (4 & 30 August and 27 November 1581); A. C. Southern, *Elizabethan Recusant Prose 1559-1582* (London: Sands & Co., [1950]), 353-59 (with untranslated Latin quotations: sigh); Meeting of the Privy Council, 22 September 1590, PC 2/17 f. 913 (1590), also in *Acts of the Privy Council*, 19:454-55.

followed, and apparently all the offending materials were confiscated. That wasn't enough to stop one of Anderton's brothers from setting up his own private press and printing more such materials. He continued until his death decades later.³⁰

Less defiant printers ran into legal trouble, too. In May 1637, Charles I issued yet another proclamation, demanding that all copies of *An Introduction to a Devout Life* be handed in to be burnt. True, printer Nicholas Oakes had gotten the mandated license to print it. But the licenser, acting for the Archbishop of Canterbury, had demanded the deletion of "passages therein tending to Popery," and Oakes had restored the offending passages when he printed the book. (The book had been in print for over twenty years. I don't know why the authorities suddenly decided to suppress it.) Scant weeks later, Oakes petitioned the authorities to install his son John in his place. That bid seems to have been granted, though John, fearing the papers weren't in order, was initially reluctant to work.

Perhaps Nicholas's petition was granted partly because he also petitioned the authorities not to let John Norton become a master printer. Oakes apologized for having partnered with Norton without permission—and then finked on his former colleague. Norton, he explained, had "aided a company of factious persons in erecting an unlawful press in a secret place." He'd stolen forms and letters from Oakes, which the Stationers had tracked down and destroyed.

³⁰ Joseph Gillow, "Lostock Hall: The Seat of the Andertons," in N. G. Philips, *Views of the Old Halls of Lancashire and Cheshire* (London, 1893), 67. See Sir Julius Caesar to Sir Thos. Lake, SP 14/75 f. 41 (20 November 1613); Caesar to Lake, SP 14/75 f. 62 (7 December 1613).

Glimpse the sordid mazes of private treachery: Norton ended up filing his own petition, complaining that his press had been taken away, even though he was “not guilty of printing any thing scandalous, unlicensed, or offensive to the Church or State.” The tale’s postscript illuminates the difficulties facing printers. John Oakes was moving to print a new edition of the *Introduction to the Devout Life*. Nicholas reminded him that he’d gotten in trouble doing that. But John had a license, too, and the licenser told him to “fear nothing, be silent and go on in the business, for he would warrant him for any damages.”³¹

In 1641, the House of Lords learned that when the authorities tried to seize their press, three men in Holborn had “presented Guns and a Piece of Ordnance against them.” The Lords ordered that the three be hauled in for questioning and that their press be muzzled. In 1642, a Stationers’ warden managed to seize a press that had belched out a Leveller attack on Parliament, but the offending printers swung out of a window with a rope and got away.³²

³¹ *Stuart Royal Proclamations*, 2:557 (14 May 1637); see Order of the King in Council, SP 16/355 f. 226 (7 May 1637), for Charles’s instructing his attorney general to prepare the text of the proclamation. The offending text is Francis Salis, *An Introduction to a Devout Life: Leading to the Way of Eternities* (London, 1616); Petition of Nicholas Oakes, printer, to Archbishop Laud, SP 16/362 f. 133 (28 June 1637); List, in the Handwriting of Sir John Lambe, SP 16/364 f. 214 (July 1637); Petition of Mary Oakes alias Kempe to Archbishop Laud, SP 16/406 f. 281 ([1638?]); Petition of Nicholas Oakes, printer, to Sir John Lambe, Sir Nathaniel Brent, and Dr. Duck, Commissioners for the Printers, SP 16/376 f. 46 ([1637?]); Petition of John Norton, SP 16/376 f. 47 ([1637?]); J. V. to his wife, SP 16/437 f. 86 ([1639?]).

³² *Journal of the House of Lords* (21 October 1641). See too *Journal of the House of Lords* (13 August 1646), ordering the destruction of Robert Eeles’s printing press, “lately employed in printing scandalous Books.” *The Humble Petition and Information of Ioseph Huns Scot Stationer, to Both Honourable Houses of Parliament Now Assembled, against Divers Scandalous Libels, and Treasonous Pamphlets against Kingly Government* ([London, 1646]), 5. For the offending text, [John Lilburne], *Englands Birth-Right Justified* ([London, 1645]).

In 1653, displeased by an illicit, perhaps corrupt, printing of the Instrument of Government, the republic's constitutional text, Council instructed the sergeant at arms to search the printer's house, seize whatever copies they found, destroy his printing presses, and corral the offending parties to face the Council's wrath. One busy Stationers' warden reported finding a cache of 1,900 unlicensed books in 1677; the next year he certified the arrest and imprisonment of a man "Publishing and Offering to Sale a Seditious Booke," also the discovery of a Quaker printer whose press was hidden by trap doors. Here's a reminder of how the state stumbled along without a sprawling bureaucracy. In 1668, Sam Mearne submitted an expense account for seizing a press and the government promptly gave him the press "as an encouragement for his future services." Later that year, another man told Lord Arlington that he'd helped Mearne seize another illicit press from a Mrs. Calvert, along with "reams of an unlicensed book" —and that he'd spurned Mearne's request to return them to Calvert.³³

Or consider a bit of would-be private enforcement from 1676, perhaps in response to Charles II's offer earlier that year of lavish rewards for people turning in miscreants. The two "having drunk pretty high together," someone asked a solicitor how he seemed to have more money than he could have made practicing law. He had a printing press, revealed the solicitor. Well, it was

³³ Council, Serjeant Dendy, SP 25/112 f. 1 (23 December 1653); Information of Thomas Vere, SP 29/397 f. 93 (25 October 1677); Certificate by Williamson, SP 29/403 f. 38 (13 April 1678) (the pamphlet is [Andrew Marvell], *An Account of the Growth of Popery, and Arbitrary Government in England* (Amsterdam, 1677)); Certificate by Thomas Vere, SP 29/403 f. 86 (19 April 1678); Account by Sam Mearne, SP 29/239 f. 38 (28 April 1668); *Cal. S. P., Dom., Charles II* (8 May 1668); Petition of John Wickham, SP 29/248 f. 105 (October? 1668).

difficult to get a press, remarked his interlocutor; how had the solicitor done it? He explained that he'd obtained different parts of the apparatus from different places. Why hadn't he been found out? "He answered, he had it in so private a place that the devil himself could not find it out." The story made its way to a friend of the interlocutor, who decided to report it to the Secretary of State—and to add that about a year earlier someone had told him he'd produced a printing spindle "for a Gentleman, but could not imagine what it was for, since he never saw it in the presses." The informant helpfully added that the press was probably in Gray's Inn. After all, the solicitor lived nearby and actually did very little legal work. I don't know whether the authorities tracked down the offending press. But think about what it's like to be operating an illegal press in a world where you have to worry not only about officials, but also about snoops and busybodies, to worry too about whom you can confide in and whether you can afford to get pleasantly drunk.³⁴

Time to move closer yet to the ground. Let me sketch in more detail the plights of some of those who got in serious trouble with the law because of what they wrote or printed or published. But first, consider alternate ways of thinking about their harsh punishments.

An economist will imagine the culprits as rational actors making expected-utility calculations. If the odds of their being caught for infractions are low—and it was an open secret that they were—then the government has every reason to severely punish those it does capture. The high magnitude of the punishment

³⁴ Information of John Marloe, SP 29/385 f. 1 (26 August 1676). Charles's proclamation was dated 7 January 1675; that's old style, or the Julian calendar, with the new year commencing 25 March; so we'd call it 1676.

will balance out the low risk of apprehension in the utility calculus, and the government can still secure optimal levels of deterrence.

I don't believe this sort of thing, and I confess I'm amused that people imagine such fairy tales as hardheaded. I think the government treated these people so harshly because it thought their crimes horribly injurious to the commonwealth. I think the government would have been all too happy to treat many more culprits every bit as severely, if only it could have caught them.

Meet some of the criminals.

A ROGUES' GALLERY

In 1630, Alexander Leighton published a take-no-prisoners attack on the structure of the English church. He urged that "a bishop is no distinct order from a minister, nor superior to him by divine institution." Anglican bishops were "a terror to all, and loved by none," "*ravens & pie-maggots* [that] prey upon the state"; the church suffered under an "*Antichristian or Satanical Prelacy*." (A pie-maggot is a magpie. I suspect Leighton thought of those birds as cunning thieves.) "All that love the Lord," Leighton exhorted his reader, should see the bishops as "enemies to God, and the State; and...*hate them with a perfect hatred*." If you think of Presbyterianism as a bland account of church government too innocuous to cause political trouble, think again. Leighton addressed his attack to Parliament and sent copies to its members. Bad luck for him: he was in the Netherlands and didn't know that Charles I had dissolved Parliament.³⁵

³⁵ [Alexander Leighton], *An Appeal to the Parliament; or Sions Plea against the Prelacie* ([Amsterdam, 1629]), 8; "Epistle to the Reader," sig. A3 verso; 35, 89. *OED* s.v. *pie-maggot*, citing Leighton's use. *DNB* s.v. Leighton, Alexander.

Back in London the next year, Leighton was arrested and dumped into “a nasty dog-hole, full of rats, and mice” in Newgate prison. Officials burst into his house, ripping the door off its hinges and threatening one of his children “by holding a charged pistol to his head.” Leighton refused to acknowledge the authority of High Commission, so several months later, the Attorney General presented the case against him to Star Chamber. The lawyer marveled at how “exquisitely wicked and malicious,” “brainsick,” and “ignorant” Leighton was. The wretched book, whose “bitter invective” made it a treacherous slander against the king, needed to be condemned and suppressed; Leighton himself needed to be “severely punished.”³⁶

His was “a most odious and heinous offense, deserving the severest punishment the court could inflict, for framing and publishing a book so full of most pestilent, devilish and dangerous assertions,” huffed the judge, who imposed a life sentence and a £10,000 pound fine. (That’s a fabulous fortune.) But wait, there’s more. Leighton would be whipped in the pillory. He’d have an ear cut off, his nose slit, and his face branded with the letters SS, to mark him as “a *Sower of Sedition*.” After some time in prison, he’d be returned to the pillory and

³⁶ *An Epitome or Briefe Discoveries, from the Beginning to the Ending, of the Many and Great Troubles That Dr. Leighton Suffered in His Body, Estate, and Family, for the Space of Twelve Years and Upwards* (London, 1646), 3-17. Speech of Attorney General Heath, in the Star Chamber, SP 16/168 f. 19 (1630); Heath’s handwriting isn’t always legible, to my eyes anyway, so I have relied in part on the transcription in “Speech of Sir Robert Heath, Attorney-General, in the Case of Alexander Leighton in the Star Chamber, June 4, 1630,” ed. Samuel Rawson Gardiner, in *The Camden Miscellany*, vol. 7 (Westminster: Printed for the Camden Society, 1875). In closing, Heath summons up the case of Lewis Pickering; for more on him and *scandalum magnatum*, see my *Defaming the Dead* (New Haven, CT: Yale University Press, 2017), 105-13.

whipped again, and his other ear would be cut off. Awaiting these delicate rituals, swapping clothes with a sympathizer, Leighton managed to escape. A hue and cry went up; he was recaptured and that sentence was painstakingly executed. Nine years later, professing himself “aged, much distressed, and sick,” lame, his hearing and vision impaired too, bruised by the “violent dealing” of the “poor wretches” he was jailed with, a 68-year-old Leighton petitioned the king for release. Several years later, Leighton petitioned the House of Commons. The House ordered that Leighton be released with a keeper to plead his case. Months after that, the House decided that Leighton’s treatment was illegal and that he should be released and compensated. I’m not sure whether to credit the claim that the House was in tears, but when he was finally released “worn out with poverty, weakness and pain,” “he could hardly walk, see, or hear.” Leighton versified his plight: “Dismembered nose, ears, stigmatized.../ A dismal, savage spectacle I rise.../ I both condemned and execrated stand / As the dung and offscouring of the land.”³⁷

The contrition of printer John Twyn’s petition, probably from 1642, might well be a ritual pose, not a sincere report on his emotional state. He was “heartily sorry,” he assured the Secretary of State, about “any displeasure” he might elicit in the king or his council. He’d been away when a messenger came to search his

³⁷ Rushworth, *Historical Collections*, 2:55-58; Petition of Alexander Leighton, Prisoner in the Fleet, to the King, SP 16/408 f. 318 (1639); *Epitome*, 87-92; *Journal of the House of Commons* (9 November 1640); Rushworth, *Historical Collections* 4:228-29 (21 April 1641); Daniel Neal, *The History of the Puritans or Protestant Non-Conformists*, 4 vols. (London, 1732-38), 2:385-87, 217-19; Frances Condick, “The Self-Revelation of a Puritan: Dr. Alexander Leighton in the Sixteen-Twenties,” *Bulletin of the Institute for Historical Research* (November 1982), 202.

home. (I don't know what they were looking for.) His servants had cooperated; had he been home he'd have been even more cooperative. The abject tones paved the way for a pathetic request. Twyn reported that he was a "very poor" widower caring for his four little children. So he asked to be released, presumably from jail. Then came more assurances. They could search his house whenever they liked. They could summon him to talk whenever they liked. As far as he knew, he'd never printed anything that might harm the king or his council, and he promised that he never would.³⁸

But he did. In fact, or so the authorities claimed when they charged him with treason a couple of decades later, he printed a pamphlet branding the Stuart monarchs tyrants and offering a Biblical defense of regicide. Charles II, not named but clearly in the pamphlet author's sights, was a "Tyrant, we are none of his servants but he ours." Roger L'Estrange, tireless in rooting out abuses in his role as surveyor of the press—later he boasted that he had "suppressed above 600 sorts of seditious pamphlets"—knocked on Twyn's door for almost half an hour and finally forced it open. Twyn promptly broke up the forms holding the typeset words of the book and tried to dispose of the sheets he had printed. There was evidence that Twyn knew he was up to no good. The prosecutor announced that he'd show that the printing was done at night. Others testified that he had said that the pamphlet was "mettlesome stuff." In vain did Twyn insist at his trial, "I never knew what was in it." In vain did he plead that he was poor and had three children (had he started a new family?) to support. It took the

³⁸ Petition of John Twyn, Stationer, of London, to Sec. Nicholas, SP 16/493 f. 152 ([1642?]).

jury only half an hour to convict him. Here's the judge's sentence, strictly in accord with the law of treason: "you shall be hanged by the Neck, and being alive shall be cut down, and your privy Members shall be cut off, your Entrails shall be taken out of your body, and you living, the same to be burnt before your eyes: your head to be cut off, your body to be divided into four quarters, and your head and quarters to be disposed of at the pleasure of the Kings Majesty. And the Lord have mercy upon your soul." And here's Twyn's desolate response: "I most humbly beseech your Lordship to remember my condition, and intercede for me." The judge spat back, "I would not intercede for my own Father in this case, if he were alive." After the government dismembered Twyn's corpse, they displayed his head and the quarters of his body on five different gates around the city.³⁹

Had Thomas More had the gift of foresight, he'd have conjured up Abiezer Coppe, the very incarnation of what made some dread unsupervised reading of

³⁹ Part of a Pamphlet, pp. 25 to 32, Containing Arguments from Scripture, SP 29/88 f. 107 (1663?); those pages roughly follow the outlines of *A Treatise of the Execution of Justice, Wherein Is Clearly Proved, That the Execution of Judgement and Justice, Is as Well the Peoples as the Magistrates Duty; And That if Magistrates Pervert Judgement, the People Are Bound by the Law of God to Execute Judgement Without Them, and Upon Them* ([London, 1663]): that exact title is cited in *An Exact Narrative of the Tryal and Condemnation of John Twyn, for Printing and Dispersing of a Treasonable Book...At Justice-Hall in the Old-Bayly London, the 20th and 22th of February 166³/₄* (London, 1664), 27. Early English Books Online dates the *Treatise* to 1660; the 1663 dating in *DNB* s.v. Twyn, John, is more plausible. On the law of treason see especially 25 Edw. III s. 5 c. 2 (1351) and 13 Car. II s. 1 (1661). *An Exact Narrative*, passim (the entire sentence is italicized in the original); *DNB* s.v. Twyn, John. L'Estrange's role was made official in suitably foreboding language: Order for a Warrant for Erecting the Office of Surveyor of Printing and Printing Presses, and Appointing Roger L'Estrange, SP 29/78 f. 182 (15 August 1663). For L'Estrange's boast, see Roger L'Estrange to the king, SP 29/280 f. 15 (29 October 1670). Note too *At Court Held at Stationers-Hall, on Friday the 22th Day of May, 1685* ([London, 1685]).

Scripture. In 1649, God confided in Coppe. “The word of the Lord came expressly to me,” Coppe reported, “saying, write, write, write.” Write, write, write he did. God told Coppe, “I overturn, overturn, overturn.” He’d overturned church bishops (William Laud, archbishop of Canterbury, had been sent to the scaffold just about four years before; despite his complaint about the “unsufferable liberty in printing,” Parliament charged him with irresponsibly delegating licensing authority to confused Catholics, so permitting the publication of “false and superstitious books...to the great scandal of Religion, and to the seducing of many of his Majesties Subjects”), Charles I (sent to the scaffold about a year before), and the House of Lords (abolished by Cromwell’s House of Commons scant weeks after that). He would overturn the “surviving great ones by what Name or Title soever dignified or distinguished,” indeed any who opposed His rule. Service to God, exclaimed Coppe, was “perfect freedom, and pure Libertinism.”

Libertinism? There’s no mistake or anachronism here. Coppe seized on Titus 1:15—“Unto the pure all things are pure”—to affirm that for the elect, cursing was better than other’s pieties. He challenged everyday assessments of “wanton kissing” and more. Antinomianism sounds like a mouthful, but you can see how disturbing it was when you read the words God dictated to Coppe: “Be no longer so horridly, hellishly, impudently, arrogantly, wicked as to judge what is sin, what not, what evil, and what not, what blasphemy, and what not.”

One critic later dismissed another of Coppe’s books as “a silly thing, full of blasphemies, and more fit for a posterior use”—that is, as toilet paper—“than to be read by any man of Reason or Sobriety.” Not content with shrugging off his

revelations, the government promptly issued a warrant for Coppe's arrest. The Commons leapt into action just a month after Coppe published his intoxicated, intoxicating pamphlet. They denounced Coppe's "horrid Blasphemies and damnable and detestable Opinions," and ordered that all copies of his work be seized and burned by the common hangman. That common response to abhorrent publications isn't an oddly stilted way of disposing of trash. Like the white cap festooning the printing press on its way to demolition, this ritual burning summons up legal punishment, not mere destruction. Worried about the eruption of sin, they called too for a day of "solemn Humiliation, Fasting, and Prayer."

Coppe took his antinomianism seriously, at least if we can trust one report. After he ditched his Oxford undergraduate education, "'twas usual with him to preach stark naked many blasphemies and unheard of villanies in the day-time, and in the night be drunk and lye with a Wench that had been also his hearer stark naked." So he ended up in prison, first at Coventry and then at Newgate. ("No prison to me," he assured his friends.) There he had the effrontery to continue holding forth behind bars.

But prison has its way with people. Coppe recanted. He'd been "mad drunk," he pleaded. His prior work should be thrown into "the Lake of fire and brimstone, and the great Abyss from whence it came." Swearing, cursing, drunkenness, lying, stealing, murder, fornication, sodomy: of course all these and more were sins. He added that he meant only to indict a phony "righteousness" no better than "menstruous rags," a "carnal mock-holiness" nothing but "a cloak for all manner of Villainy." The substance, not to mention

the delirious style, is all too reminiscent of the work he's formally recanting. The recantations regained Coppe his liberty in 1651, but we have further evidence that he wasn't all that repentant. A Presbyterian preacher listened in consternation to a sermon Coppe delivered. "When men leave Scripture: or presume to interpret Scripture in their own (if not the Devil's) sense: what doctrines must we expect?" he demanded.⁴⁰

⁴⁰ [Abiezer Coppe], *A Second Fiery Flying Roule: to All the Inhabitants of the Earth; Specially to the Rich Ones* ([London], 1649), 1, 13; *A Fiery Flying Roll* (London, 1649), 1, 8, 7. The two parts were published together on 4 January 1649/50: see Abiezer Coppe, *A Fiery Flying Roll* (Great Britain: The Rota at the University of Exeter, 1973), "Bibliographical Note," n.p. [Anthony à Wood], *Athenae Oxonienses: An Exact History of all the Writers and Bishops Who Have Had Their Education in the Most Ancient and Famous University of Oxford*, 2 vols. (London, 1691-92), 2:368; Warrants Issued by the Council of State, SP 25/3 (8 January 1649); Gale's online database of the Calendar and underlying manuscript materials has the entry number and link wrong. *Parliamentary History* (4 February 1649). [Wood], *Athenae Oxonienses*, 2:367; "Letter from Coppe to Salmon and Wyke," c. April-June 1650, in *A Collection of Ranter Writings from the 17th Century*, ed. Nigel Smith (London: Junction Books, 1983), 117. Coppe, *Copp's Return to the Wayes of Truth: in a Zealous and Sincere Protestation against Several Errors; and in a Sincere and Zealous Testimony to Several Truths: or, Truth Asserted against, and Triumphant over Error; and the Wings of the Fiery Flying Roll Clipt, &c.* (London, 1651), n.p., 6, 11; Coppe, *A Remonstrance of the Sincere and Zealous Protestation of Abiezer Coppe, against the Blasphemous and Execrable Opinions Recited in the Act of Aug. 10. 1650.* (London, 1651), 4. James Townsend, *A History of Abingdon* (London: Henry Frowde, 1910), 136; John Tickell, *The Bottomles Pit Smoaking in Familisme... Together with Some Breef Notes on Ab. Copps Recantation Sermon (as 'Twere) Preached at Burford, Sept. 23. 1651* (Oxford, 1652), 80-81. For Parliament's charge against Laud, see "Articles of the Commons Assembled in Parliament, in Maintenance of Their Accusation against William Laud Arch-Bishop of Canterbury; Whereby He Stands Charged with High Treason, Presented and Carried up to the Lords, by Mr. J. Pym, Feb. 26. 1640," in John Rushworth, *Historical Collections of Private Passages of State*, 8 vols. (London, 1659-1701), 3:1366 (also 4:197; also in William Prynne, *The Antipathie of the English Lordly Prelacie, Both to Regall Monarchy, and Cioill Unity* [London, 1641], 159); for more fulmination, see Prynne, *Canterburies Doome, or, The First Part of a Compleat History of the Commitment, Charge, Tryall, Condemnation, Execution of William Laud, Late Arch-Bishop of Canterbury* (London, 1646), 179-83. For an order that all

In 1679, Benjamin Harris was convicted in the Court of King's Bench of publishing a seditious and scandalous book—"as base a piece," intoned the recorder, "as ever was contrived in Hell." No wonder his worker did the actual printing at night. "You can hardly read a more base, and pernicious Book, to put us all into a Flame," Lord Chief Justice Scroggs instructed the jury. (Should we be surprised at the vitriol from a man whose delight in universal welfare would soon be publicly affirmed?) The jury first found only that Harris "was guilty of selling the Book"—and the courtroom erupted in "a very great and Clamorous Shout," what has to count as a morsel of evidence for popular sympathy with a printer. The judge was having none of it. He told the jury they had to find Harris "barely Guilty, or not Guilty." Anyway, he announced, it was settled law that the fact of publishing such hideous stuff counted as a crime. Chastened or cowed, the jury dutifully found Harris guilty. The judge chided them for giving aid and comfort to the noisy onlookers. If he could punish "those Shouters," he announced, he would. Harrison would be imprisoned, stuck in the pillory, and fined a whopping £500. Justice Pemberton prevailed on Lord Chief Justice Scroggs not to add a public whipping, but there was shame and violence enough in the sentence anyway. The punishment of being in the pillory is not that you're immobilized in an awkward position. It's that the state is permitting, inviting, private parties to hurl things at you: urine, feces, dead cats, you name it. But

copies of Laurence Clarkson's *A Single Eye* be seized and burnt by the common hangman, see *Die Veneris, 27 Septembr. 1650* (London, 1650). See Clarkson, *A Single Eye: All Light, No Darkness, or Light and Darkness One* (London, [1650]), 7-8: "there is no act whatsoever, that is impure in God, or sinful with or before God"; the preface, n.p., nods to the same worrisome bit from Titus 1:15.

Harris went unscathed. When he stood in the pillory, “he and his party hollered and whooped, and would permit nothing to be thrown at him.”

Harris petitioned the Commons, the Lords, and the king. “I am sorry,” he assured the king, “from the bottom of my Heart.” Parliament got him briefly out of prison; Privy Council slapped him back in. Scroggs narrowly avoided impeachment, and while his treatment of Harris was mentioned in the charges against him, it was by no means central to Parliament's pursuit. (All these matters had been caught up in the day's conflict between Whigs and Tories.) Charles II dissolved both parliaments pursuing the matter, removed Scroggs from the bench, and awarded him a hefty pension. Harris rotted in prison until late 1682.⁴¹

Soon after Harris's star turn in the criminal justice system, Elizabeth Cellier had a more miserable time. The popish midwife, as she was called, got tangled up in 1678's nightmarish fantasy, the Popish Plot, and played a starring role in 1680's Meal-Tub Plot. Charged with treason and acquitted, she wrote a screed defending herself and claiming that Catholics were tortured in prison. While it was in press, a functionary seized a sheet; the functionary asked for more, but the printer demurred that the rest was already back in Cellier's hands. The Secretary

⁴¹ The offending text was [Charles Blount], *An Appeal from the Country to the City, for the Preservation of His Majesties Person, Liberty, Property, and the Protestant Religion* (London, 1679). It offended in part by urging that the Duke of Monmouth ought to become king (25). *A Short, but Just Account of the Tryal of Benjamin Harris* ([London], 1679); *A Complete Collection of State-Tryals*, 2nd ed., 6 vols. (London, 1730), 2:1033-35; Narcissus Luttrell, *A Brief Historical Relation of State Affairs from September 1678 to April 1714*, 6 vols. (Oxford, 1857), 1:34; *Journal of the House of Commons* (19 & 23 November, 8 & 21 December 1680); *Journal of the House of Lords* (24 November 1680); Benjamin Harris to the King, SP 29/416 f. 360 (September? 1681); *DNB* s.v. Harris, Benjamin; *DNB* s.v. Scroggs, Sir William.

of State promptly fired off a warrant to bring in the printer, Cellier, or both for interrogation. The book half printed, Cellier duly appeared—and unabashedly got the other half printed and published the screed, now titled *Malice Defeated*. Her book, “which most think is a great libel on the government, is openly sold in the streets,” observed a member of Parliament.

A grand jury furnished an early review. Styling hers “a most false, scandalous, malicious & wicked book,” they presented Cellier for prosecution. She was a “Prodigy of Impudence,” according to an acidulous account of the proceedings, who in being readied for trial “behaved herself very *Malapertly*” and “*Screamed* as loud as her lying impudence would make the World believe” the alleged torture victims did. A formidable battery of statutes could have been levelled against her, but the action looks like one for seditious libel. A more judicious account reveals that the attorney general told the court that a conviction could be sustained if she either wrote the text or caused it to be printed or caused it to be published—“though I think you have heard Evidence enough for all.”

Despite glib efforts to wriggle away from responsibility, Cellier was convicted. It didn’t help that *Malice Defeated’s* title page identified her as the printer and announced the book would be “sold at her House in *Arundel-street* near St. *Clements* Church.” The court’s sentence, “for Example sake,” was harsh: a fine of £1,000, a prison term until she could pay it off, and three stints in the pillory, where each time she should watch the common hangman burn “Parcels of her Books.” On top of all that, she’d have to provide sureties for the rest of her life.

Incredulous that “so small a fault committed so ignorantly” could yield a sentence of such “Severity, that the like was never heard of before” — that claim is endearingly naïve— Cellier promptly petitioned the king. The king, “thinking it very cruel to have people’s lives exposed in that manner,” that is in the pillory, wanted the Secretary of State to talk to the Lord Chancellor about it. The official response was speedy, the denial adamant: the punishment would proceed. “She was by the Rabble twice struck down with Stones,” leaving her “very grievously bruised,” she told the king in another 1680 petition, but the sheriff’s men lifted her up for further abuse. They kept her in the pillory not the single hour she was supposed to endure, but apparently from whenever she was “hailed out of her Bed” until 2:00 pm. She pleaded in vain for the rest of her sentence to be remitted. Probably in 1682, Cellier tried yet another petition to the king. She recalled being “so beaten and bruised, that she was like to be stoned to Death.” Unable to pay her fine, she’d already been stuck over two years in Newgate and was “by her close confinement grown Sick and Weak.” Her plea is moving, and the king was “pleased to extend his mercy to her” — five years later.⁴²

⁴² *The Triall of Elizabeth Cellier, at the Kings-Bench-Barr, on Friday June the 11th 1680* (London, 1680); Affidavit by Robert Stephens, SP 29/414 f. 130 (16 August 1680); Warrant to Thomas Atterbury, SP 44/54 f. 51 (16 August 1680); J[ohn] Pollexfen to Sir G[eorge] Treby, 7 September 1680, Historical Manuscripts Commission, *The Manuscripts of Sir William Fitzherbert, Bart., and Others* (London, 1893), 24; *The Tryal and Sentence of Elizabeth Cellier; for Writing, Printing, and Publishing a Scandalous Libel, Called Malice Defeated* (London, 1680), 18, 34-36; *The Tryal of Elizabeth Cellier, the Popish Midwife, at the Old Baily, Septemb. 11 1680* ([London, 1680]), 2; [Elizabeth Cellier], *Malice Defeated: or A Brief Relation of the Accusation and Deliverance of Elizabeth Cellier* (London, 1680); Presentment of the Grand Jury, SP 29/414 f. 178 (10 September 1680); Elizabeth Cellier to the King, SP 29/414 f. 183 ([14 September] 1680); Sidney Godolphin to Sir L[eoline] Jenkins, SP 29/414 f. 198 (20 September 1680); Secretary Jenkins to Sidney Godolphin, SP

Cellier was infamous enough to serve as the mouthpiece of a spoof letter of consolation offered to our next rogue, Nathaniel Thompson. “Alas!” the conjured Cellier wrote mock-sadly, he hadn’t been beaten enough to die as a martyr. Not that his life was easy. In 1682, a jury convicted Thompson without even bothering to retire and deliberate. What was his crime? Another jury had convicted some Catholics of murdering Sir Edmund Berry Godfrey. The criminals had been executed. But—fake news, anyone?—Thompson and a couple of others had then written and published a case that Godfrey had committed suicide. (Today’s historians think that might well be right. Thompson published plenty of loyalist texts, too. He was out to make money, not to crusade for an ideology.) It was a “false, scandalous and defaming *Libel*,” the formal charge said; “as impudent a thing as ever was done,” declared the prosecutor in opening his case. The court sentenced Thompson to an hour in the pillory, a £100 fine, and the usual prison term for as long as it took him to pay the fine. In the pillory Thompson was “severely pelted with dirt, stones, &c.” (Another source reveals what that decorous &c. glides by: rotten eggs.) Thompson petitioned in vain to be excused from the onerous fine. A pamphleteer exulted, “This is he who has privately Printed whole Cart-Loads of Popish Mass-Books, and other prohibited Papistical Doctrines, spreading them to impoison the Nation.” Thompson had a well-earned reputation for publishing Catholic texts. More interesting for our purposes is the thought that books can poison a nation.

44/62 f. 83 (21 September 1680); Elizabeth Cellier to the King, SP 29/421/2 f. 205 ([1682?]); *Cal. Treasury Books* (10 May 1687).

Thompson had been in trouble before. In early 1677, the House of Lords was told that he and a partner “might be persons much to be suspected for printing unlicensed books and pamphlets.” Why else would their presses start working at 1:00 in the morning? That got him locked away in Newgate prison. Unmoved by his plea that he had done the work only for three nights, and only at someone else’s request, the Lords ordered that his presses be shattered. Yet months later the Secretary of State was told that Thompson, apparently a resourceful recidivist, had a private press. A warrant for his arrest was issued later that year: he’d “printed a scandalous and unlicensed paper” insulting the Dutch ambassador, so Privy Council wanted a word with him. The next year, the House of Lords had him held in prison for printing “popish books.” Thompson petitioned them for an audience, so he could explain how to stop such offending publications. Then he petitioned more humbly for his release, which was granted. Then Thompson faced new criminal charges in November 1684. He’d printed a “Seditious and dangerous Libel,” a book defending the pope’s supremacy. He was convicted, but I’ve been unable to find his punishment.⁴³

⁴³ *A True Copy of a Letter of Consolation Sent to Nat. the Printer, Near the Pope’s Keys in Fetter-Lane, from the Meal-Tub Midwife, in New-gate* (London, 1681); *The Tryal of Nathaniel Thompson, William Pain, and John Farwell* (London, 1682); *DNB* s.v. Godfrey, Sir Edmund Berry; *DNB* s.v. Maynard, Sir John; Luttrell, *Brief Historical Relation*, 1:203; Reference to the Lords of the Treasury of the Petition of Nathaniel Thompson, SP 44/55 f. 217 (28 October 1682); Warrant, after Reciting that John Farewell, William Paine and Nathaniel Thompson Were in Trinity Term, 1682, Convicted and Fined, SP 44/50 f. 105 (2 April 1684); *True Protestant Mercury* (5-8 July 1682); *Trincalo Sainted: or The Exaltation of the Jesuits Implement, and Printer General, the Notorious Nathaniel Thomson, on This Present 5th of July, 1682* (London, 1682); *Ninth Report of the Royal Commission on Historical Manuscripts*, pt. 2 (London, 1884), 73-75 (I owe this reference to Leona Rostenberg, “Nathaniel Thompson, Catholic Printer and Publisher of the Restoration,” *The Library* (September 1955)); The Information of Roger L’Estrange, Taken before Secretary

William Anderton faced treason charges in 1693. (It runs in the family? We met a couple of other Andertons, Catholics with a secret press. William's father claimed to be related.) He had a reputation for printing seditious libels and he got in trouble with a messenger of the press, Robert Stephens. (In an amusing irony, Stephens had begun his own career as a printer apprenticed to, then working for, Nathaniel Thompson.) These messengers, appointed by the crown with the Stationers Company's endorsement, were sent out on warrants to track down unlicensed books, secret presses, and the like. Stephens had trouble finding Anderton's premises — Anderton lived there under a false name and claimed to work as a lapidary — but he followed two printers and arrived.

Williamson, SP 29/401 f. 321 (9 August 1677); Warrant to John Blundell, Messenger, SP 44/334 f. 418 (24 September 1677); *Journal of the House of Lords* (30 October, 8 and 21 November 1678). *An Account of the Proceedings against Nathaniel Thomson, upon His Tryal at the Kings Bench-Bar Westminster* ([London, 1684]); *Cal. S. P. D., Charles II* (27 and 29 November 1684); for the offending publication, see *The Prodigal Return'd Home; or, The Motives of the Conversion to the Catholick Faith of E. L. Master of Arts in the University of Cambridge* (n.p., 1684), and for the offending passages, see especially 273-82. Gerard Maria Peerbooms, *Nathaniel Thompson: Tory Printer, Ballad Monger and Propagandist* (Nijmegen: Instituut Engels-Amerikaans Katholieke Universiteit, 1983), 82, doesn't report his punishment, either.

James Sutherland, *The Restoration Newspaper and Its Development* (Cambridge: Cambridge University Press, 1986), 197, follows George Kitchin, *Sir Roger L'Estrange: A Contribution to the History of the Press in the Seventeenth Century* (London, 1913), 303-304 n. 3, in citing the *Popish Courant* for the claim that Thompson was pelted with rotten eggs. Kitchin cites the *Courant* with no date, but in the relevant passage in the *Courant*, part of *The Weekly Pacquet of Advice from Rome: or, The History of Popery* (7 June [July] 1682), Trueman says, "I would almost as soon have lost a hand, as flung a rotten Egg at either" Thompson or another malefactor. Surely that doesn't count as an affirmation that others did in fact throw eggs, though they might have. *Trincalo Sainted*, 3, and *A Letter to Hilton, the Grand Informer: In Answer to His Several Late Printed Libels* (London, 1682), [1], also suggest rotten eggs as a possibility. The language Kitchin (slightly mis)quotes is actually from the *True Protestant Mercury*, which he doesn't cite.

Anderton promptly shoved a bed on wheels against the wall. No dummies, Stephens and his men moved the bed and found a latched door. Behind it they found a trunk stuffed with libels, a desk with copies of the two publications giving rise to these charges, and a printing press. The two publications were ringing defenses of restoring James II to the throne, the Jacobite cause that had William and Mary's government on edge. Combat in Ireland, with tens of thousands of troops and French involvement, was all too recent.

Inevitably, facts were denied and disputed at Anderton's trial. What really tied him to the contents of the desk? Yes, he used a typeface the offending publications were printed in. So what? So did plenty of other printers. But questions of law raised by the treason statute surfaced, too. Was printing the kind of overt act envisioned by the law of treason? Were there two sworn witnesses? Was there the right kind of evidence of Anderton's mental state? After the trial Anderton would protest that his job was merely "to print the Thoughts of Others, being accounted in Law only as a meer Mechanick, and whose end thereby is to get Money for his Work." And, he demanded, shouldn't the 1662 Licensing Act be read as removing printing from the reach of the Treason Act?

The judge wanted Anderton convicted. He was "against him to the utmost," or so said an account sympathetic to Anderton. The foreman wondered if the evidence was sufficient; "a pert Jury-man" challenged the judge's theory of the case. But the judge was having none of it. He told the jury to keep deliberating. Almost three hours later, "rather tired and frightened than convinced," bullying and threatening their foreman too, the jury brought in a

conviction. Anderton was hanged, but he was luckier than Twyn. The authorities graciously granted an application from his family: his body wouldn't be quartered.

Just before his execution, Anderton handed the sheriffs a written statement. Part of it called down God's blessings on James and hoped he'd be restored to the throne. If that sentiment doesn't speak to his guilt on the charges, surely it confirmed his opponents' sense that Anderton was an exceedingly bad apple. The king and queen, insisted one writer celebrating his execution, had exhibited "Incomparable Clemency" and "boundless Mercy" in being gentle with so many "Treasonable Books and Pamphlets." But no responsible monarch could overlook the perils of such publications. "No more wonder to find those People *Distemper'd*, that are entertain'd with *Poison*, instead of wholesome *Nourishment*, than to see the Sea Rage when the Winds blow." There it is again: readers don't judge, don't consider, don't deliberate. They slurp up poison and they're not in control of its lethal effects. Anderton, in this view, got precisely what he deserved.⁴⁴

⁴⁴ *DNB* s.v. Anderton, William; Leona Rostenberg, "Robert Stephens, Messenger of the Press: An Episode in 17th-Century Censorship," *Papers of the Bibliographical Society of America* (Second Quarter 1955), 133; for an earlier such warrant to Stephens, see Warrant from Secretary Coventry to Robert Stephens, Messenger of the Press, SP 44/54 f. 13 (9 January 1679); Old Bailey Proceedings Online, May 1693, trial of William Anderton (t16930531-58); the far more sympathetic account of [Samuel Grascome], *An Appeal of Murther from Certain Unjust Judges, Lately Sitting at the Old Baily to the Righteous Judge of Heaven and Earth* ([London, 1693]), 12, ridicules the testimony about the bed but leaves it quite opaque; [Grascome], *Appeal*, passim; Warrant Remitting Quartering in the Case of William Anderton, SP 44/343 f. 297 (16 June 1693); *An Account of the Conversation Behaviour and Execution of William Anderton Printer* (London, 1693). I am assuming he

More rogues got in trouble with the law. More rogues didn't. Some pernicious publications were suppressed. Some weren't. Some private presses, illicit sheets and books, and the like were destroyed. Some weren't. Many printers took their chances, to advance views they cherished or to make money. Many readers gazed at texts the government wished they couldn't get their eyes on. The laws and proclamations aimed at controlling the press were neither implacable totalitarian successes nor toothless paper tigers.

A SCATTERING OF ARGUMENTS

The territory we've surveyed is teeming with dismal and stern characters: some forbidden to read the Bible aloud in public, others forbidden to read it anywhere, anyhow, even quietly in private; printers fined, pilloried, imprisoned, executed because of what they printed; legal officials, messengers of the press, and ordinary subjects zealously tracking down secret presses, collecting rewards, turning in malefactors for punishment; the state's highest officials, even the king, considering the fate of offenders. These characters and their antics seem surreal, the stuff of dystopian science fiction. But they're not only the stuff of past centuries. Survey the globe today and you will find distressingly close analogies in country after country. Don't rule out the United States.

The governments of early modern England never pretended to be champions of free speech or unsupervised reading. They spoke loudly and proudly, in statutes and proclamations, about what they were up to. Published

was hanged, then the usual practice and statutory penalty for treason, but the sources say only that he was executed.

indictments and accounts of court proceedings cascaded from the press; so did pamphlets vigorously defending government policy. Happy as usual about private support and cooperation, the governments of those centuries did not crack down on authors, printers, publishers, booksellers dispensing these views. So what were the arguments? Let me present a rivulet from angrily rushing waters. I'll quote extensively, lest you suspect me of lurid exaggeration.

In 1653, one scholar groaned, "there are too many, whose rapes on the innocency of paper, make the Press almost execrable." In 1664, Richard Atkyns doggedly maintained that England had too much freedom of the press. Recall the political backdrop: the Puritans had won the civil war of the 1640s; they captured Charles I (well, the Scottish army turned him over) and had him put to death in 1649; then they ruled a republic until 1660, when Charles II was restored to the throne. Atkyns addressed Charles II: "I dare positively say, the *Liberty* of the Press was the principal furthering Cause of the Confinement of Your most Royal Fathers Person." "Every Malcontent vented his Passion in Print." "The Common People," credulous readers, believed whatever was typeset. You can almost hear Atkyns's raucous cackle when he reports that they believed even ballads. So they "greedily sucked in these Scandals." "And then Words begat Blows: for though Words of themselves are too weak Instruments to Kill a Man; yet they can direct how, and when, and what Men shall be killed."

Greedy sucked in: there is nothing rational or deliberative here about reading. These common people don't critically evaluate the arguments of Charles I's critics. They don't consider alternative views or contrary evidence. They read, and something happens to them, and presto! they take up arms and kill their

legitimate king. Atkyns gnawed away at the metaphor of ingestion. “*Printing* is like a good Dish of Meat,” he conceded, “which moderately eaten of, turns to the Nourishment and health of the Body; but immoderately, to Surfeits and Sickneses.” Looking back over a century, he ruminated, “Paper-pellets became as dangerous as Bullets.” That varies the metaphor, but it maintains his central commitment. When an author, a printer, a bookseller aims a paper pellet at you and hits you, you don’t do something. You’re not in control of what you read, not even partially. Instead, something happens to you. Something bad happens to you. At least if you’re a credulous common reader.⁴⁵

Two decades later, John Nalson sounded a strikingly similar alarm about “Malicious and Seditious Pamphlets.” “How trivial soever such things may appear,” he exclaimed, “it is incredible what mischief they do, and what Impressions they make upon the credulous Vulgar.” The “wisest Statesmen” would take note and act accordingly. “I know not any one thing that more hurt the late King than the Paper Bullets of the Press,” Nalson reflected. There’s no reason to suspect Nalson of plagiarizing from Atkyns. Both are deploying well-worn tropes.⁴⁶

⁴⁵ Edward Waterhous, *An Humble Apologie for Learning and Learned Men* (London, 1653), 2 and passim. I owe the reference to Richard L. Greaves, *Deliver Us from Evil: The Radical Underground in Britain, 1660-1663* (New York: Oxford University Press, 1986), 207. Atkyns, *Original and Growth*, sig. B2 verso (“Epistle to the King”), 7. See too *The Tears of the Press, with Reflections on the Present State of England* (London, 1681), 3-7. Compare the spoof in [Andrew Marvell], *The Rehearsal Transpros’d: or, Animadversions upon a Late Book, Intituled, A Preface Shewing What Grounds There Are of Fears and Jealousies of Popery*, 2nd ed. corr. (London, 1672), 3-4.

⁴⁶ John Nalson, *An Impartial Collection of the Great Affairs of State*, 2 vols. (London, 1682-83), 2:809. I owe the reference to Cyndia Susan Clegg, *Press Censorship in Caroline England* (Cambridge: Cambridge University Press, 2008), 212.

Printing had enabled the Reformation, agreed Francis Gregory in 1698. But that didn't mean "its Liberty should be unlimited." Most English Protestants "take up their Religion barely on Trust." As children, they defer to their parents. As adults, they continue to defer, now to the church and to the law. A "vast multitude of Men...take up their Religion upon trust, by an *invincible Necessity*; Men, who were never blest with a liberal Education, never taught to read; Men so dull and stupid, that they cannot *apprehend*, much less remember the Strength of an Argument; and surely Persons under such ill Circumstances, are in no Capacity to judge for themselves." "'Tis notoriously known that there are amongst us vast numbers of Persons, who are of weak Judgments...not able to distinguish Truth from Falsehood in a fallacious Argument"; "now, for such Men to peep into Heretical Books, cannot be lawful, because they do thereby run themselves into a very *dangerous Temptation*." Heresy was "a contagious Disease." "Doubtless this Poison may be conveyed in a piece of Paper as successfully, as any other way; this infection may be received as well by the *Eye* from a *Book*, as by the *Ear* from a *Tongue*." It looks as though Gregory is acknowledging a crucial political contingency. His language opens the door to the thought that if we bless people with education, they won't be so dull and stupid. Then we can trust them to peep into all sorts of worrisome books. But Gregory vehemently slams that door shut. "Men bred up in the Principles of Learning; Men of complete Knowledge and good Ability to judge," he announces, are no more thoughtful in adopting their religious beliefs.⁴⁷

⁴⁷ Francis Gregory, *A Modest Plea for the Due Regulation of the Press* (London, 1698), 11-12, 29, 12. See too for instance Reverend Charles Daubeny, *A Charge Delivered at the Visitation of the Rev. the Archdeacon of Sarum* (London, 1806), 13, 17-18.

To say that Hobbes's view, that "in the well governing of Opinions, consisteth the well governing of men's Actions," counted as common sense is not to say that everyone believed it. Conflict runs very deep in politics, in law, in social life. Opponents of Hobbes's common sense, of government policy, found ready ammunition in old polemics against the Catholic Church. "How can we upbraid Papists for not daring to permit their Common people to read the Bible, when we do the same thing in effect?" demanded one critic, thinking of the licenser's power to insist on orthodoxy. To adopt true beliefs, people needed to hear both sides of the case, insisted another. "Are not the People (for instance) amongst the Papists, where the *Press* is effectually restrained, as ignorant of what can be alleged against the Popish Doctrines, as a Judge that has heard but one side can be of the Defense the other is to make?" Note the insinuation: the policies of England's Protestant government were as rotten as those of the Roman Catholic Church.⁴⁸

Milton's intervention is canonical. "As good almost kill a Man as kill a good Book," he declared. Assaults on books were "a kind of homicide." He acknowledged his opponents' fears of "books promiscuously read." First on the list was "the infection that may spread." But the Bible was full of blasphemy, of "the carnal sense of wicked men," of assaults on providence. That prompted his

⁴⁸ Philopatris [Charles Blount], *A Just Vindication of Learning: or, An Humble Address to the High Court of Parliament in Behalf of the Liberty of the Press* (London, 1679), 13; *A Letter to a Member of Parliament, Shewing, That a Restraint on the Press Is Inconsistent with the Protestant Religion, and Dangerous to the Liberties of the Nation* (London, 1700), 5. Contrast *To the High Court of Parliament: The Humble Remonstrance of the Company of Stationers, London* (London, 1643), fretting about "the exorbitancies of the Press" and urging that presses be destroyed and "Delinquents" imprisoned (n.p.).

indignant *reductio*: “For these causes we all know the Bible itself put by the Papist into the first rank of prohibited books.”⁴⁹

However valiant such views were, they lost. If you’re riveted on discourse or intellectual history, you will miss the point: in the actual law and politics of early modern England, these views were vanquished, ridiculed, pummeled. I want to close by inviting you to ponder a crystalline statement of the embattled but triumphant conventional wisdom. It’s from Roger L’Estrange. We met this zealous and cantankerous censor testifying against John Twyn, the printer sent to his death. Through most of the 1680s, L’Estrange published the *Observer*, which staged endless dialogues. They are didactic, so readers quickly realize which speaker is the chump, which the teacher. In this dialogue, *Observer*, L’Estrange’s mouthpiece, is engaged in yet another dialogue with Trimmer, whose name signifies, for L’Estrange anyway, a contemptible lack of principle masquerading as moderation. *Observer* casts control of the press as a benign public health measure. The metaphor is like Atkyns’s comestibles in one way: it ought to be obvious, not a matter of political uncertainty, that some texts are bad for you. It’s unlike Atkyns’s comestibles in another: it suggests that we’ll need experts to sort out what may properly be read, what properly forbidden.

Anyway, last word to the crotchety censor:

Prethee *Trimmer* make a *Library* the Case of an *Apothecary* Shop. ’Tis not for Every man to know the *Qualities*, and *Proprieties* of Every *Drug*, *Plant*, or *Mineral Preparation*, by *Intuition*. Now if all the *Pots* and *Glasses* were *Expos’d*, for all people to *Dip-in* and *Taste*, that had

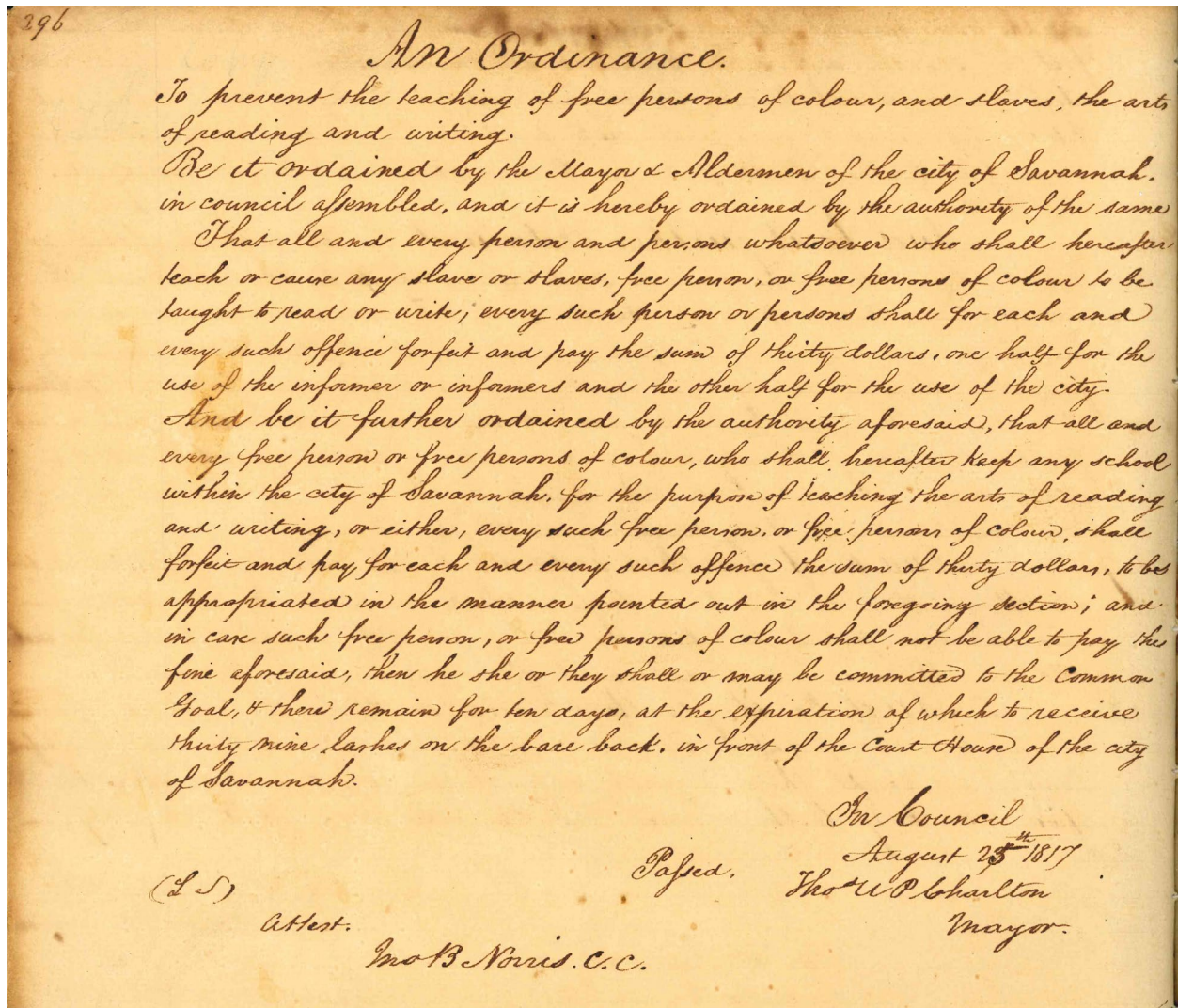
⁴⁹ John Milton, *Aeropagitica* (London, 1644), 4, 13.

a mind to't; would it not make *Foul Work*, d'ye think, for men to *Lick*, and *Swallow*, at haphazard, anything that comes next, without the means of *Distinguishing* ('till the *Fire* is got into their *Veins*) which is *Medicine*, and which is *Poison*? 'Tis the same thing in *Books*, and *Principles*; Only a *Poisonous Position* does more hurt than a *Poisonous Drug*. The *One* Kills its *Hundreds*, and the *Other* its *Thousands*: But let those *Gallipots* that have *Death* in 'em, be *Mark'd*; and *Pernicious Maxims*, and *Discourses* be *Expos'd*, and render'd *Odious* to *Future Generations*: It will be an *Ample Provision* for the *Safety*, and *Quiet* of *Posterity*....⁵⁰

⁵⁰ I'd dissent from his argument about the public/private distinction, but Darrick N. Taylor's *L'Estrange His Life: Public and Persona in the Life and Career of Sir Roger L'Estrange, 1616-1704*, PhD diss. (Department of History, University of Kansas, 2011), is now the authoritative source on L'Estrange's life and work. For the classic defense of trimming, see Sir W. C. [George Savile, Marquis of Halifax], *The Character of a Trimmer* (London, 1688). *Observer* (1 August 1683).

FOUR / KEEPING BLACK PEOPLE FROM READING

The bile vomited up by archives seldom comes with such exquisite penmanship. Feast on this:



Yes, in August 1817, the city of Savannah, Georgia made it a crime to teach black people—enslaved and free alike—to read or write. The city council's minutes report that the ordinance was adopted in response to "a case of emergency," but alas don't begin to explain what that emergency was. Surviving issues of a city newspaper offer hints. In May 1817, *Civis* complained that a state law banning teaching slaves to read was "violated to an alarming extent within our city." And

a couple of weeks before this ordinance, the paper reprinted a screed mockingly assailing a “Sunday school, for the instruction of negro slaves...established by the humane charitable gentlewomen” of Washington, D.C. “I looked forward through the vista of time,” leered the author, “and saw these *slaves* enlightened and improved, not reading, as these ladies seem to wish, the bible alone, but the declaration of independence, or Tom Paine’s *Age of Reason*, throwing off the yoke of bondage, and, perhaps, despising the restraints of religion.” In the preface we met John Byng, an Englishman anxious after the French Revolution that people learning to read the Bible would read radical texts and then discard their faith and political loyalty. That sort of thing offers an endless thrumming refrain, hardly the stuff of a city emergency. Yet the Savannah paper introduced it by saying, “These remarks are so well suited to the meridian of Savannah, that we cannot forbear giving them a place.” Maybe someone was setting up a school for slaves or for free black people. Regardless, there’s an explanatory puzzle here of a morally revolting kind. What made the possibility of black people becoming literate so menacing that the law had to prohibit it?¹

¹ An Ordinance to Prevent the Teaching of Free Persons of Colour, and Slaves, the Arts of Reading and Writing (25 August 1817), Ordinance Books of the Mayor and Aldermen of the City of Savannah, City of Savannah Municipal Archives. City Council of Savannah, Minute Books 1812-1817, 411-12 (25 August 1817), from the same archive. Civis, “To All Civil Officers,” *Savannah Republican* (3 May 1817); “Schools for the Instruction of Slaves, &c,” *Savannah Republican* (14 August 1817). There’s nothing relevant in the 1817 Minutes of the Board of Managers, Savannah Free School Society, 0689 vol. 1, Georgia Historical Society, nor in William Harden, *A History of Savannah and South Georgia*, 2 vols. (Chicago: Lewis Publishing Company, 1913), nor in Elfrida De Renne Barrow and Laura Palmer Bell, *Anchored Yesterdays: The Log Book of Savannah’s Voyage across a Georgia Century* (Savannah: Review Publishing and Printing Company, 1923). For other versions of the thesis that slaves who could read the Bible could also read more lethal texts, see “Treatment of Slaves in the Southern States,” *Southern*

Savannah's chokepoint strategy is more ominous, more radical, than the one aimed at keeping worrisome texts out of incompetent readers' hands. Better, thought Savannah, that some people not be able to read at all. Both chokepoint strategies are about governance, but this more radical one is also a strategy of racial subjugation, or, not to put too fine a point on it, of racism. As we'll see, the ordinance is by no means alone. Here I want to explore why such laws seemed necessary, even choiceworthy, on this side of the Atlantic.

Much of what we find when England ruled the colonies is just what you'd expect. In 1670, the governor of Virginia fielded a query: how were the people instructed in Christianity? He responded sourly that there were "well paid" ministers, but like other exports from the mother country they were "the worst." People shouldered the responsibility to teach their own children. "I thank God," volunteered the governor, "*there are no free schools nor printing*, and I hope we shall not have these hundred years, for *learning* has brought disobedience, and heresy, and sects into the world, and *printing* has divulged them, and libels against the best government. God keep us from both!" (You might have your doubts about how committed today's state governments are to public education—if you don't, you're not paying attention—but you won't find a governor rejoicing in the absence of public schools and printing.) In 1697,

Quarterly Review (January 1852), and *Advertiser and State Gazette* [Montgomery AL] (26 May 1852); "The Bible for the Slaves," *Monongalia Mirror* (6 January 1855), responding to Robert A. Fair, *Our Slaves Should Have the Bible: An Address Delivered before the Abbeville Bible Society, at Its Anniversary, July, 1854* (Due West, SC, 1854); *An Address to King Cotton* ([New York, 1863?]), 7.

England assigned this power to the governor of Massachusetts: “No printing press is to be kept nor book to be printed without his license.”²

So far, so familiar. But worries about letting black people read are nauseatingly different. To orient you to the dyspepsia on offer here, I’ll sketch three distinctions. They can be as hard to disentangle in the world as they are easy to state on paper.

First is that between slaves and free blacks. As a legal matter, nothing could be clearer or more stark. Slaves were formally held as chattel, as property. They could be bought, sold, whipped, often killed legally, and forced to work for no wages. Not so free blacks. In everyday life, the distinction was still crucial: it is trivially obvious why some slaves risked losing their lives in trying to escape. I won’t press the case that sometimes slavery was not as wretched as it looked on legal paper. (Though we will meet slaves who learned to read despite laws forbidding it.) But surely free blacks did not live in the sunny climes of freedom and equality. Not in the South, and not in the North, either. Decades before the construction of black codes and Jim Crow, a new kind of domination in law and life, free blacks too were oppressed.

Second, and more abstract, is that between instrumental and expressive dimensions of social life. The instrumental stuff is about causes and consequences: what will happen if slaves can read? The expressive stuff is about interpretation: what does it mean to be literate, or illiterate? Opponents of letting

² “Enquiries to the Governor of Virginia,” asked in 1670 and answered in 1671 by Sir William Berkeley, in William Waller Hening, *The Statutes at Large: A Collection of All the Laws of Virginia*, 3 vols. (Richmond, 1810), 2:517; Whitehall to the Earl of Bellomont, 31 August 1697, *Cal. S. P. Colonial, America and West Indies*.

slaves read worried about what they could and would do if they knew how to read. But they also worried that slaves would enjoy dignity, a higher social status—and that would in turn reshape what they could and would do.

Third comes two conceptions of racism. One is psychological. Racism is some kind of negative attitude or prejudice, a belief that black people are naturally inferior, coupled with the nasty emotions—contempt, hatred, anxiety, and so on—that easily accompany the belief. It's in people's heads. The other is sociological. Racism is structural, engrained in social practices, in laws and political policies, in the fabric of everyday life. Consider racial disparities in the distribution of life chances. If being black makes you less likely to be hired, less likely to be approved to rent a nice apartment, more likely to suffer police violence or environmental toxins, it's neither here nor there whether anyone thinks you're naturally inferior. I suppose you could have either psychological or sociological racism without the other. Imagine, for instance, racism as an idiosyncratic prejudice harbored by one or two people. And I can imagine—commentators eager to expose racism without seeming to indict the good faith of white people sometimes take this approach—a racism that is purely structural and more or less invisible, so that whites with nary a trace of prejudice would be surprised to learn what's really going on. But back on planet earth, the psychological and sociological dimensions of racism routinely reinforce one another.

Nicey Pugh reflected decades later on her years in slavery: “Dey neber teach us tuh read or write, cayse when de n—s larn anything dey wud git uppity

an' want to run away.”³ The infamous category *uppity* builds in everything: the structural facts about social status, the rage of whites determined to keep blacks in their place, the practices they use to do it, the causal and expressive dimensions of what happens when a slave learns to read. Again, we might have analytic reasons to tease these issues apart and think about just how they're related. But usually they're all in the mix.

MANDATING ILLITERACY

Pierre Samuel Du Pont de Nemours' 1812 study of *National Education in the United States of America* was his second and bulkier response to an 1800 query from Thomas Jefferson, who'd sought his advice on a curriculum for what would become the University of Virginia. De Nemours marveled at America's primary schools. Most students could “read, write and cipher”; indeed “not more than four in a thousand are unable to write legibly—even neatly.” American homes, too, were little schools of reading, where the slide from Scripture to politics that

³ *The American Slave: A Composite Autobiography*, ed. George P. Rawick et al., supp., ser. 1, 12 vols. (Westport, CT: Greenwood Press, 1977), 1:299. I'll be quoting from the Federal Writers' Project 1936-38 interviews with people enslaved over 70 years earlier. There's room for skepticism about the factual accuracy of any particular claim, especially at that chronological distance. But it's prudent to accept constant themes stated by many different people in different places to different interviewers. For a bureaucrat's caution to the interviewers about using dialect and “tabooed words,” see *American Slave*, supp., ser. 1, 11:323-24. Almost all the interviewers use dialect in their transcriptions, and with mixed feelings I have decided the best course is to follow them. What we now call the n-word was apparently not tabooed, and, assuming the transcriptions are faithful, many of the interviewees nonchalantly use it to describe themselves; I've shifted it to n—, as indeed I have throughout this book. Catherine A. Stewart, *Long Past Slavery: Representing Race in the Federal Writers' Project* (Chapel Hill: University of North Carolina Press, 2016), is helpful.

so troubled some in England was executed with panache. "A great number of people read the Bible, and all the people read a newspaper. The fathers read aloud to their children while breakfast is being prepared." De Nemours graciously ushered the mothers out of that bit of passive voice to report that they spent 45 minutes every morning on those preparations.

He explained that the country's affection for its youngsters went even further. "As their paternal affection protects young children from working in the fields, it is possible to send them to the school-master—a condition which does not prevail in Europe." How cheerfully oblivious can someone be? Offstage are the endless thousands of American children who could not read or write, whose illiteracy makes a grim mockery of that breathless claim about four in a thousand, whose moms did not spend 45 minutes bustling around to get them breakfast, whose dads did not read them Scripture or newspapers, indeed whose moms and dads might well have been forcibly removed—children whose country seemed perfectly happy to consign them to working in the fields. I mean of course those held in slavery, a condition which did not prevail in Europe.

We can't be sure how to interpret this odd and ominous silence, but here's a conjecture. When I say that de Nemours was oblivious, I don't mean that he didn't know about slavery or that he had momentarily forgotten. I mean that slaves didn't register on his mattering map. Here's how contemptuous indifference works. When Jefferson seeks advice on education, he's not thinking of slaves. In turn, de Nemours takes it for granted that slaves aren't on the agenda. I suspect that Jefferson would have been baffled had de Nemours reminded him that American slaves weren't well educated. These two

interlocutors, one a slaveholder himself, have—or seize—the luxury of sailing right past the matter.⁴

Southern legislators didn't enjoy the contemptuous, contemptible luxury of overlooking slaves. They faced the problem of maintaining order—or, better, maintaining oppression. If you are trying to govern a slave society and there are locales where slaves greatly outnumber whites, you have to pay attention. South Carolina's legislature passed act after act with titles that are mere cosmetic variants of 1690's Act for the Better Ordering of Slaves. In 1740, they banned teaching slaves to write; offenders would be fined a whopping hundred pounds. Why worry about writing? Because of the ubiquitous pass system, designed to prevent not just malingering but also escapes. That same 1740 law hammered the scheme into a finely pointed weapon. No one could permit a slave to leave their town or plantation without a written pass or "ticket" defining how long they could be away. Any slave without such a pass could be whipped. "Any white person" had the right to demand to see a slave's pass; if the slave didn't comply, the white person could "pursue, apprehend, and moderately correct such slave"; if the slave dared to fight back, it would be legal to kill him. The colony's 1690

⁴ Thomas Jefferson to Pierre Samuel Du Pont de Nemours, 12 April 1800, in *The Papers of Thomas Jefferson*, ed. Julian P. Boyd et al., 47 vols. to date (Princeton, NJ: Princeton University Press, 1950-), 31:495-96; de Nemours to Jefferson, 24 August 1800, in *Papiers*, 32:113; *Sur l'éducation nationale dans les États-Unis d'Amérique*, seconde éd. (Paris, 1812), 5-6; I've used the translation in [Pierre Samuel] Du Pont de Nemours, *National Education in the United States of America*, trans. B. G. du Pont (Newark: University of Delaware Press, 1923), 3-4. Consider too [George Washington], *The President's Address to the People of the United States, Announcing His Design of Retiring from Public Life* (Philadelphia, 1796), 11; and Washington to James Anderson, 25 April 1793, *The Writings of George Washington*, ed. Jared Sparks, 11 vols. (Boston, 1833-37), 10:339-41.

version of the scheme imposed a fine on third parties who didn't whip slaves without passes. There's another reminder of the dubious joys of private enforcement, a reminder too of why it's batty to cast a small or weak state as the friend of individual liberty.⁵

But if a slave can write a pass, all bets are off. A newspaper ad offering a reward for the capture of a runaway slave named Billy warned that he "can read & write, and very probably may have a forged pass." Billy escaped with his books, valuable enough to him, apparently, that he didn't mind being weighed down. An offer of a \$100 reward for Jerry, who escaped in Virginia, underlines what slaveholders saw as the dangerous connections between free and enslaved blacks: "he went from a neighborhood where there are many free negroes who write, and from whom he might very readily obtain a copy of their pass." Peter Randolph was the only one of 82 slaves on his plantation who could read and write. Eager to preach the word of Jesus, he learned the alphabet and how to spell three-letter words from a friend. He worked and worked until he could read the Bible, and he taught himself to write by scratching letters in the dirt. Then, he recalled, he could write his own passes. If you teach people how to

⁵ An Act for the Better Ordering and Governing Negroes and Other Slaves in This Province, 1740, in *Statutes at Large of South Carolina*, ed. Thomas Cooper et al., 22 vols. (Columbia, 1836-73), 7:397-417, 413. For the 1690 Act, see *Statutes*, 7:343-47. Compare An Act for Ordering and Governing Slaves within this Province, 1770, imposing a pass system and banning teaching slaves to read, in *Acts Passed by the General Assembly of Georgia, at a Session Begun and Holden at Savannah...1769...to the 10th Day of May 1770* (Savannah, n.d.), 31-49.

read, they can teach themselves how to write. So some antipathy to reading is really antipathy to writing.⁶

Some, not all. If you can't even read a pass, you can't risk departing from your master's oral instructions, because others are always free to scrutinize your pass and discipline you for departing from its terms. And if you can't read your pass, your master can play a sadistic trick, as Arthur Boone learned. "He would say, 'Whut you hittin' me for when I got a pass?' and they would say, 'Yes, you got a pass, but it says whip your ass.'" When Phoebe Faucette was a child, her mistress sent her to the store with a note. Because Faucette couldn't read, she couldn't know that she was picking up a new whip with which her mistress promptly attacked her. William Wells Brown suspected his master was up to no good in giving him a note and a dollar to deliver to the local jailer, so he prevailed on a sailor to read the note to him. The sailor told him it instructed the jailer to whip Brown and pocket the dollar as his wage. Brown tricked another slave into delivering the note and the dollar. Not his proudest moment, as he knew.⁷

⁶ "Runaway," *The Virginian* [Lynchburg] (6 June 1823); see too *American Slave*, supp., ser. 1, 5:47, 5:57; "Twenty Dollars Reward," *Alexandria Daily Advertiser* (27 October 1806); "Twenty Dollars Reward," *Berkeley and Jefferson Intelligencer* [Martinsburg VA] (25 March 1808); "Runaway Negro," *Martinsburgh Gazette* [VA] (27 July 1810); "\$75 Reward Offered," *Richmond Enquirer* (25 October 1836); Thomas L. Johnson, *Twenty-Eight Years a Slave* (Bournemouth: W. Mate & Sons, Ltd, 1909), 11-12; Harriet Jacobs, *Incidents in the Life of a Slave Girl*, ed. L. Maria Child (Boston, 1861), 149. "100 Dollars Reward," *Alexandria Daily Gazette, Commercial & Political* (26 May 1812). Peter Randolph, *Sketches of Slave Life*, 2nd ed. enlarged (Boston, 1855), 15-16. See too *Narrative of the Life and Adventures of Henry Bibb, an American Slave*, intro. by Lucius C. Matlack (New York, 1849), 95.

⁷ *The American Slave: A Composite Autobiography*, ed. George P. Rawick, 19 vols. (Westport, CT: Greenwood Publishing Co., 1972), vol. 9, pt. 1, 212; the text decorously

In 1800, South Carolina's legislature banned meetings behind locked doors for teaching "Slaves, Free Negroes, Mulattoes and Mustizoes." They required sheriffs, magistrates, and other state actors to break up such meetings, "to break doors, gates, or windows, if resisted," and they gave them discretion to administer up to twenty lashes on the miscreants, though not on any whites present. They banned meetings, behind locked doors or not, for "mental instruction or religious worship" before dawn or after sunset: presumably these people would be hard at work during the day. Ministers who'd been "giving religious Instruction to Negroes" pleaded with the legislature to let them continue; they won only a slight softening of the statute.⁸

Others thought these laws not nearly strict enough. In 1820, one group demanded that the legislature crack down on teaching black people to read. That skill, they declared, was "mischievous and impolitic and at variance with slavery." Charleston's city council instructed the state senate, "To be able to read and write is certainly not necessary to the performance of those duties which are usually required of our Slaves, and on the Contrary is incompatible with the

has "—" instead of "ass." *American Slave*, vol. 2, pt. 2, 177-78. The Library of Congress has these materials (though not stuff from the two supplementary series edited by Rawick) online, differently arranged, at <https://www.loc.gov/collections/slave-narratives-from-the-federal-writers-project-1936-to-1938/about-this-collection/>. [William Wells Brown], *Narrative of William W. Brown, a Fugitive Slave* (Boston, 1847), 53-57; see too *Narrative of the Life of J. D. Green, A Runaway Slave, from Kentucky* (Huddersfield, 1864), 8. And see John Andrew Jackson, *The Experience of a Slave in South Carolina* (London, 1862), 40.

⁸ *Acts of the General Assembly of the State of South-Carolina, from December, 1795, to December, 1804*, 2 vols. (Columbia, 1808), 2:351-53; "Richard Furman et al., Amelia Township, to South Carolina House, 1801," in *The Southern Debate over Slavery*, ed. Loren Schwening et al., 2 vols. (Urbana: University of Illinois Press, 2001-2008), 1:21-23.

public Safety.” Since it was hard to distinguish free blacks from slaves, they explained, the state should ban schools from teaching any black people. In 1829, an incensed citizen denounced state law as insufficiently harsh and sweeping.⁹

An 1823 Mississippi statute mandated up to thirty-nine lashes on gatherings of six or more blacks or mulattoes “for teaching them reading or writing.” That’s the same number of lashes imposed by the Savannah ordinance I opened with, and it’s no uncanny coincidence. It echoes the Gospels, where Paul reports that on five occasions, the Jews whipped him that many times. Tradition sometimes credits the Romans with lashing Jesus thirty-nine times, too, though there’s no reason they should have cared: the number comes from Jewish law, which imposes a ceiling of forty. To get to thirty-nine, just add a pinch of prudence about miscounting. Then again, Bible be damned: in 1834, South Carolina upped the penalty to fifty lashes. Over 120 South Carolinians signed a petition protesting the ban on teaching slaves to read. It wouldn’t work — “the ability to read exists on probably every plantation in the State; and it is utterly impossible for even the *masters* to prevent this” — and those fearing slave revolts should rely on making slaves intelligent, not keeping them ignorant. No, they were not antiracists. “Does chivalrous South *Carolina* quail before gangs of cowardly Africans with a Bible in their hands?” they wondered. To no avail.¹⁰

⁹ “Micah Jenkins et al., Charleston, to South Carolina Assembly, 1820,” *Southern Debate*, 1:62-63; “Charleston City Council to South Carolina Senate, ca. 1828,” *Southern Debate*, 1:104; H. to the editor, *Columbia Telescope* (30 October 1829). For a fiery response to that letter, see “Is Not Slavery a Blessing?” *Genius of Universal Emancipation* (11 December 1829).

¹⁰ A. Hutchinson, *Code of Mississippi* (Jackson, 1848), 526; 2 Corinthians 11:24; Deuteronomy 25:3; *Statutes at Large of South Carolina*, 7:468; “David Hemphill et al. to South Carolina Legislature, 1835,” *Southern Debate*, ed. Schweninger, 1:152. See too *The*

An 1847 Missouri statute has the same structure. It forbids schools “for the instruction of negroes or mulattoes, in reading or writing, in this State,” and any “meeting or assemblage of negroes or mulattoes, for the purpose of religious worship or preaching” without the presence of a state official to guard against “seditious speeches” and disorderly conduct. Likewise Virginia: “Every assemblage of negroes for the purpose of religious worship, when such worship is conducted by a negro, and every assemblage of negroes for the purpose of instruction in reading or writing...shall be an unlawful assembly.” Justices of the peace could require officers to break up such meetings and could have the offending blacks whipped. Offending whites could be sentenced to up to six months in jail and fined up to \$100.¹¹

In 1852, Margaret Douglass, who was white, started teaching some twenty-five “free colored children” in Norfolk, Virginia. The city constable hauled her and the children to the mayor’s court. When she told the mayor she had no idea that teaching free children was illegal, he read her the statute. But he decided to overlook her offense and she promptly shut down the school. Imagine her surprise when, months later, she received a summons to court. At trial, Douglass never contested the facts, so there was no doubt she had broken the law. Still the jury took a long time to bring in a conviction. They wanted a nominal fine of one dollar and believed the judge wouldn’t impose any prison time. Meanwhile, Douglass went to New York to visit her daughter, and it looks like the authorities

Negro Law of South Carolina, Collected and Digested by John Belton O’Neill (Columbia, 1848), 23.

¹¹ Charles Hardin, *The Revised Statutes of the State of Missouri*, 2 vols. (Jefferson, 1856), 2:1100-1101; James M. Matthews, *Digest of the Laws of Virginia, of a Criminal Nature, Illustrated by Judicial Decisions* (Richmond, 1861), 214.

would have been happy to have her stay there. But she wanted to force the issue, so she returned to court. Many people disapproved of the law, admitted the judge. But his job was to enforce it. He ventured a policy observation of his own: "It is not true that our slaves cannot be taught religious, and moral duty, without being able to read the Bible and use the pen." The only mitigating factor was that she was a woman. (Yes, really.) So he sentenced Douglass to a month in the city jail.¹²

Douglass's case was unusual. In 1845, a Baptist minister from South Carolina shrugged off worries about the state's draconian laws: "most of them are virtually repealed by universal practice." "The most important law is that forbidding slaves being taught to read; yet how many are taught!" Discount the claim as special pleading, because the minister was debating a northern minister in the pages of the *Christian Reflector*. Still, he wasn't simply lying. There was a gap between the ferocity of these statutes and their intermittent enforcement, just as there was with England's attempts to control the press. But then too there are social sanctions and private enforcement. A few years after that blithe reassurance about actual practices in South Carolina, a Methodist preacher was tarred and feathered and chased from the state for teaching slaves to read.¹³

¹² *Educational Laws of Virginia: The Personal Narrative of Mrs. Margaret Douglass, a Southern Woman, Who Was Imprisoned for One Month in the Common Jail of Norfolk, under the Laws of Virginia, for the Crime of Teaching Free Colored Children to Read* (Boston, 1854), 10-50. For outrage about her treatment, see "A Woman Tried and Convicted of Teaching a Colored School," *United Presbyterian, and Evangelical Guardian* (January 1854), also in *Covenanter* (January 1854) and *Evangelical Repository* (January 1854); *The Suppressed Book about Slavery!* (New York, 1864), 255-56.

¹³ Rev. Richard Fuller and Rev. Francis Wayland, *Domestic Slavery Considered as a Scriptural Institution*, rev. and corrected by the authors (New York and Boston, 1845),

Indeed, some Southern states made do without any legislation on these matters. In 1862, a senator from Kentucky set his Iowa colleague straight: Kentucky had never made it a crime to teach slaves to read. It would be rash to infer that people were free to teach them. A correspondent told an Ohio newspaper, "In Kentucky there is no law prohibiting their education, but public sentiment is decidedly against it." Sometimes with a vengeance: in 1849, a reverend teaching black people was whipped—in his Sabbath school room, on the Sabbath. Another commentator acknowledged that devout masters instructed their slaves. But for every such master, "are there not ten, fifteen, or twenty who are indifferent or hostile to their mental improvement?" We have a report of an 1859 conversation in New Orleans in which legislators from Alabama and Mississippi commended laws forbidding teaching slaves. The man furnishing the report complained—don't ask whether his complaint is a vintage

159, 160; see too *National Whig* [A] (11 June 1847); James Stirling, *Letters from the Slave States* (London, 1857), 295-96; Rev. J. Blanchard and N. L. Rice, *A Debate on Slavery: Held in the City of Cincinnati, on the First, Second, Third, and Sixth Days of October, 1845* (Cincinnati, 1846), 102, 256, and the stinging response in Cassius Clay's paper, "Rice and Blanchard's Debate on Slavery," *True American* (27 May 1846); *Ought American Slavery to Be Perpetuated? A Debate between Rev. W. G. Brownlow and Rev. A. Pryne* (Philadelphia, [1858]), 162-63; [William Patrick Grayson], "The Dual Form of Labor," *Russell's Magazine* (October 1859), 5 (for the identification of Grayson, see *De Bow's Review* (July 1860), 48). "Liberty in South Carolina," *Emancipator and Republican* [Boston] (20 September 1848); "Slaveholding Cowardice and Ruffianism," *Pennsylvania Freeman* [Philadelphia] (28 September 1848); both stories quote from a report in the *South Carolinian* from an issue that seems not to have survived. The story made the rounds: see for instance *Liberator* (6 October 1848); "A Scotchman Tarr'd and Feathered," *Weekly Standard and Express* [Blackburn, Lancashire] (31 January 1850). The Methodist church would split over slavery and teaching slaves to read: for the Northern commitment, see *The Doctrines and Discipline of the Methodist Episcopal Church*, 22nd ed. (New York, 1824), 189-90. For ministers of "various religious sects" disputing how repressive Southern practices were, see "Clerical Convention in Middletown," *Liberator* (1 December 1843).

bit of American ideology or a virulent bit of racism, because surely it's both—that those rules invaded his private property rights. His claim commanded instant agreement, also an assurance that these laws weren't enforced anyway. But then another man growled, "I will see that you don't teach any of your slaves to read or write. Hark you, neighbor, if I learn of any of your servants learning to read, I will prosecute you, and both penalties, fine and imprisonment, shall be enforced against you!" The group fell silent, maybe because they were embarrassed by a boorish outburst, but maybe because they were cowed into submission.¹⁴

Theirs was a milieu in which you could seize the moral upper hand by threatening those who would dare teach slaves to read. Sometimes it takes just one zealot to bully others. It helps if the zealot has state authority on his side. That's why the 1821 efforts of Vestal Coffin and his cousin to teach slaves in North Carolina to read the Bible proved abortive. The two got permission from several slaveholders to convene a Sabbath school. Students hurled themselves into the work. But then some other local slaveholders "threatened to put the law in force against us" if the school wasn't shut down. "They said it made their slaves discontented and uneasy, and created a desire for the privileges that others had."¹⁵

¹⁴ *Congressional Globe* (24 January 1862); S., "Communications," 16 February 1847, *Ohio Observer* [Hudson] (10 March 1847); "This Christian Country," *Anti-Slavery Bugle* (15 December 1849); "To 'O. R. Meridionus,'" *Christian Observer* (19 February 1847); "Southern Correspondence," *Northern Independent* [Auburn NY] (7 July 1859). For a savage reprisal in Jamaica against a slave teaching other slaves to pray, see "The Praying Negro," *The Non-Slaveholder* (November 1848).

¹⁵ *Reminiscences of Levi Coffin, the Reputed President of the Underground Railroad* (Cincinnati, [1876]), 69-71. On Sabbath schools for hundreds of black people, apparently

In 1938, Adeline Blakeley, then 87, recalled her years enslaved in Arkansas. “When I was little I wanted to learn, learn all I could, but there was a law against teaching a slave to read and write. One woman—she was from the North—did it anyway. But when folks can read and write it’s going to be found out. It was made pretty hard for that woman.” There was no such law in Arkansas, but her memory is a pointed reminder of the importance of legal folklore in governing behavior. Besides, how was she to know any better? It’s not as if she could have sauntered to the library or read anything on the shelves had she magically gotten there. George Washington Albright, recalling his years enslaved in Mississippi, thought “that if any slave learned to read or write, he was to be punished with 500 lashes on the naked back, and to have the thumb cut off above the second joint.” “De white folks didn’t ’low us to even look at a book,” recalled Mary Ella Grandberry of her childhood in slavery in Alabama. “Dey would scol’ an’ sometimes whup us iffen dey caught us wid our head in a book. Dat is one thang I sho’ly did want to do an’ dat was to learn to read an’ write.” William Henry Towns sounded even more emphatic about his time in slavery in Alabama: “ef

including slaves, see *Fifth Annual Report of the Association for the Religious Instruction of the Negroes in Liberty County, Georgia* (Charleston, 1840), 9-14; the superintendent of Walthourville’s school emphasizes that his students are “all taught orally” (12); so too in “Religious Instruction of Slaves,” *Southern Quarterly Review* (July 1848), 179-80, and “Remarks of Rev. A. H. H. Boyd, D. D.” from Winchester VA in *Third Annual Report of the Southern Aid Society...in Newark, N.J., October 29, 185; and Also at a Meeting of the Society Held in the Mercer Street Church, New York City, November 12th, 1856* (New York, 1856), 37. For the superiority of diligent oral teaching to letting someone read the Bible, see W. F., “A Master’s Duty to His Servant,” no. 4, *Southern Christian Herald* [Cheraw SC] (24 February 1837). 1845 reports on the many thousands of black people taught religion in South Carolina mention black teachers who can read (35, 49, and see 65-66), but not teaching black people to read: *Proceedings of the Meeting in Charleston, S. C., May 13-15, 1845, on the Religious Instruction of the Negroes* (Charleston, 1845).

we so much as spoke uv learnin' to read and write we was scolded like de debil. If we was caught lookin' in er books we was treated same as ef we had killed somebody." Henry Bobbitt told much the same story of his time as a slave in North Carolina: "Iffen you jist looked lak you wanted ter learn ter read er write you got a lickin'." "No! No! Oh! No!" chorused Mary Colbert, still animated about the issue many decades later, looking back on her time as a slave in Georgia. "You had better not dare let white people know that you could read, in those days." When a Georgia doctor learned that the slave who drove his carriage had learned to read and write, he cut off the slave's thumbs. That sort of penalty lowered a slave's property value, mused William McWhorter in his own recollections, but slaves were beaten every time they were caught reading or writing, and he'd heard that some owners did lop off another finger every time they found a slave "tryin' to git larnin'." Nor were these matters simply left in the hands of slaveholders. Mr. Baker recalled that in Alabama, slave patrols "would get a n— fer tryin' to learn ter read." Lucas James, enslaved in Mississippi, reported that his master hanged "the best slave he had for trying to teach the others how to spell." Mattie Gilmore, enslaved in Alabama and Texas, scoffed at the idea that slaves could learn to read: "Don't talk ter me bout school and learnin ter read and write. Laws man, we never got ter do anything but work, work. Learnin ter read and write jes never was thought of. We was jes n—s and I reckons dat dey thought dat we would never need ter learn anything anyway."¹⁶

¹⁶ *American Slave*, vol. 8, pt. 1, 182; *American Slave*, supp., ser. 1, 6:10; *American Slave*, vol. 6, pt. 1, 160; *American Slave*, supp., ser. 1, 1:412 (I've silently amended some odd transcription choices); *American Slave*, 14:122; vol. 12, pt. 1, 219; vol. 12, pt. 2, 130-31; vol.

Like de Nemours, the officials of Southern states celebrated education. Listen to North Carolina's legislature in 1810: "the diffusion of useful knowledge, by establishing Seminaries of Learning for the education of youth, is productive of general benefit, and essential to the permanence of a Republican Government." But these men knew perfectly well who would enjoy that diffusion of useful knowledge and who wouldn't, whose education would be beneficial and uphold republican government and whose wouldn't. In 1811, the governor of South Carolina declared that the government should "diffuse the benefits of education as widely as possible" and added that "a system of general instruction is essential to the preservation of our political institutions." That makes him sound as weirdly oblivious as de Nemours. But he gave away the game when he added, "Reading, writing, and arithmetic, are highly essential to those children, who must owe their advancement in life to their own industry."¹⁷

13, pt. 3, 97; *American Slave*, supp., ser. 1, 8:1329; *The American Slave: A Composite Autobiography*, ed. George P. Rawick, supp., ser. 2, 10 vols. (Westport, CT: Greenwood Press, 1979), 5:1493. See too *American Slave*, supp., ser. 1, 1:33, 5:341, 10:2337, 2358; *American Slave*, supp., ser. 2, 1:14; ser. 2, 5:1559, 6:2049; 7:2624, 2654 (repeated at 2668); *Report on the Condition of the People of Color in the State of Ohio* ([Putnam, 1835]), 4.

¹⁷ An Act to Establish an Academy at Swansborough, in Onalow County, and for Other Purposes, in *Laws of North-Carolina, in...One Thousand Eight Hundred and Ten* (n.p., n.d.), 33, echoed with trivial variations in An Act to Establish an Academy in the Town of Asheville in the County of Buncomb, and to Establish an Academy in the County of Surry, in *Laws of the State of North-Carolina, Enacted in the Year, 1818* (Raleigh, 1819), 90. "Message of His Excellency the Governor, Delivered to the Legislature of South Carolina, the 26th Nov. 1811," *Weekly Register* (14 December 1811), supp. See too An Act to Establish an Academy and Incorporate the Trustees Thereof in the Town of Petersburg, 24 December 1794, in Samuel Shepherd, *Statutes at Large of Virginia: From October Session 1792, to December Session 1806*, 3 vols. (Richmond, 1835), 1:320; An Act to Be Entitled An Act to Incorporate Oglethorpe University at Midway, *Acts of the General Assembly of the State of Georgia, Passed in Milledgeville at an Annual Session in November and December, 1835* (Milledgeville, 1836), 161-62. For another instance of obliviousness, see

The language—“those children,” not “children” —forcibly reminds the audience of *other* children, enslaved children, children who won’t and can’t advance in life, who play no role in republican self-government, children for whom reading and the rest are dangerous, not essential. If you govern a slave state, if you’re charged with enforcing brutal laws, the sharply different treatment afforded to citizens and slaves is never far from awareness.

These hard men didn’t flinch, didn’t equivocate, didn’t stammer. They were willing, happy, proud to underline the radical distinction between white and black children. Well, so were abolitionists. *The Child’s Anti-Slavery Book* opens dramatically: “Children, you are free and happy. Kind parents watch over you with loving eyes; patient teachers instruct you from the beautiful pages of the printed book;...the blessed Bible is in your hands.” Not so for the “hundreds of thousands of American children” held as slaves. Their masters decree the rules: “They shall not be taught to read or write; they shall never go to school; they shall not be taught to read the Bible....” Those abolitionists didn’t worry about educational campaigns that might, as a bill recently before the South

Mrs. C. S. Pendleton, *The English Bible: How Did We Get It?* 2 vols. (Nashville, 1859), 1:19, where the mother gushes, “No one need be without a Bible in our happy country, since one may be bought for twenty-five cents, which a laboring man can earn in a few hours.” For an enthusiastic review of this “most attractive and instructive work,” see “Our Own Books,” *The Children’s Friend* (June 1859), 4; author and periodical are affiliated with the Southern Baptist Sabbath School Union of Nashville. Not at all oblivious is Theodore Parker, *A Sermon on the Public Function of Woman, Preached at the Music-Hall, Boston: March 27, 1853* ([Boston, 1854]), 21.

Carolina legislature put it, make children feel “discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex.”¹⁸

Contemporaries noted how adamantly slaveholders opposed having their slaves be able to read. We met James Birney when he launched *The Philanthropist* in 1836 and persevered when a mob destroyed his press. The summer before that, he informed the New England Anti-Slavery Convention that the demand for emancipation had made slaveholders start to teach their slaves the alphabet and have them join in family prayers. The next year, he acknowledged there was a long way to go. Of some 200,000 Alabama slaves, he revealed, not even 200 could read an anti-slavery tract. (The number stands in arresting juxtaposition to de Nemours’s assurance that only four in a thousand American children couldn’t write legibly.) More dour yet, in 1835 some Kentucky Presbyterians declared that there was just one school in the whole country teaching slaves during the week, and just a few schools operating on the Sabbath. At best, slaves were “fed with but the crumbs of knowledge which fall from their master’s table.” “The Bible is before them, but it is to them a sealed book.” Months later, a man who’d spent almost a year living in northern Kentucky reported, “I have never known a single instance of the master’s reading the Bible to his slaves, or instructing them in religion, and I have not found a single slave that can read the simplest

¹⁸ *The Child’s Anti-Slavery Book: Containing a Few Words about American Slave Children and Stories of Slave-Life* (New York, 1859), 9-10; see too [Hannah and Mary Townsend], *The Anti-Slavery Alphabet* (Philadelphia, 1847); Theodore Parker, *A Sermon on the Public Function of Woman, Preached at the Music-Hall, Boston: March 27, 1853* ([Boston, 1854]), 21. South Carolina, H3466 (South Carolina, 2023-24). Parallel legislation has been making the rounds in other states: see for instance H.B. 1040 (Indiana, 2022).

sentences.” That squares with Georgia Baker’s memory of her time as a slave in Georgia.¹⁹

But some slaves could read, as Frederick Douglass’s poignant account reminds us. His owner’s wife had taught him the alphabet and had begun teaching him how to spell short words when his owner put a stop to it, instructing her that it was illegal and dangerous to teach slaves to read: “A n— should know nothing but to obey his master—to do as he is told to do. Learning would *spoil* the best n— in the world.” Douglass realized he’d just received a “revelation” on “the white man’s power to enslave the black man,” so he vowed to learn how to read. He enlisted “little white boys whom I met in the street” as his teachers. Later, Douglass started a secret school to teach other slaves. He had “over forty scholars,” children and adults, male and female. “We were trying to learn how to read the will of God,” he recalled, so they were willing to risk thirty-nine lashes. Other children—sometimes masters’ children—stepped up and taught other slaves to read. Sometimes barter did the trick: Richard Parker collected old nails, swapped them for marbles, and used the marbles to pay white boys for reading lessons. Not all white children were amenable. Sarah Wilson recalled her young mistress snapping at her, “take yo’ eyes off dis book.

¹⁹ “New England Anti-Slavery Convention,” *New England Spectator* (3 June 1835); “Mr. Birney’s Third Letter—Vindication of Abolitionists,” *New England Spectator* [Boston] (20 January 1836); “Position of the Synod of Kentucky on Slavery in 1835,” *Evangelical Repository* (May 1862) 20:660-61; “Facts from Kentucky,” *Anti-Slavery Record* (October 1835); *American Slave*, vol. 12, pt. 1, 44-45. For an overseer’s strictures about the difficulties of governing a slave who could read, see Jacob Stroyer, *My Life in the South*, 3rd ed. (Salem, MA, 1885), 32-35. For an overseer using a Bible to bash a slave in the face for being ten minutes late, see *Narrative of the Life of Henry Box Brown, Written by Himself* (Manchester, 1851), 26.

W'te folks don't low n—s ter read. Dey git ter know too much." Some white children defied their parents. Bill Parker was reciting letters to his owner's daughter when the owner heard. "He called her out an' slapped her face, an' guv me a whippin'. Then she war mad, an' said she'd teach me anyway, but we had to be mighty sly about it." *Uncle Tom's Cabin* gives us virtuous little Eva, trying to persuade her mother that "our servants" should be taught to read. "'Eva, you are an odd child,'" sighs her mother.²⁰

²⁰ Frederick Douglass, *Narrative of the Life* (Boston, 1845), 33-34, 38, 43-44, 80-82. Douglass retells the tale in *My Bondage and My Freedom* (New York and Auburn, 1855), 145-47, 153-55, 170-72, 199-200; and *Life and Times of Frederick Douglass* (Hartford, 1881), 69-71, 73-74, 85-86, 105-106. Ex-slaves often recalled white children, especially masters' children, teaching them to read: *American Slave*, vol. 3, pt. 3, 235, 239-40; vol. 4, pt. 1, 110, 262, 264; vol. 5, pt. 4, 42-43, 223; vol. 7, pt. 1, 213; vol. 10, pt. 6, 324; vol. 11, pt. 7, 158; vol. 12, pt. 2, 34; vol. 14, pt. 1, 95, 332-33; vol. 15, pt. 2, 57-58; vol. 16, pt. 5, 18, 53; 17:95-96, 134; *American Slave*, supp., ser. 1, 8:1237, 12:283, 299; *American Slave*, supp., ser. 2, 2:58, 309, 342; 3:679, 800; 4:956, 1004, 1008, 1398, 1401; 6:1935-36, 2138, 2194; 7:2526, 2589; 8:3345; 9:3653, 3756, 3857; 10:3929, 4289, 4327; S. L. Baldwin, "A Freedman's Story," *Pennsylvania Freedmen's Bulletin* (October 1867), 6-7. Contemporaries testified to the same practice: *Twelfth Annual Report of the Association for the Religious Instruction of the Negroes, in Liberty County, Georgia* (Savannah, 1847), 5; *Shall We Give Bibles to Three Millions of American Slaves?* ([New York?], [1847]), 5; *The Negro Law of South Carolina, Collected and Digested by John Bolton O'Neill* (Columbia, 1848), 23; Emily P. Burke, *Reminiscences of Georgia* ([Oberlin, OH], 1850), 85-86; Harriet Beecher Stowe, *Uncle Tom's Cabin*, 2 vols. (Boston, 1852), 2:67-68; A Virginia Lawyer, "Teaching Slaves to Read in VA.," *New York Observer and Chronicle* (23 February 1854); C. G. Parsons, *Inside View of Slavery: or A Tour among the Planters* (Boston, 1855), 249; Howell Cobb, *A Scriptural Examination of the Institution of Slavery in the United States* (Georgia, 1856), 145; Joseph C. Stiles, *Modern Reform Examined: or, The Union of North and South on the Subject of Slavery* (Philadelphia, 1857), 293-94; James Redpath, *The Roving Editor: or, Talks with Slaves in Southern States* (New York, 1859), 161-62; and see "Report Read before the Auburn Baptist Church, the Second Sabbath in Aug. 1868," *American Freedman* ([fall?] 1868). After the Civil War, a children's reader told the tale: "Tidy Learning to Read," *Home Stories, for Boys and Girls* (Boston, [1872?]), 131-35. Heather Andrea Williams, *Self-Taught: African American Education in Slavery and Freedom* (Chapel Hill: University of North

Thomas Johnson, another slave, taught himself to read by carefully memorizing a white college student's repeated recital of the fifth chapter of the Gospel of Matthew. Johnson found an old Bible stuck in a lumber room and at the end of his work day, he'd lock himself in his room and return to the words on the printed page. "On Sundays," Charity Bowery recalled in 1839, "I have seen the negroes up in the country going away under large oaks, and in secret places, sitting in the woods with spelling books." Twenty-five-year-old George got whipped for studying a spelling book; still, he persisted. One Virginia planter offered his slaves an elementary education. One "had such a taste for reading" that he settled a dispute about an episode in Cromwell's life—and was so reliable that he'd been entrusted with carrying as much as \$5,000. We have a startling letter from Lucy Skipwith, enslaved on another Virginia plantation, informing her "Dear Master" on how well she's doing teaching her fellow slaves, some of them children, to read. John F. Van Hook reported, "my white folks took a great deal of pains teaching their slaves how to read and write." Despite the state's vengeful laws, some South Carolina masters and mistresses taught their slaves to read. And we have more than anecdota. W. E. B. Du Bois reckoned that one in ten slaves could read, though he later shifts his estimate to well under one in twenty. (So were the nefarious campaigns to keep them illiterate wildly successful? Later I'll argue that there's a sense in which they were an abject

Carolina Press, 2005), 20; *American Slave*, supp., ser. 2, 10:4216; M[ary] F[rances] Armstrong and Helen W. Ludlow, *Hampton and Its Students* (New York, 1874), 103. For a singularly devout white child who died at age nine, eager to teach black people, see "Memoir of Samuel W. Clarke, Given by His Mother," *Religious Remembrancer* (18 January 1817), reprinted in "Worthy of Perusal," *Rhode-Island American, and General Advertiser* [Providence] (31 January 1817).

failure.) Still, there was something anomalous about slaves who could read. Richard Hildreth crafted a fictional memoir that he sought to pass off as the real thing. His narrator learns to read and gets trotted out to exhibit his skill as if he were a freak, “like a three legged hen or a sheep with four eyes.” Concerned about relying on fiction? A Lexington periodical reported “that to meet with a black person who can read and understand the bible is considered a phenomenon, and excites wonder and astonishment.”²¹

Anxieties about literate slaves, as we’ve seen, were partly instrumental. Slaves who could read and write could manipulate the pass system and might even find their way to freedom. But the anxieties were also about status; illiteracy was a badge of inferiority. Jerry Moore remembered the Van Zandt’s Texas plantation where he’d been enslaved. “Everybody round these parts called us ‘Van Zandt’s free n—s,’ ’cause our white folks shared with their darkies and larned ’em all to read and write.” So there’s something paradoxical about being a

²¹ Johnson, *Twenty-Eight Years*, 18; Lydia Maria Child, “Charity Bowery,” in *Friends of Freedom, The Liberty Bell* (Boston, 1839), 41-42. I learned about Bowery from Williams, *Self-Taught*, 21. Mary Irving, “Teaching the Slave to Read,” in *Autographs for Freedom*, ed. Julia Griffiths (Auburn, 1854), 307-308. A. B., “Instruction of Slaves,” *Christian Messenger* (27 September 1817); Lucy Skipwith to John Hartwell Cocke, 17 August 1854, in “Dear Master”: *Letters of a Slave Family*, ed. Randall M. Miller (Ithaca, NY: Cornell University Press, 1978), 196 (and see 34-35 for more on Cocke’s commitments to the religious instruction of his slaves); *American Slave*, vol. 13, pt. 4, 78; vol. 2, pt. 2, 39-40; vol. 3, pt. 4, 56; vol. 2, pt. 2, 240; vol. 5, pt. 4, 78. See too William J. Grayson, *The Hireling and the Slave, Chicora, and Other Poems* (Charleston, 1856), 44 and 162 n. 30. W. E. Burghardt Du Bois, *Black Reconstruction: An Essay Toward a History of the Part Which Black Folk Played in the Attempt to Reconstruct Democracy in America, 1860-1880* (Philadelphia: Albert Saifer, 1935), 57, 638. Richard Hildreth, *The Slave: or Memoirs of Archy Moore*, 2 vols. (Boston, 1836), 1:3-6, 12. *Slavery and the Internal Slave Trade in the United States of North America* (London, 1841), 196. For an elderly slave teaching a poor white boy to read, see Edmund Kirke, *Among the Pines: or South in Secession-Time* (New York, 1864), 245-48.

literate slave. An 1851 short story testifies to a broader link between social status and literacy. Mr. Peablossom scoffs at his wife's concern that "the 'quality,' or better sort of people in North Carolina," would disapprove of being married by a magistrate, as their daughter Polly is about to do. "Better sort of people, is it? *Quality*, eh! Who the devil's better than we are? An't we honest? An't we raised our children decent, and learned them how to read, write and cipher?" I suppose we are to keep a fastidious distance from Mr. Peablossom, but he's not idiosyncratic in playing his literacy card.²²

So you might well suspect, too, that literacy was a badge of whiteness. Yes, some blacks, enslaved and free, could read; yes, many poor whites couldn't. That doesn't undercut the point. An antislavery novel portrays racialized literacy with nauseating clarity. Light-skinned Nicholas, a slave, chafes at the contempt he's held in: "I was white, and when I looked at myself I knew I wasn't a n—." (His racial identity is complicated. His mother is Indian and his father is the plantation master.) And he heard an "irresistible" voice. "Nicholas! You're just as good as anybody; learn to read, write, and cypher, and you'll be something yet." Told it was against the law for him to read, he persevered. "I was raised so far above black n—s that I didn't mind what the law said: so I got 'Pilgrim's

²² *American Slave*, vol. 5, pt. 3, 121 (contrast the usage in *American Slave*, supp., ser. 1, 8:1061); *Polly Peablossom's Wedding; and Other Tales*, ed. T. A. Burke (Philadelphia, 1851), 20-21. The title story is by John Lamar, a Georgia representative—first in the state legislature, then Congress—who voted to secede from the Union and then was killed in the Civil War.

Progress,' and the Bible, and 'Young's Night Thoughts,' and from them I learned great truths...."²³

That locution, "black n—," is telling. Nicholas is asserting that he's not black, but he's also asserting that he doesn't, shouldn't, have a debased social status. It's no surprise, then, to find the locution "white n—." A retired oysterman was happy to ventilate his unabashed racism in a New York newspaper. But he also declared, "A white man can be a n— sometimes without the trouble of paintin' his face." Sketching what he took to be the repulsive views of an abolitionist, he announced that "I call sich a man a white n—." I wouldn't say the n-word never refers to race. It doubles, or sometimes equivocates in slippery ways, between race and social status. But that doesn't begin to make "white n—" an oxymoron.²⁴

"DEBARRED FROM READING THE WONDERFUL THINGS OF GOD"

Defenders of slavery were in a tough spot ideologically. They sometimes boasted that they were rescuing Africans from savagery. But, countered an ardent chorus over the centuries, surely that boast would be a cruel joke unless they introduced Africans to the glad tidings of Christianity. And—these people were overwhelmingly Protestants—wouldn't that mean teaching them to read

²³ [Francis Colburn Adams], *Our World: or, The Slaveholder's Daughter* (New York, 1855), 463, 465. On Nicholas's racial identity and parents, see *Our World*, 10, 49, 80, 92, 557.

²⁴ "Letter from a Retired Oysterman," 19 May 1852, *Sunday Dispatch* [New York] (22 May 1853). Compare the phrase "white trash," for instance in "The Abolition Movements Preparatory to the Election," *Morning Herald* [New York] (6 April 1839). And see Leon F. Litwack, *Trouble in Mind: Black Southerners in the Age of Jim Crow* (New York: Alfred A. Knopf, 1998), 21.

the Bible? Some defenders of slavery threaded the needle by insisting that oral instruction would do the trick. Consider the contours of loving Christian charity in this master's house. "When I was little, I used to long to read," recalled one of his slaves. The master would leave the Bible and hymnal out after prayers. She'd "sometimes open them to see if the letters would not tell me something." If he caught her, "he would always strike me, and sometimes knock me down."²⁵

In 1672, George Fox, founder of the Quakers, indignantly rejected a charge pressed by some churchmen in Barbados, that the Quakers "have a design to teach the Blacks to rebel." It was "a most false Lye," insisted Fox. But didn't Christ die for all men? And "is not the Gospel to be preached to all Nations and peoples? and are not the *Blacks* of some Nations and people?" In 1680, Morgan Godwyn, ridiculing racist appeals to slaves' alleged "*Stupidity*, and utter *incapacity* for Instruction," urged that churchmen be admitted to plantations to teach and baptize the slaves. In 1706, the great American Puritan Cotton Mather lashed out at slaveholders depriving their chattel of "the Glorious Gospel." "With what Face can you call yourselves *Christians*," he demanded, "if you do nothing that your *Servants* also may become *Christians*?" Black people were obviously rational. "They are *Men*, and not *Beasts* that you have bought, and they must be used accordingly." "In vain has the Redeemer of the world given the command to preach the gospel to every creature," seethed an abolitionist; "his

²⁵ *Anti-Slavery Record* (December 1835), 155. For the trope of the talking book, see too *A Narrative of the Most Remarkable Particulars in the Life of James Albert Ukawsaw Gronniosaw, an African Prince* (Bath, 1774), 16-17; *The Interesting Narrative of the Life of Olaudah Equiano, or Gustavus Vassa, the African*, 2nd ed., 2 vols. (London, [1789]), 1:106-107. For the sufficiency of oral instruction, compare Edward Stillingfleet, *A Rational Account of the Grounds of Protestant Religion* (London, 1665), 186-87.

professed disciples in the slave States have issued a counter order.” Some two million slaves could not comply with the injunction to search the Scriptures (John 5:39). They were “debarred from reading the wonderful things of God.” An abolitionist newspaper sounded tones we’re now well positioned to savor: “One of the heaviest charges brought by the Protestants at the commencement of the Reformation against the Catholic church, was, that it withheld the Scriptures from the laity.” Yes, the Catholic Church claimed to instruct the faithful in what they needed to know. But people weren’t persuaded then—“it was the policy of the Priests to keep the people in ignorance, so that they might train them up in the doctrine of blind faith”—and they shouldn’t be persuaded now. Some defenders of slavery agreed. “A pious African, who reads his Bible, is always known and appreciated as a better servant.”²⁶

²⁶ George Fox, *To the Ministers, Teachers, and Priests (So Called and So Stileing Yourselves) in Barbadoes* (London, 1672), 77; Morgan Godwyn, *The Negro’s & Indians Advocate, Suing for Their Admission into the Church: or A Persuasive to the Instructing and Baptizing of the Negro’s and Indians in Our Plantations* (London, 1680), 101; [Cotton Mather], *The Negro Christianized* (Boston, 1706), 3, 7, 23; see too [Edmund Gibson], *A Letter of the Lord Bishop of London to the Masters and Mistresses of Families in the English Plantations Abroad; Exhorting Them to Encourage and Promote the Instruction of Their Negroes in the Christian Faith* (London, 1727), 14; [Philip Gibbes], *Instructions for the Treatment of Negroes, &c. &c.* (London, 1797), 101; Beilby Porteus, *A Letter to the Governors, Legislatures, and Proprietors of Plantations, in the British West-India Islands* (London, 1808), 19-20; Charles Elliott, *Sinfulness of American Slavery*, ed. B. F. Tefft, 2 vols. (Cincinnati, 1850), 1:141. William Jay, *An Inquiry into the Character and Tendency of the American Colonization, and American Anti-Slavery Societies*, 3rd ed. (New York, 1835), 136-37; see too Rev. John H. Power, *Review of the Lectures of Wm. A. Smith, D. D., on the Philosophy and Practice of Slavery* (Cincinnati, 1859), 340-41. “Ebony Schools—Oral Instruction,” *National Era* [Washington DC] (30 October 1851); so too A. E. Grimké, “Appeal to the Christian Women of the South,” *Anti-Slavery Examiner* (September 1836); William A. Smith, *Lectures on the Philosophy and Practice of Slavery* (Nashville, 1856), 244 (and on that volume see Rev. John H. Power, *Review of the Lectures of Wm. A. Smith, D. D., on the*

That wasn't enough to soothe slavery's jittery defenders. Unrepentant, some derided what they saw as a maleficent fantasy. If slaveholders taught their slaves the Bible, warned a future governor of South Carolina, "the reign of fanaticism and misrule will have commenced." Even a Louisiana peddler hawking the *Bible Defence of Slavery* ran into ferocious opposition. "You go to hell!" exclaimed his would-be customer. "I've told you three times, as civilly as I could, I didn't want your book. If you bring it here again I'll throw it overboard. I own n—s; and I calculate to own more of 'em, if I can get 'em, but I don't want any damned preachin' about it." Such vehement racism was one reason that a philosophy professor opined, "I cannot imagine that any public movement, having for its object the instruction of the blacks in reading and writing, could be made without involving the most disastrous results." An inquisitive London traveller reported an exchange that was less strident but just as ominous. On a Louisiana plantation, a nine- or ten-year-old slave seemed baffled when asked whether he could read or write, and offered "a dubious shake of the head" when asked whether he went to church. Then the traveller asked, "Did you ever hear of our Saviour?" Before the boy could answer, his owner interrupted to suggest

Philosophy and Practice of Slavery (Cincinnati, 1859)). On that verse from John, see too Ireneus to Sophronia, no. 12, *Genius of Universal Emancipation* [Greeneville TN] (28 March 1823). On the Quakers a century later, see John Woolman, *A Journal of the Life, Gospel Labours, and Christian Experiences of That Faithful Minister of Jesus Christ, John Woolman* (Philadelphia, 1774), 67 (May 1757); Report from Goshen Meeting, 5 February 1762, in Thomas Woody, *Early Quaker Education in Pennsylvania* (New York: Teachers College, Columbia University, 1920), 257; *An Authentic Account of the Conversion and Experience of a Negro* (Newburyport, 1812), 2-4, substantially reproduced in Wilson Armistead, *A Tribute for the Negro: Being a Vindication of the Moral, Intellectual, and Religious Capabilities of the Coloured Portion of Mankind* (Manchester, 1848), 256-59.

that they move on—after all, the sun was hot—and then sheepishly conceded, “We don’t think it right to put these things into their heads so young, it only disturbs their minds, and leads them astray.” One wonders how promptly the owners introduced their own children to Christianity.²⁷

Here was a classic problem of dirty hands in political life: churches and divines who wanted to reach slaves had to be selective in expounding Scripture. Decades later, people who’d been enslaved as children recalled hearing a lot about one verse in particular. W. C. Parson Allen, who himself became a deacon, recalled his days on a large slave estate in Missouri, and it is tempting to hear his tone as scathingly sardonic: “De white preacher always read a special text to de darkies, and it was this, ‘Servants, obey your master.’” That must be Ephesians 6:5, made even blunter by stripping away the elegant cadences of the King James translation.²⁸

²⁷ Whitmarsh B. Seabrook, *An Essay on the Management of Slaves, and Especially, on Their Religious Instruction* (Charleston, 1834), 18; compare T., “What Is the Sin of Slavery,” *New England Spectator* [Boston] (8 November 1837). Frederick Law Olmsted, *A Journey in the Seaboard Slave States, with Remarks on Their Economy* (New York, 1856), 607. See Rev. Josiah Priest, A.M., *Bible Defence of Slavery; and Origin Fortunes, and History of the Negro Race*, 5th ed. (Glasgow, KY, 1852), and see the arch sendup of this position, and more generally of opposition to teaching black people to read, in Nicholas Brimblecombe, *Uncle Tom’s Cabin in Ruins! Triumphant Defence of Slavery!* (Boston, 1853), 79-81. William A. Smith, *Lectures on the Philosophy and Practice of Slavery*, ed. Thomas O. Summers (Nashville, TN, 1856), 231; William Howard Russell, *My Diary: North and South*, 2 vols. (London, 1863), 1:397-98.

²⁸ Richard Watson, *The Religious Instruction of the Slaves in the West India Colonies Advocated and Defended: A Sermon Preached before the Wesleyan Methodist Missionary Society, in the New Chapel, City-Road, London, April 28, 1824* (London, [1824]), 11; *American Slave*, vol. 11, pt. 2, 18 (and see 14:193; 15:187, 206; *American Slave*, supp., ser. 2, 5:1911; 8:3041, 3301; 10:4035, 4274). For a similar use of Luke 12:47, see Solomon Northup, *Twelve Years a Slave* (Auburn, 1853), 127-28. For a preacher expounding Ephesians, see Rev. Alexander Glennie, *Sermons Preached on Plantations to Congregations*

Hannah Crasson's recollection of slavery reveals how useful illiteracy is for those offering a skewed account of Scripture. "The white folks did not allow us to have nuthing to do wid books. You better not be found tryin' to learn to read. Our marster wuz harder down on dat den anything else. You better not be ketched wid a book. Dey read the Bible and told us to obey our marster for de Bible said obey your marster." Charity Riddick sounded the same grim tones: "Dey would not let a n— have any books. Dey were particular 'bout dat. When dey tole us 'bout de Bible dey say it say obey your marster." If you can't read the Bible yourself, you have no grounds on which to challenge conscripting that verse as the unequivocal word of God. "This kind of preaching has driven thousands into infidelity," commented Henry Bibb.²⁹

Reports of the ecstasy of black people finally able to read the Bible sound exactly like those of the joy of English subjects embracing the translated Bible. Why wouldn't they? In 1821, an elderly black man walked seventeen miles to swap his small, worn Bible—his vision was no longer good enough to read it—for a large one. "He raised his half blind eyes and devoutly thanked God for so great a gift." Decades later, a fellow slave implored Harriet Jacobs to teach him how to read the Bible. She cautioned him that they might be whipped and imprisoned, so they planned to proceed in "a quiet nook" a few times a week.

of Negroes (Charleston, 1844), Sermon IV, 21-27. The passage appears in Charles C[olcock] Jones, *A Catechism, of Scripture Doctrine and Practice, for Families and Sabbath Schools Designed also for the Oral Instruction of Colored Persons*, 6th ed. (Savannah, [1844?]), 17, but receives no special emphasis.

²⁹ *American Slave*, 14:193; 15:206 (and see too 15:187). *Narrative of the Life of Henry Bibb*, 24. Contrast Leon F. Litwack, *Been in the Storm So Long: The Aftermath of Slavery* (New York: Alfred A. Knopf, 1979), 464.

“As soon as he could spell in two syllables he wanted to spell out words in the Bible. The happy smile that illuminated his face put joy into my heart.”³⁰

Nothing to worry about? Not in reading, not in Bible reading itself? Denmark Vesey, a free black man in Charleston, planned a slave revolt in 1822. He animated his followers by reading from the Book of Exodus. He read them newspaper accounts of Haiti, where slaves overthrew French rule and ended slavery in 1804. A statement from South Carolina’s governor, reprinted in newspapers around the country, revealed that “the most daring and active” conspirator was a slave named Monday, who “could read and write with facility, and thus attained an extraordinary and dangerous influence over his fellows.” Thomas Pinckney, major general in America’s revolutionary army of 1776, suggested that one cause of this aborted slave revolt was “improper indulgencies” permitted to free and enslaved blacks in Charleston, “the most dangerous” of which was “their being taught to read and write: the first bringing the powerful operation of the Press to act on their uninformed and easily deluded minds.” “Knowledge is power,” emphasized a newspaper contributor

³⁰ “From the Fifth Report of the Female Bible Society of Charleston, S. C. June, 1821,” in *Sixth Report of the American Bible Society, Presented May 9, 1822* (New York, 1822), 150; Jacobs, *Incidents*, 111-12. For a slave bereft at being unable to read the Bible, see S., “Communications,” *Ohio Observer* (10 March 1847), reprinted in “The Peculiar Institution,” *National Anti-Slavery Standard* (6 May 1847); for a freedwoman seeking a loan to give her “leisure...to peruse my Bible more than I am able to do now,” Dinah Rollins to Samuel [Elliott] Coues, 7 May 1841, African American History Collection, 1729-1966, Box 3, Folder 19a, Clements Library, University of Michigan.

after Vesey's plan collapsed. "Education therefore should on no account be permitted."³¹

A horrified chronicler revealed that Nat Turner, the enslaved preacher who led a Virginia slave revolt in 1831, was "an artful black...who had been taught to read and write." He and other black preachers, a newspaper fulminated, had "been permitted to poison the minds of the negroes." Not to bring them good news of their salvation, but to make something lethally bad happen to them. Well-intentioned but misguided wealthy women believed that blacks needed to be able to read Scripture, the governor of Virginia told the governor of South Carolina. No surprise that the ensuing religious assemblies filled black heads with intoxicating visions of equality.³²

³¹ *The Denmark Vesey Affair: A Documentary History*, ed. Douglas R. Egerton and Robert L. Paquette (Gainesville: University Press of Florida, 2017), 166, 295, 326, 214, 469. Achates [Thomas Pinckney], *Reflections, Occasioned by the Late Disturbances in Charleston* (Charleston, 1822), 6-7; for the attribution to Pinckney, see *Vesey Affair*, 552; his name is also penciled in on the Library of Congress's copy, online at <https://www.loc.gov/resource/gcmisc.lst0048/?sp=3> (last visited 27 June 2023); [Henry William Desaussure], *A Series of Numbers Addressed to the Public, on the Subject of the Slaves and Free People of Colour; First Published in the South-Carolina State Gazette* (Columbia, 1822), 20. For a survey of the use of Exodus in radical politics, see Michael Walzer, *Exodus and Revolution* (New York: Basic Books, 1985). For more strident racism about the capacities of blacks in the West Indies, see [John] M[cannon] Trew, *An Appeal to the Christian Philanthropy of the People of Great Britain and Ireland, in Behalf of the Religious Instruction and Conversion of Three Hundred Thousand Negro Slaves* (London, 1826), 9-10. For a nice bit of scorn about this sort of thing, see "Truisms," *The Liberator* (8 January 1831). For some lofty condescension, see Humanitas, "On Legislative Enactments," *Richmond Enquirer* (10 January 1832).

³² Samuel Warner, *An Authentic and Impartial Narrative of the Tragical Scene Which Was Witnessed in Southampton County (Virginia) on Monday the 22d of August Last, When Fifty-Five of Its Inhabitants (Mostly Women and Children) Were Inhumanly Massacred by the Blacks!* (n.p., 1831), [5]. "The Southampton Massacre," *North-Carolina Free Press* [Tarboro NC] (6 September 1831); John Floyd to James Hamilton, [19 November 1831], in Charles

Centuries before, the English had debated whether Scripture should be translated and published, also who should be permitted to read it. But they hadn't enthusiastically sliced and diced the text, though as we saw Henry VIII fiddled with the translation. Wholesale excision, eye-popping in its audacity, was aimed at slaves in the British West Indies. In 1807 — as it happens, the same year the Bowdlers won literary infamy by producing *The Family Shakespeare*, with all the allegedly nasty bits airbrushed out — a British missionary society published *Select Parts of the Holy Bible, for the Use of the Negro Slaves, in the West-Indies Islands*. The *Select Parts* snipped thousands of verses out of the text, including anything and everything that seemed politically worrisome in a society holding millions in slavery. “And he that stealeth a man, and selleth him, or if he be found in his hand, he shall surely be put to death,” a verse that we know Vesey deployed (Exodus 21:16)? Conveniently omitted. “Servants, be obedient to them that are your masters according to the flesh, with fear and trembling, in singleness of your heart, as unto Christ” (our old friend Ephesians 6:5)? Still there, on what was surely a much-thumbed page in copies held by West Indies churchmen doing their bit for law and order. “Thou shalt not deliver unto his master the servant which is escaped from his master unto thee: He shall dwell with thee, even among you, in that place which he shall choose in one of thy gates, where it liketh him best: thou shalt not oppress him” (Deuteronomy 23:15-16)? Mysteriously absent. “Exhort servants to be obedient unto their own masters, and to please them well in all things; not answering again; Not purloining, but

H. Ambler, *The Life and Diary of John Floyd, Governor of Virginia* (Richmond: n.p., 1918), 89-90.

shewing all good fidelity; that they may adorn the doctrine of God our Saviour in all things" (Titus 2:9-10)? No points for guessing: yes, still there. Clerical benedictions for the marriage of Christianity and slavery weren't new, either. In 1669, an English minister in the Bermudas had protested a proposal to enhance the liberty of black Christians: "the breeding up of such children in the Christian religion makes them stubborn."³³

1847 saw the launch of another remarkable campaign. The American and Foreign Anti-Slavery Society sought to raise money to distribute Bibles to American slaves. *Shall We Give Bibles to Three Millions of Slaves?* asked the kickoff pamphlet. To the objection that slaves couldn't read, the pamphlet responded, "Many can read. Some masters, and more mistresses, teach their house servants. Many slaves learn from the children of the family." The American Bible Society initially thought they should join in, but then decided not to, lest they forfeit access to slaves. This was, after all, a world in which the official journal of the Methodist Episcopal Church, South, defended "the characteristic simplicity and earnestness" of its preaching. Even reluctant masters, explained the journal, could see that preaching "making a worthless slave a good servant." The journal effortlessly went on to denounce Northern "pseudo-philanthropists" whose abolitionist zeal had infected Northern churches. Years later, the *Anti-Slavery Bugle* disdained such putatively pious regard for slaves. "If the church knew of a

³³ *Select Parts of the Holy Bible* (London, 1807); *Vesey Affair*, 326. *Memorials of the Discovery and Early Settlement of the Bermudas or Somers Islands 1511-1687*, comp. J. H. Lefroy, 2 vols. (London, 1877-79), 2:369. *Contrast Christian Directions and Instructions for Negroes* (London, 1785).

certainty that they had souls, wouldn't you think they would send them Bibles, missionaries and tracts, so that they might be saved?"³⁴

The struggle over black people reading the Bible was bitter enough. But there was more, and, for those anxious about incipient disorder, worse.

INCENDIARY PUBLICATIONS

Those keen on maintaining slavery worried not only about teaching slaves to read, but also about the influx of noxious writings from the North. In late 1829, black abolitionist David Walker published the first version of his explosive *Appeal*. His fury about slavery only increased as he revised the book. He assailed laws "to prohibit all persons of colour, (free and slave) from learning to read or

³⁴ *Shall We Give Bibles*, 5, echoed in *Twelfth Annual Report of the Association for the Religious Instruction of the Negroes, in Liberty County, Georgia* (Savannah, 1847), 5. Janet Duisman Cornelius, "When I Can Read My Title Clear": *Literacy, Slavery, and Religion in the Antebellum South* (n.p.: University of South Carolina Press, 1991), chap. 6. "Religious Instruction of the Negroes," *Quarterly Review of the Methodist Episcopal Church, South* (July 1847), 327, 329; see too "Dr. Smith's Philosophy and Practice of Slavery," *Quarterly Review of the Methodist Episcopal Church, South* (April 1857), 167-68, also in [Alexander H. Sands], *Recreations of a Southern Barrister*, with an intro. by Rev. T. G. Jones (Philadelphia and Richmond, 1859), 167-68; "The Bible for the Slave!" *Green Mountain Freeman* [Montpelier] (4 November 1847). "American Colorphobia," *Anti-Slavery Bugle* (20 August 1859). For masters teaching their slaves to read Scripture, see Solivagus, "The Christian Slave," *Christian Herald and Seaman's Magazine* (21 July 1821); Hieronymus, "Slavery," no. 4, *Recorder & Telegraph* [Boston] (21 October 1825); "Abolitionism," *Princeton Review* (October 1844), 575. For a report of a "great alteration" in Antigua, with slaves attending nine Sunday schools, see "Abolition in Antigua," *Vermont Chronicle* [Bellows Falls] (21 January 1836). Consider the yearning exhortation to bring the Gospels to "the colored population" — orally — in Rev. John B. Adger, *The Religious Instruction of the Colored People* (Charleston, 1847); and see Charles Colcock Jones, *Suggestions on the Religious Instruction of the Negroes in the Southern States* (Philadelphia, 1847), 14-15, 25. See too W. P. Strickland, *History of the American Bible Society, from Its Organization to the Present Time* (New York, 1850), 86-88.

write, and even to hinder them from meeting together in order to worship our Maker!!!!!!” Such, he marveled, were the acts of “*Christians!! Christians!!!!*” “Oh! what kind!!! of Christianity can be found this day in all of the earth!!!!!!” He inveighed against the racist contempt that cast black people “as a tribe of TALKING APES, void of INTELLECT!!!!!!” And in a shrewd rhetorical maneuver, he cast free and enslaved blacks alike in the first person, cataloging suffering “cruelties inflicted on us by the enlightened Christians of America.” Indeed, he conjured up a cosmopolitan political subject by addressing his appeal “to the Coloured Citizens of the World.”³⁵

Walker published his book in Boston, but he was bent on reaching readers in the South, especially black readers. Charleston arrested a white sailor who said that a nicely dressed black man in Boston had asked him to hand out copies to black people in Charleston—and not to let any white people know. The sailor was sentenced to a \$1,000 fine and a year in prison. More alarming yet, as some saw it, Walker sent 200 copies to his agent Jacob Cowan, then enslaved in North Carolina, to distribute to other slaves. (If you’re wondering how a slave could be receiving such parcels, remember that some slaves lived more or less independently in cities while sending earnings back to their masters. Cowan’s “very indulgent master” let him run a tavern. And some slaves were hired out—rented—to others. William Wells Brown worked on those terms for Elijah Lovejoy, the antislavery journalist finally killed after getting his fourth printing press.) Not finding any law to prosecute Cowan under, the authorities had him

³⁵ [David Walker], *Walker’s Appeal, in Four Articles*, 3rd and last ed. (Boston: Revised and Published by David Walker, 1830), 60, 68 n., 73.

sold to an Alabama slaveholder. Authorities there suspected that a conspiracy for which they'd just sentenced seven slaves to death "may without much presumption be traced to the Seditious Walker Pamphlet." Officials in Savannah found a slave with copies. Fifty copies surfaced in Savannah, reported another account, alleging that "a systematic design has been formed for circulating these pamphlets clandestinely among our coloured population."³⁶

Georgia's legislature rushed into special session to combat the threat. It decreed the death sentence for anyone bringing into the state "any written or printed pamphlet, paper, or circular, for the purpose of exciting to insurrection, conspiracy, or resistance among the slaves, negroes, or free persons of color of

³⁶ William H. Pease and Jane H. Pease, "Walker's *Appeal* Comes to Charleston: A Note and Documents," *Journal of Negro History* (July 1974); James McKee to the police of Mobile, 3 November 1831, Alabama Department of Archives and History, at <https://cdm17217.contentdm.oclc.org/digital/collection/voices/id/2180> (last visited 14 June 2023). Marshall Rachleff, "David Walker's Southern Agent," *Journal of Negro History* (January 1977). Rachleff's opening paragraph attributes stirring language to Walker's first edition that is actually from Henry Highland Garnet's 1843 *Address to the Slaves of the United States of America*. It's not in the 1848 edition of Walker's *Appeal* that includes Garnet's address, but it is in Garnet, *A Memorial Discourse* (Philadelphia, 1865), 51. "Rumoured Insurrection," *New-York Evening Post* (24 August 1830). *Narrative of William W. Brown*, 27; Clement Eaton, "A Dangerous Pamphlet in the Old South," *Journal of Southern History* (August 1936), 326; "The Pamphlet," *Richmond Enquirer* (28 January 1830). For more on the distribution and alarmed detection of Walker's *Appeal*, see Herbert Aptheker, "One Continual Cry": *David Walker's Appeal* (New York: Humanities Press for A.I.M.S., 1965), 45-48. See too Hasan Crockett, "The Incendiary Pamphlet: David Walker's *Appeal* in Georgia," *Journal of Negro History* (Summer 2001), 310-11, and more generally Peter P. Hinks, *To Awaken My Afflicted Brethren: David Walker and the Problem of Antebellum Slave Resistance* (University Park: Pennsylvania State University Press, 1997). In 1850, Georgia authorized "patrols or any civil officer" to search boats for "disseminating incendiary publications": An Act to Regulate and Give Control of the Fisheries on the Great Ogechee River before Hill's Bridge, *Acts of the State of Georgia, 1849-50* (Milledgeville, 1850), 358.

this State.” That’s the narrow chokepoint strategy: keep the dangerous texts at bay. But Georgia’s legislature immediately adopted the broad chokepoint strategy: keep the underlings from reading. Any black person teaching any other black person to read would be fined or whipped, as a court saw fit. Any white person doing the same faced not whipping but imprisonment, also a maximum fine of five hundred dollars. I doubt the ceiling on the fine made much practical difference—that was a lot of money then—but here too, whiteness had its privileges. The legislature polished its handiwork over the decades, and an 1850 guide to the state’s penal code helpfully offered form indictments for use against offenders. No profit-minded publisher produces such material for dead-letter statutes.³⁷

In 1831, a North Carolina newspaper alerted its readers to the dangers of Walker’s pamphlet, William Lloyd Garrison’s *Liberator*, and other such “Incendiary Publications.” A letter to the local postmaster had warned that “secret agents” were distributing Walker’s *Appeal* in the South, and that “if you will search, it is very probable you will find it among the slaves of your county.”

³⁷ An Act to Be Entitled an Act to Amend the Several Laws Now in Force in This State Regulating Quarantine in the Several Seaports of This State, and Prevent the Circulation of Written or Printed Papers within This State, Calculated to Excite Disaffection among the Colored People of This State, and to Prevent Said People from Being Taught to Read or Write, 22 December 1829, in *A Digest of the Statute Laws of the State of Georgia*, comp. Thomas R. R. Cobb (Athens, GA, 1851), 1001; William A. Hotchkiss, comp., *Codification of the Statute Law of Georgia*, 2nd ed. (Augusta, 1848), 772; Howell Cobb, *A Compilation of the Penal Code of the State of Georgia, with the Forms of Bills of Indictment Necessary in Prosecutions under It* (Macon, 1850), 183-84, 190. For apparently white women expressing bravado in the face of an alleged law imposing whipping for teaching black people in their Sabbath school, see Rev. James Patterson, *A Sermon, on the Effects of the Hebrew Slavery as Connected with Slavery in This Country* (Philadelphia, 1825), 15 n. *.

The “deluded fanatics” planting these dangerous seeds should notice their toxic fruit: “the Southampton massacre,” or what we call Nat Turner’s rebellion.³⁸

Not quite a year before, North Carolina’s legislature had announced that “the teaching of slaves to read and write has a tendency to excite dissatisfaction in their minds, and to produce insurrection and rebellion,” so they criminalized it, with the same racial disparity on penalties, once again with blacks facing thirty-nine lashes. Recall the thought that reading made slaves uppity: it didn’t just open new options; it was also a marker of dignified status. One abolitionist scoffed that the legislature had declared “that the *Alphabet* has a tendency to excite dissatisfaction; I suppose it is because *freedom* may be spelt out of it.” The legislature also made a felony out of circulating and publishing “seditious publications,” those with an “evident tendency...to excite insurrection, conspiracy or resistance in the slaves or free negroes and persons of colour within the State”: at least a year in prison for a first offense, with the court free to add time in the pillory and a whipping; the death sentence for a second. The statute has what lawyers call a scienter requirement: the prosecutor would have to show that the accused knowingly circulated or published the offending materials. (How do you unknowingly circulate or publish something? Ignore the clumsy writing: they meant that you had to know that the materials had such a tendency.) Just before the formal adoption of this legislation, rumor had it that Chatham county slaves were going to revolt on Christmas day. “Orders were given to search every negro house for books or prints of any kind, and *Bibles* and

³⁸ “Incendiary Publications,” *North-Carolina Free Press* (6 September 1831).

Hymn books were particularly mentioned." Slaves possessing books would be whipped until they revealed how they obtained them.³⁹

A Washington newspaper deplored the circulation of Garrison's and Walker's work. Couldn't, shouldn't, the Massachusetts legislature put a stop to it? "The crime is as great as that of poisoning the waters of life to a whole community." The North Carolina paper promptly reprinted this approving nod. The Vigilance Association of Columbia, South Carolina, offered a \$1,500 reward for the "apprehension and prosecution to conviction" of any white person circulating the *Liberator* or Walker's pamphlet. The *Liberator* denied that they had anyone circulating their publication in the South, any subscribers there, any extra issues distributed there. Another abolitionist journal dismissed these "most absurd and false assertions" and "barefaced slanders," and added a dash of derisive incredulity that the Washington newspaper would publish such drivel. There's no reason to think these assurances mollified Southerners.⁴⁰

³⁹ *Acts Passed by the General Assembly of the State of North Carolina, at the Session of 1830-31* (Raleigh, 1831), 11. The bill, introduced on 1 December 1830, passed in the Senate on 9 December and passed in the House of Commons on 24 December with some variant language that the Senate agreed to on (praise be) Christmas: *Journals of the Senate & House of Commons of the General Assembly of the State of North Carolina, at the Session of 1830-31* (Raleigh, 1831), 33, 51-52, 238, 94. Mrs. [Lydia Maria] Child, *An Appeal in Favor of that Class of Americans Called Africans* (Boston, 1833), 68. *Acts...1830-31*, 10-11; final passage was 6 January 1831: *Journals*, 278. "Testimony of Mr. Hiram White—A Native of North Carolina," 22 January 1839, in *American Slavery as It Is: Testimony of a Thousand Witnesses* (New York, 1839), 51.

⁴⁰ "Incendiary Publications," *Daily National Intelligencer* (15 September 1831), reprinted in *Boston Commercial Gazette* (21 September 1831); "Incendiary Publications," *North-Carolina Free Press* (4 October 1831); "Incendiary Publications," *Daily National Intelligencer* (18 October 1831); "Panegyric No. IX," *Liberator* (15 October 1831); "Incendiary Publications," *Liberator* (24 September 1831); "Incendiary Publications,"

Poisoning the waters would be a classic instance of public nuisance in law: a wrongful act interfering with the community's activities and peaceful enjoyment of its property. Remember that we saw opponents cast antislavery papers as nuisances. Now let's pause over *incendiary* and *inflammatory*. In what sense might these publications be incendiary? The thought is surely not that the paper they're printed on might be used as kindling. The worry is about the text: the words, the ideas, the rhetoric of these antislavery writings. Obviously their readers will not burst into flames. But they will be grievously injured and the injury will spread rapidly. Incendiary ideas will make the social order go up in smoke. Earlier efforts to maintain illiteracy were driven partly by the imperatives of running the pass system, by an expressive commitment to subjugating black people, too. Incendiary publications might have seemed a new problem, but the time-honored solution, mandatory illiteracy, was ready at hand.

Ignoring the earlier history, Jefferson Davis instructed the Senate, "If there were no incendiary publications to be put into the hands of the negroes," if their putative allies offered only the Bible, "there never could have been any objection to educating the negro children." But besieged with texts designed "to indoctrinate crime into the negroes—to teach them to commit arson and theft and murder," the South had "a duty of self-protection, to prevent the negroes from reading, as the means of shutting out your unholy work." So too Felix Grundy assured the Senate that before the abolitionists launched their incendiary publications, "pious men and women" in the South taught slaves to read

Genius of Universal Emancipation (September 1831). For \$1,000 rewards offered by Charleston and Norfolk, see "Abolitionists," *Litchfield Enquirer* (3 September 1835).

Scripture in Sunday schools. "All of these are now broken up and abandoned," he mourned, "and in addition the privileges of the slaves are curtailed, and restraints imposed upon them, which never would have been thought of had these Abolitionists never commenced their labors."⁴¹

Davis's denunciation of teaching black people to commit arson offers a more concrete way of construing the fear of incendiary publications. "Look out for Incendiaries!" had long been the refrain of American newspapers' alerts about arsonists. But those stories took on ominous racial and political dimensions when a Scottish traveler reported on an 1829 fire in Augusta,

⁴¹ Senator Jefferson Davis (D-MS), *Congressional Globe* (12 April 1860); Senator Felix Grundy (D-TN), *Congressional Globe* (8 March 1836). See too Senator Robert Toombs (D-GA), "Slavery: Its Constitutional Standing and Its Influence on Society and the African Race," *New York Herald* (2 February 1856), with minor variations in Robert Toombs, *A Lecture Delivered in the Tremont Temple, Boston, Massachusetts, on the 26th January, 1856* (Washington, 1856), and recycled with minor variations in *The Political Text-Book, or Encyclopedia*, ed. M. W. Cluskey (Washington DC, 1857), 521 s.v. *slavery*; J. H. Hammond, *Two Letters on Slavery in the United States* (Charleston, 1845), 19; Charles Olcott, *Two Lectures on the Subjects of Slavery and Abolition* (Massillon, OH, 1838), 81; *New York Evangelist* (1 June 1843); *Report of the Committee of Correspondence with Southern Ecclesiastical Bodies on Slavery* (Salem, MA, 1844), 5; "Our Position to American Slavery," no. 8, *Millennial Harbinger*, 3rd ser. (June 1845); R. Baird, *The Progress and Prospects of Christianity in the United States of America* (London, [1851]), 34; A Carolinian [Edward J. Pringle], *Slavery in the Southern States* (Cambridge, 1852), 23; "Ought Our Slaves Be Taught to Read," *Charleston Mercury* (2 November 1854), also in *De Bow's Review* (January 1855), and reproduced and denounced as "Modern Protestant Jesuitism" in *Anti-Slavery Bugle* (23 December 1854); Albert Taylor Bledsoe, *An Essay on Liberty and Slavery* (Philadelphia, 1856), 124-26; "Correspondence," 30 March 1855, *Sacred Circle* (1856), 45-46; Anderson v. Poindexter, 6 Ohio St. 622 (S. Ct. OH December 1856), 688-89 (Bartley, C. J., dissenting); *Daily Louisville Democrat* (27 August 1861); David Macrae, *The Americans at Home*, 2 vols. (Edinburgh, 1870), 2:5. For a defense of educating black people, see *Speeches of Hon. William D. Kelley: Replies of the Hon. William D. Kelley to George Northrop, Esq., in the Joint Debate in the Fourth Congressional District* (Philadelphia, 1864), 41-42.

Georgia. "The fire was believed to be the work of incendiaries among the people of colour." My eyebrows ascended when I stumbled on the conjecture that incendiary publications inspired slaves to murder their master, a Mr. Lewis in Virginia, and then steal his money and burn down his house. That's a cavalier way to discount or deny the agency of people being exploited. Even the simple chronological fact of coming after the publication of David Walker's pamphlet would lend newly ominous associations to the same old warning about incendiaries. So it was, I think, for a Savannah dispatch during the Civil War: someone had attempted to ignite a building used by the Confederate navy. Word had it that similar attempts were made in other cities.⁴²

The unapologetic apologies from the likes of Davis and Grundy sound like a risible "David Walker made us do it" defense. That's exactly right. You won't understand the self-righteous indignation with which Southerners puffed themselves up, like grandiloquent blowfish, until you grasp the thought that abolitionists were to blame for Southerners' keeping slaves illiterate. That's absurd. Oppressive legislation long preceded Walker's broadside, the *Liberator*, and Nat Turner's revolt. Recall the imperatives of running a pass system to

⁴² For instance, *Columbian Centinel* [Boston] (7 September 1796); *American Telegraph* [Brownsville PA] (22 March 1815); *Baltimore Patriot & Mercantile Advertiser* (15 April 1820); *Providence Patriot & Columbian Phenix* (5 May 1827); *Commercial Advertiser* [New York NY] (15 April 1829); *Charleston Courier* (20 April 1829); *Boston Commercial Gazette* (11 June 1829); *Jeffersonian* [Portland ME] (31 August 1835). James Stuart, *Three Years in North America*, 3rd ed. rev., 2 vols. (Edinburgh, 1833), 2:157. (I owe the reference to Stuart to Herbert Aptheker, *American Negro Slave Revolts* (New York: Columbia University Press, 1943), 281.) Thomas R. Dew, *Review of the Debate in the Virginia Legislature of 1831 and 1832* (Richmond, 1832), appendix, n.p. "Look Out for Incendiaries," *Memphis Daily Appeal* (19 January 1862); see too "Fires in Natchez," *Yazoo City Whig and Political Register* (27 December 1839); "Fire," *South Carolinian* [Columbia] (29 August 1848).

control slaves' movements. Then again, anxieties about incendiary publications and incendiaries are decades older, too. Back up to 1799, when a Charleston ship captain docked in New York and announced the confinement of "infamous incendiaries, who were sent on the business of exciting a revolution among the negroes in the Southern states."⁴³

Back up decades more, to 1741 and 1742, and you find disturbingly many fires in New York City. The authorities uncovered an arson campaign, with nefarious plotting involving whites and blacks, free and enslaved, and, as if in a frenzied effort to pile on with the day's tropes of corruption, an apparent Catholic priest promising he could absolve the worst sins, with conspirators kissing a Bible to seal their devilish pact. (A 1700 New York law branded any Jesuit "an Incendiary and Disturber of the public Peace and Safety" and decreed a life sentence.) Did the plotters want their conflagrations to consume the fort? the whole city? or even people? Sarah, "Mrs. Burk's Negro Wench," testified that Sawney, "Niblet's Negro," had exclaimed, "God damn all the white people; that if he had it in his power, he would set them all on fire." The legal proceedings stretched on; eventually thirteen blacks were punished by being "chained to a stake, and burnt to death." By contemporary legal standards, that was no sensational abuse. English law had long defined the offense of social inferiors (wives, servants) killing their superiors (husbands, masters) as petty treason, and mandated just that gut-wrenching penalty. The American colonies found that too limited when it came to blacks offending against whites. So they extended the

⁴³ *Gazette of the United States, and Philadelphia Daily Advertiser* (14 March 1799); and see "Rhode-Island," *Newburyport Herald and County Gazette* (5 April 1799); "The Kentucky Fowler," *Gazette of the United States, and Philadelphia Daily Advertiser* (4 May 1799).

crimes that would trigger that penalty. Burning these incendiaries could seem like perfect justice. Not so for the young black man burned at the stake by a lynch mob in 1853 Missouri after he confessed to rape and murder. “Awful retribution,” conceded the news account. But the “frequent attempts of late years, of negroes to rape white women” demanded a harsh deterrent measure. Anyway—I report, you decide—“had he been a white man...he would have shared a similar fate.”⁴⁴

Don’t just back up decades; back up centuries. Was Oliver Cromwell “an incendiary?” asked a member of the House of Commons in 1644. Was he “one that raiseth the fire of contention in a state, that kindles the burning hot flames of contention?” Or recall the judge’s aghast jury instruction at Benjamin Harris’s 1679 trial: “You can hardly read a more base, and pernicious Book, to put us all into a Flame.” *Incendiary*, then, sparks off densely allusive meanings, or, if you like, serves as the central node in a very bad Freudian dream. *Incendiary* stands in

⁴⁴ The Recorder of the City of New-York [Daniel Horsmanden], *A Journal of the Proceedings in the Detection of the Conspiracy Formed by Some White People, in Conjunction with Negro and Other Slaves, for Burning the City of New-York in America, and Murdering the Inhabitants* (New York, 1744), 35, 32, 158, 70; app., 12-15. *Laws of New-York, from the Year 1691, to 1751, Inclusive* (New York, 1752), 38 (compare the 1756 statute in *Proceedings and Acts of the General Assembly of Maryland 1755-1756*, ed. J. Hall Pleasants (Baltimore: Maryland Historical Society, 1935), 441-449). 25 Edw. 3 stat. 5 c. 2 (1351). William M. Wiecek, “The Statutory Law of Slavery and Race in the Thirteen Mainland Colonies of British America,” *William & Mary Quarterly* (April 1977), 274. Jill Lepore, *New York Burning: Liberty, Slavery, and Conspiracy in Eighteenth-Century Manhattan* (New York: Alfred A. Knopf, 2005), is I think too confident in declaring that there were three overlapping schemes. “Burning a Negro for Murder,” *Hannibal Journal* (21 July 1853), reprinting a story from an issue of the *Boonville [Weekly] Observer* that seems not to have survived.

for arsonists, for the fiendish authors of incendiary publications, for the image of a social order reduced to ashes, and more.⁴⁵

Or picture identical twins, identically posed. One is clutching, oh, a torch, some kerosene-soaked rags, maybe some dynamite. The other is clutching an antislavery pamphlet. Now slap a caption under the picture: TWO INCENDIARIES. Imagine what it takes to see them that way, not to see yourself as taking liberties with language; nor for that matter with people's rights, as if you are trampling on an author's rights, or a reader's; but simply as acknowledging that Tweedledum and Tweedledee pose precisely the same threats.

In 1835, a North Carolina paper shifted gears effortlessly from reporting the imprisonment of "an incendiary" — "He was tampering with slaves, and had about him evidences of his being an Emissary of the Northern Abolitionists!" — to musing on Northern "incendiaries," an abstract category for outrages including such dastardly emissaries and "incendiary publications." All in a day's nerve-racking work. Legislatures were busy dealing with these hazards, but vigilante action beckoned, too. In 1837, the good people of Clinton, Mississippi promised "IMMEDIATE DEATH" to anyone circulating incendiary publications. In 1860, a Mississippi paper reported that a supporter of Lincoln had swung by on a train. "Our people should be on the look out for these incendiaries," they suggested, and be ready to hang them whenever they surfaced in the South. The guy on the train wasn't an arsonist and he wasn't lugging around loathsome publications to

⁴⁵ [Bulstrode Whitlocke], *Memorials of the English Affairs* (London, 1682), 112, where Whitlocke adopts a formulation from the Lord Chancellor of Scotland at 111. See too *London Gazette* (20-23 November 1773) for denunciation of "the various false and inflammatory Paragraphs and Letters, which have of late appeared in the public Papers."

distribute. Tucked away in his head were inflammatory ideas, enough to make him too an incendiary. Henry Bibb recalled another school for slaves “very desirous to be taught to read the Bible,” this one opened by “a poor white girl” in 1833. She got books and began, but slave patrols promptly broke up the school. “For slaves this was called an incendiary movement.”⁴⁶

Here’s Davis again addressing the Senate: “What difference is there,” he demanded, “between organizations for circulating incendiary documents and promoting the escape of fugitives from a neighboring State, and the organization of an armed force for the purpose of invasion?” He uttered those foreboding words in 1850, many years before the outbreak of civil war. My point is not that he was prescient, and anyway others saw war on the horizon. I want instead to emphasize that he saw both distributing incendiary publications and massing an army as outrageous acts of bellicosity. For him, for many others, it made no sense to carve off the former in a protected realm of free speech and democratic debate, and think of that realm as fundamentally different from slaughter.⁴⁷

⁴⁶ *Tarboro’ Press* (29 August 1835). “Slavery Warring against Principle,” *Anti-Slavery Record* (May 1837); see too “To the Public,” 30 January 1837, *Evening Post* [NY NY] (25 April 1837), picked up in *Human Rights* (May 1837), *Broome Republican* [Binghamton NY] (11 May 1837); *Christian Examiner and General Review* (November 1838). *Semi-Weekly Mississippian* [Jackson] (25 September 1860); see too “From Harper’s Ferry,” *Richmond Dispatch* (12 June 1861). *Narrative of the Life of Henry Bibb*, 20. See too Frederika Bremer, *The Homes of the New World; Impressions of America*, trans. Mary Howitt, 2 vols. (New York, 1853-1854), 2:194; I owe the reference to Eugene D. Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York: Pantheon Books, 1974), 565.

⁴⁷ *Congressional Globe*, app. (14 February 1850). Consider too the lament of 48 Congressmen (15) in *The Address of the Southern Delegates in Congress, to Their Constituents* ([Washington DC, 1848]), 5.

Writers might themselves cast their incendiary work as combative. While canvassing Protestant anxieties about unsupervised Bible reading, we met Abiezer Coppe, the religious enthusiast clapped in prison for his tirades. Coppe knew what he was up to when he adopted the title *A Fiery Flying Roll*. The cryptic imagery alludes to Ezekiel 2:9-3:1, where God instructs the prophet to eat “a roll of a book” full of “lamentations, and mourning, and woe.” Well, God had sent Coppe too a roll of a book. (Think of the Torah scroll.) Ezekiel’s roll was sweet as honey, but Coppe’s “lay burning, and broiling in my stomach.” Still, the fire wouldn’t consume him. It would consume corrupt churches and great men alike. He closed with a more pointed threat. He’d tried to speak out in church, but his opponents, inspired by Satan, had threatened him and he’d fallen silent. But he would take revenge on the “mother of witchcrafts, who dwellest in gathered Churches.” He would tell his tale in the *Fiery Flying Roll*, “and let her FLESH be burnt with FIRE.” Coppe meant that the act of publishing—of reaching readers—would call down divine vengeance on his enemies. If you’re inclined to rally to the authorities, you might find it fitting that Parliament ordered this pamphlet burnt by the common hangman. Fire, meet flames. Authors themselves could be dubbed incendiaries. Here’s a critic of a conspirator in the Rye House Plot to assassinate Charles II and his brother James: “upon all accounts, of his restless spirit, fluent tongue, subtle brain, and hellish malice, he was perfectly qualified to be the great Incendiary, and common Agitator of the whole Conspiracy.”⁴⁸

⁴⁸ Abiezer Coppe, *A Fiery Flying Roll* (London, 1649), n.p., 12, 15; *Die Veneris, 1 Februarii, 1649* (London, 1649); *A True Account and Declaration of the Horrid Conspiracy against the Late King, His Present Majesty, and the Government*, 3rd ed. (London, 1685), 37-38. See too

Back to these United States and what many Southerners saw as a jubilant arson campaign. 1833 saw the launch of the American Anti-Slavery Society. "We shall circulate," they resolved, "unsparingly and extensively, anti-slavery tracts and periodicals." Never has a resolution been more vigorously pursued. Tucked into the group's 1836 report were some astonishing numbers. That year they raised over \$25,000, almost two and a half times as much as they had the year before. (Inflation calculators over long stretches of history are impressionistic at best, but figure that sum at over three quarters of a million of today's dollars.) And they published 1,095,800 copies of various anti-slavery texts: monthlies, quarterlies, pamphlets, circulars, prints, and more. The nation's population was something like 15 million; over 2 million were slaves. (No, I'm not counting each slave as three fifths of a person.) Can any publisher today dream of such circulation?⁴⁹

FEDERALISM AND THE FIRST AMENDMENT

The onslaught of incendiary publications inspired fear and loathing in the South—and also programmatic action, both public and private. Lofty issues of constitutional law and politics are caught up in these grim conflicts.

Dr. Richard Kingston to Sir William Trumbull, 19 February 1696, in Historical Manuscripts Commission, *Report on the Manuscripts of the Marquess of Downshire: Preserved at Easthampstead Park. Berks.*, 4 vols. (London: His Majesty's Stationery Office, 1924-1940), vol. 1, pt. 2, 624.

⁴⁹ "Declaration of the Anti-Slavery Convention," *The Abolitionist* (January 1833), 179; *Third Annual Report of the American Anti-Slavery Society...Held in the City of New-York, on the 10th May, 1836* (New York, 1836), 35.

In 1835, Maryland made it a felony, with a minimum sentence of ten years, to print or circulate publications “of any inflammatory character, having a tendency to create discontent among, and stir up to insurrection, the people of colour of this state.” (Ever precocious, the legislators of South Carolina had banned writing or publishing any “inflammatory writing,” or for that matter publicly launching any “inflammatory discourse,” back in 1805. Other Southern states passed similar legislation.) The law did not make it an element of the crime that a person of color receive the offending text, or even that the accused intend that outcome. That was no oversight. Let incendiary publications circulate and they might well find their way into the wrong people’s hands—if indeed anyone ought to read such trash. Even if the texts themselves didn’t fall into insurrectionary black hands, the ideas they contained might. Maybe by word of mouth, but maybe too by others’ reading aloud. That haunting possibility explains why managing to stop 90%, or even more than 95%, of slaves from learning to read is an ignominious failure, why the authorities tried to keep free black people illiterate, too. Literate people can read aloud to illiterate people. Here’s one of a zillion examples: other slaves knew that Harriet Jacobs could read, so they often asked her what newspapers said about white abolitionists in the north.⁵⁰

⁵⁰ Clement Dorsey, *The General Public Statutory Law and Public Law of the State of Maryland*, 5 vols. (Baltimore, 1840), 2:1217-18; *Statutes at Large of South Carolina*, 5:503; *Public Acts Passed at the First Session of the Twenty-First General Assembly of the State of Tennessee: 1835-36* (Nashville, 1836), 145-46. See too *A Digest of the Laws of the State of Alabama*, comp. C. C. Clay (Tuskaloosa, 1843), 411-12; I owe this last reference to W. Sherman Savage, *Controversy over the Distribution of Abolitionist Literature, 1830-1860* ([Washington DC]: Association for the Study of Negro Life and History, 1938), 58. Compare the briefer and more general approach of Louisiana in 1830: Meinrad Greiner,

The law is daunting, but partly impotent. It's hard to see how Maryland could have exercised long-arm jurisdiction over the likes of Walker and the American Anti-Slavery Society, their presses erupting with just such lava from the remote safe harbors of Massachusetts and New York. It's one thing to demolish the printing press of a local antislavery newspaper. But how could a Southern state reach out to New York and destroy the countless presses grinding out over a million publications a year? Time for a new chokepoint strategy.

Some vigilantes invented one. In July 1835, a Charleston crowd broke into a post office and seized a bag of offending tracts before they could be delivered and work their black magic. Careful not to take anything else or do any damage to the premises, they consigned the incendiary publications to the flames and added effigies of some leading abolitionists. A local newspaper would have preferred more patient and orderly proceedings. After all, the Post Office had

The Louisiana Digest, Embracing the Laws of the Legislature of a General Nature, Enacted from the Year 1804 to 1841 (New Orleans, 1841), 521; and see too *Statutes of the State of Mississippi of a Public and General Nature*, comp. V. E. Howard and A. Hutchinson (New Orleans, 1840), 720; Joseph Tate, *Digest of the Laws of Virginia*, 2nd ed. (Richmond, 1841), 850. In 1843, Maryland adopted a law saying that if a private party were willing to swear to a justice of the peace that a free black person was "concealing, or circulating abolition papers, or furnishing free papers to slaves," the justice would be required to authorize a constable to gather "not less than three respectable citizens" and conduct a polite search of that free person's premises: *Laws Made and Passed by the General Assembly of the State of Maryland* (Annapolis, 1843), chap. 163. Jacobs, *Incidents*, 69-70. For the tale of Samuel Green, a free black sentenced in 1857 to ten years in prison for having a copy of *Uncle Tom's Cabin* and materials for aiding slaves in escaping, see Richard Albert Blondo, *Samuel Green: A Black Life in Antebellum Maryland* (Ph.D. diss., Department of History, University of Maryland, 1988), available at <https://msa.maryland.gov/megafile/msa/speccol/sc2200/sc2208/pdf/blondo.pdf> (last visited 16 May 2024); and "Samuel Green, the Imprisoned Colored Man," *Randolph County Journal* (17 March 1859). Green was pardoned in 1862 on condition that he move to Canada.

been asked for instructions but hadn't yet responded. City council met to grapple with the "very proper excitement" and "incalculable evil" surrounding the arrival of these incendiary papers in the mail. "A large and overflowing meeting of citizens, comprising an ample representation of the property, respectability, and intelligence of our community" met, too. They deputized a committee to meet with the local postmaster, who agreed not to deliver any incendiary publications. The offending northerners, insisted a Virginia paper, were engaged in a "monstrous abuse" of the mail. Don't think of public and private action as rivals or even crisp alternatives; here as so often they were woven together. At another mass meeting, citizens of Charleston vowed that it would be unconstitutional to convert the post office "into an instrument for the dissemination of incendiary publications." All hands on deck, they urged: the federal government, the state government, city council, courts, law enforcement, harbor masters, and railroad executives should crack down on the circulation of incendiary texts and on the incendiaries circulating them. Southern states should communicate their stance to Northern states. City council promptly set up a committee to put these resolutions into effect.⁵¹

⁵¹ *Southern Patriot* (30 July 1835); *The American Anti-Slavery Almanac for 1837* (Boston, [1836]), 18, entry for 29 July 1835; "Important Meeting of the City Council," *Southern Patriot* (1 August 1835); "Great Public Meeting" and "Public Notice," *Southern Patriot* (4 August 1835); "Incendiary Publications," *Richmond Enquirer* (7 August 1835). *A Public Meeting of the Citizens of Charleston, (S. C.) in the City-Hall, on the 10th of August, 1835* ([Charleston, 1835]); also in "Important Public Meeting," *Southern Patriot* (10 August 1835); "Great and Important Public Meeting," *Charleston Courier* (11 August 1835); *Proceedings of the Citizens of Charleston, on the Incendiary Machinations Now in Progress against the Peace and Welfare of the Southern States* (Charleston, 1835); *Third Annual Report of the American Anti-Slavery Society...Held in the City of New-York on the 10th May, 1836* (New York, 1836), 55-58. Susan Wyly-Jones, "The 1835 Anti-Abolition Meetings in the

Local postmaster Alfred Huger had in fact written to newly installed Postmaster General Amos Kendall hours before the Charleston crowd took matters into its own hands. The letter is a curious mix of bureaucratic formality and anguished petulance. "Our office," moaned Huger, "is literally filled with hundreds of pamphlets and tracts upon the subject of slavery." "In their character they are the most inflammatory and incendiary, and their tendency insurrectionary in the worst possible degree." (Sounds like Huger had been reading other people's mail.) He'd decided not to deliver the trash, lest the "phrenzied and turbulent feeling" of the local community explode. Kendall slipped through these jagged straits. "I am satisfied," he intoned, "that the Postmaster General has no legal authority to exclude newspapers from the mail, nor prohibit their carriage or delivery on account of their character or tendency, real or supposed." But he wasn't ready to instruct Huger to deliver the incendiary publications. Surely the post office was to be used for the good of all "and not to be used as the instrument of their *destruction*." He hadn't inspected the papers himself, he demurred, and Huger's obligation to his local community trumped his obligation to follow the law. So Huger would have to make up his own mind. Huger also appealed to Samuel Gouverneur, New York's postmaster, to quarantine the wretched stuff in bags marked "Suspicious" and to think about whether he should be sending it on. Gouverneur asked the American Anti-Slavery Society to stop mailing their materials until Kendall weighed in; the Society politely declined; Gouverneur responded that he wouldn't put any of

South: A New Look at the Controversy over the Abolition Postal Campaign," *Civil War History* (December 2001), is first-rate.

their materials into the mail until he heard from Kendall. Writing to Gouverneur, Kendall repeated that he had no legal authority to pluck newspapers or pamphlets from the mail. But this time he was overtly sympathetic: “if I were situated as you are, I would do as you have done.”⁵²

⁵² Alfred Huger to Amos Kendall, 29 July 1835, in “Post Office Correspondence,” *Charleston Courier* (28 August 1835). For a Georgia postmaster who in 1850 read an arriving copy of *Uncle Tom’s Cabin* and circulated it for “young men” to read before destroying it as incendiary instead of delivering it, see Elizabeth Hyde Botume, *First Days amongst the Contrabands* (Boston, 1893), 8. Amos Kendall to the Postmaster of Charleston, 4 August 1835, *National Gazette* [Philadelphia PA] (11 August 1835). Compare the stance Kendall took at the end of his life in writing a series of letters opposing secession: *Autobiography of Amos Kendall*, ed. William Stickney (Boston, 1872), 588. Alfred Huger to Samuel L. Gouverneur, 1 August 1835 and 6 August 1835, in “Postmaster Huger and the Incendiary Publications,” ed. Frank Otto Gatell, *South Carolina Historical Magazine* (October 1963), 194-97; “The Post Office Department, and the Incendiary Publications,” *Charleston Courier* (21 August 1835); Amos Kendall to Samuel L. Gouverneur, 22 August 1835, *Evening Post* [NY NY] (28 August 1835). John Quincy Adams excoriated the “arbitrary and discretionary...tyrant’s law” exhibited by the Post Office, and introduced Kendall’s letter to Gouverneur, also a 10 August 1835 letter from Kendall to the chair of a meeting in Petersburg, Virginia, denouncing an “evil” threatening the community’s “very existence”: see *Congressional Globe*, app. (4 February 1842). Some of these letters were frequently reprinted in papers around the country—and these conflicts persisted. See “A Gagging Operation,” *North Star* [Rochester NY] (2 March 1849), for the complaint that “the vile spawn of slavery who have the management of the post office in Wilmington” aren’t delivering the paper (run by Frederick Douglass) to “our colored subscribers.” “Circulation of Incendiary Publications,” *Jeffersonian Democrat* [Chardon OH] (16 December 1859), reports that the Postmaster General (then Joseph Holt) had assured the postmaster of Falls Church, Virginia that he could refuse to deliver incendiary publications and “may by appropriate proceedings have them destroyed. They have the same right to extinguish the firebrand thus impiously hurled in the midst of their home and altars, that a man has to pluck the burning fuse from a bomb-shell which is about to explode at his feet.” *Daily Louisville Democrat* (27 August 1861) describes the suppression of incendiary publications as “not strictly legal.” And finally see “Explanatory,” *Charleston Mercury* (9 July 1849); “A New Issue,” *Charleston Mercury* (24 July 1849); “The Post Office and the South,” *Charleston Mercury* (13 August 1849); “Mr. Collamer’s Equivocation,” *Daily*

The episode electrified the South. “The Postmaster of Charleston refuses to deliver out any of the Incendiary Missiles,” exulted a Richmond newspaper. The martial imagery underlines the chasm between these publications and political debate. “We honor him (the chivalrous, high-minded, Unionist, Alfred Huger) for assuming such a responsibility.” Copies were arriving in Richmond, too, and being held. The paper hoped that if postmasters didn’t balk, “every citizen, to whom they are delivered, will forthwith return the poisoned chalice to the lips of the incendiaries.” No doubt the postmasters faced a dilemma. But “the very extremity of the case...makes a law for itself.” “The torch may kindle the whole South into a flame.”⁵³

This commotion was just around the same time as the first shuttering, shattering, of abolitionist newspapers’ printing presses. Before he printed a single issue of the *Philanthropist*, James Birney was chased out of Kentucky in the summer of 1835. His Cincinnati printing press was destroyed in the summer of 1836. Elijah Lovejoy lost the first of his four printing presses in the summer of 1836; he was killed in the fall of 1837. These tawdry exercises in popular self-government continued for decades, as did frenzies over incendiary publications. Cassius Clay’s press was destroyed in the summer of 1845. Park and Patterson’s press—spewing abolitionism by their opponents’ lights, remember, but not by ours—was destroyed in the spring of 1855.

Union [Washington DC] (14 August 1849); “Barrett’s Case,” *Charleston Mercury* (23 August 1849); “The Post Office Department and the South,” *Charleston Mercury* (27 August 1849); Clement Vallandigham to Hon. J. Holt, Postmaster-General, 5 January 1860, in *Speeches, Arguments, Addresses, and Letters of Clement L. Vallandigham* (New York, 1864), 225-27; “More of Southern Chivalry,” *Cleveland Morning Leader* (18 January 1860).
⁵³ “Incendiary Publications,” *Richmond Enquirer* (18 August 1835).

Even the idioms in which Birney's ignominious saga was declaimed weren't idiosyncratic. Just as Birney was abandoning Kentucky, he received a letter from Mississippi. The writer denounced his "incendiary periodical" and demanded, "how can you, being both a Christian and a philanthropist, publish a journal that will lead both to the butchery of our wives and innocent children, and to the severing of our Union!" And Birney had his own problems with a local postmaster in Kentucky, "disposed to be quite surly," who refused to deliver antislavery papers for a month. Birney threatened a lawsuit and the postmaster relented. But he didn't win back Birney's esteem. The postmaster, offered Birney disdainfully, was "one of the most ignorant, unlettered, and mobocratical of our citizens."⁵⁴

You can condemn mob violence in all these episodes. That's especially inviting in light of the terrible cause it was supporting. But consider the crowd's care not to disturb anything else in Charleston's post office, the paper's insistence on their respectability, city council's endorsement of their stance: all efforts to say that breaking, entering, and arson, done this way by these people for these reasons, are legitimate. We saw just such attempts to cast violence as legitimate, even admirable, when we considered popular efforts to throttle the printing of antislavery papers.

There may be good reasons to prefer orderly legal action in general. But it is very hard to imagine that disorderly, even illegal, action is *never* justified. So compare another approach: not even two months after the Charleston crowd

⁵⁴ Lewis Bond to James Birney, 31 August 1835, *Letters of Birney*, 1:240; *Letters*, 1:244 n. 6.; James Birney to Joseph Healy, 2 October 1835, *Letters*, 1:250.

stormed the post office, John Sargent filed a *qui tam* petition with a local court. He wanted the ringleaders of the American Anti-Slavery Association held financially responsible for all the public and private losses they were visiting on South Carolina. He claimed that “the principal & avowed object” of the Society “is to cause & excite an Open & general Insurrection of all the Slaves in the United States.” That was flagrantly false, though I doubt that’s why the court seems not to have acted on his plea. But really, how strong are the reasons for preferring the sort of thing Sargent tried? Are they categorical?⁵⁵

Anyway, what were—what are—the boundaries of state autonomy? When and why should we condemn one state for interfering in matters that properly belong to some other state? What should we leave to the states, and what should we assign to the federal government, and why? When we think about federalism or subsidiarity, a facile if pleasantly democratic formula beckons: leave to the states whatever they are competent to deal with on their own, and bounce up to the federal government only what states are incompetent to deal with. But that doesn’t begin to tell us how to decide the question of competence, which is controversial and normative, not simple and descriptive.

Take an everyday classroom example: New York can regulate its own air pollution, but it can’t do anything about pollution blowing in from Ohio on prevailing westerly winds, so the feds have to step in. That’s precisely the kind of argument the aggrieved citizens of Charleston, Jefferson Davis, and many others insisted on. When New York permitted the American Anti-Slavery Society to set

⁵⁵ “John H. Sargent to the Equity Court, Charleston District, South Carolina, 1835,” in *Southern Debate*, ed. Schweninger, 2:174-77.

its printing presses to furiously productive work, when the Society sent its incendiary publications to Southerners, Southern states were powerless to solve the problem on their own. New York, they thought, wasn't going its own way, as it's permitted to do in a federal system. It was undercutting the ability of Southern states to go their own way. It was meddling. Or, if you want to cast the "David Walker made us do it" defense in a less ludicrous light, ponder the protest lobbed at the American Anti-Slavery Society by members of East Baltimore's African Methodist Episcopal Church. They revealed that their religious freedom had been invaded because of local anxiety about the spread of abolitionist tracts. So they resolved "not to receive any of the vile, mischievous, and incendiary publications, now so industriously scattered abroad," even to destroy whatever such texts came their way. Why *abroad*? In contemporary parlance, it could just mean *outside* or *away*. Better to see it as summoning up a jurisdictional boundary and a kind of invasion. The resonances of foreign country—and understandings of the Union—weren't what you might expect, either. Virginia would insist that its right to demand that Northern states punish those circulating incendiary publications was based in international law. Southern states pointed to the circulation of those incendiary publications as grounds for secession.⁵⁶

⁵⁶ "Declaration," *The African Repository, and Colonial Journal* (November 1835); Noah Webster, *An American Dictionary of the English Language*, 2 vols. (New York, 1828), s.v. *abroad*; "Resolutions Relative to the Interference of Certain Associations in the Northern States with Domestic Slavery in the South," 21 January 1836, in *Journal of the Senate, of the Commonwealth of Virginia, Begun and Held...in the Year One Thousand Eight Hundred and Thirty-Five* (Richmond, 1835), 1; *Journal of the Public and Secret Proceedings of the Convention of the People of Georgia, Held in Milledgeville and Savannah in 1861* (Milledgeville, 1861), 316; *Draught of a Declaration of Independence, Proposed to the*

Mere hundreds of copies of Walker's *Appeal* had terrified defenders of slavery. Just imagine their horror when the Anti-Slavery Association hit its stride and started publishing over a million texts a year. Now one Southern state after another pleaded with Northern states to suppress the production and distribution of incendiary publications. Consider Virginia's protest against "certain fanatics" distributing "pamphlets, prints, circulars, annuals, almanacs, and every species of publication" — and contemplate the obscene fecundity of that list. "Any attempt by a portion of the people of one state to interfere, even indirectly, with the domestic institutions of another," held the state, undercuts amicable relations. It would lead to the destruction of the Union. "Such attempt is an insult to the state aggrieved." So it's a dignitary affront, too, evincing New York's contempt for the right of Virginians to govern themselves. Or again: "The Commonwealth of Kentucky, so long as she remains a sovereign member of this

Convention of the State of Arkansas, and Withdrawn from Its Consideration (Little Rock, 1861), 9-10. Consider *Constitution or Form of Government for the People of Florida, as Revised and Amended at a Convention of the People Began and Holden at the City of Tallahassee on the Third Day of January, A.D. 1861* (Tallahassee, 1861), 60, where Mr. Folsom proposes an ordinance requiring the state's postmasters to burn incendiary publications. Richard Yeadon, Jr., *The Amenability of Northern Incendiaries as Well to Southern as Northern Laws, without Prejudice to the Right of Free Discussion* (Charleston, 1835), is peppered with appeals to international law. For more protests about the dictates of federalism, see "Governor's Message, and Accompanying Documents," 7 December 1835, and "Proceedings of Various Counties in Virginia, and Several of the Non-Slaveholding States, on the Subject of Abolition," in *Journal of the House of Delegates of the Commonwealth of Virginia, Begun and Held at the Capitol, in the City of Richmond, on Monday, the Seventh Day of December, One Thousand Eight Hundred and Thirty-Five* (Richmond, 1835), doc. 12; J. K. Paulding, *Slavery in the United States* (New York, 1836), 291-93.

confederacy, can never permit *another state* to assail her local institutions, much less a combination of private individuals.”⁵⁷

Thinking about the Civil War, or for that matter 1950s and '60s struggles over civil rights legislation, you might be inclined to write off states' rights as a threadbare pretext for racism. I don't doubt that sometimes states' rights work that way. But Northern states didn't spurn these anguished appeals from the South. Indeed, New York's governor adopted the same martial imagery that the Richmond newspaper had. In New York City, "the abolitionists have established one of their principal magazines, from which they have sent their missiles of annoyance into the slaveholding States." New Yorkers wanted nothing to do with their "visionary schemes." But if public opinion wouldn't be enough to stop the ongoing affront, state legislatures would have to step up because of "the sacred obligations which they owe to each other as members of the Federal Union." A joint legislative committee elegantly sidestepped acting. They embraced the governor's sentiments, but added that a free press was anyway the safeguard of sound public opinion, such as New Yorkers' overwhelming

⁵⁷ *Journal of the House of Delegates of the Commonwealth of Virginia* (Richmond, 1835), doc. no. 26 (19 December 1835); *Acts Passed at the First Session of the Forty-Fourth General Assembly of the Commonwealth of Kentucky* (Frankfort, 1836), 683-84. See too South Carolina, Senate Committee on Federal Relations, 16 December 1835, at http://www.carolana.com/SC/Legislators/Documents/Reports_and_Resolutions_of_the_General_Assembly_of_South_Carolina_1835.pdf, 27-28 (last visited 16 June 2023); *Acts Passed by the General Assembly of the State of North Carolina, at the Session of 1835* (Raleigh, 1836), 119-21, esp. 121; "A Memorial of the General Assembly of the State of Alabama, to the General Assemblies of the Several States in the Union," in *Journal of the Senate of the Commonwealth of Pennsylvania, Which Commenced at Harrisburg on the First Day of December, 1835*, 2 vols. (Harrisburg, 1835-36), 2:348. For more on the view that American states are sovereign, see my *Sovereignty, RIP* (New Haven, CT: Yale University Press, 2020), 184-231.

disapproval of abolitionist stunts, and thought there was no cause to rekindle public controversy by legislating. The legislature adopted their proposed resolutions.⁵⁸

Or listen to Massachusetts officials. The governor nodded to free speech but urged the merits of “a conciliatory forbearance” on the matter in “non-slaveholding States” (this stilted locution was surprisingly common, I suppose because South Carolina and the rest would have vehemently insisted that they were indeed free states, free to govern themselves, free to own slaves): that “would leave this whole painful subject were the Constitution leaves it, with the States where it exists” and with Providence. A Joint Special Committee of the legislature vigorously affirmed states’ rights. Did “non-slaveholding states” have the slightest right to interfere with slavery? Surely not. That “is a point so well understood, that it is hoped no argument need to be submitted to the Legislature on this part of the subject.” So “this legislature distinctly disavows any right whatever in itself, or in the citizens of this Commonwealth, to interfere in the institution of domestic slavery in the southern states it having existed therein before the establishment of the constitution; it having been recognized by that instrument; and it being strictly within their own keeping.” There’s room again

⁵⁸ W. L. Marcy to the Senate and Assembly, 5 January 1836, *Journal of the Assembly of the State of New-York, at Their Fifty-Ninth Session* (Albany, 1836), 31, 36, 37. State of New-York, No. 106: *In Senate, May 18, 1836* ([New York, 1836]). *Journal of the Assembly*, 1302-1306; *Journal of the Senate of the State of New-York, at Their Fifty-Ninth Session* (Albany, 1836), 546-47.

to wonder if publishing texts, even mailing them, properly counts as interference, but Massachusetts officials thought it did.⁵⁹

So northern writers used northern printing presses to publish stuff that the south denounced as incendiary. Then those northern writers used the US mail to send it to the south. How should federalist principles be applied here? This terrain is littered with landmines. Nor can we find a magically safe route by clutching the talisman of free speech. On the contrary, vexing issues about federalism and free speech were tangled together. As we've seen, Massachusetts's Attorney General adopted astonishing positions about both federalism and free speech in denouncing Elijah Lovejoy, the abolitionist journalist killed after getting his fourth printing press. Yes, he conceded, Lovejoy had moved from slave state Missouri to free state Illinois. But "are the laws of Illinois to be so used as to produce a violation of the laws of Missouri?" He insisted that talk of free speech was pernicious.⁶⁰

⁵⁹ *Resolves of the General Court of the Commonwealth of Massachusetts, Passed at the Session, Which Commenced on Wednesday, the Sixth of January, and Ended on Saturday, the Sixteenth of April, One Thousand Eight Hundred and Thirty-Six*, continuously paginated with *Resolves...One Thousand Eight Hundred and Thirty-Five* (Boston, 1835), 298. *Report and Resolves on the Subject of Slavery* ([Boston, 1836]) 7, 19; the report reproduces the protests of the five Southern states. There seems to be no follow-up to the Committee recommendations in *Resolves*. See too Joseph Sturges, *An Address Delivered before the Citizens of Becket Mass. January 18, 1839, upon the Subject of Slavery* (Lee, 1839), 14-15. For other Northern responses, see *Resolves of the Sixteenth Legislature of the State of Maine* (Augusta, 1836), 47-50; *Journal of the House of Representatives of the State of Ohio; Being the First Session of the Thirty-Fourth General Assembly* (Columbia, 1835), 348-52. For the same strictures on federalism and union, see "Editor's Table," *Harper's New Monthly Magazine* (August 1854), esp. 402.

⁶⁰ James T. Austin, *Speech Delivered in Faneuil Hall, December 8, 1837, at a Meeting of Citizens Called on the Petition of William E. Channing and Others* (Boston, 1837), 7-8. See too Peter Oxenbridge Thacher, *A Charge to the Grand Jury of the County of Suffolk...on the First*

Not that northern states didn't pursue their own racist agendas. Just before the heated national debate on using the mails to send incendiary publications to the south, Prudence Crandall opened a girls' boarding school in Canterbury, Connecticut. Soon this "Instructress of white Young Ladies" admitted a black girl. Crandall dealt with complaints about interracial education by "dismissing her white scholars" and advertising for more black students. The locals delegated a committee—we repeatedly saw this exceedingly polite way of bullying when we surveyed the plight of antislavery journalists—to persuade Crandall of "the impropriety and injustice of her proposed measure" and "the danger of the levelling principles, and intermarriage between the whites and blacks." Unfazed, Crandall didn't budge; the locals vowed not to sell her or her students any food or clothing. Her home's door and steps were smeared with feces, her well fouled the same way; a prayer meeting at her school was interrupted by a volley of rotten eggs. By the time she had a couple of dozen students, some from out of state, her opponents prevailed on the state legislature to act. The new law prohibited schools from teaching any black people from out of state without written permission from the local government. Crandall was prosecuted twice. The first time, the jury hung; the second time, she was convicted. She appealed, mounting constitutional objections that sounded in equal protection, privileges and immunities, and what we now think of as the right to travel. She prevailed not on those grounds, but on the finding that the information failed to allege that

Monday of December, A.D. 1832 (Boston, 1832), 14-17 n., also in "Incendiary Publications," *The American Jurist and Law Magazine* (July 1832); and consider the views of Jonathan Stoddard, who'd just served as U.S. Attorney for the District of Connecticut (<https://www.justice.gov/usao-ct/office>, last visited 16 May 2024), in *The Proceedings of the Union Meeting, Held at Brewster's Hall, October 24, 1850* (New Haven, 1851), 36-37.

she hadn't obtained suitable permission. Unfazed in turn, the stalwart citizens of Canterbury resorted to violence. Attempting to burn down the school failed, but shattering its windows persuaded her to close up shop. A few years later, her brother Reuben was acquitted of charges in Washington, DC "of publishing malicious and wicked libels, with the intent to excite sedition and insurrection among the slaves and free colored people of the district." He'd been circulating publications of the American Anti-Slavery Society.⁶¹

⁶¹ *A Statement of Facts, Respecting the School for Colored Females, in Canterbury, Ct. Together with A Report of the Late Trial of Miss Prudence Crandall* (Brooklyn, CT, 1833), 5-7; Henry E. Benson, "Heathenism Outdone!" *Liberator* (25 May 1833); "Miss Crandall's School," *Liberator* (6 July 1833); Samuel J. May, *Recollections of Our Antislavery Conflict* (Boston, 1869), 50; Charles C. Burleigh, "Vigilante Attack on Canterbury Female Academy," *Unionist* [Brooklyn CT] (3 October 1833; transcript from <https://sjsu-library.github.io/unionist/items/unionist--text-0003>, last visited 18 April 2024); *The Public Statute Laws of the State of Connecticut, Passed at the Session of the General Assembly, in 1833* (Hartford, 1833), 425-27; *Statement of Facts*, 16; *Crandall v. State*, 10 Conn. 339 (Supreme Court of Errors of Connecticut, Windham, July 1834); A Member of the Bar, *Report of the Arguments of Counsel, in the Case of Prudence Crandall, Plff. in Error, vs. State of Connecticut, before the Supreme Court of Errors, at Their Session at Brooklyn, July Term, 1834* (Boston, 1834); "Miss Crandall's School Abandoned," *Liberator* (20 September 1834). See too Andrew T. Judson's *Remarks, to the Jury, on the Trial of the Case, State v. P. Crandall* (Hartford, [1833]); "Letter from Miss Crandall," 7 May 1833, *Liberator* (25 May 1833); Canterbury, "Communication," *Connecticut Courant* [Hartford] (24 June 1833) (I owe the reference to Marvis Olive Welch, *Prudence Crandall: A Biography* (Manchester, CT: Jason Publishers, 1983), 64-66); Rufus Adams and Andrew T. Judson, "Miss Crandall's Negro School," *Boston Morning Post* (31 July 1833), also in *New Hampshire Gazette* [Portsmouth] (6 August 1833); and the dueling letters, one from Rufus Adams and Andrew T. Judson, the other from Samuel May, in *The Unionist* [Brooklyn CT] (8 August 1833). For the basic story in its usual analytic frame, see Edmund Fuller, *Prudence Crandall: An Incident of Racism in Nineteenth-Century Connecticut* (Middletown, CT: Wesleyan University Press, 1971); for a revisionist assessment of the historiography, see Andrea Johnson, "An Advocate for a Lost Cause: Prudence Crandall, African American Education, and School Reform," *Connecticut History* (Fall 2013). *The Liberator* frequently reported on Crandall and her school, and she regularly advertised there for students. *The Trial of*

Back to the aggrieved citizens of Charleston, lucky enough to find a friend in high places. In December 1835, President Jackson alerted Congress to “the painful excitement produced in the south, by attempts to circulate through the mails, inflammatory appeals addressed to the passions of the slaves...calculated to stimulate them to insurrection.” The peace of the union depended on upholding the constitution’s compromises with slavery. He denounced the “misguided persons who have engaged in these unconstitutional and wicked attempts” and asked Congress to criminalize using the mail to circulate incendiary publications in the south.⁶² I don’t know how he could have thought that private parties were acting unconstitutionally. But Jackson was no constitutional sage.

The American Anti-Slavery Society indignantly rejected the president’s stance. They ridiculed the prospect of slaves receiving periodicals by mail and insisted that anyway they had never addressed a single publication to a slave. They denied having even a single agent in the South distributing their work. Instead, they revealed, they sent it to “influential citizens.” What incompetent incendiaries they must be, they scoffed, sending their plans straight to those they were allegedly conspiring against! Their opponents were having none of it. Of course “ignorant slaves” were the intended audience. Why else would the

Reuben Crandall, M. D. Charged with Publishing Seditious Libels, by Circulating the Publications of the American Anti-Slavery Society: Before the Circuit Court for the District of Columbia, Held at Washington, in April, 1836 (New York, 1836), 3. For Reuben’s identity as Prudence’s brother, see William H. Seward, *An Autobiography from 1801 to 1834* (New York, 1891), 291.

⁶² President Jackson’s Seventh Annual Message to Congress, 2 December 1835, in *The Addresses and Messages of the Presidents of the United States, to Congress* (New York, 1837), 433-34.

publications have pictures of slaves being whipped? James Birney found such ripostes absurd. Slaves saw — and endured — actual whippings all the time; would pictures goad them into violence?⁶³

Congress tried to figure out what to do. In February 1836, John C. Calhoun presented a report from a select Senate committee. The committee had decided that the first amendment prevented Congress from making it a crime to put incendiary publications into the mail. If Congress could use its power over the Post Office to decide which papers could go through the mail, that “would subject the freedom of the press, on all subjects, political, moral, and religious, completely to its will and pleasure.” But Congress was obliged “to respect the laws of the State in their exercise,” indeed “to co-operate in their execution.” (Who knew?) Each state was free to decide what counted as incendiary. The committee framed a bill forbidding deputy postmasters from knowingly mailing or delivering any publication about slavery when the addressee’s state, territory,

⁶³ “Protest of the American Anti-Slavery Society,” 26 December 1835, in *A Collection of Valuable Documents* (Boston, 1836), 46-47. The Society had declared this position even before the president’s address: “Address to the Public,” 3 September 1835, *The Declaration of Sentiments and Constitution of the Anti-Slavery Society* (New York, 1835), 10-12; see too *A Full Statement of the Reasons Which Were in Part Offered to the Committee of the Legislature of Massachusetts, on the Fourth and Eighth of March, Showing Why There Should Be No Penal Laws Enacted, and No Condemnatory Resolutions Passed by the Legislature, Respecting Abolitionists [sic] and Anti-Slavery Societies* (Boston, 1836), 8. *The South Vindicated from the Treason and Fanaticism of the Northern Abolitionists* (Philadelphia, 1836), 174-75; “Mr. Birney’s Third Letter.” See too Rep. Thomas Clingman (D-NC), *Congressional Globe* (22 January 1850), leering that Northern “abolition societies” wanted “to scatter firebrands throughout the South, to incite servile insurrections, and stimulate, by licentious pictures, our negroes to invade the persons of our white women”; with incidental variations in *Selections from the Speeches and Writings of Hon. Thomas L. Clingman, of North Carolina*, 2nd ed. (Raleigh, 1878), 252.

or district prohibited circulating such stuff. It required the Postmaster General to fire offending deputy postmasters. Those depositing these materials in the mails would have a month to reclaim them, after which they'd be "burnt or otherwise destroyed." The next month, Senator Grundy artfully deployed the shapeshifting trope of incendiary material. Southerners couldn't themselves stop the combustion of "incendiary publications." So "we ask our brethren of the North and East to persevere in their efforts in putting down the labors of these men, which must terminate, unless they are arrested, in the destruction of ourselves and families. If a man, whether madman, fanatic, or worse than either, shall be seen approaching a neighbor's house with a lighted torch to consume it, ought not all good men to arrest him and prevent the mischief?"⁶⁴

Calhoun's proposed language had been condensed by the time the Senate was ready to vote on it in June 1836, but the essential provisions remained. The measure was defeated. Cynics about constitutional law and political principle might not be surprised to learn that overwhelmingly, Northerners voted no, Southerners voted yes. But it's worth noting that both New York Senators, Silas Wright and Nathaniel Tallmadge, voted yes. Why? So-called realists might insist

⁶⁴ *Gales & Seaton's Register*, app. (4 February 1836); for a corrected version of the report, see *The Papers of John C. Calhoun*, ed. W. Edwin Hemphill, Clyde N. Wilson et al., 28 vols. (Columbia: University of South Carolina Press, 1959-2003), 13:53-67. *Congressional Globe* (8 March 1836). For a takedown of Calhoun's "wonderful invention" (8), see Cincinnatus [William Plumer], *Freedom's Defence: or A Candid Examination of Mr. Calhoun's Report on the Freedom of the Press* (Worcester, MA, 1836). Representative Hiland Hall (National Republican, VT) offered a constitutional critique promptly tabled as out of order; he published it in *Daily National Intelligencer* (8 April 1836), reprinted and misdated from 9 April (at 94) in "Hiland Hall's 'Report on Incendiary Publications': A Forgotten Nineteenth Century Defense of the Constitutional Guarantee of Freedom of the Press," ed. Richard R. John, *American Journal of Legal History* (January 1997), 109-25.

on the electoral might of New York voters appalled by the American Anti-Slavery Society. Maybe, but it's not as though New Yorkers were uniquely or even particularly indignant about abolitionist efforts. Did these two harbor sneaking sympathies with slavery? Apparently not. A few years later, Wright gave a Fourth of July speech expressing his opposition to slavery and his commitments to upholding federalism and the Constitutional settlement. A couple of years after that, Tallmadge voted to confirm the appointment of Edward Everett as minister to Great Britain: Southerners dug in against it because Everett had abolitionist credentials. I suspect the actually realistic thing to say is that the New York senators had principled commitments to a certain picture of federalism.⁶⁵

Months later, Congress wheeled about and made it a crime for postmasters to "detain...any letter, package, pamphlet, or newspaper." Offenders could be fined up to \$500 and serve up to six months in prison. No, the law wasn't vigorously enforced. Then again, Virginia promptly required its justices of the peace to burn offending publications handed over by local postmasters.⁶⁶

⁶⁵ *Gales & Seaton's Register* (6 June 1836); R. H. Gillet, *The Life and Times of Silas Wright*, 2 vols. (Albany, 1874), 2:1877-90; Matthew Mason, "The Local, National, and International Politics of Slavery: Edward Everett's Nomination as U.S. Minister to Great Britain," *Journal of the Civil War Era* (March 2016), 19.

⁶⁶ 5 Stat. 87 (1836). For more on the Congressional proceedings, see W. Sherman Savage, "Abolitionist Literature in the Mails, 1835-1836," *Journal of Negro History* (April 1928); and Savage, *Controversy*, chap. 5. An Act to Suppress the Circulation of Incendiary Publications, and for Other Purposes, *Acts of the General Assembly of Virginia, Passed at the Session of 1835-36* (Richmond, 1836), 44-45. On the federal response, see Michael Kent Curtis, "The Curious History of Attempts to Suppress Antislavery Speech, Press, and Petition in 1835-37," *Northwestern University Law Review* (1995), esp. 817-36.

Let's back up. We've seen surprising claims about nuisance, about the boundaries of free speech, and about federalism. If you publish an incendiary publication, are you undercutting the community's peaceful enjoyment of its rights? If you plead that it's free speech, are you confused? If you address it to a slave state and pop it in the mail, are you disrespecting federalism? If your state permits you to do that, is *it* violating federalism? Those who pressed claims we find surprising were not simply confused. Nuisance, free speech, and federalism all depend on intricate sets of normative views. When there's no conflict about those views, it's easy to imagine that they're all simple and straightforward. But they're not.

CODA

At the end of the Civil War, reports Du Bois, newly emancipated blacks were "consumed with desire for schools," or, as he adds, they had "a frenzy for schools," or, yet again—he hammers away at this fact on purpose, as do I—theirs was a "tremendous push toward education." Elsewhere he indicts "a broader, deeper matter of social condition," "millions of folk born of dark slaves...spawned in compulsory ignorance." Surely the linchpin of compulsory ignorance is compulsory illiteracy.⁶⁷

I'll wrap up with some vignettes from the Civil War and just after it. A Chicago newspaper ran a couple of stories from Nashville, months before Union forces finally defeated the Army of Tennessee. A woman (we're supposed to

⁶⁷ Du Bois, *Black Reconstruction*, 123, 351; W. E. Burghardt Du Bois, *Dusk of Dawn: An Essay toward an Autobiography of a Race Concept* (New York: Harcourt, Brace and Company, 1940), 9.

presume that she was white) in a bookstore approached a black man perusing Plutarch's *Lives*. Curious, she asked him if he liked such books. "'No, mam,' answered Ebony, 'for steady reading I prefers Homer's Iliad.'" Another woman (white again!) complained that she could not keep her black servants. "I hire them," she fumed, "and they work till they get \$20 or \$30, and then they leave and go to school." The reporter responded that he admired their aspirations, but "she was quite vexed that a 'n—' should want to learn to read, 'when it would never do them any good.'"⁶⁸

After the Civil War, the Freedmen's Bureau built a school for "colored children" in Athens, Georgia, home of the University of Georgia. One teacher fretted that "the N—s will soon be thundering at the gates of our Universities." (Not so soon, as it happens. Chartered in 1785, the University of Georgia didn't admit a single black student until 1961, and then only under court order.) University undergraduates resolved "that we recognize and maintain in the University a conservative and honorable tone of public opinion." The next year, two white men in town "were severely pelted with bricks," apparently "by a negro in the dark." You can imagine the escalation. Soon nearly a hundred armed black people were "threatening vengeance." "The ire of the negroes appeared to be especially bitter against" students. It took citizens, the police, and the military to quell the disturbance. The next year, a middle-aged black man was learning to read as a night student at the Freedmen's Bureau school. A professor seized his book and "severely flogged" him for his audacity. This racist contempt had nothing to do with the instrumental imperatives of holding people

⁶⁸ "From Nashville," *Chicago Tribune* (26 August 1864).

in slavery. It was about social subjugation. That too has its instrumental imperatives: a black person who can't read will have an even harder time in the workplace. But illiteracy is also a badge of servitude.⁶⁹

There are more encouraging vignettes, some from Cornell University. Founder Ezra Cornell's motto—"I would found an institution where any person can find instruction in any study"—vigorously embraces equality. "I want to have girls educated in the university as well as boys, so that they may have the same opportunity to become wise and useful to society that the boys have," Cornell wrote to his granddaughter in 1867. What about racial equality? Scant years after the university's opening, co-founder Andrew Dickson White vowed to accept black students "even if all our five hundred white students were to ask for dismissal on that account." George Washington Fields, once enslaved, earned his Cornell law degree in 1890.⁷⁰

⁶⁹ L. J. Kelley, "Missionary Work among the Freedmen," *Vermont Chronicle* (16 May 1868), also in *American Missionary* (July 1868), 153-54. *Holmes v. Danner*, 191 F. Supp. 394 (M.D. Ga. 1961); Thomas G. Dyer, *The University of Georgia: A Bicentennial History, 1785-1985* (Athens: University of Georgia Press, 1985), 10, chap. 14. "Meeting of the Students of the University of Georgia," *Southern Watchman* [Athens] (17 January 1866); "Almost a Riot," *Southern Banner* [Athens] (13 December 1867). By the time it wound its way to Atlanta, the story was that the military had dealt with "a difficulty...between the negroes and the students at the University": "Brevities," *Georgia Journal and Messenger* [Macon] (18 December 1867). Kelley, "Missionary Work." William Gregg, *Essays on Domestic Industry: or, An Enquiry into the Expediency of Establishing Cotton Manufactures in South-Carolina* (Charleston, 1845), 22, is appalled by "the thousands of poor, ignorant, degraded white people among us, who, in this land of plenty, live in comparative nakedness and starvation"; about one in five of those over twelve years old, he adds, "can neither read nor write." See too Gregg, "Manufactures in South Carolina and the South," *De Bow's Review* (August 1851).

⁷⁰ Ezra Cornell to Eunice Cornell, 17 February 1867, <https://rmc.library.cornell.edu/cornell150/exhibition/sexcolor/index.html> (last visited 20 June 2023); A. D. White to C. H. McCormick, 5 September 1874, <https://rmc.library.cornell.edu/presidents/>

The stories from Georgia are far more typical than those from Cornell. The sources overflow with an unabashed racism that in its furious virulence has spun free from any instrumental imperatives. It's not about stopping slaves from forging passes, not about keeping them from reading incendiary publications. Racism here swivels frantically between insisting that black people are inferior and taking brutal steps to try to turn them into the contemptible inferiors that they allegedly already are. Contemplate the repression—some legally mandated, some private and cavalier; some viciously sadistic, some unthinkingly cruel—that goes into producing what's supposed to be natural. Now think about the social practices that turn people into erratic and credulous fools who can't be trusted to read the Bible. Think about the social practices that turn some people into hotheads who will burn down society if they get an antislavery pamphlet into their grubby paws—and that turn others into superiors who flatter themselves that it's their august responsibility to manage the underlings by controlling what they can read.

Let me serve you a shot glass of the distilled essence of racism. Chug it. Yes, gagging is permitted. But do savor the nauseating aftertaste. It lingers for centuries. Others have continued to brew and dispense it, even if a tad more discreetly. "You might as well try to teach your horse or mule to read," offered a Southern woman at the end of the Civil War, "as to teach these n—s. They *can't* learn."⁷¹

[view image-img=28.php.html](#) (last visited 20 June 2023); Kevin M. Clermont, *The Indomitable George Washington Fields: From Slave to Attorney* (privately printed, 2013).

⁷¹ Botume, *First Days*, 4.

FIVE / SPREADING THE WORD(S): BRITAIN

I hope you're about to admire Thomas Gouge even a tenth as much as I do.

A Presbyterian, Gouge was ejected from his position as vicar in Holborn after Charles II was restored to the throne in 1660. (So were hundreds, thousands, of other Puritans, who refused to swear their "unfeigned assent and consent" to everything in the Book of Common Prayer.) Consider his battle cry of that old-time religion, the refrain of Erasmus and Tyndale over a century and a half before him: "We cry out against the Pope and popish Clergy for locking up the Scriptures in an unknown tongue from the Laity, not suffering them to have a Bible in their Mother-tongue." His wife dead, his children grown, an elderly Gouge threw himself into bringing the word of God to Wales. His work was cut out for him: not many years before, reported a contemporary, Wales "was never supplied with a learned or pious clergy; the people were generally very ignorant, and but one remove from heathens." Gouge himself admitted that "the younger and weaker sort of Christians, especially...in Wales," were "destitute of those many helps of knowledge" the English enjoyed. Local church officials were wary. "How shall we Welsh bishops look if we refuse to take part?" asked one. And it couldn't have been easy for an old man to tramp around Wales.

But the difficulty of the task only underlined its importance. Gouge preached in Wales until the authorities excommunicated him. No matter: he'd inherited money from his father and devoted most of it to his cause. He raised money from others, too. He arranged the printing of hundreds, thousands, of religious texts, not least a Welsh translation of Scripture. (Genesis begins, "Yn y dechreuad y creawdd Duw y nefoedd a'r ddaiar.") He gave away many and sold

others cheap. Paying teachers one or two pennies a week, he organized hundreds of schools where thousands of Welsh children learned to read.¹

Not everyone was delighted. “Since his travels into Wales, and the propagating of his doctrine among the ignorant of that country,” complained one observer, “Presbytery, which before had scarce taken root, has daily increased, and grown to a head.” This putative aspersion on his memory, shot back a defender, “is as false as it is insidious.” “If the growth of Dissenters in Wales be an effect of the increase of knowledge there, we can’t help that.” If Gouge’s critic thought “the best expedient...is to keep the people...ignorant,” he “has the Papists on his side, but I hope none that understand Protestant principles.”²

Some dissenting Protestants (or Dissenters, as we call those outside the Church of England) dissented, too. The students would learn to read the Bible,

¹ 14 Car. II c. 4 (1662); T[homas] G[ouge], *The Young Man’s Guide, through the Wilderness of This World to the Heavenly Canaan* (London, 1670), 231; Daniel Neal, *The History of the Puritans*, 4 vols. (London, 1732-38), 4:116; Tho[mas] Gouge, *The Principles of Christian Religion Explained to the Capacity of the Meanest* (London, 1679), “Epistle to Parents and Governours of Families,” n.p. (but compare Edmund Calamy, *The Church and the Dissenters Compar’d, as to Persecution* [London, 1719], 47-49); John Tillotson, *A Sermon Preached at the Funeral of the Reverend Mr Thomas Gouge, the 4th of Novemb. 1681* (London, 1682), 86-92; Samuel Clark, *The Lives of Sundry Eminent Persons in This Later Age* (London, 1683), 202-206; *Reliquiae Baxterianae: or, Mr. Richard Baxter’s Narrative of the Most Memorable Passages of His Life and Times*, ed. Matthew Sylvester (London, 1696), pt. 3, 147-48, 190-91; William Turner, *A Compleat History of the Most Remarkable Providences, Both of Judgment and Mercy, Which Have Hapned in This Present Age* (London, 1697), 72, 87; Edmund Calamy, *An Account of the Ministers, Lecturers, Masters and Fellows of Colleges and Schoolmasters, Who Were Ejected or Silenced after the Restoration in 1660*, 2nd ed., 2 vols. (London, 1713), 2:8-10; A. G. Matthews, *Calamy Revised: Being a Revision of Edmund Calamy’s Account of the Ministers and Others Ejected and Silenced, 1660-2* (Oxford: Clarendon Press, 1934), 229-30; *Y Bibl Cyssegr-Lan, Sef yr Hen Destament a’r Newydd* (Llundain, 1677), sig. A2 recto.

² W[illiam] Wynne, *The History of Wales* (London, 1697), 328; Calamy, *Account*, 2:9.

offered one of Gouge's fund-raising pitches—but also “to be more serviceable to their country, and to live more comfortably in the world.” Much as renowned Protestant Richard Baxter admired Gouge and his work, here he demurred. “We have grammar schools enough,” he thought. The “common people” didn't need to learn arts, sciences, foreign languages. They needed to know the ten commandments, the Lord's Prayer, the catechism. Still, Baxter was enough of a fan to urge a wealthy man to support Gouge's schools in 1681, when Baxter worried that because many of the donors had died, the schools would likely fold soon. Gouge died months later. Here and there, efforts in Wales continued. In 1719, for example, a reverend in Llandegvan endowed £50 to pay a schoolmaster to teach ten poor children.³

Some fighting to extend literacy were Protestants bent on spreading the word of God. Others had more sweeping and profane ambitions. They thought reading would help people better themselves in this world. People could make more money. They could gain a voice in politics. Better jobs and more money, becoming independent citizens instead of humble subjects, were important parts of a more fundamental story: reading would help people assume a dignified status as free and equal members of society. Indignant critics popped up in the most unlikely places. Recall the Anglican sub-rector, anxiously writing just after

³ *Whereas It Is Certified under the Hands of Very Many Mercers of the Chief Towns of North and South-Wales* (n.p., 1675); Richard Baxter, *How to Do Good to Many: or, The Publick Good is the Christians Life* (London, 1682), 16; N. H. Keeble and Geoffrey F. Nuttall, *Calendar of the Correspondence of Richard Baxter*, 2 vols. (Oxford: Clarendon Press, 1991), 2:231; Samuel Lewis, *A Topographical Dictionary of Wales*, 2nd ed., 2 vols. (London, 1840), vol. 2, s.v. *Llandegvan*. *An Humble Request to Protestants, to Promote Religion and Trade, with Directions How to Do It* (London, 1688), 14, cites Gouge as a model.

the French revolution, who found Sunday schools “ill-judged.” Literacy would “open an avenue into the minds of the multitude” and—block that metaphor—radicals would march down it and “drench with their political poison the weak and ignorant.” In 1802, the *British Critic* alerted its readers to the menace: “the factious part of the lower orders among us read with astonishing avidity the licentious writings of Paine and others.” It’s the agony of Protestant conservatives. Teach people to read the Bible, and the next thing you know, they pick up radical nonsense. But it is hard for a Protestant to meet a challenge put this way in 1867: “That a man should live and die unable to read the Bible is a state of existence for which, in a country like England, his betters will one day be called to account.”⁴

AN EXPLOSION OF READING AND READERS

Consider a tiny scattering of early instances of efforts to teach people to read. By 1715, just six years after it was chartered, the Society in Scotland for Propagating Christian Knowledge already had set up twenty-four charity schools. Some schools had “forty, fifty, sixty, seventy” students; another had over a hundred. “Servants, male and female, were quitting service for a time” to go to school; children were escaping “Popery and ignorance.” The schools needed books, paper, and money for rent; the General Assembly of the Church of Scotland was happy to recommend that churches collect money for the cause.

⁴ “Mounier on the Influence of Philosophers,” *British Critic* (May 1802), 520. See too Elizabeth Gaskell, *My Lady Ludlow* (New York, 1858), 22. Herman Biddell to the Rev. Jas. Fraser, November 1867, Commission on the Employment of Children, Young Persons, and Women in Agriculture (1867), *First Report of the Commissioners* (London, 1868), 188.

Fearless about spreading the word, these Presbyterians rejoiced that “children, who knew not a letter when they came to these schools,” could read the Bible. The next year, London charity schools were teaching illiterate adults. Individual philanthropists stepped up, too, and often not just for boys. In 1711, two sisters southeast of London endowed a school to teach boys and girls to read. In 1717, a Derbyshire man gave a local minister a generous twenty pounds a year to teach twenty children to read the Bible. In 1723, a woman left land in Greater Manchester for the education of ten boys and ten girls. In 1725, a woman bequeathed land just north of London to furnish income to build a schoolhouse and pay a teacher to teach boys and girls to read the Bible.⁵

Jump forward a century and you find many, many more readers, much, much more reading. Ten years before the Reform Bill of 1832 finally passed, Lord John Russell put the House of Commons on notice that sweeping reforms in representation were called for. Rotten boroughs were nothing new. Nor was the fact that some cities went more or less without representation. But there’d been some dramatic social changes, not least “the astonishing extent to which books are circulated throughout the country.”

A single London bookseller, Russell instructed the House, sold five million books a year. (In 1792, a bookseller had bragged that he sold one hundred

⁵ *Acts of the General Assembly of the Church of Scotland, M.DC.XXXVIII.-M.DCCC.XLII.* (Edinburgh, 1843), 504; *The Methods Used for Erecting Charity-Schools, with the Rules and Orders by Which They Are Governed; A Particular Account of the London Charity-Schools*, 15th ed. with additions (London, 1716), 30; Edward Hasted, *The History and Topographical Survey of the County of Kent*, 12 vols. (Canterbury, 1797-1801), 5:169; Daniel Lysons and Samuel Lysons, *Magna Britannia*, 6 vols. (London, 1806-1822), 5:306; *The Victoria History of the Counties of England: Lancashire*, 8 vols. (London: Constable, 1906-1914), 4:201 n. 366; Daniel Lysons, *The Environs of London*, 4 vols. (London, 1792-1796), 4:5-6.

thousand volumes a year.) In 1770, London had had just four circulating libraries; now it had a hundred, and the country had some nine hundred more. There were between 1,500 and 2,000 book clubs, distributing information on all kinds of topics. (In book clubs then, people teamed up to raise money to buy a single copy to share, sometimes by defraying the bookseller's expenses in obtaining a copy he could lend out. But they too met for discussions, like ours not always about the books. In one lampoon, the book club smokes, drinks, and gets increasingly rowdy.) Over 23m newspapers sold every year. That number was twice the kingdom's population. All kinds of schools and societies were teaching people to read and were publishing cheap editions of the Bible, of Hume, of so much more.⁶

⁶ *Parliamentary Debates* (15 April 1822); *Memoirs of the First Forty-Five Years of the Life of James Lackington*, new ed. (London, 1792), 408; Stephen Broadberry et al., *British Economic Growth, 1270-1870* (Cambridge: Cambridge University Press, 2015), 29, 31; [Charles Shillito], *The Country Book-Club: A Poem* (London, 1788). For the December 1792 rules of Cornwall's library, see Richard Polwhele, *The History of Cornwall*, 7 vols. (Falmouth, 1803-1808; reprint ed. Dorking: Kohler and Coombes, 1978), 5:100-103 n. For a bookseller balking at a book club's attempt to subscribe for an expensive volume, see *Evening Mail* (30 January–1 February 1797). Still, in 1793 William Godwin sighed, "The number of those by whom reading is neglected is exceedingly great." Godwin, *An Enquiry Concerning Political Justice*, 2 vols. (London, 1793), 1:213.

I should note scattered claims about increased reading from earlier decades. See "To the Author of the Public Ledger," *Public Ledger* (22 August 1761), reprinted as "New Fashions in Learning," in Oliver Goldsmith, *Collected Works*, ed. Arthur Friedman, 5 vols. (Oxford: Clarendon Press, 1966), 3:161-62, commenting on "the number of letters, reviews, magazines, and criticizing newspapers, that periodically come from the press; though these performances may justly give a scholar disgust, yet they serve to illuminate the nation." "There are in these kingdoms at least *eighty thousand* readers," thought the *Edinburgh Review* (July 1804), 329. That sounds terribly low, though perhaps *reader* summons up more than literacy. Compare *Edinburgh Review* (October 1807), 71: "There are now, perhaps, one million more of persons who can read and write, than there were before the revolution."

Russell was voicing the conventional wisdom. In 1810, the *Quarterly Review* noticed “the bibliomania now so prevalent.” “The ‘*Lower Orders*,’” wrote radical William Cobbet in 1818—the scare quotation marks indicate barely controlled fury at that everyday denigrating language—“read away at a famous rate.” “The people are now taught to read,” conceded the *Anti-Jacobin Review* in 1819, and “cheap publications are to be found in almost every cottage.” In 1821, *Blackwood’s* acknowledged that “the progress of education has made almost every man a reader.” The 1821 prospectus for the *Manchester Guardian*—the paper is still around, minus the *Manchester*—saluted “the great diffusion of education” and “the greatly increased interest which political subjects excite.” In 1828, the *Morning Post* hailed “the astonishing number of periodicals weekly, monthly, and quarterly, issuing from the provincial as well as the London press.” That same year a Dissenter recalled an Anglican bishop telling him twenty years before that “it was not a good thing to learn poor folks to read,” but “since then Libraries and Establishments for Education far surpassing any thing before known had sprung up around them.” In 1829, the *Quarterly Review* joined the chorus: “The multiplication of newspapers and periodical publications; the number of booksellers’ shops; and the profusion of literary institutions and circulating libraries are infallible indications of the extraordinary spread of education and learning.” I wouldn’t insist on a date or even a precise range of dates; obviously there is room for slippage between popular perceptions and the actual facts. Contemporaries and scholars have complained that these claims are

exaggerated. Still, it's prudent to think that in the early 1800s, the number of readers in Britain exploded, the amount of reading too.⁷

Some rejoiced. London's "exceedingly numerous" circulating libraries were "a blessing to mankind," volunteered an 1804 guide to the city. Artist Joseph Farington recorded a library of ten thousand volumes in Liverpool in 1808, an Athenaeum with six thousand more, other rooms for newspapers and periodicals, too. In 1810, a French traveller jotted down that all kinds of reading materials circulated in "the remotest corner of the country as regularly and abundantly as in London": discount for hyperbole and it's still remarkable. "What a change has come over the spirit of this country since the days of my youth," mused shoemaker and radical Allen Davenport in 1845. Back then there were "no public libraries for the working man," no places to learn. But now

⁷ *Quarterly Review* (August 1810), 165; "Letter to Henry Hunt, Esq.," no. 6, *Cobbett's Weekly Political Register* (26 September 1818); *Anti-Jacobin Review* (December 1819), 323; "Thoughts on the Present Political Aspect of the Times," *Blackwood's Edinburgh Magazine* (February 1821), 491; "Prospectus," *Liverpool Mercury* (4 May 1821), reprinted later in Archibald Prentice, *Historical Sketches and Personal Recollections of Manchester* (London, 1851), 205; *Morning Post* (16 October 1828); *Exeter Flying Post* (29 May 1828); *Quarterly Review* (April 1829), 494. See too Don Manuel Alvarez Espriella [Robert Southey], *Letters from England*, 3 vols. (London, 1807), 1:27; Lepus, "Readers against the Grain," no. 17, *New Times* (13 January 1825), reprinted with slightly different wording in *The Works of Charles and Mary Lamb*, ed. E. V. Lucas, 6 vols. (New York, 1913), 1:320-21; A.B. to the editor of the *Kendal Mercury*, 12 April 1838, in "The Copyright Question," *Quarterly Review* (December 1841), 225, reprinted in *The Prose Works of William Wordsworth*, ed. Jane Worthington Smyser, 3 vols. (Oxford: Clarendon Press, 1974), 3:309. For cautions, see for instance Charles Knight, *The Old Printer and the Modern Press* (London, 1854), 226-27; Knight, *Passages of a Working Life during Half a Century*, 3 vols. (London, 1864-65), 1:26; Richard D. Altick, *The English Common Reader* (Chicago: University of Chicago Press, 1957), 39-40. See too James Douglas, *The Advancement of Society in Knowledge and Religion* (Edinburgh, 1825), 334: "Education, even where it is opposed, is extending itself.... All begin to read."

“almost every city, town, and village” boasted “literary and scientific institutions, and mutual instruction societies.” When Kendal’s book club, organized back in 1761, got snooty about admitting new members, the locals organized two new clubs.⁸

Others saw nothing to celebrate. Sir Anthony Absolute warns Mrs. Malaprop, “a circulating library in a town is, as an ever-green tree, of diabolical knowledge!—It blossoms through the year!” Others’ warnings weren’t laced with facetious humor. When Presbyterians ran book clubs, a newspaper correspondent reported, “every species of seditious and fanatic pamphlet is purchased.” Not just Presbyterians, averred the *Anti-Jacobin Review*. Those “disaffected to the religious and political institutions of this country” were deliberately joining book clubs so that they could “increase the circulation of democratical and blasphemous publications.” “The produce of the book-club, and the contents of the circulating library, are devoured with indiscriminate and insatiable avidity,” fretted one observer. “Hence the mind is secretly corrupted.”

⁸ *Modern London; Being the History and Present State of the British Metropolis* (London, 1804), 441; *The Diary of Joseph Farington*, ed. Kenneth Garlick et al., 16 vols. (New Haven, CT: Yale University Press for the Paul Mellon Centre for Studies in British Art, 1978-84), 9:3351-52 (22 September 1808); Louis Simond, *Journal of a Tour and Residence in Great Britain, during the Years 1810 and 1811*, 2 vols. (Edinburgh, 1815), 1:186 (Norfolk in 18 June 1810); *The Life, and Literary Pursuits of Allen Davenport* (London, 1845), 73-74; James Smith, “Account of Kendal,” *Monthly Magazine* (March 1801), 140. Note too for instance *The First Year’s Report of the Hackney Literary and Mechanic Institution* (Hackney, 1826), 5; William Wilberforce to Samuel Wilberforce, 3 April 1829, in *Private Papers of William Wilberforce*, ed. A. M. Wilberforce (London, 1897), 250. And see Altick, *English Common Reader*, 221-22; Leonore Davidoff and Catherine Hall, *Family Fortunes: Men and Women of the English Middle Class, 1780-1850* (London: Hutchinson, 1987), 156-57. For more unabashed enthusiasm, see *Hone’s Reformist Register and Weekly Commentary* (17 February 1817); R. H., “On Education,” *Republican* (11 August 1826), 153-57.

The New Monthly Magazine echoed Russell's language six years later: "The immense number of publications which issues yearly from the press is a subject of very general astonishment." But they too found nothing to celebrate. Book societies, they complained, offered "a refuge for the destitute offspring of the muses, which receives with equal benevolence the puny, driveling duodecimo, and the unwieldy, idiotic quarto, [and] opens its gates to folly, deformity, and delirium." The societies were "most baneful institutions amidst the simple and uneducated inhabitants of remote country villages." The *Quarterly Review* suspected that "education and reading have been pushed too far among the lower classes." Then came the usual refrain. Enthusiasts for literacy had "almost totally neglected" the crucial business of imparting "moral and religious discipline." Bible study would be better "than all the volumes and lectures which are likely to be prepared for their edification." Kudos to the writer for that archly ironic *edification*, stamp of his own elegant literacy.⁹

⁹ [Richard Brinsley Sheridan], *The Rivals* (London, 1775), 12; *Public Advertiser* (26 July 1791); "Book Clubs," *Anti-Jacobin Review* (October 1798), 475 (and see W. A., "Strictures on the Dissenters," *Anti-Jacobin Review* (May 1799), 83); Thomas Gisborne, *An Enquiry into the Duties of the Female Sex*, 2nd ed. corr. (London, 1797), 217; W. E., "Country Reading Societies," *The New Monthly Magazine* (March 1828), 216-17; *Quarterly Review* (April 1829), 494-95. See too Robert Southey, *A Letter to William Smith, Esq. M.P.* (London, 1817), 34-35, reprinted with incidental variations in Southey, *Essays, Moral and Political*, 2 vols. (London, 1832), 2:25-26; compare Robert Southey to Dr. Bell, 15 February 1831, in Robert Southey and Charles Cuthbert Southey, *The Life of the Rev. Andrew Bell*, 3 vols. (London, 1844), 3:688-89; and see "Scotland: Society for the Education of the Poor in the Highlands: Extracts from the Report," *Twentieth Report of the British and Foreign School Society, to the General Meeting, May 9, 1825* (London, 1825), 63-64. On the contemporary connotations of *edification*, consider for instance Sheridan's *The School for Scandal* (Dublin, 1780), 68. For the mechanics of running a book club, see for instance *Memoirs of Lackington*, 387-88; A Country Bookseller, "Book-Clubs and Societies," *Monthly Magazine* (July 1822), 488; and see Philo, "The Cosmopolite: Country

But he had nothing on Coleridge, who devoted his literary prowess to showering these developments with scorn, even disgust. Even the title page of his *Statesman's Manual* indicated it was *Addressed to the Higher Classes of Society*. Never, he protested, would he "have addressed the present discourse to a promiscuous audience." (*Promiscuous* here means *undiscriminating*, or, perhaps better, *mixed and disorderly*. It doesn't mean having sex with many partners.) "But this cannot be!" marveled the great man; "we have now a READING PUBLIC—as strange a phrase, methinks, as ever forced a splenetic smile on the staid countenance of Meditation; and yet no fiction!" Grimly contemplating the "vast company" clutching the wares of "circulating libraries and the periodical press," Coleridge offered "a desponding sigh. From a popular philosophy and a philosophic populace, Good Sense deliver us!" I'll spare you his terrible joke about the learned pig (circus exhibition of the day) and the Reading fly (a horse-drawn coach going to that city); feel free to exploit the obvious pun. Just the cranky persona of a serene author? In a letter, Coleridge grumbled, "these are awful times." "The love of reading," he explained, has "been carried into excess."¹⁰

Character," *Mirror of Literature, Amusement, and Instruction* (20 June 1829), 424, for passing books "from house to house." See too *A Collection of State Papers, Relative to the War against France*, 11 vols. (London, 1794-1802), 2:28-29, for George III cracking down on "reading societies and circulating libraries" — in the electorate of Hanover. The *Quarterly* later changed its tune: see "Vauxhall Factory Schools," *Quarterly Review* (December 1852), 1-18. And see *The Poor Have a Right to Read the Bible* (Dublin, [1826?]).¹⁰ S[amuel] T[aylor] Coleridge, *The Statesman's Manual* (London, 1816), 45-47. OED s.v. *promiscuous*, 1b, 2. Coleridge to Thomas Poole, 28 January 1810, *Collected Letters of Samuel Taylor Coleridge*, ed. Earl Leslie Griggs, 6 vols. (Oxford: Clarendon Press, 1956-71), 3:281. Compare and contrast Percy Bysshe Shelley, *A Refutation of Deism* [1814], in

Was reading itself so bad? Or was the problem the noxious stuff that people actually read? Hannah More published the Cheap Repository Tracts, a religious and conservative “wholesome aliment” for “the inferior ranks,” to combat the “corrupt and inflammatory publications which the consequences of the French revolution have been so fatally pouring in upon us.” In a Cambridge parish, the woman who’d assembled a circulating library of those tracts would read one after Sunday school for poor children and their parents. There was a similar venture in Yorkshire. But I suspect Coleridge would have seen that response as doomed. Several years before the poet’s eruption, one of tailor and radical Francis Place’s regular customers discovered that Place had a library of some thousand volumes upstairs from his workplace. The audacity! It was “an abominable offence in a tailor.” The man didn’t only take his business elsewhere. “He took away some of the best customers I had.” Place reflected that these august clients wouldn’t have minded if he were an illiterate drunkard. But collecting books, reading them, “was putting myself on an equality with themselves.” No matter its consequences, literacy itself was a badge of dignity.¹¹

“A Village Politician” in Paisley, Scotland, marveled at a churchman’s lofty assertions that book clubs were “a nuisance which could not be tolerated” and

Shelley’s Prose or The Trumpet of a Prophecy, ed. David Lee Clark, corrected ed. (Albuquerque, NM: University of New Mexico Press, 1966), 118-19.

¹¹ *The Works of Hannah More*, 8 vols. (London, 1801), 5:vii-viii; *The Reports of the Society for Bettering the Condition and Increasing the Comforts of the Poor*, 5 vols. (London, 1798-1808), 3:170-71, 5:223-27; *The Autobiography of Francis Place (1771-1854)*, ed. Mary Thale (Cambridge: Cambridge University Press, 1972), 222-23. Decades later conservatives sounded the same plaintive tones. See for instance “Conservative Journalism,” *New Quarterly Review* (1860): “Radical poison is daily and weekly administered in excess. Is there to be no Conservative antidote?”

that “every paltry fellow” imagined he understood philosophy and theology. One thing, more than contentious enough, to charge that a maverick activist brandishing a printing press vomiting up antislavery papers has created a nuisance. Even worse to say that many, maybe even most, of the locals are creating a nuisance. Who then is the community whose peaceful enjoyment of their property or rights these readers are interfering with? (A Village Politician wrote just after William Hazlitt began his incandescent—some would say incendiary—“What Is the People?” by demanding, “And who are you that ask the question?”) They’re the local notables, the people who count. They’re entitled to meek deference, and it is an affront to their elevated status for the inferiors to be putting on airs by treating themselves to views about philosophy and theology, by thinking for themselves—by reading, or anyway by reading about such elevated subjects.

In Paisley, too, things were changing. The town’s circulating library opened in 1769. A coffee room with reading materials opened in 1784; by 1807 there were two more rooms where subscribers could read. A charity school, launched in 1804, taught poor children to read and write. What’s supposed to make these readers “paltry,” that is, as the OED has it, “despicable, base; weak, unimportant, not worthy of consideration”? *Why don’t the paltry fellows count?* What must this arrogant churchman, sorry, this humble minister lovingly tending to his flock, have believed about his own status? “I heard him, Sir,” fumed our admirable Village Politician, “with indignation, and I was still more indignant that he was not checked with merited severity.” “Those paltry fellows

are the boast of their country," he declared. They had overthrown popery and supplied "the plain good sense and useful learning" of church ministers.¹²

Those paltry fellows didn't only help themselves to views about philosophy and theology. They also organized unions for weavers. When the Village Politician denounced the churchman's words, radicals in his town—maybe he was one of them—were arming themselves to force a reform in the House of Commons. Months after his denunciation, a month after the Peterloo Massacre in Manchester, where the cavalry charged into tens of thousands listening to radical Henry Hunt, the military put down riots in Paisley. Exactly the sort of thing to reinforce the intransigent sentiments of that churchman. Unabashed, the paltry fellows opened six more reading rooms right after this outburst of violence. No one could have thought reading was politically innocent.¹³

¹² Bob Harris, "Cultural Change in Provincial Scottish Towns, c. 1700-1820," *Historical Journal* (2011), 132; William J. McKechnie, "Paisley's Early School Campus in Oakshaw," *RLHF Journal* (1996), 7; John Parkhill, *The History of Paisley* (Paisley, 1857), 155.

¹³ A Village Politician, "On the Influence of the Diffusion of Knowledge upon the Happiness of the Lower Ranks of Society," *Edinburgh Magazine, and Literary Miscellany* (February 1819), 126. Hazlitt's essay was initially published in *The Yellow Dwarf* (7 and 14 March 1818) and is reprinted in his *Political Essays* (London, 1819). Parkhill, *History of Paisley*, chap. 8; and see especially "Riotous Meeting of Reformers at Paisley," *Morning Chronicle* (17 September 1819); "Radical Reformers at Paisley," *The Times* (17 September 1819); "Riotous Proceedings of the Reformers at Paisley," *Morning Chronicle* (18 September 1819); *Morning Post* (18 September 1819). *Morning Chronicle* (13 November 1819).

INSTITUTIONS

So where were British people taught to read? We've seen schools, circulating libraries, and reading rooms, all established by local individuals, some charitable, others entrepreneurial. Those efforts continued: a Gloucestershire man donated his own money and raised more to set up a school in 1811. Poor people there had been "living in a state almost of barbarism." Now some 350 children were learning to read. Teary parents, reveals one report, thanked their benefactor—and worked hard to ensure that their children could faithfully attend school and church alike. Careful with those tears. They might be accurate social history, but they might also be part of a hackneyed script casting poor people as the passive objects of charity bestowed by their betters, not as agents with their own agendas. And don't skip the mischievous possibility that lachrymose submission is a deceptive strategy for advancing one's plans. Careful too with barbarism. Hyperbole aside, it's sensible to believe that people were grateful for new opportunities and that more people became readers.¹⁴

Sunday schools were organized to teach especially working-class children how to read, so they could read Scripture. The early attempt to run nondenominational schools sputtered to an abortive halt, but various denominations were free to open their own schools, and it was usually easy enough for families to find a suitable school. The numbers—of schools, of students, of teachers—rocketed up after 1780. We're looking at one of the most

¹⁴ *First Annual Report of the National Society, for Promoting the Education of the Poor in the Principles of the Established Church* (London, 1812), 65-66. See too *Third Annual Report of the National Society, for Promoting the Education of the Poor in the Principles of the Established Church* (London, 1815), 109.

successful social movements ever, with thousands of schools, hundreds of thousands of teachers, millions of students. Hannah More wrote some tracts about Sunday schools. In one, a farmer initially won't donate to the cause: "Of all the foolish inventions, and newfangled devices to ruin the country, that of teaching the poor to read is the very worst." But even though some girls were eagerly picking up copies of popular songs, nothing but "poison" and "vile trash," the farmer comes around.¹⁵

A flurry of technical improvements in the printing press drove down prices in the early 1800s. Sunday schools purchased millions of copies of primers. I'm not going to wring my hands about the perils of anachronism: these books are instantly recognizable. The *Salisbury Spelling-Book* offers the alphabet in different fonts; combinations of two letters; words of three letters, then four, five, six, seven, and eight; then easy sentences; and so on. The sentences are chosen for their moral content: "I must not play while all good boys are at school, or at church; but I must read my book at school, and must go to church, and pray to

¹⁵ There's a wealth of quantitative data in Thomas Walter Laqueur, *Religion and Respectability: Sunday Schools and Working Class Culture 1780-1850* (New Haven, CT: Yale University Press, 1976), esp. chap. 2; for the numbers I've adduced, see esp. 44. For two Sunday schools in Oxford in 1790, see *The Victoria History of the County of Oxford*, ed. L. F. Salzman et al., 20 vols. (London: Oxford University Press for the University of London Institute of Historical Research, 1907-2022), 8:198. See too *The Victoria History of the County of Gloucester*, ed. William Page et al., 12 vols. (London: A. Constable and Co., Ltd, 1907-2010), 10:267, 12:340; *The Victoria History of the County of Cambridgeshire and the Isle of Ely*, ed. L. F. Salzman et al., 10 vols. (London: Oxford University Press for the University of London Institute of Historical Research, 1938-2002), 9:264-65, 10:271-72; *County of Oxford*, 13:58-60, 78-79. For one contemporary origins narrative, see R[ichard] Raikes to Richard Townley, 25 November 1783, in *Leeds Intelligencer* (13 January 1784). [Hannah More], *The Sunday School* (London, [1800?]), 10, 13-14, reprinted in *Works*, 4:373, 380-82.

God to make me a good child.” Or again, emphasizing that reading is uplifting: “Dick Wild was a bad boy. He did not love to go to school, for he did not love to read his book. His book put him in mind of his bad ways, and told him that he ought to do such things as did not please so bad a boy as Dick.” The frontispiece of *Reading Made Completely Easy* rattles off couplets to teach the alphabet: “A was an Archer, / and shot at a Frog. / B was a Butcher, / and had a great Dog.” Then the student can march through letters in different fonts, “easy words of one syllable,” words of two and three syllables, and sentences including the Apostles’ Creed and the Lord’s Prayer.¹⁶

Imagine shuddering at these amiable little books, dreading the lower orders turning from Scripture to radical texts, poisoning their minds, upsetting the realm. Recall John Byng—we met him in the preface—denouncing “the general voice, that now brawls aloud in favor of Sunday schools, and on the uses of reading and writing.” Like Byng, Arthur Young—we met him there, too—thought only lunatics and radicals could embrace the Sunday schools after the

¹⁶ Robert Hoe, *A Short History of the Printing Press* (New York, 1902), 8-21, and especially Marjorie Plant, *The English Book Trade: An Economic History of the Making and Sale of Books*, 2nd ed. (London: George Allen & Unwin, 1965), chap. 13; Laqueur, *Sunday Schools*, 114; *The Salisbury Spelling-Book, for the Use of Sunday Schools*, 2nd ed. corr. and enlarged (Salisbury, 1786), 13, 20; *Reading Made Completely Easy: or, A Necessary Introduction to Reading the Bible* (London, [1780?]), n.p. For a sustained morality play, see *The Effects of Vanity: or, Mary Meanwell and Kitty Pertly, a Tale: Written for the Use of Sunday Schools* (Bath, 1799): dutiful Mary marries Ben Steady, but Kitty finds the Bible “dull and stupid” (79) and ends up “leading a life of vice, shame, and misery” (82). Compare George Robertson, *Learning’s Foundation Firmly Laid, in a Short Method of Teaching to Read English* (London, 1651); Lambrocke Thomas, *Milke for Children: or, A Plain and Easie Method Teaching to Read and Write* (London, 1654); more generally for early modern England, see David Cressy, *Literacy and the Social Order: Reading and Writing in Tudor and Stuart England* (Cambridge: Cambridge University Press, 1980), chap. 2.

French revolution. "There would be no question," he conceded, "if the Bible, or books of morality and devotion only, came into the hands of the poor." But the newly literate poor would go on to read "seditious tracts." "When you examine the question respecting the utility of these schools," he demanded, "is the mischievous industry and zeal considered, with which our republicans print, distribute, and give away cheap editions of their *institutes* of discontent, confusion, and treason?" "We are no friends to Sunday schools," announced the *Anti-Jacobin Review*; they "have been the nurseries of fanaticism."¹⁷

But the philanthropists behind these causes also earned this fulsome tribute: "By *your* propitious aid, the ignorant, friendless and forlorn, have trod the path of science, and been directed in the road that leads to everlasting peace!" It was amazing, insisted one preacher, still sanguine after the French Revolution, that any Christian could oppose Sunday schools. If you were worried about "national depravity," advised a reverend, you should love the Sunday schools, which "will inspire the love of order, and of respect for the laws." At the annual festival of the Sheffield Sunday Schools in 1836, another reverend announced that he "loved the Sunday School, and hoped the time would never come when he should cease to do so. Its object was such, that he could scarcely be a Christian who did not love it." The Sunday School Union never flinched. In 1856, it published *Lectures to Children on the Bible*, denouncing the "wicked people"

¹⁷ Arthur Young, *The Example of France a Warning to Britain*, 4th ed. (London, 1794), 167 n.; *Anti-Jacobin Review* (June 1799), 180 n.

who'd suppress the Bible and celebrating "a good man, named William Tyndale."¹⁸

Lethal politics aside, others worried about Sunday schools' fraying the ligaments of everyday deference. John Wolcot fired this fusillade:

But now 'gainst Sunday schools, alack,
The great folk turn their faces;
For fear the Poor, by learning, should
Grow wiser than their Graces.
For no great man indeed can bear
That man of low degree
Should read and write, since that poor man
May be as wise as He.

With droll irony, George Eliot captured some of the dispute. Here's Mr. Tomlinson, a "rich miller": "Give me a servant as can nayther read nor write, I say, and doesn't know the year o' the Lord as she was born in. I should like to know what good those Sunday schools have done, now.'" "Pooh!" said Mr. Luke

¹⁸ T[homas] W[arr] Brookman, *A Respectful Address, to the Patrons of Sunday Schools and Other Benevolent Institutions; In Praise of Their Philanthropy* (Bath, 1797), 2; John Liddon, *The General Religious Instruction of the Poor, the Surest Means of Promoting Universal National Happiness* (London, 1792), 7-8; Joseph Berington, *An Essay on the Depravity of the Nation, with a View to the Promotion of Sunday Schools* (Birmingham, 1788), 17, 22; "The Sunday School Festival," *Sheffield Independent, and Yorkshire and Derbyshire Advertiser* (28 May 1836); Samuel G. Green, *Lectures to Children on the Bible* (London, 1856), 36. Consider [Charles Grant], *Observations on the State of Society among the Asiatic Subjects of Great-Britain, Particularly with Respect to Morals; and on the Means of Improving It: Written Chiefly in the Year 1792* (n.p., 1797), 191-95 n., reproduced with trifling variations in *Report from the Select Committee on the Affairs of the East India Company... Communicated from the Commons to the Lords, 21st June 1833* (London, 1853), appendix 1, 76-78 n. †.

Byles, who piqued himself on his reading, and was in the habit of asking casual acquaintances if they knew anything of Hobbes; 'it is right enough that the lower orders should be instructed.'"¹⁹

Worries surfaced about what Sunday schools were and weren't teaching—indeed, whether they were teaching at all. In 1843, a parliamentary committee reported the lackluster accomplishments of some Sunday school students in Derbyshire. After three years, one couldn't say the alphabet. After four or five, another couldn't spell *horse* or *cow*. After five, a third couldn't "tell what *d o g* spells—he says *gun*." One can acknowledge the limits of Sunday schools and still recognize that they taught armies of British children to read. And one can confidently endorse the premonitions of conservative critics. Children taught to read the Bible could go on to read all kinds of other texts, even the noxious likes of Tom Paine, and often they did. Is it a good or bad thing that people can read whatever they like? Or, in a more jaundiced vein: which is worse, illiteracy or unsupervised reading? One journalist saluted the Sunday school teachers, who were "creating THOUGHT amongst the hitherto unthinking masses." "If there is to be any hero-worship, let it be paid to those patient, unregarded, unrewarded, unknown, often much despised workers in the overcrowded, stifling garret, or the dark underground school-room." This rhapsody wasn't quite that of a devout Christian. "With the single undeviating purpose of promoting the eternal

¹⁹ "Orson and Ellen," in John Wolcot, *The Works of Peter Pindar*, 4 vols. (London, 1797-1806), 4:252; "Scenes of Clerical Life," no. 3, *Blackwood's Edinburgh Magazine* (July 1857), 56, with trifling variations in George Eliot, *Scenes of Clerical Life*, 2 vols. (Edinburgh, 1858), 2:49-50.

welfare of their students," he continued, Sunday school teachers "were preparing them for the fit discharge of their social and political duties."²⁰

Mechanics' Institutes were launched in the 1820s with the usual stirring rhetoric: "this astonishing period" would now "witness the first application, in a complete form, of a vast arrangement, for giving effective accommodation to measures, which are destined to fertilize a wilderness of intellect." Libraries for apprentices and mechanics were springing up "in small and obscure villages." Chemist and chief organizer George Birkbeck was already offering free lectures on "the Mechanical Affections of solid and fluid Bodies" in Glasgow in 1800. Prominent Whig Henry Brougham threw his weight behind the institutes, which featured lectures and readings on science and engineering. These institutes dreamed big: Liverpool's planned a lecture hall big enough to seat 1,200. Too big? They actually built one that would have seated 2,000, but it burned down just before it was supposed to open. No matter; they'd insured it. The new building was open by 1841, with "not less than 7,000 persons having frequently been in the building at one time." These workers knew what they were doing. All the donors to Glasgow's institute were Glasgow mechanics. It was, commented a newspaper, "a truly gratifying and glorious spectacle to see those characters who have been described as the 'swinish multitude,' 'the common herd,' 'the vulgar rabble,' associating themselves together for a purpose so

²⁰ Children's Employment Commission, *Second Report of the Commissioners: Trades and Manufacturers* (London, 1843), 153; Prentice, *Historical Sketches*, 116. Compare Robert Lucas, *Three Sermons, on the Subject of Sunday Schools* (London, 1787), 16.

sublime as the acquisition and promotion of scientific knowledge." We'll return to the swinish multitude.²¹

Reading loomed large in the institutes' operation. "Reading, regular and constant reading, is absolutely necessary to make the student an adept in that art or science which is the particular aim of his studies." Manchester's institute taught boys and girls to read, but the focus on technical education for adults was typical. The rules for the libraries of Hull's Mechanics' Institute included this one: "no plays, novels, romances, controversial divinity, or politics, shall be admitted." Oh, and this one: books that "shall be discovered to have an immoral tendency" could be withdrawn. "No persons can question the utility of our lectures," bragged Liverpool's institute, proudly reporting audiences happily absorbed in presentations on the steam engine, the telescope, and other scientific subjects. "Attractive lectures" on acoustics, electro-magnetism, optics, and meteorology drew throngs and earned "the very marked attention of the

²¹ *London Mechanics' Institution: The Eloquent Speeches of Dr. Birkbeck, and Mr. Brougham, at the Opening of the New Lecture Room, Southampton Buildings, on Friday, the 8th of July, 1825* (London, 1825), 3, 12; George Birkbeck, *A Short Prospectus of the Philosophical and Chemical Lectures, to Be Delivered in Anderson's Institution, Glasgow* (Glasgow, 1800), 14 (italics removed); David Burns, *Mechanics' Institutions: Their Objects and Tendency* (Glasgow, 1837), 11-16; *Printing Machine* (25 April 1835), 278; "Mechanics' Institute," *Liverpool Mercury, and Lancashire General Advertiser* (24 July 1835); "Destruction of the Liverpool Mechanics' Institute," *Examiner* (9 April 1837); "The Liverpool Mechanics' Institute," *Bangor Daily Whig & Courier* [ME] (20 November 1841); "Liverpool Mechanics' Institute," *Yorkshire Herald and the York Herald* (16 April 1842); "The Exhibition at the Liverpool Mechanic's Institute," *Leicester Chronicle: or, Commercial and Agricultural Advertiser* (13 August 1842); "Glasgow and London Mechanics' Institutions," *Mechanic's Magazine* (29 November 1823), 213, reprinting a story from the *Glasgow Free Press* which seems not to have survived. J. F. C. Harrison, *Learning and Living 1790-1960: A Study in the History of the English Adult Education Movement* (London: Routledge and Kegan Paul, 1961), chap. 2 is a good overview.

auditors,” or so Manchester’s institute preened themselves. A speaker at Barnstaple’s institute derided those “silly enough to impute to us radical opinions.” “On your part and on my own,” he pledged, “I disclaim the introduction of politics in the discussions of our Institution.”²²

The technical focus wasn’t unrelenting. Liverpool’s library included copies of *Robinson Crusoe* and dozens of volumes of *British Essayists*, featuring the likes of Addison and Steele. Darlington’s offered *Crusoe*, Cowper’s poetry, and Clarendon’s *History of the Rebellion*. Glasgow’s had volumes of art and literature, also “the valuable periodicals of the day.” Leicester’s offered thirty-four different periodicals. (Organizers of that institute had defeated a motion to ban “books of controversial divinity or of party politics.”) Hull’s institute hosted a lecture on

²² “Plan of the Work,” *Glasgow Mechanics’ Magazine* (3 January 1824), 2; *Sketches of the Objects and Advantages of the Manchester Mechanics’ Institution*, in *Address of Lord Brougham to the Members of the Manchester Mechanics’ Institution, on Tuesday the 21st July, 1835: with A Report of the Proceedings of the General Meeting Then Held* (Manchester, 1835), 32 (so too in “Manchester,” *Quarterly Journal of Education* (April 1835), 378; similarly, *Rules for the Management of the Literary and Scientific Mechanics’ Institute, Established in Hull, June 1, 1825* ([Hull, 1825?]), 9, 11; “The London Mechanics’ Institute,” *Mechanics’ Magazine* (25 October 1823), 130). *Rules and Orders of the Derby Mechanics’ Institution, for the Promotion of Useful Knowledge among the Working Classes: Established April 11, 1825* (Derby, [1825?]), 11; *Rules of the Bradford Mechanics’ Institute, Established February 21st, 1825* (Bradford, 1825), 9; “Louth Mechanics’ Institute,” *Lincoln, Rutland, and Stamford Mercury* (1 May 1835); “Colchester Mechanics’ Institute,” *Essex Standard* (9 December 1836); “Evesham, Dec. 26,” *Berrow’s Worcester Journal* (28 December 1837)); *Report and Proceedings of the Liverpool Mechanics’ School of Arts, at the Half Yearly Meeting of the Members... March 11, 1828* (Liverpool, 1828), 6-7; *Address of Lord Brougham*, 6; Thomas Mortimer, *An Introductory Lecture, Delivered at the First Meeting of the Barnstaple Mechanics’ Institute, November 4th, 1830* (Barnstaple, 1830), 11. For more on the predecessors and beginnings of these institutes, see Thomas Kelly, “The Origin of Mechanics’ Institutes,” *British Journal of Educational Studies* (November 1952); Mabel Tylecote, *The Mechanics’ Institutes of Lancashire and Yorkshire before 1851* (Manchester: University of Manchester Press, 1957), chap. 1.

poetry, focusing on *Paradise Lost*. Colchester's institute had a flap over whether "lectures on representative government and religious persecution" violated their "rule prohibiting party politics and controversial divinity." But these instances were emphatically not business as usual. Quaint typography aside, countless pages of the *Mechanics' Magazine* look like they're torn from today's math and science textbooks.²³

The institutes' technical focus limited their appeal. Leeds' institute, conceded one champion of popular reading, hadn't attracted much interest. "How insensible have the operatives of our community proved to the attractions of science!" So that institute relaxed its focus and introduced "works of a popular and interesting kind" — and then Leeds' new Literary Institution, promising ready access to all kinds of periodicals, instantly attracted several hundred subscribers. Inviting or repellent, the technical focus was also controversial. In its inaugural issue, a radical journal called for the institutes to be open "for the free discussion of the more useful parts of matters of politics and religion." Only doing that, they insisted, would give the mechanic "an equality with all other persons." A mere technical education would make him "a more useful slave." They instantly added that women ought to participate on equal terms. In fact, women joined Maidstone's institute and comprised almost half the audience at

²³ *Report and Proceedings of the Liverpool Mechanics' School*, 20, 24; *The First Report of the Mechanics' Institution, of Darlington and Its Vicinity: Established 13th May, 1825* (Darlington, 1826), 15, 12; Burns, *Institutions*, 20; *Printing Machine* (7 March 1835), 155; "Leicester Mechanics' Institute: Public Meeting," *Leicester Chronicle* (4 January 1834); *Printing Machine* (13 December 1834), 244; "Colchester Mechanics' Institute," *Essex Standard* (12 January 1838). See too Francis Place to Henry Jackson, 30 October 1825, Papers, Printed and Ms., Relating to Schools, Mechanics' Institutions, Etc., British Library, Add. Mss. 27824, ff. 131-32.

lectures. Westminster's institute apparently didn't admit women as members, but did permit "female relations and friends of members" to attend lectures and use the library for a nominal fee. Westminster's was a Literary, Scientific, and Mechanics' Institution. Birkbeck chaired the organizational meeting, and the reading rooms were to be "supplied with daily papers, periodicals, reviews, magazines, &c."²⁴

Conservatives worried about the technical focus, too, and their lament sounds similar. Mechanics, thought *Blackwood's Edinburgh Magazine*, needed "moral education" and needed to read "religious books." But *Blackwood's* would have insisted that mechanics learn lessons in dutiful deference. Indeed, at a meeting considering establishing a mechanics' institute in Rotherhithe, one speaker denounced the institutes for making workers insubordinate and unfit for their jobs; Birkbeck himself rose to silence hecklers. Then again, in 1829 Manchester's institute hosted a lecture urging them to include women and teach

²⁴ James Williamson, *On the Diffusion of Knowledge amongst the Middle Classes: Introductory Discourse, Delivered at the Opening of the Leeds Literary Institution, May 9th, 1834* (London, 1835), 25-26, 30-31, 1; "Politics," *Lion* (4 January 1828), 2; *The Third Annual Report of the Maidstone Mechanics' Institution* ([Maidstone, 1839]), 7, 4; *Rules and Orders of the City of Westminster Literary, Scientific and Mechanics' Institution, Founded April 19, 1837* ([London?, 1837]), 12; *Public Meeting to Be Held at the British Coffee House, Cockspur Street, on Wednesday Evening, April 19, 1837* (n.p., n.d.). In 1839, the Society for the Diffusion of Useful Knowledge lamented that "in Mechanics' Institutions, women, if not excluded, have at least been wholly lost sight of": *A Manual for Mechanics' Institutions* (London, 1839), 143. For more on how the institutes struggled with their initial mission and how they regrouped, see Tylecote, *Institutes*, chaps. 5-6. For ambivalence on how the Leeds Institute's transformation made it more popular, see James Hole, "Light, More Light!" *On the Present State of Education among the Working Classes of Leeds, and How It Can Best Be Improved* (London, 1860), 56-57. "Wife, sister, or daughter, will certainly go with us to the lecture-room" of a Mechanics' Institution, claimed "The Working Men's Club and Institute Union," *London Review* (26 May 1863).

morals and politics. In 1826, London's institute hosted extensive lectures on political economy.²⁵

In 1836, a lecturer at Leicester's institute asserted that the clergy no longer opposed popular education. "All seem now to admit that it is not the being able to read, but what is read that is or may be detrimental or useful." That's exaggerated, but it's not hallucinated. At its 1833 opening, a reverend had indeed embraced the Sheffield Mechanics' Institution. It would help deliver on the Christian commandment to "free the mind from ignorance, as well as to purge the heart from sin." In 1844, another reverend was even more enthusiastic: "the Mechanics' Institute cannot be too greatly praised nor too strongly recommended." But others doubted that reading and education would purge the heart. In 1825, the archbishop of Dublin warned that "overeducating will make the people uneasy and unmanageable." *Blackwood's* unveiled the grim truth in 1827: "As education has increased amidst the people, infidelity, vice, and crime have increased." More extravagant yet, Cobbett brandished "undeniable facts" in 1833: twenty times as many people were now "heddekated" (his routine sneer for the sort of thing on offer) as had been three decades before, and crimes had increased by a factor of nearly twenty, too. You could issue the standard precaution about correlation and causation, but it would be easier to wonder

²⁵ "Brougham on the Education of the People," *Blackwood's Edinburgh Magazine* (May 1825), 544; see too *Essex Standard* (14 September 1838); Hugh Miller, *First Impressions of England and Its People* (London, 1847), 47. John Penford Thomas, *Reports of Two Speeches against the Establishment of Mechanics' Institutions at Rotherhithe & Southwark* (London, 1829), 3; R[owland] Detroisier, *An Address Delivered at the New Mechanics' Institution, Pool-Street, Manchester, on...December 30, 1829* (Manchester, [1829]), esp. 14; Thomas Hodgskin, *Popular Political Economy: Four Lectures Delivered at the London Mechanics' Institution* (London, 1827): see preface, n.p., for the date of the actual lectures.

about those undeniable facts. In 1835, *Wheeler's Chronicle* suggested that if a "young mechanic" could take out Fielding or Smollett from his institute, he'd dislike more arduous readings; Sunday schools would be better.²⁶

Here's Allen Davenport in 1832: "It may be truly said now that *the schoolmaster is abroad*, and that intellect is on the march." These had become the popular catchphrases of another of tireless Brougham's projects, the Society for the Diffusion of Useful Knowledge (SDUK). Davenport's hopes for radical reform were high, his language ecstatic. Corruption, he urged, "will be swept away, and a new era will arise; a new sun, the glorious sun of truth, shall appear, and enlighten the world; and justice shall reign on earth as it reigns in heaven!"²⁷

Brougham called for "the scientific education of the people" in 1824. He declared "that the people themselves must be the great agents in accomplishing the work of their own education." They needed only cheap publications. Publish texts in installments; use circulating libraries and book clubs; drive down prices; reach countless more readers. Omitting political topics was gravely mistaken.

²⁶ Rev. Thomas Allin, *Mechanics' Institutions, and the Universal Diffusion of General Knowledge Defended on Christian Principles: A Lecture Delivered on the Fourteenth and Twenty-Second of January, 1833, on the Opening of the Sheffield Mechanics' Institution*, 2nd ed. (London, 1833), 12; Rev. Richard Winter Hamilton, *The Institutions of Popular Education* (London, 1845), 71 (see Dedication, n.p., for the date); "Mechanics' Institutions," *Mechanics' Magazine* (19 November 1825), 76 (for further identification of the archbishop, *DNB* s.v. Magee, William (1766-1831)); "The Faction," *Blackwood's Edinburgh Magazine* (October 1827), 427; "Education and 'Heddekashun,'" Cobbett to Lord Althorp, 1 December 1833, in *Cobbett's Weekly Political Register* (7 December 1833), 588, recycled in *Cobbett's Weekly Political Register* (9 May 1835), 360. See too "Mr. Chalmers and the Mechanics Magazine" and Thomas Chalmers to Mr. Evans, 3 June 1830, *Mechanics' Magazine* (12 June 1830), 255-56; "State of Education in Manchester," *Wheeler's Chronicle* (15 August 1835), Manchester Historical Society, ms. 52.

²⁷ Allen Davenport, "A View of Society," *The Isis* (21 April 1832).

“Why then may not every topic of politics, party as well as general, be treated of in these cheap publications?” he demanded. Revising and reprinting the piece the next year, he warned the “upper classes of society...that the question is no longer whether or not the people shall be instructed.” The only question was “whether they shall be well or ill taught.” Decidedly unamused, *Blackwood’s* reminded the reader that Brougham and his allies had “liberated the working classes from surveillance and control.” (Workers would have been surprised to learn it.) Warned *Blackwood’s*, “whenever the lower orders of any great state have obtained a smattering of knowledge, they have generally used it to produce national ruin.” A Country Gentleman was aghast at Brougham’s idiocy. “We are to have our pots and pans mended, our clothes made, our fields ploughed, and our streets macadamized, by philosophers! Thrice happy nation, to enjoy blessings such as these!” No matter: the SDUK took off in 1826. A flood of publications followed: among them, a *Penny Cyclopaedia*, a *Penny Magazine*, a *Library of Useful Knowledge*, a *Library of Entertaining Knowledge*, too, each in many volumes. Printer Charles Knight ran many of these ventures at his own risk. Newspapers marveled at the prodigious numbers in the print shop he employed: 160 compositors, 15 regular presses and 5 “hydraulic presses of 260 tons power each,” 2,000 reams of paper printed every week, plates worth £400,000, and more.²⁸

²⁸ “Scientific Education of the People,” *Edinburgh Review* (October 1824), 98, 101; H[enry] Brougham, *Practical Observations upon the Education of the People, Addressed to the Working Classes and Their Employers* (London, 1825), 32; for Brougham’s commitment to teaching ordinary people political philosophy, see too his *Political Philosophy* (London, 1842), esp. 14-15. “Brougham on the Education of the People,” *Blackwood’s Edinburgh Magazine* (May 1825), 534 (and see too John Philips Potter, *A Letter to John Hughes* (London, 1828),

But the Society never fulfilled Brougham's call for the wide circulation of political texts. A while ago, I bought scattered copies of the *Penny Magazine*: they're still cheap today, and if that testifies to low demand, it also testifies to still high supply. Leaf through them and you find lots of stuff more or less suitable for mechanics' institutes: a piece on the orangutan; a long account of the Manchester and Liverpool Railroad, the prose chugging along with physics, engineering, and statistics; an enquiry into how bats, green frogs, and cattle sense coming changes in the weather. A piece on the post office mentions the French Revolution, but only to reveal what annual revenues then were; and you've got to wonder about the reader who is terribly eager to learn the London office's dimensions or the kind of stone on the exterior. Often the magazine testifies inadvertently to a conception of literacy as refinement, as being conversant in the ways of the prosperous. A long piece on the Lago Maggiore ruefully apologizes for its accompanying engravings: "We hope such pictures as these will not be considered idle or misplaced. Many thousands of the readers of the 'Penny Magazine' may not be enabled to cross the Alps." "The essays for the Diffusion Society are too learned," worried Maria Edgeworth, "not popularly written."²⁹

51); A Country Gentleman, *The Consequences of a Scientific Education to the Working Classes of This Country Pointed Out; and The Theories of Mr. Brougham on That Subject Confuted* (London, 1826), 44, and compare Hannah More to [William] Wilberforce, 1823, in William Roberts, *Memoirs of the Life and Correspondence of Mrs. Hannah More*, 2nd ed., 4 vols. (London, 1834), 4:210-14; Knight, *Passages*, 2:55, 163, 181, 331; "Knowledge Manufactory," *Liverpool Mercury* (8 August 1834), reprinted for instance in *Hereford Times* (16 August 1834), *Sheffield Independent*, and *Yorkshire and Derbyshire Advertiser* (16 August 1834), and *Derby Mercury* (20 August 1834).

²⁹ "The Orang-Outang," *Penny Magazine of the Society for the Diffusion of Useful Knowledge* (27 April 1833), 156-59; "The Manchester and Liverpool Rail-Road," *Penny Magazine* (31 March—30 April 1833), 161-68; "On the Pre-Sensation Which Animals Have of Changes

Critics pounced. Were these abundant publications any good for the workers they aimed to serve? “A series of treatises, pretending to be for their use, of a more preposterous description, can hardly be conceived,” snapped the *Westminster Review*. “What, for example, could be expected from a treatise on dynamics being read by one of the poor laborers of Kent, who clamorously demanded a rise of wages?” Looking back several decades later, Harriet Martineau, who often turned social theory into fiction, branded the enterprise “a failure.” Brougham had promised to feature moral and political philosophy. He hadn’t delivered. Indeed in 1846, the SDUK’s model rules for mechanics’ institutes repeated the familiar rule many institutes adopted for their libraries: “Books of religious controversy or party politics shall be excluded.” Annoyed Westminster radicals organized a Society for the Diffusion of Really Useful Knowledge, which promised to support “*really* useful, because political knowledge,” and so subscribed to the likes of the *Poor Man’s Guardian* and the *Antichrist*. (The *Antichrist* was a series of weekly lectures, published first separately, then as a book. “Men now *read*,” crowed the author. “Education is profusely lavishing her treasures of knowledge upon our crowded population.” No wonder people had realized “that the clergy talk nonsense.”) The *Destructive* promptly offered their assistance. The *Poor Man’s Guardian* itself denounced Brougham’s “odious hypocrisy” in cracking down on radical publications in enforcing the stamp duty. There was even friendly fire from other Brougham

in the Weather,” *Penny Magazine* (2 July 1836), 263-64; “The History and Present State of the Post-Office,” *Penny Magazine* (31 December 1833—31 January 1834); “The Lago Maggiore,” *Penny Magazine* (19 December 1835); Maria Edgeworth to Mr. Bannatyne, 4 December 1827, in Frances Anne Edgeworth, *A Memoir of Maria Edgeworth*, ed. by her children, 3 vols. (London, 1867), 2:300.

forces. In 1832, members of Birmingham's Mechanics' Institute held three debates on whether the Society ought to be supplying political texts.³⁰

Admire this delicious spoof frontispiece for the *Penny Magazine*, a lithograph offered by one G. Davies:

³⁰ "Useful Knowledge," *Westminster Review* (April 1831), 372; "Lord Brougham," in Harriet Martineau, *Biographical Sketches* (London, 1869), 159-60; *Manual for Mechanics' Institutions*, 161; "Useful Knowledge!!" *The Gauntlet; A Sound Republican Weekly Newspaper* (31 March 1833), 125-26; Rev. J[ames] E[lashama] Smith, *The Antichrist, or, Christianity Reformed* (London, [1833]), 62-36; *Gauntlet* (2 June 1833), 263; "New Society in Westminster for the Diffusion of Really Useful Knowledge," *The "Destructive," and Poor Man's Conservative* (16 February 1833), 23; "Society for the Diffusion of Useful Knowledge," *Poor Man's Guardian* (31 March 1832), 334. *Mechanics' Institution* (printed by William Hodgetts, [1832]): this sheet reprints a story from the *Birmingham Journal* (30 June 1832), an issue which seems not to have survived; see too *Morning Chronicle* (25 August, 4 and 15 September 1832). Note "Monday, March 11," *The "Destructive"* (16 March 1833), 50, contrasting Westminster's venture to the "Society for sham Useful Knowledge." And see the opening of the first issue of *The Schoolmaster, and Edinburgh Weekly Magazine* (4 August 1832). James Elashama ("Shepherd") Smith was one of the writers for the *Penny Satirist*: DNB s.v. Smith, James Elishama. For the publication of *The Antichrist* as a weekly, see "To Correspondents," *Gauntlet* (10 March 1833), 72. On "teaching politics to low mechanics and manufacturers, or encouraging the study of it among persons with whom it could be of no service to their country," see Joseph Priestley, *An Essay on a Course of Liberal Education for Civil and Active Life* ([London], 1765) (the quotation is at 34).

FRONTISPIECE FOR THE PENNY MAGAZINE

Of the Society for the Diffusion of Useful Knowledge.

VOL I

THE MARCH OF INTELLECT



Astronomy.



Diffusing Knowledge.



Geography, also the Use of the Globes.



Natural History.



PRO GREGE LEGE REGE



Navigation.



Botany.



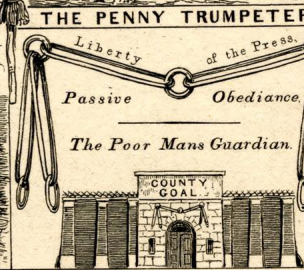
THE PENNY TRUMPETER.



Agriculture.



Mathematics.



Liberty of the Press.
Passive Obedience.
The Poor Mans Guardian.



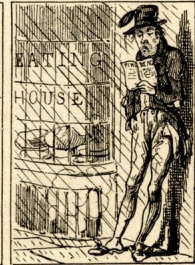
Mineralogy.



Geology, or the Formation of the Earth.



Divinity.



Philosophy.



Physics.



Literature!

J. Grant Invent. C. Davies Lithog.

London Editors 76 St Pauls Church Yard

Take Notice. All other Frontispieces are illegal

The readers, some looking pretty disreputable, are absorbed in mineralogy, mathematics, geology, botany, and other such elevated topics of the *Penny Magazine*. The hair and dress of the man on the right reading about geography stamp him as genteel, but those dispensing and devouring the mathematics lesson are pigs. Down the middle is the repeated figure of Brougham. First his grinning face is atop the rod of equity. That's an abbreviated form of the rod of equity and mercy, the scepter used in England's coronation ceremony. In the background is God instructing his Son that a scepter of righteousness marks his authority over his kingdom (Hebrews 1:8). Brougham's realm is demarcated here by the banner proclaiming The March of Intellect. Next comes a pun: Brougham is on a broom, looking weirdly like the Wicked Witch of the West, scattering (littering?) papers under the caption Diffusing Knowledge. The woolsack marks Brougham's ascension to Lord Chancellor; this time the man has been reduced to the broom. The Latin motto means "for the people, the law, the king." That sounds benign enough, and maybe it is: when Brougham became a baron (just after taking the woolsack), the motto on his coat of arms was "Pro Rege, Lege, Grege": "for the king, the law, the people." It rhymes nicely. But maybe there is more to it, at least in the hands of this Frontispiece's designer. Latin *grex* is more than faintly pejorative: it's originally *herd*, and the designer has made it first in the motto. (*Grege* is the singular ablative form of *grex*.) Keep that, and the pigs, in mind. From this perspective, the motto suggests that Brougham too has a demeaning view of the people. Next he appears as the penny trumpeter. This bit condenses a lovely lithograph by Charles Jameson Grant:

*Entertaining Knowledge here — Trump Trump Trumpery
 Trump — Just printed and published the Penny Magazine,
 All works not issued by the Society for the Diffusion
 of Useful Knowledge are Illegal: — Orders now ta-
 ken for the forthcoming New Penny Cyclopædia, Trump Trump...*



C. J. Grant

THE PENNY TRUMPETER!

London. Pub^d by Tregear 723 Cheapside Sept^r 20th 1832

Here Brougham is a ridiculously overgrown newsboy hawking his wares, including materials for “the Penny Cyclopaedia to commence in 1833 & to end the Devil knows when.” If you flinched at the anachronism of my Wicked Witch reference, you can keep a straight face at the Trump Trump Trumpery Trump caption, exposing his wares as glitzy trash. (I suspect the print here is picking up language from a sharp parliamentary exchange.) “All works not issued by the Society for Diffusion of Useful Knowledge are illegal,” adds the caption—just as the bottom right of the first piece warns, “Take Notice All Other Frontispieces Are Illegal.”

And just as the penny trumpeter’s bag in the other print is marked MONOPOLY. Brougham’s critics reviled his willingness to crack down on radical publications. That’s why a banner emblazoned “Liberty of the Press” hovers over “Passive Obediance,” a very old tagline that had come to stand for lowly subjects’ duty to submit, come what may, to authority; over the radical *Poor Man’s Guardian*; and over the County Goal (a variant of the usual spelling, Gaol). Readers could slurp up Brougham’s brummagem idiocies or they could wander astray and risk prison. These references are playing on the infamous “taxes on knowledge,” as radicals christened them. Back in 1711, Parliament imposed taxes “upon all Books and Papers commonly called Pamphlets and...upon all News Papers.” Tax evasion is nothing new: in 1743, Parliament noted the sale of newspapers and pamphlets “not duly stamped according to law” and imposed a sentence of up to three months in a house of correction and offered a reward to private parties hauling offenders before a justice of the peace. They bumped up the rates in 1757, again in 1776, again in 1789, again in 1797, again in 1804, again

in 1815. That 1815 act also imposed the death penalty on those using a forged stamp. In 1819, after Peterloo, the government expanded the coverage of these laws to crack down on the radical press. (A couple of radical papers tried to evade the law by printing on calico and plywood instead of on paper.) In the debate, Lord Ellenborough opined that “he saw no possible good to be derived to the country from having statesmen at the loom and politicians at the spinning jenny.” A critic growled in 1836 that church and state alike had “been in league against” education. Radical papers were often “unstamped” — the *Poor Man’s Guardian’s* banner title proudly claimed it was “PUBLISHED, CONTRARY TO ‘LAW’” — and their publishers dared the authorities to prosecute them. The authorities often did just that. Henry Hetherington, who operated the *Poor Man’s Guardian*, was no stranger to prison. But once he was acquitted on the ground that the paper’s size made it a pamphlet, not a newspaper. (The banner title promptly changed to note the acquittal — and claimed that hundreds had been jailed for selling the paper.) Perhaps that victory punctured the paper’s appeal: it folded a year and some after the trial.³¹

³¹ Frontispiece for the Penny Magazine of the Society for the Diffusion of Useful Knowledge (1832-1835), BMC no. 17285, British Museum 1868,0808.9327, at https://www.britishmuseum.org/collection/object/P_1868-0808-9327 (last visited 8 March 2024); *Debrett’s Genealogical Peerage of Great Britain and Ireland*, rev. and corr. by Henry Collen (London, 1847), 105; The Penny Trumpeter (20 September 1832), BMC no. 17258, British Museum 1868,0808.9445, at https://www.britishmuseum.org/collection/object/P_1868-0808-9445 (last visited 8 March 2024). Another version of the Frontispiece, British Museum 1868,0808.9328, at https://www.britishmuseum.org/collection/object/P_1868-0808-9328 (last visited 12 March 2024), uses the more familiar spelling *Gaol*. The British Museum dates the Frontispiece 1830-1835, but the Penny Magazine launched in 1832, and that’s when the Penny Trumpeter came out. For the parliamentary exchange between E[dward] L[ytton] Bulwer and [Matthew Davenport] Hill, see *Mirror of Parliament* (22 May 1834). I suppose it is possible that Bulwer got the idea to denounce

The Society for the Diffusion of Useful Knowledge was deluged with leers, jeers, sneers. It should offer a prize for the best piece on “The Influence of Transcendental Metaphysics on the Growth of Cabbages,” quipped an American. The Society’s very name was an invitation for comic abuse: it was the Society for the Effusion of Useless Knowledge, the Society for the Diffusion of General

the *Penny Magazine* as trumpery from the print, but that seems farfetched. Thanks to Bruce Frier for translating the Latin motto. On Grant’s work, see Matthew Crowther, *C. J. Grant’s Political Drama: Radicalism and Graphic Satire in the Age of Reform* (n.p.: privately printed, [2020]), useful even though the reproductions are in black and white and some of Grant’s text is too blurry to be legible. Also amusing is “Lord Brougham’s Pamphlet; in Twelve Drops,” *Punch* (July-December 1848), 171. On the political vicissitudes of education in these decades, Harold Silver, *English Education and the Radicals 1780-1850* (London: Routledge & Kegan Paul, 1975), remains helpful. 10 Anne c. 18, s. 113 (1711); 16 Geo. II c. 26, s. 5 (1743); 30 Geo. II c. 19, s. 1 (1757); 16 Geo. III c. 34, s. 7 (1776); 29 Geo. III c. 50, s. 1 (1789); 37 Geo. III c. 90, ss. 2, 3 (1797); 44 Geo. III c. 98, sch. C (1804); 55 Geo. III c. 185, sch., s. 6 (1815); 60 Geo. III and 1 Geo. IV c. 9 (1819); Stanley Harrison, *Poor Men’s Guardians: A Record of the Struggles for a Democratic Newspaper Press, 1763-1973* (London: Lawrence and Wishart, 1974), 91; *Hansard* (29 December 1819); I owe the reference to Lord Ellenborough to David Vincent, *Literacy and Popular Culture: England 1750-1914* (Cambridge: Cambridge University Press, 1989), 23. The death penalty has the usual *scienter* requirement. John Crawford, *Taxes on Knowledge: A Financial and Historical View of the Taxes Which Impede the Education of the People* (London, 1836), 3, 38, 38 n. *; Joss Marsh, *Word Crimes: Blasphemy, Culture, and Literature in Nineteenth-Century England* (Chicago: University of Chicago Press, 1998), 80-83; and especially Patricia Hollis’s “Introduction” to *The Poor Man’s Guardian*, 4 vols. (New York: Barnes & Noble, 1969), and H. Dagnall, “The Taxes on Knowledge: Excise Duty on Paper,” *The Library* (December 1998). “More Persecution of Mr. Hetherington” and “Bill of Indictment against Mr. Hetherington,” *The “Destructive,”* (6 July 1833), and see the stories under those titles in *Poor Man’s Guardian* (6 July and 16 November 1833); more generally, G. J. Holyoake, *The Life and Character of Henry Hetherington* (London, 1849). For a brief contemporary account of Hetherington’s Exchequer trial and acquittal, see “The King v. Hetherington,” *Weekly True Sun* [London] (22 June 1834). Collet Dobson Collet, *History of the Taxes on Knowledge: Their Origin and Repeal*, 2 vols. (London, 1899), remains a useful and fast-paced narrative. “Post-Office Reform,” *Quarterly Review* (October 1839), 530-32 deplors the cheap circulation of periodicals.

Stupefaction, the Society for the Confusion of Useless Knowledge. Even canonical figures joined in. John Stuart Mill scoffed at “the Society for the Diffusion of Useful (or rather Useless) Knowledge.” Thoreau called for a “Society for the Diffusion of Useful Ignorance, what we will call Beautiful Knowledge,” urging that the actual Society would have its readers cramming their minds with hay. (But I bet he would have liked the *Penny Magazine*’s reprinting a lecture from the Leicester Mechanics’ Institute offering a paean to “admiring the green and gold and silver of the meadows, or the perfume of the bean” — and to grasping the science explaining them.) Others fumed that the Society was cheerfully stealing intellectual property, as indeed it was. Maybe Knight had this unseemly fact in mind when he commented, “I do not repent of my work. It is the duty of every one to endeavor to make *good things* cheap.”³²

“The march of intellect” also invited raucous abuse; the phrase became “one of the stalest of all jokes.” Conservatives loved using the title “March of

³² “Proceedings of the Society for the Diffusion of Useless Knowledge,” in Timo. Titterwell, *Yankee Notions: A Medley* (Boston, 1838), 194; *Tait’s Edinburgh Magazine* (September 1832); [Edward Bulwer-Lytton], *The Pilgrims of the Rhine* (London, 1834), 6; L’Ami du Peuple, “To the People,” *Northern Star and National Trades’ Journal* (10 June 1848); Mill to Gustave d’Eichthal, 15 May 1829, *The Earlier Letters of John Stuart Mill 1812-1848*, ed. Francis E. Mineka, in *The Collected Works of John Stuart Mill*, ed. John M. Robson, 33 vols. (Toronto: University of Toronto Press, 1963-91), 12:33; Henry David Thoreau, “Walking,” *The Atlantic Monthly* (June 1862), 671; “Attractions and Advantages of Knowledge: from Dr. Connolly’s Lecture at the Leicester Mechanics’ Institute,” *Penny Magazine of the Society for the Diffusion of Useful Knowledge* (11 June 1836); “Notes on Periodicals,” *New Monthly Magazine* (December 1833), 426-27; “The Publishing Trade,” *London Literary Gazette* (11, 18, 25 January, 1, 8, 15, 22 February, 1, 8, 22 March, 5 April 1834), with the charge against SDUK endorsed in “Literature, Music, and the Fine Arts,” *Royal Lady’s Magazine* (March, 1834), 77; Knight, *Passages*, 3:174. Note the scorn in “Cheap Knowledge,” *Westmorland Gazette* (1 August 1835), reprinted in *New York Spectator* (12 October 1835).

Intellect” to parade public displays of semiliteracy. Here’s the snide *John Bull*: “This his too giv notis that i jon Dudson hof Ne gat botham Epinstall will hopen a Klub for hole soorts of Hewsold furnutter at my hewese ere hon Setturdy 20st Cept. wen prise of um hole will be teld ut tim of Hentry has whitness mi and this 16st da hof Cept. 1828. jon Dudson.” Far less snide, a “quiet public inquirer” denounced “the march of atheism” and revealed that the schoolmaster was Lucifer. Some rejoiced that the schoolmaster would abolish “priestly tyranny,” but others—especially after Catholic Emancipation in 1829—fretted that he would “tear down the solid masonry of the constitution.” *John Bull* also used the title to report on “a young sprig of fashion” who, at the close of services, used a church candle to light his cigar; he “strutted through the church to the no small astonishment of the sober villagers.” The *Globe* used the title to report on worse: “a female of very respectable appearance was seen last night smoking a cigar...with as much ease and indifference as if she were of the masculine gender.” The *Penny Satirist*, even more facetious than the title suggests, offered “little Billy Peachum with a cigar in his gills,” allegedly heading off to Sunday school but actually playing hooky at the tea gardens with Miss Wilhelmina Catherine Matilda Slyboots, who’d just claimed last week she’d won “a Medal for Discretion.” The march of intellect was shredding reverence, gender, and even, wait for it, racist domination. *John Bull* yet again: “I sing the March of Intellect, / Which banish’d Slav’ry’s rigors, / And much more free than welcome made / Those idle dogs the N—s.” In his speech marking the launch of construction of Liverpool’s mechanics’ institute, Brougham himself renounced the phrase “march of intellect” as unhappily militaristic; his renunciation made it

into American textbooks teaching reading and eloquence. He preferred “the schoolmaster is abroad” — after all, he’d used the phrase in Parliament in 1828— but that phrase too was gleefully shredded. Curmudgeonly *Fraser’s* announced that “the schoolmaster has been so thoroughly abroad” that the smith could teach political economy and the shoemaker promised that his epic on the Peterloo massacre would outdo Milton. How risible for such wretches to harbor intellectual pretensions! Another opponent joked that he was delighted that the schoolmaster was abroad. “I hope he will remain there!”³³

The *Penny Magazine* did run stories explaining political economy. I suppose their reviewer of Smith’s *Wealth of Nations* stumbled when he said that political economy “shall be most perfectly realized [when] the power of labor shall be...most completely taken advantage of.” But political economy, fumed some critics, was ideological clap-trap intended to bamboozle the workers into submitting to their unjust lot. SDUK’s goal, charged the *Poor Man’s Guardian*, “is

³³ John Bullar, *Hints and Cautions on the Pursuit of General Knowledge*, 4th ed. (Southampton, 1840), 13; “March of Intellect,” *John Bull* (5 October 1828) (see also *Olio* (28 January 1832), and for a similar gibe at the schoolmaster abroad, “Odds and Ends,” *Weekly True Sun* [London] (13 October 1833)); “Answer to ‘Churchman,’” *The Inquirer* (11 February 1840); *Timon, but Not of Athens*, 2 vols. (London, 1840), 2:271; “The March of Atheism,” *Public Inquirer* (11 April 1829) (see also [Samuel Roffey Maitland], *Eruvin: or, Miscellaneous Essays* (London, 1831), 160-62); *John Bull* (9 January 1831); “March of Intellect,” *Globe* (18 October 1830); “Puppyana; or, The March of Intellect,” *Penny Satirist* (22 October 1842), 1; X. Y., “The March of Intellect,” *John Bull* (5 October 1834); “Speech on Laying the Foundation Stone of the Mechanics’ Institute” (20 July 1835), in Henry, Lord Brougham, *Speeches on Social and Political Subjects*, 2 vols. (London, 1857), 2:88; *Hansard* (29 January 1828); Noble Butler, *The Common School Speaker*, enlarged ed. (Louisville, 1856), 222; Epes Sargent, *The Standard Fifth Reader* (Boston, 1857), 269; *The Freedman’s Third Reader* (Boston, 1866), 201-202; “Bubble and Squeak,” *Fraser’s Magazine for Town and Country* (August 1831), 33; Paul Chatfield, *The Tin Trumpet; or Heads and Tales, for the Wise and Waggish*, ed. Jefferson Saunders, 2 vols. (London, 1836), 1:158.

to cause the few to take from the millions the whole produce of their labor." Was the Society offering readings on all sorts of contested approaches to politics and economics, so that readers could make up their own minds? Not for a moment.³⁴

Even if the Society's publications weren't exploring economics, critics charged, they were doing damage by leading workers to put on airs, to think themselves above their station, to become disconsolate. That worry about educating the lower orders wasn't new. In 1758, Samuel Johnson's Betty Broom reported that a subscriber to her charity school returned from London with a "new and strange" view: "They who are born to poverty, she said, are born to ignorance, and will work harder the less they know." "In less than a year the whole parish was convinced, that the nation would be ruined if the children of the poor were taught to read and write." That wasn't Johnson's view. "Merely to read and write was a distinction at first; but we see when reading and writing have become general, the common people keep their stations." Or, as the *Edinburgh Review* put it, "if every body can read, no one will be more proud of reading than they are of walking now, when every body can walk."³⁵

³⁴ "The Library," *Penny Magazine* (23 June 1832) (see too for instance "Political Economy of Our Ancestors," *Penny Magazine* (2, 16, 30 April, 14 May 1836)); "Dissertation on First Principles of Government," *Poor Man's Guardian* (7 January 1832), 237; see too "Brougham and the Trades' Unions," *Poor Man's Guardian* (28 December 1833), 413-15.

³⁵ *Idler* no. 26 (14 October 1758), in *The Idler*, 2 vols. (London, 1761), 1:143-44; James Boswell, *The Life of Samuel Johnson*, 2 vols. (London, 1791), 2:62 [11 April 1776]. See too the savage closing of An Impartial Hand [Johnson], *A Compleat Vindication of the Licensers of the Stage* (London, 1739), 30-31. *Edinburgh Review* (October 1807), 70; see too *National Education; or A Short Account of the Efforts Which Have Been Made to Educate the Children of the Poor, According to the New System Invented by the Rev. Dr. Bell* (London, [1811?]), 20; *Schools for All, in Preference to Schools for Churchmen Only: or, The State of the Controversy between The Advocates for the Lancasterian System of Universal Education, and Those Who Have Set Up an Exclusive and Partial System under the Name of the Church and*

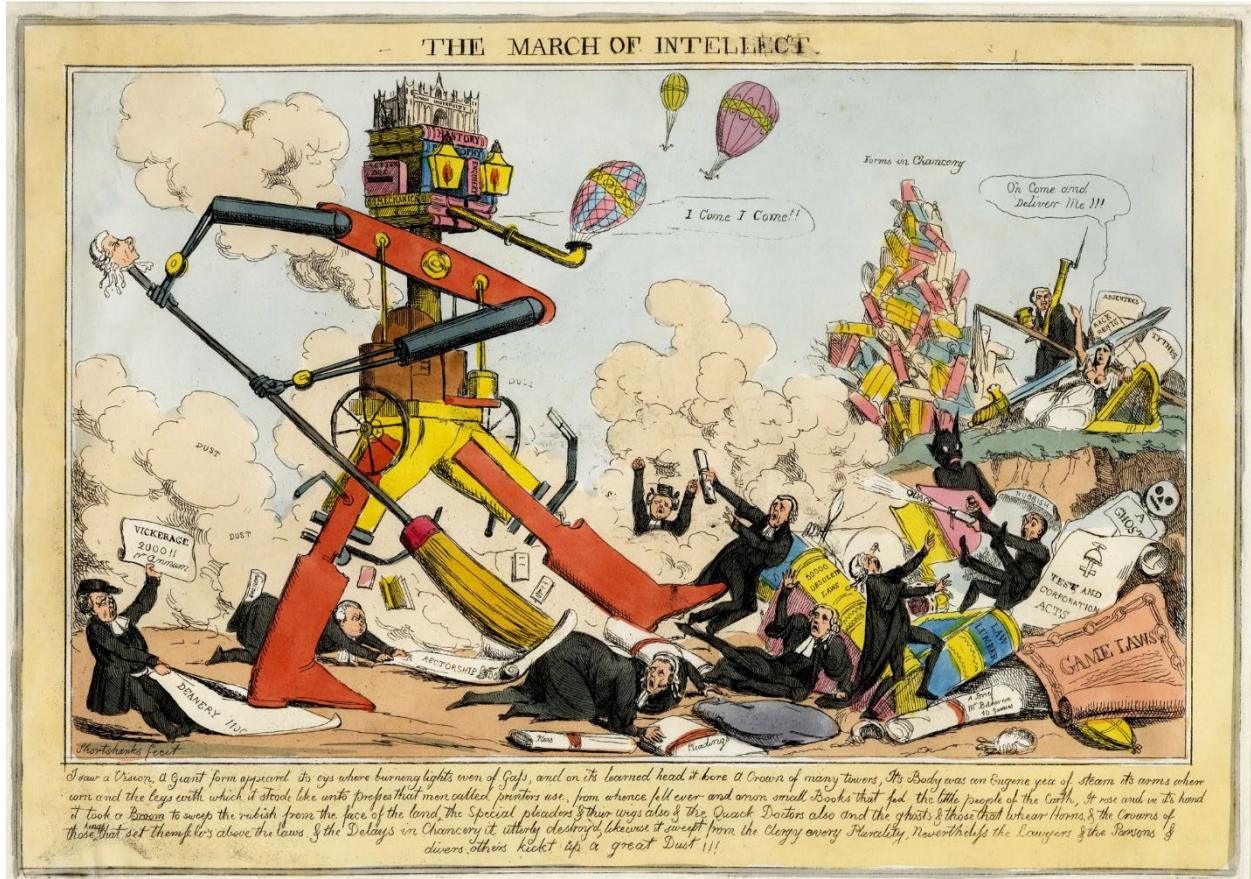
But skepticism bubbled nastily along. Teach a mechanic Latin, suggested a 1797 writer, and he “often acquires a taste that ill accords with his future destination.” Teach a yeoman’s daughter French and instead of being a useful daughter or a reliable servant, she “treasures up...the lessons of prostitution.” “By indiscriminate education,” warned an 1806 account, “those destined for laborious occupations would become discontented and unhappy in an inferior situation of life.” In 1807, Thomas Turton rose in the House of Commons to offer a doubting insinuation: “Was the day laborer happier, for being instructed in reading and writing?” Stinging memories of his speech lingered. It was flung back at him in an 1820 election and he came in last. You know by now which side *John Bull* was on. “If pork-butchers and chimney-sweepers be converted into readers and writers...who will sweep the chimnies and kill the pigs?” When James Rogers was sentenced to three months for defrauding the Earl of Templeton of six shillings (!), the prosecutor provoked approving laughter in the courtroom. Rogers, he revealed, would end up thanking the march of intellect for his march to Botany Bay, the Australian outpost where England shipped its prisoners. Then he won the applause of the magistrates on the bench with this tidbit: “Pity it was that persons of his station in society, who were only fit for

Dr. Bell (London, 1812), 82-83. Compare “An Essay on Charity and Charity Schools,” in [Bernard Mandeville], *The Fable of the Bees: or, Private Vices, Publick Benefits*, 5th ed., 2 vols. (London, 1728), 1:328-33; this isn’t the place to defend my view that Mandeville is a ferocious ironist. And see *An Account of the Society for Promoting Christian Knowledge* (London, 1799), 98-100; Lord Milton on “the lower orders” and education, *Parliamentary Debates* (13 July 1807); and *The Schoolmaster’s Manual: Recommended for the Regulation of Schools*, comp. The Society for Promoting the Education of the Poor of Ireland (Dublin, 1825), 1-2.

labor, should be taught letters, which was a curse instead of a blessing to them.”³⁶

It’s easy to mock what the Society did—and what it didn’t. Still, contemptuously dismissing their work would be all wrong. It’s hard to doubt that the flood of publications promoted reading, and easy to remember that someone used to reading about green frogs and Lago Maggiore might well decide to move onto more politically bracing topics. (Must I add that I have nothing against reading about frogs and lakes?) A wry contemporary portrayal gets the point:

³⁶ Richard Polwhele, *The History of Devonshire*, 3 vols. (Exeter, 1797), 1:317; P[atrack] Colquhoun, *A New and Appropriate System of Education for the Labouring People* (London, 1806), 13; *Hansard* (4 August 1807); “Southwark Election,” *Courier* (7 March 1820); “Southwark Election,” *Galignani’s Messenger* (13 March 1820). See Davies Giddy’s broadsides against popular education in *Parliamentary Debates* (13 June 1807) and *Hansard* (4 August 1807). See too William Playfair, *An Inquiry into the Permanent Causes of the Decline and Fall of Powerful and Wealthy Nations* (London, 1805), 227. Compare Joseph Lancaster, *An Appeal for Justice, in the Cause of Ten Thousand Poor Children*, 3rd ed. with additions (London, 1807), iii, with Andrew Bell, *An Analysis of the Experiment in Education, Made at Egmore, Near Madras*, 3rd ed. (London, 1807), 90-91. *John Bull* (31 October 1825), 348; see too *John Bull* (20 March 1826), 93. “Gross Fraud,” *Morning Chronicle* (4 April 1828). See too Henry Home, Lord Kames, *Sketches of the History of Man*, 2nd ed., 4 vols. (Edinburgh, 1778), 3:90; Clara Reeve, *Plans of Education, with Remarks on the Systems of Other Writers* (London, 1792), 86-87; *Bristol Job Nott* (22 December 1831 and 24 January 1833), and compare T[homas] F[irmin], *Some Proposals for the Employment of the Poor, and for the Prevention of Idleness and the Consequence Thereof, Begging* (London, 1681), 5. William Jerdan, *Men I Have Known* (London, 1866), 346, mocks the “horde” of lecturers who “overspread the land with most miscellaneous and desultory dishes of trashy information.... So, rest them with their contribution to progress, the march of intellect, and the diffusion of useful intelligence!”



This march of intellect is the implacable stride of a monstrous robot, a startling image in an age which knew nothing of robots, though plenty about machinery. Start with the wordplay. That's Brougham's head on top of the broom, which is industriously sweeping away obsolete laws, plural livings in the church (an individual holding more than one role, pocketing all the earnings without doing all the work), rack rents, and other abuses of the day. "On its learned head," the caption informs us, "the Giant form...bore a Crown of many towers": that building on top is the University of London (today, University College London) and Brougham was a key player in birthing it. The caption continues by calling

attention to the robot's legs, which are like printing presses. Falling from them are "small Books that fed the little people of the Earth."³⁷

Small books did feed the little people. They grew, they grew up, on them, and would be little—diminutive in status, not height—no more. There's a stale, demeaning cultural script here: the *Penny Magazine* was out to replace what it reviled as "miserable pot-house debauchery," so frequently cast as the everyday recreation of workers, with reading. It held out articles to beckon the drunkards into the allegedly prim lives of urbane, sober middle-class people, some of whom surely swilled refined spirits at home. More intriguing is another primer's warning that abandoning reading makes you "stupid and sottish," or its insistence that "The arts of reading and writing are of infinite advantage; for by them we are made partakers of the sentiments, observations, reasonings, and improvements, of all the learned world." Reading makes you a sophisticated cosmopolitan. The great scientist John Herschel addressed subscribers to a new public library and reading room. "There is nothing like reading an entertaining book," he conceded. But a "really good" book, read aloud in a family, or making its way among them? "It gives them mutual respect, and to each among them self-respect." Herschel too remarked on cosmopolitanism. A "taste for reading" makes the reader "a denizen of all nations.... The world has been created for

³⁷ Robert Seymour, "The March of Intellect," https://www.britishmuseum.org/collection/object/P_2003-0531-29 (last visited 18 February 2024). For a steam-powered carriage named the March of Intellect, see *The Guardian* (10 January 1829). Brian Maidment, *Robert Seymour and Nineteenth-Century Print Culture* (London: Routledge, 2021), chap. 3, helpfully situates this phase of Seymour's work. For a robotic image of the free press, see William Heath's "The Man Wots Got the Whip Hand of 'Em All," BMC no. 15776, https://www.britishmuseum.org/collection/object/P_1868-0808-8994 (last visited 18 April 2024).

him." Or take the *Morning Chronicle's* offhand reference to "any man who has arrived at the dignity of being able to read." The phrase bookends abolitionist anguish at "laws forbidding the slave to read...to exercise the facilities which constitute the dignity, worth and happiness of man!" Yes, class and race are different. But they meet in a deep truth about dignity, domination, and literacy.³⁸

So I'd urge that we set aside our cynicism, an attitude not guaranteeing insight, and sympathetically enter into an utterly characteristic rhapsody, this one offered to "members and friends of the Gateshead Mechanics' Institute or Literary and Scientific Society" in 1837. "The diffusion of education among the people has formed an epoch in our history of such import as completely to eclipse all the stupendous triumphs of chemical and mechanical philosophy." "Gentlemen, this is the greatest moral revolution ever known in the civilized world, and what has brought it about? To whom and to what do we owe it? We owe it to popular education—we owe it to societies for diffusing useful knowledge—we owe it to literary and mechanics' institutions."³⁹

Amen.

³⁸ "Rational Amusement," *Penny Magazine* (6 April 1833), 135, and see "Lanzi's History of Painting," *Edinburgh Review* (September 1828), 62; Rev. David Blair, *The Class Book: or, Three Hundred and Sixty-Five Reading Lessons, Adapted to the Use of Schools*, 15th ed. (London, 1816), 69, 174. Blair was a pseudonym for Eliza Fenwick (*DNB* s.v. Fenwick [née Jaco], Eliza). And *sottish* is not returning us to alcoholic debauchery; it is hammering on *stupid*: see Jeremiah 4:22, or if you'd rather *OED* s.v. *sottish*, 1. J[ohn] F[rederick] W[illiam] Herschel, *An Address to the Subscribers to the Windsor and Eton Public Library and Reading Room* (London, 1833), 19-20, 23-24; *Morning Chronicle* (17 September 1844); see too *Reply to the Bishop of Llandaff* in *The Life and Works of Thomas Paine*, 10 vols. (New Rochelle, NY: Thomas Paine National Historical Association, 1925), 9:77. "The Law of South Carolina," *Genius of Universal Emancipation* (July 1837), 27.

³⁹ "Address to the Working Classes," *Constitutional* (10 February 1837).

SIX / SPREADING THE WORD(S): AMERICA

Leading citizens of Boston organized a Society for the Diffusion of Useful Knowledge in 1829. Several volumes of their projected American Library of Useful Knowledge appeared; then the project sputtered to a halt. The 1836 prospectus for a national outfit boasted, “probably no other nation ever existed, in which the *habit of reading was so nearly universal.*” (Yes, that’s obtuse in just the way de Nemours had been in 1812, bubbling over about America’s universal newspaper-reading and happy domestic scenes of dads reading to kids while moms spent 45 minutes making breakfast. The countless black people consigned to illiteracy are so contemptible that they’re invisible. They don’t even rise to the level where they can be scorned as paltry fellows.) American literacy offered a happy marriage of Christianity and republicanism: “the Universal Diffusion of Knowledge, imbued with the spirit of Christianity, is indispensable for bringing any people to the full enjoyment of the best civil and social institutions.” The national outfit urged the creation of circulating libraries and projected several hundred volumes’ worth of a Library of Useful Knowledge. It looks like it did better than Boston’s Society, but didn’t fully succeed, either. Nor did a proposal for an American edition of the *Penny Magazine*, reprinting one million copies, come to fruition. (Maybe that’s just as well: how many antebellum Americans could have crossed the Alps to see Lago Maggiore?) And—shades of those impatient Westminster radicals—1863 saw the organization of the New York Society for the Diffusion of Political Knowledge.¹

¹ “Intelligence: Boston Society for the Diffusion of Useful Knowledge,” *American Journal of Education* (March and April 1829), 176-78; [Josiah Holbrook], *American Lyceum, or Society for the Improvement of Schools, and Diffusion of Useful Knowledge* (Boston, 1829), 4;

The American Society for the Diffusion of Useful Knowledge: Established October 17, 1836: Prospectus (New York, 1837), 4, app., 1; *The American Society for the Diffusion of Useful Knowledge, Prospectus of the American Library for Schools and Families* (New York, 1837), 2; "The American School Library," *American Annals of Education* (November 1838), 519-22; *Yazoo City Whig* [Yazoo Mississippi] (18 December 1846). "New Political Agency," *Boston Daily Advertiser* (17 February 1863); for that society's papers, see *Hand-Book of the Democracy for 1863 & '64* ([New York, 1864]); for mockery of both them and the Loyal Publication Society, of copperheads and abolitionists alike, see "The Two Opposition Societies 'for the Diffusion of Useful Knowledge,'" *New York Herald* (30 March 1863). "Society for the Diffusion of Useful Knowledge," *American Journal of Education* (August 1827), 503. See too An Act Extending the Powers of the Maine Charitable Mechanic Association," *Private Acts of the State of Maine, Passed by the Seventh Legislature, at Its Session Held in January, 1827* (Portland, 1827), 728-29; [Josiah Holbrook], *American Lyceum, or Society for the Improvement of Schools, and Diffusion of Useful Knowledge* (Boston, 1829). There were of course earlier efforts: see for instance An Act to Incorporate Certain Persons Hereinafter Named, into a Society by the Name, of "The Social Library Company in New Durham," approved 20 June 1797, in *Laws of New Hampshire*, ed. Albert Stillman Batchellor et al., 10 vols. (Concord, 1904-22), 6:401; *Public Libraries in the United States of America: Their History, Condition, and Management* (Washington [DC], 1876), pt. 1, 446; An Act to Incorporate the "Ohio Mechanics' Institute," *Acts of a Local Nature, Passed at the First Session of the Twenty-Seventh General Assembly of the State of Ohio* (Columbus, 1829), 92; An Act to Incorporate the Milwaukee Lyceum, *Local Acts, of the Legislature of Wisconsin, Passed at Madison, During the Sessions of 1838 & 9* (Milwaukee, 1839), 28; An Act to Incorporate the Jenkinstown Lyceum, *Laws of the General Assembly of the Commonwealth of Pennsylvania, Passed at the Session of 1840* (Harrisburg, 1840), 455-56. For the happy marriage of Christianity and popular education in the name of republicanism, see too George W. Bethune, *Our Liberties: Their Danger, and the Means of Preserving Them* (Philadelphia, 1835), 190; William Maxwell, *An Address Delivered before the Bible Society of the University of Virginia, May 13th, 1836* (Charlottesville, 1836), 10; "From Our Boston Correspondent," *National Intelligencer* (29 May 1840); *Constitution of the State of Rhode Island and Providence Plantations, as Finally Adopted by the Convention of the People Assembled at Providence, on the 18th Day of November, 1841* (Providence, 1842), 5; An Act to Incorporate the Mount Pleasant Lyceum, *Laws of Iowa, Passed at the Session of the Legislative Assembly Which Commenced on the 4th of December, 1843* (Burlington, 1844), 130-31; "A Chance for All to Help," *Wright's Paper, for the Dissemination of Useful Knowledge* (1 November 1847); An Act to Incorporate the Wyandott Mercantile Library and Literary Association, *Private Laws of the Territory of Kansas, Passed at the Fifth Session of the Legislative Assembly* (Lawrence, 1859), 52.

THE WRONG BOOK FOR SCHOOLS?

But my purpose in inviting you to sail back across the Atlantic, and skip just a few years forward, is not to trace the echoes of those British institutions. First let's examine a complaint about a book used in public schools. The complaint was pressed by a man unhappy about a teacher who'd been fired for refusing to comply with the curriculum. And he had his own pointed objections to what Philadelphia schools were and weren't teaching. So he crafted an appeal to the city's board of education. His thoughtful appeal blew up in a big, bad, brutal way.

That man, Francis Patrick Kenrick, was the bishop of the city's Catholic church. He thought it wrong that the school day opened and closed with prayer or hymns. Catholics, he explained, were not supposed to join in religious exercises with those outside their communion. He thought it wrong that the shelves of public school libraries housed books "decidedly hostile to our faith," wrong that some of those books were used in classrooms. He thought it wrong that teachers were required to teach the King James Bible. He didn't want to pursue his objections to that translation, he said, though he did remark that it was inaccurate. He thought Catholic children should be given the Catholic version, what we call the Douay Bible. Baltimore schools were offering the Catholic version. Shouldn't Philadelphia schools join them?²

² Bishop Francis Patrick Kenrick to the Board of Comptrollers of Public Schools, 14 November 1842, in Hugh J. Nolan, *The Most Reverend Francis Patrick Kenrick Third Bishop of Philadelphia 1830-1851* (Washington, DC: Catholic University Press, 1948), 295-97. For contemporary reprinting of Kenrick's letter (with slight variations) and Board resolutions, see "The Bible Question in Philadelphia," *The Catholic Cabinet, and Chronicle of Religious Intelligence* [St. Louis] (September 1844); likewise A Protestant and Native

A rumor zipped through the city that Catholics wanted the Bible out of the public schools. The bishop plastered the city with signs denying it. The Board demurred that city schools had always taught the Bible “without note or comment” and would go on doing so. In January 1843, they responded to Bishop Kenrick’s appeal by resolving that parents could yank their children from Bible reading and that children whose parents preferred some other version of the Bible would be provided with it—provided that that version too was “*without note or comment.*” That last proviso would not have given Catholics what they wanted. Yes, the state constitution provided that “no preference shall be given to any religious establishment,” and the Board thought their policy respected that. Funny that a rule so good for Protestants was neutral. (Today, to put it abruptly, we’d say that the Board was right *if* the policy was genuinely chosen for some secular reason. Suppose the Board says—sincerely, not pretextually—that it’s better educationally for students to grapple with the difficulties of interpreting the text on their own, and not mechanically memorize what the authorities tell

Philadelphian, *The Truth Unveiled; or, A Calm and Impartial Exposition of the Origin and Immediate Cause of the Terrible Riots in Philadelphia, on May 6th, 7th and 8th, A. D. 1844* (Philadelphia, 1844), 19-21. See “Management of the School When in Session,” *Manual for the Directors and Teachers of Common Schools in Pennsylvania* (Philadelphia, 1840), 88-89, for prescribed Bible-reading and prayers or hymns. The “Sixteenth Annual Report of the Commissions of Public Schools to the Mayor and City Council” of Baltimore, written in 1844, says nothing about the use of the Bible in the schools: the Report is in *The Ordinances of the Mayor and City Council of Baltimore: Passed at the January Session, 1845* (Baltimore, 1845). Nor did I find the matter settled in Tina H. Sheller, “The Origins of Public Education in Baltimore, 1825-1829,” *History of Education Quarterly* (Spring 1982), or elsewhere.

On the early history of American public education, see Carl F. Kaestle, *Pillars of the Republic: Common Schools and American Society 1780-1860* (New York: Hill and Wang, 1983).

them it means.) More appeals descended on the Board. Couldn't they remove the proviso about notes and comments, and so permit the Catholic version to be used? In March 1844, the Board directed that its prior resolutions be circulated to the schools and reiterated that disobedient teachers wouldn't be paid.³

Tensions in the city boiled over in the Kensington neighborhood in May 1844. Protestants called themselves Native Americans. That's not a surprisingly early way of referring to the people they'd have called Indians when they were feeling polite, though a Baltimore paper did protest their "most arrogantly" claiming the name "in view of the usurpation of the rights of the real 'Natives,' the Indians." It was an unabashed claim that they belonged in this country — and that this country belonged to them. Irish Catholics broke up the meeting "without violence," thought Kenrick. Later a Native American disagreed: "*Irish oppositionists struck the first blow*"; Native Americans were "the assaulted and innocent party." Soon enough, Protestants threatened to burn a Catholic church.

³ Nolan, *Kenrick*, 301; *Twenty-Sixth Annual Report of the Controllers of the Public Schools of the City and County of Philadelphia...for the Year Ending June 30, 1844* (Philadelphia, 1844), 4-7. For others denying any attempt to remove the Bible from public schools, see *Address of the Catholic Lay Citizens, of the City and County of Philadelphia, to Their Fellow-Citizens, in Reply to the Presentment of the Grand Jury...in Regard to the Causes of the Late Riots in Philadelphia* (Philadelphia, 1844), 3; *The Olive Branch; or, An Earnest Appeal in Behalf of Religion, the Supremacy of Law, and Social Order: with Documents, Relating to the Late Disturbances in Philadelphia* (Philadelphia, 1844), 22; Justus E. Moore, *The Warning of Thomas Jefferson: or A Brief Exposition of the Dangers to Be Apprehended to Our Civil and Religious Liberties, from Presbyterianism* (Philadelphia, 1844), 23; "Retrospect of the Past Year," *United States Catholic Magazine and Monthly Review* (January 1845), also in M. J. Spalding, *Miscellanea: Comprising Reviews, Lectures, and Essays, on Historical, Theological, and Miscellaneous Subjects*, 2 vols. (Baltimore, 1866), vol. 2, chap. 34. For a defense of teaching the Bible in schools, see John Henry Hopkins, *The American Citizen: His Rights and Duties, According to the Spirit of the Constitution of the United States* (New York, 1857), 330-33.

A few days later, shots were fired, people killed, private homes looted and burnt, a convent and other churches threatened with arson. The mob brandished the American flag and were furious at reports that Irish Catholics had trampled on it. They threatened to burn all the Catholic churches and kill all the priests, “myself first of all,” noted Kenrick. Priests fled the city, hid, shed their clerical garb. Kenrick added that people were reluctant to comment in print lest printing houses be destroyed. (That was no lunatic fantasy: this Philadelphia violence followed close on the heels of the destruction of antislavery journalists Lovejoy’s and Birney’s presses.) The bishop responded to the death of a Protestant teenager by placarding the city with sorrowful regrets, “but the people are so indignant that the moment they are posted they tear them down.” Kenrick promptly suspended church services.⁴

That gesture didn’t propitiate the Native Americans. Soon a crowd of several thousand brandishing a mutilated American flag — “THIS IS THE FLAG THAT WAS TRAMPLED BY IRISH PAPISTS,” screamed an inscription — started rioting.

⁴ “Causes of the Riots,” *Catholic Standard and Times* (8 August 1844), and “Origin of the Riots,” *Catholic Telegraph* (24 August 1844), both reprinting a piece from the *Baltimore Saturday Visiter*; “Things in Philadelphia,” *New-York Daily Tribune* (7 May 1844); *The Kenrick-Frenaye Correspondence*, trans. F[rancis] E. T[ourscher] (Philadelphia, 1920), 188-92; “Report of the Kensington Riots,” in *Proceedings of the Native American State Convention, Held at Harrisburg, February 22, 1845* (Philadelphia, 1845), 18; *Diary and Visitation Record of the Rt. Rev. Francis Patrick Kenrick*, trans. and ed. by permission and under the direction of His Grace the Most Rev. Edmond F. Prendergast (Lancaster, PA, 1916), 223; “Riot in Philadelphia — Men Shot!” *New-York Daily Tribune* (8 May 1844); W., “Philadelphia,” *New York Herald* (13 May 1844); “Riot,” *Catholic Herald* (9 May 1844); “Latest from Philadelphia by Last Night’s Mail,” *New York Herald* (11 May 1844). For a long dialog exploring whether Irish Papists were fit for American citizenship, see A Pennsylvanian — A Dutchman, *Causes of the Kensington Riots Explained: In a Series of Letters to the Hon. Daniel O’Connell*, no. 1 (Philadelphia, 1845).

“The Natives have every thing their own way,” reported an observer. They burned down a church and offered three cheers for the soldiers sent out to suppress their riot. I’m not sure those cheers were derisive, but I bet the crowd didn’t fear that the troops would shoot them. “How can we fire on our own citizens, who cheer us as we approach?” pleaded some soldiers. Rioters burst into a priest’s house and defenestrated his books, a crucifix, and sacred images. Then the mob burned his house and another church. That night the rioters thwarted the police and hoisted two boys into yet another church. One lit some curtains on fire; the other cut a gas pipe. Books from the church’s “magnificent library” were piled up and burnt: think about Protestants eagerly incinerating religious books. The flames were intense enough to keep the crowds a city block away. The police caught the boys; the crowd beat up the police and rescued the boys. In the turmoil, someone hit the mayor in the stomach “with a brick bat.” An Irishman was pulled out of his home and beaten senseless. I don’t think this is the same Irishman who was “dragged into the street...dreadfully beaten, prostrated under the feet of this human avalanche and thus crushed to death, the blood having been forced from his mouth in his last struggle, in torrents.” That man’s corpse was left hanging on display at a butcher’s shop. In the aftermath, one observer surmised that it would take time to figure out if some of the Irish had been burnt to death in their homes. (An Irish corpse was later found in the ruins of a home that had been demolished early on.) Fourteen killed, thirty-nine wounded, reckoned another account.⁵

⁵ “The Great Riots in Philadelphia,” *New-York Daily Tribune* (9 May 1844); “Riots in Philadelphia,” *New York Herald* (10 May 1844); *A Full and Complete Account of the Late Awful Riots in Philadelphia* (Philadelphia, [1844]), 30, 31; “The Riot in Kensington,” *Whig*

I'll skip the riots that soon followed in another Philadelphia neighborhood, after which the authorities filed charges against newspapermen "publishing incendiary articles." (Again, what's at stake in deploying the same category for newspaper stories and arsonists igniting churches?) I'll skip the sputtering response of the criminal justice system. I'll skip a similar kerfuffle in New York City that led a Native American to threaten Bishop John Hughes with death. I'll add only that when the Native Americans organized as a political party—we know them later as the Know Nothings—and held conventions the next year, their stance echoed the Board's curious policy. The Bible, "without note or comment," should be taught in the public schools, and there should be "universal toleration of every religious faith" and "absolute separation of Church and State." They also resolved that immigrants shouldn't be able to vote for twenty-one years. Such was life, such was death, in the City of Brotherly Love. My core concerns have been who gets to read, and what they get to read. This episode raises another question, perfectly interesting even if not squarely my focus: *where*—in what social settings—should people be able to read certain books? How could the likes of this "calamity...worthy of the atrocities of the French revolution" be avoided?⁶

Standard [Washington, DC] (10 May 1844); "Philadelphia Riots," *Pittsburgh Morning Post* (11 May 1844); "Another Account," *New York Herald* (10 May 1844); "The Riots—Later Intelligence," *New-York Daily Tribune* (10 May 1844); W., "Latest from Philadelphia: Comparative Tranquillity of the City," *New York Herald* (11 May 1844); *Late Awful Riots*, 6; *New York Herald* (14 May 1844); "From Philadelphia," *Whig Standard* (11 May 1844). For a poetaster's take, see *Verses Composed on the Slaughter of Native Americans, in Kensington, Philadelphia, May, 1844* (n.p., n.d.).

⁶ On the Southwark riots, see especially "More Terrible Riots in Philadelphia," *New York Herald* (8 July 1844); "Terrible State of Affairs in Philadelphia" and "Further from

Ordinarily, the *New York Herald* commented fancifully, political arguments in America had been “dignified,” “confined...to the more reputable weapons of reason, discussion, argument and common sense. It is the infusion of religious prejudices into political contests that prepares the way for outrage, disorder, blood, tumult, and conflagrations.” Who was to blame? Bishop Kenrick. Yet others deployed liberal arguments about the separation of church and state and

Philadelphia,” *New York Herald* (9 July 1844); “Tremendous Riots in Southwark,” in *Late Awful Riots*. For those charges, “Affairs in Philadelphia,” *Huntingdon Journal* (24 July 1844). On New York, briefly, see John Power, Vicar-General of the Diocese of New York, to the Editor of the *New York Freeman’s Journal*, 9 July 1840, and “Speech of Bishop Hughes,” 30 October 1840 (for the date, 252), in Wm. Oland Bourne, *History of the Public School Society of the City of New York* (New York, 1873), 329, 289-90; “The ‘American Republicans’ and Their Organs,” *New-York Daily Tribune* (18 January 1844); [John] Hughes, Bishop of New York, *A Letter on the Moral Causes That Have Produced the Evil Spirit of the Times; Addressed to the Honorable James Harper, Mayor of New-York* (New York, [1844]), 3; John R. G. Hassard, *Life of the Most Reverend John Hughes, D. D., First Archbishop of New York* (New York, 1866), chap. 14. *Proceedings of the Native American State Convention*, 8; *Important Testimony Connected with Native American Principles: The Principles of the Native American Party as Adopted by the National Convention, Held at Philadelphia, July 4, 1845* ([Philadelphia, PA, 1845]), 1; W., “Latest from Philadelphia,” *New York Herald* (11 May 1844). See too “The Philadelphia Riots—Resolutions of a Whig Meeting,” *Sangamo Journal* [Springfield IL] (20 June 1844), reporting on the unanimous adoption of measures moved by Lincoln in response to the Kensington riots; for a response, J. R. D., “Federal Whigs, Alias Native Americans,” *Illinois State Register* [Springfield] (21 June 1844); John Hancock Lee, *The Origins and Progress of the American Party in Politics: Embracing a Complete History of the Philadelphia Riots in May and July, 1844* (Philadelphia, 1855), esp. 29-30, defending the Native Americans’ stance on teaching the Bible in public schools. See too “Meeting of the School Committee,” *Boston Post* (22 March 1859); *Defence of the Use of the Bible in the Public Schools: Argument of Henry F. Durant, Esq., in the Eliot School Case* (Boston, 1859). Compare Demetrius Augustin Gallitzin, *The Bible, Truth and Charity: A Subject of Meditation for the Editors of Certain Periodicals, Miscalled Religious Publications* (Ellensburg, PA, 1836), 44: “the Catholic Church stands proof against all the powers of Hell. You may, by means of your mobs, inflamed by your publications, cause the destruction of some more of our sanctuaries....”

the equality of citizenship in more familiar and intuitively appealing ways. The *Journal of Commerce* marveled at branding Catholics foreigners and insisting that their children too needed to be taught the King James Bible. “Such is the liberality, justice and benignity of Nativism! Shall we wonder that excitement, tumult and riot result?” Another writer deplored the “licentious and obscene publications” designed to make Catholics seem loathsome. A Philadelphia Protestant rejected the claim that the country was Protestant just because a majority of its citizens were. He too indignantly summoned up the endless stream of “inflammatory harangues,” “infamous and vile publications against Catholics...thick as autumnal leaves,” “abusive, and inflammatory, and vulgar tirades against ‘Irish Papists.’” “Impassioned harangues” and “the publication of inflammatory works” had led to the 1834 burning of the Ursuline Convent outside Boston. No wonder Kensington had ignited, too.⁷

We’ve seen denunciations of incendiary publications. But if you rejected the thought that antislavery papers were the equivalent of arson *and* you’re sympathetic to these denunciations of Catholic-bashing, you should sort out what makes them different. That you—that we—embrace antislavery sentiments

⁷ “The Philadelphia Riots,” *New York Herald* (11 May 1844); “Nativism Defined by Its Organs,” *New-York Daily Tribune* (11 May 1844), also in *The Working Man’s Advocate* [New York] (18 May 1844), both reprinting a piece from the *Journal of Commerce* that I have not located. *Olive Branch*, 16; Protestant, *Truth Unveiled*, 13, 10, 22, 6. See too, arguing that the Catholics’ “ungodly alliance between religion—or the pretence of religion—and secular affairs” explained their trying to withdraw the Bible from the public schools, Anti-Papist, “The Riots in Philadelphia,” *Christian Intelligencer* (8 June 1844). Consider the 10 March 1791 letter in *Defence of the Use of the Bible as a School-Book: In a Letter from the Celebrated Doctor Rush, of Philadelphia, to the Rev. J. Belknap, D. D., of Boston* (Concord, 1806), recycled in excerpted form in “Shunk and the Bible!” *Pennsylvania Telegraph* (2 October 1844).

and reject anti-Catholic sentiments isn't going to do the work. Is it that the language was intemperate, that it played on people's passions? That won't begin to distinguish antislavery and anti-Catholic publications. Should we renounce the very idea of incendiary publications?

Twenty-five years after the Kensington riots, the archbishop of Cincinnati proposed to the city's board of education that they consider merging the city's public and Catholic schools. (The state constitution prohibited religious sects from controlling the state's school funds; lawyers could—and did—have fun figuring out the scope of that provision.) The proposal fizzled soon enough, but in response the board considered banning “religious instruction and the reading of religious books, including the Holy Bible,” in the city schools, also repealing the regulation mandating that the school day begin with reading from the Bible “and appropriate singing by the students.” Nearby public schools, noted the author of the proposal, had adopted such rules and had seen increased enrollment. But public blowback was prompt and stern. “The Bible is the revealed will of God,” some citizens reminded the board. “It is the basis of all just and pure laws.” They called on the sponsor of the ban and all those favoring it to resign. The proposal was “a disturbing blow at the most precious and vital elements of our civilization,” volunteered another group, “a gratuitous assault upon the inspired source of all religion and morality.” The board did receive some popular support, but it's hard to doubt the widespread chagrin at the

proposal: 8,713 signed a petition opposing it. Still, after parliamentary maneuvering, the board narrowly adopted the ban.⁸

What did it mean to hold that it is no proper part of the public schools to teach religion? Then as now, commentators were divided. "This utter ignoring of religion," charged one critic of the board's proposal, "was essential Atheism." Not a bit of it, said others. Keeping religion out of the public schools enabled people of many different faiths, or no faith at all, to meet as free and equal citizens in a pluralist society. That second view, and not I think any covert desire to please the Catholics, animated the board. They considered this language, too: "Our Government has wisely established and provided for a system of free Public Schools, in which the children of all citizens may be educated, and by this commingling in infancy, and growing up together to manhood, learn that mutual respect for, and appreciation of each other, which is essential in a government where all are politically free and equal." The day's fine phrase, *common schools*, doesn't mean the schools were ordinary or undistinguished. It means they were held in common, for the use of the community. The language also emphasizes

⁸ A[mory] D[wight] Mayo, *Religion in the Common Schools: Three Lectures Delivered in the City of Cincinnati, in October, 1869* (Cincinnati, 1869), 3; *The Constitution of the State of Ohio* (Columbus, 1851), 20; Cincinnati School Board Minutes, 7 July 1868-26 September 1870, 303-305 (6 September 1869); Archbishop J[ohn] B[aptist] Purcell to the School Board, 13 September 1869, Minutes, 309. "Bible in the Schools," *Cincinnati Commercial* (19 October 1869). Minutes, 308 (13 September 1869); Minutes, 329-30 (resolutions of 28 September 1869). For popular support, see Minutes, 325 (communication of 26 September 1869), 349 (25 October 1869). Minutes, 310 (13 September 1869), 352-54 (1 November 1869). For more opposition, see for instance "The Bible in the Public Schools: Meeting in the Seventeenth Ward," *Cincinnati Commercial* (11 September 1869). Thanks to Daniel Hoying, general counsel of Cincinnati Public Schools, for locating the minutes, now held at the Board of Education's offices; and thanks to Izzy Tegtmeier for digitizing the relevant pages.

the crucial role that public schools play in building a democratic public—just as the ensuing inference, with its quotation from settled rules, reminds us of the limits of democratic equality in 1869: “Resolved, That the Public Schools of this city which, under wise rules, abstain from all recognition of religious sects or training, provide for the children of all religious persuasions in our midst, as well as those of no religion, are now, as they always have been, ‘accessible to all white children not less than six years of age who may reside in this city.’” Were Protestants, Catholics, Jews, and atheists all welcome in the city’s public schools? Sure, as long as they were white.⁹

Does a Bible-free public school evince hostility to religion? (Or “a spirit of hostility to the Bible itself” in a “Christian nation”?) Or does it signal neutrality? The dispute plagued the people of Cincinnati in 1869, just as it plagues us now. I don’t think there’s a simple social fact of the matter about it. Surely both readings were, are, offered in good faith. It’s more helpful to ask, how *should* we see a Bible-free public school? Compare a profane example, the rule that you may not have sex in school. Does that indicate hostility to sex? I guess you could see it that way if you thought sex properly belonged in school. Otherwise you’d think

⁹ Mayo, *Religion*, 47; “This Is No Christian Country,” *Israelite* [Cincinnati] (22 October 1869), and consider especially the sustained account in “The Bible in the Schools,” *Cincinnati Commercial* (17 October 1869) and “The Catholics and the Jews” and “The Expulsion of the Bible,” *Catholic Telegraph* (4 November 1869); Minutes, 314 (13 September 1869). On racial segregation in schools, see too “Public Schools for Colored Children,” *Daily Ohio Statesman* (27 January 1869); *Colored Schools of Cincinnati: Twenty-First Annual Report of the Board of Directors, for the School Year Ending June 30, 1870, with Additional Documents Exhibiting the Condition of the Colored Schools* (n.p., n.d.); Bourne, *History*, chap. 19. For an intelligent discussion of the democratic role of public schools, see Johann N. Neem, *Democracy’s Schools: The Rise of Public Education in America* (Baltimore: Johns Hopkins University Press, 2017).

that that's just not the time and place for it. So a lot in the controversy about the Bible in schools hangs on offstage intuitions about whether it should be there. And sometimes those intuitions hang in turn on what we've already been doing. If the Bible is already in schools, it's easier to see removing it as hostility. But sometimes we set the baseline for comparison not by asking what we've been doing, but by asking what we should be doing. Be sure to focus precisely, too, about what banning the Bible does and doesn't mean. Aren't students free to read it in study hall if they choose to? Aren't they free to say grace before eating lunch? Compare another issue before us: if you finally start teaching black people to read, are they getting a special benefit? After all, they're receiving something they hadn't had. Maybe even—gasp—in a race-conscious way. Or are they finally enjoying simple equality?¹⁰

Back to 1869 Cincinnati. The board was sued for their new policy; some speakers prominent in the public debate now showed up as lawyers in court. Plaintiffs appealed to language in the state constitution echoing the Northwest Ordinance: "Religion, morality, and knowledge...being essential to good government," the legislature had to "encourage schools and the means of instruction." One of the board's lawyers appealed to the words of "a very celebrated man," Henry Brougham, in hammering on the dangers of the state

¹⁰ "Address by Wm. M. Ramsey, Esq.," *The Bible in the Public Schools: Proceedings and Addresses at the Mass Meeting, Pike's Music Hall, Cincinnati, Tuesday Evening, September 28, 1869* (Cincinnati, 1869), 15.

promoting a sectarian education; one plaintiffs' lawyer summoned up the "vile blasphemy" of Tom Paine.¹¹

The board lost. They had no authority, ruled the court, to adopt the policy they did. Judge Alphonso Taft (William Howard's father) dissented. The board's stance "evinces no hostility...to the Bible, to religion, or religious teaching, but rather a neutrality toward all the sects." Or again: "The government is neutral, and, while protecting all, it prefers none, and it *disparages* none." It's a crisp statement of liberal equality. We don't treat citizens of different religions as equals by making them all adopt the same religion. That way madness lies. We treat them as equals by blinding ourselves to their religious identities. Pursue whatever religion you want, or none at all, and the public schools will still acknowledge you as a citizen in good standing. Freedom and equality here aren't merely closely linked; they're two ways of describing the same thing. Contrast a different sort of reason for endorsing the separation of church and state: "The right to teach supernatural truths does not belong to any organization that holds its authority through the natural order," declared the *Catholic Telegraph*. Only the Church, not the state, could be entrusted with that task. The state supreme court reversed the lower court. Nothing in the state or federal constitution, nothing from the legislature, spoke to the question, they ruled. So the board had jurisdiction to make the call. Along the way, the high court embraced the same sort of view about neutrality that Taft had defended.¹²

¹¹ *Constitution of the State of Ohio*, 4; *The Bible in the Public Schools: Arguments in the Case of John D. Minor et al. versus The Board of Education of the City of Cincinnati et al.*[: Superior Court of Cincinnati (Cincinnati, 1870), 217-18, 337.

¹² *Arguments in the Case of John D. Minor*, 389, 392, 415; "The Bible Question in the Court," *Catholic Telegraph* (2 December 1869); *Board of Education v. Minor*, 23 Ohio St. 211

These American faceoffs mirrored British struggles. In 1816, a parliamentary committee led by Brougham, investigating “the education of the lower orders of the metropolis,” heard testimony on St. Giles’s Irish Free Schools, run in a London neighborhood where poor Irish families lived. Thousands of children were taught reading, writing, and arithmetic. The master of the schools assured Brougham’s committee that the schools taught both Catholics and Protestants, and “we interfere not with their opinions.” Again he emphasized that they taught “reading, writing, and arithmetic only,” and that they told the children to attend whatever religious services their parents chose. A somewhat later report agrees that these schools taught thousands of children reading,

(1872). Taft later gave a public lecture exploring the law and politics of the problem. He assailed the Democratic Party, blamed Rome for its intransigent opposition to the public schools, and sympathized with Catholic taxpayers who felt they couldn’t send their children to the schools. See “Free Schools for All,” *Ashtabula Telegraph* (10 September 1875), supp. For a Presbyterian minister sounding vintage Lockean tones, see Rev. W. A. Scott, *The Bible and Politics: or, An Humble Plea for Equal, Perfect, Absolute Religious Freedom, and against All Sectarianism in Our Public Schools* (San Francisco, 1859). See too Pope Pius IX’s *Syllabus of Errors* of 1864, nos. 45-48, drawing together earlier papal pronouncements, at <https://papalencyclicals.net/pius09/p9syll.htm> (last visited 17 May 2024); “The ‘Bible-in-School’ Question, in Cincinnati,” *New York Freeman’s Journal and Catholic Register* (11 December 1869); *Some of the Arguments That Have Been Made in Favor of Abolishing Religious Instruction in the Public Schools* (Cincinnati, 1870). “The School Question,” *Christian World* (February 1870), offers a useful compendium of contemporary views on use of the Bible. Consider James Cardinal Gibbons: “The laws of the United States are so intimately interwoven with the Christian religion that they cannot be adequately expounded without the light of revelation” (“The Great American Republic a Christian State,” in Henry B. Carrington, *Beacon Lights of Patriotism* (New York, 1895), 162).

writing, and arithmetic—but it adds that they were also taught “religious principles.”¹³

The committee pressed back. If he was teaching Protestant and Catholic children alike, and not interfering with their religious opinions, why was he volunteering that he faced “most unprecedented opposition” from the Catholic clergy? The schoolmaster conceded that one of their reading books was “the approved version of the holy scriptures,” the King James Bible. The parents, he claimed, were all in favor of their children reading this book, “but the Catholic priests oppose it, and threaten the parents to deprive them of their religious privileges if they suffer their children to read the scriptures.” Two years before this testimony, a priest had burst into a classroom to teach the catechism; “this,” said the schoolmaster primly, “was objected to.” The next Sunday, the priest had “preached against the schools.” That had earned them the derisive name of Protestant Bible Schools. Next, “the windows of the schoolhouse were broken, my wife and I pelted with mud, and a few days after my child so beaten as to become a cripple, and is so to this day.” The schoolmaster remained devoted enough to his charges that not only did he keep running the schools, but he also appealed for charity to support some 140 poor children, “most of whom are

¹³ *First Report of the Minutes of Evidence Taken before the Select Committee of the House of Commons Appointed to Inquire into the Education of the Lower Orders of the Metropolis* (London, 1816), 1-4; “Religious and Philanthropic Intelligence,” *The Investigator; or, Quarterly Magazine* (July 1822), 210. The gist of the evidence is reported in “Education of the Lower Orders of the Metropolis,” *Morning Chronicle* (4 July 1816).

absolutely in a starving condition.” The local special constable credited the schools with reducing the “great drunkenness” endemic in the neighborhood.¹⁴

The committee also heard that near Belfast, parents unable to read even currency notes had returned from market with five shillings instead of five pounds. The ripoff victims wanted their children to be taught to read. “The priests could never successfully oppose that measure.” The language might suggest that the priests tried and failed, or might suggest that they realized there was no point trying. But were they even opposed? That episode, claimed another witness, “was the commencement in Ireland of a desire among the lower orders of Catholics to read.”¹⁵

Last word here to William Beatty — Irish, deaf and dumb, seventeen years old — writing in 1831 from the Claremont Institution for the Deaf and Dumb, just outside Dublin. (Let’s agree that Claremont was not the most nefarious bit of the Protestant Ascendancy.) “I have no Bible: I want to read the Bible oftener: I like

¹⁴ *First Report*, 5; *Morning Chronicle* (10, 15, 16, 17, 19 February 1816); *Report of the Committee on the State of the Police of the Metropolis, with the Minutes of Evidence*, 2 vols. (London, 1817), 1:223, 225. The master’s name is variously spelled; it’s “J. A. Finigan” in “Distresses of the Poor Irish in St. Giles’s,” *Morning Chronicle* (16 February 1816); “Thomas A. Finigan” in “Distress of Irish Children in St. Giles’s,” *Morning Chronicle* (19 February 1816); and “Thomas Augustine Finnegan” in the committee report. Surely these are all the same person. For a bishop’s insistence that Catholic children could read only the approved version with notes, see *Report from Select Committee of the House of Commons Appointed to Inquire into the Education of the Lower Orders in the Metropolis* (London, 1816), 528-35. For more on Irish Catholic priests’ hostility to Bible-reading, consider the Archbishop of Tuam’s comments in the House of Lords, *Hansard* (9 June 1828).

¹⁵ *First Report*, 419. Some fifty years later, the same claim was made about slaves: Rev. L. C. Lockwood, “Capacity of Slaves for Freedom and Soldierly,” *Independent* [NY] (5 February 1863).

to learn the words: I want to learn all the words in the Bible.... Some persons never read the Bible: they are ignorant: I much pity them. I am afraid they are very wicked." We've heard those imploring tones over and over. The avid desire to read the Bible has always been part of the struggle over literacy.¹⁶

FREEDMEN

He'd accompany the girl to school and peer inside at the children studying. "I had the feeling that to get into a schoolhouse and study in this way would be about the same as getting into paradise." But as an enslaved boy, he was to walk his mistress to school, not cross the threshold; to carry her books, not read them. "From the time that I can remember having any thoughts about anything, I recall that I had an intense longing to learn to read. I determined, when quite a small child, that, if I accomplished nothing else in life, I would in some way get enough education to enable me to read common books and newspapers." Nor, he thought, was that idiosyncratic. He doubted others could grasp "the intense desire which the people of my race showed for an education." "The great ambition of the older people was to try to learn to read the Bible before they died."

He was nine when the Civil War ended and his mother moved the family to West Virginia. (Rumor had it his father was a white man from a nearby plantation. He never met the man and shrugged him off as "another unfortunate

¹⁶ *Fifteenth Report (viz. for 1830) of the National Institution, for the Education of Deaf and Dumb Children of the Poor, in Ireland* (Dublin, 1831), 44, 72. On Claremont, see G. N. Wright, *An Historical Guide to the City of Dublin*, 2nd ed. with additions (London, 1825), 126-31; *The Treble Almanack* (Dublin, [1836]), 168.

victim” of slavery.) She got him a beginner’s spelling book. He knew he had to learn the alphabet, but he was stymied. No black people around knew it, and he was “too timid” to ask a white person. Somehow he figured out most of it. Then a black teacher showed up in town. The boy got some night lessons, and squeezed some hours at school between early morning and afternoon shifts at a salt furnace. Until his boss detected the trick, he got to school on time by advancing the office clock half an hour.

When he was a teenager working in a coal mine, he eavesdropped on a couple of miners talking about the Hampton Institute, a Virginia school for black students. It offered work-study arrangements for “poor but worthy students.” He thought the school “must be the greatest place on earth.” With almost no money and “only a small, cheap satchel,” he set off. The school was five hundred miles away, and he realized soon enough he couldn’t afford the train and stagecoach fares to get there. “Tired, hungry, and dirty,” out of food and money, walking around at night to keep himself warm when turned away from a hotel because of his race, he made it to Richmond, some eighty miles from the school, and got a job unloading pig iron from a boat. That got him paid enough for breakfast, and he kept the gig long enough to raise money to pay for the rest of his trip. He arrived at Hampton with fifty cents. “Having been so long without proper food, a bath, and change of clothing,” he didn’t impress the head teacher, but she said he could sweep an adjoining classroom. He swept it three times, dusted it four, and cleaned every bit of furniture. She admitted him to the school. He worked there as a janitor, which meant getting up at 4:00 a.m. That job paid

his board, but not tuition. The former Union general who ran the school arranged for a Massachusetts man to pay his tuition.¹⁷

Booker T. Washington's trek to Richmond and his ensuing career were exceptional. His thirst to learn was not. As we've seen, even under slavery many black people yearned to read. Over a century before Washington enrolled, a Virginia preacher was struck by how "eagerly desirous to be instructed" black people were, and how despite "very little help," many had managed to learn to read the Bible. After the Civil War, testimonials poured in. One traveler remarked on "the feverish anxiety for initiation into the mysteries of print, everywhere strikingly manifest among the negroes in cities and along the great lines of travel." Alabama: "Their ambition and energy in learning to read and write are truly remarkable in many cases." North Carolina: "A general desire for education is everywhere manifested.... Said a gentleman to me, 'I constantly see in the streets, and in the doorsteps opposite my dwelling, groups of little negroes studying their spelling-books.'" Missouri: "Most of them are very eager to learn." "One of my scholars, a little girl, said 'if she could just learn to read and write, she would not want to live six months longer.'" Arkansas: children walked "as far as four, five, and even six miles to attend school." Some had no breakfast and scanty lunch, "hunger for knowledge being stronger than hunger for food." South Carolina: children "not yet ten years old" were walking "seven miles every morning before nine o'clock" to get to school. Not just youngsters, either. Florida: people sixty, seventy, eighty years old "are frequently seen just learning

¹⁷ Booker T. Washington, *Up from Slavery: An Autobiography* (New York: A. L. Burt Company, 1901), 6-7, 2-3, 27-32, 42-59.

their letters.” One centenarian “had actually learned his letters before his death.” Delaware: on entering school, a woman in her eighties declared, “I am determined to make the effort to learn to read my Bible before I die, and if I fail I will die on the way.” Kentucky: there was “a persistent determination on the part of the freedmen to educate their children.” Virginia: “needy, hungering thousands” sought places in schools. “Old men, young lads, were equally intent on learning in these humble schools.” A children’s reader told the tale of a “little colored boy” learning to read—and then teaching his father. “I would advise all, young, middle aged or old, in a free country,” reflected newly emancipated Mattie Jackson, “to learn to read and write.”¹⁸

¹⁸ *Letters from the Rev. Samuel Davies, &c. Shewing the State of Religion in Virginia, Particularly among the Negroes*, 2nd ed. (London, 1757), 10-11; Whitelaw Reid, *After the War: A Southern Tour: May 1, 1865, to May 1, 1866* (London, 1866), 511 (Reid thought that among those living under sharecropping arrangements, “there was at least an indifference to education”); Walter Walton to J. Miller M’Kim, 15 May 1865, “Alabama,” *Philadelphia Freedmen’s Bulletin* (1 August 1865); J. W. Alvord, *First Semi-Annual Report on Schools and Finances of Freedmen, January 1, 1866* (Washington, [DC], 1868), 3; Margaret Stalker, “North-Western Branch,” *American Freedman* (March 1867); Alvord, *Eighth Semi-Annual Report on Schools for Freedmen, July 1, 1869* (Washington [DC], 1869), 59; Alvord, *Ninth Semi-Annual Report on Schools for Freedmen, January 1, 1870* (Washington [DC], 1870), 26; George H. Allan to Rev. Lyman Abbott, 31 March 1866, *American Freedman* (June 1866); Alvord, *Third Semi-Annual Report on Schools for Freedmen, January 1, 1867* (Washington [DC], 1867), 8; Alvord, *Fourth Semi-Annual Report on Schools for Freedman, July 1, 1867* (Washington [DC], 1867), 73, 17; William Hepworth Dixon, *New America*, 3rd ed. (Philadelphia, 1867), 468-69; “How Father Henson Learned to Read,” *The Freedman’s Third Reader* (Boston, 1866), 20-22; Dr. L. S. Thompson, *The Story of Mattie J. Jackson... as Given by Mattie* (Lawrence, 1866), 28. See too David Macrae, *The Americans at Home*, 2 vols. (Edinburgh, 1870), 2:64-65. On black agency in the struggle for education, Heather Andrea Williams, *Self-Taught: African American Education in Slavery and Freedom* (Chapel Hill: University of North Carolina Press, 2005), is excellent.

Black people served as teachers, too. In 1868, a federal report noted that Miss Deveaux, a black woman, had been teaching black children in Savannah since 1835. (Yes, state and municipal law alike made that illegal.) She'd evaded "the most constant and lynx-eyed vigilance of the slaveholders of her native city." In a North Carolina county, "very good schools were found taught and paid for by the colored people themselves." A black woman was teaching a couple of dozen black children in a Louisiana parish, and their parents, working on plantations, were scraping together enough money to pay her.¹⁹

Many Southern whites flaunted their unabashed contempt for white people teaching black people to read. "No Southern white man or woman will do it, for, as I have been told a hundred times, no man that respects himself would degrade himself so far as to make it a business to teach in n— schools." The contempt was laced with fury when aimed at northern white women who came south to teach the freedmen, "women who have lost all modesty at home, and therefore have no shame in being seen as teachers in the n— schools." That report indicted the "depravity" of a white woman who'd borne twins out of wedlock to a black man. "No respectable woman ever comes South to teach n— s," thought "a Virginia belle." Teaching in Gretna, Louisiana, Miss Jordan put up with insults and "vulgar remarks" in public. She had to pay double the usual

¹⁹ Alvord, *Fifth Semi-Annual Report on Schools for Freedmen, January 1, 1868* (Washington [DC], 1868), 29; Alvord, *First Semi-Annual Report*, 3; Dr. Shakspeare Allen to Major General O. O. Howard, 28 December 1866, in Alvord, *Third Semi-Annual Report*, 25-26. On teachers of both races, see too Dixon, *New American*, 468. Ronald E. Butchart, *Schooling the Freed People: Teaching, Learning, and the Struggle for Black Freedom, 1861-1876* ([Chapel Hill]: University of North Carolina Press, 2010), argues in part that the apparent prominence of white women teachers is an artifact of the excellent archives of the American Missionary Association.

ferry fare. Told that her “Puritan blood” explained her students’ success, one white woman parried by pointing out that the students of “Miss Schadd, a colored teacher,” were more advanced.²⁰

Not just contempt, but also violence greeted those teaching black people. Alonzo Corliss, a Methodist minister, made his way from Philadelphia to a little town in North Carolina. The Ku Klux Klan didn’t relish his teaching and preaching. One night, Klan members, dressed like clowns with horns and screeching like demons, broke into his house and dragged him out without his customary crutches. Corliss pleaded that his “diseased knee” meant they were going much too fast, but his screaming was met with a pistol blow over his eyelid. He asked what he’d done. “Teaching n—s, and making them equal to white folks.” The Klan beat Corliss, who’d lost his night clothes in being dragged through the bushes, and shaved and painted half his head and his face black. He passed out during the ordeal. Then, using a stick for support, he managed to hop two and half miles back home. “I cannot move a joint tendon or muscle in my

²⁰ “Letter from the South,” *Boston Daily Advertiser* (19 August 1865), reprinted with incidental variations in *Evening Post* [NY NY] (21 August 1865); *Memphis Daily Avalanche* (9 June 1866); “Picture of a Virginia Lady,” *Wheeling Intelligencer* (16 February 1867), reprinted with incidental variations in *Spirit of Jefferson* (26 February 1867); see too M. S. P., “Extracts from Teachers’ Letters,” *The Freedmen’s Record* (November 1865), 181; John H. Kennaway, *On Sherman’s Track: or, The South After the War* (London, 1867), 191; “Noblest, Purest, and Most Intelligent,” *Weekly Caucasian* [Lexington MO] (8 July 1871), reprinting a story from the *Brandon Republican* [MS] that seems not to have survived; “Teaching N—s,” *Herald and Tribune* [Jonesborough TN] (18 November 1875); *Farmer and Mechanic* [Raleigh NC] (7 May 1884). Alvord, *Sixth Semi-Annual Report on Schools for Freedmen, July 1, 1868* (Washington [DC], 1868), 40; Phebe Chamberlain to Robert R. Corson, from Georgetown DC, 10 June 1867, *Pennsylvania Freedmen’s Bulletin* (February 1868). For an oddly cheerful view, see Equal Rights to the editor, *New National Era* (25 June 1874).

body without extreme pain," he added. The perpetrators were acquitted. The Klan had told Corliss to leave the state in ten days. When that time ran out, they posted a flag that said, "Corliss and the negroes. Let the guilty beware. Don't touch.—Hell." And the flag clearly threatened him with death: it was wrapped in crepe and graced with a picture of a coffin.. He wanted to continue, but no one would rent him a house or a hotel room. Corliss left ten days later. "I have received injuries in body and mind from which I shall never entirely recover," he lamented. In 1871, a Congressional committee heard from a black woman who'd fled a rural county in Georgia to live in Atlanta. The Klan had whipped her and the rest of her family. No "big talk," the Klan warned them, and don't "sass any white ladies." The Klan's whipping tours were frequent, she explained, and sometimes aimed at schools for black people. "They went to a colored man...whose son had been teaching school, and they took every book they had and threw them into the fire; and they said they would just dare any other n— to have a book in his house." They threatened too to whip anyone who sent a student to the local black school. "There is a school-house there," she testified, "but no scholars."²¹

²¹ "The Ku-Klux in North Carolina: A Methodist Minister Assaulted," *Bellows Falls Times* [VT] (17 December 1869); *Report on the Alleged Outrages in the Southern States, by the Select Committee of the Senate: March 10, 1871* (Washington [DC], 1871), 144-50; "Friends' Freedmen's Association—Extracts from Recent Letters," *The Friend* (25 December 1869). Corliss would go on to teach in Pennsylvania, Florida, and New Jersey: *The Pennsylvania School Journal* (September 1874), 111; "Letter from South Florida," *Green Mountain Freeman* (6 June 1883); *United Opinion* [Bradford VT] (20 May 1887). For Corliss's obituary, see "Taught School 60 Years," *Barre Daily Times* [VT] (22 November 1907); *Bennington Evening Banner* (29 November 1907). *Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States*, 13 vols. (Washington, 1872), 6:400-402; I owe the reference to Eric Foner, *Reconstruction*:

Black people in Crumpton, Maryland asked the Baltimore Association for the Education of the Colored People of Maryland to find them a teacher. The Association surfaced James Hamilton, a young man who'd arrived from Scotland. Eager to avoid problems, the black residents of Crumpton asked their white neighbors if a school for black children would be okay. It would, they were assured. The schools for white and black children were separate but close. When complaints about the "familiarity of the children" surfaced, the black community, still eager to avoid conflict, dutifully built a fence. Hamilton prepared to open a night school, too, and apparently that was just too much for some white people to bear. "An infuriated mob of about twenty-five boys and men with faces blackened" approached Hamilton's residence. They demanded that the landlord turn Hamilton over. "Smash his lantern, so he can't see us!" cried the valiant racists. "What do you want with him?" asked the landlord. "We want to lynch any white man that comes here to teach n—s, when it's against the wishes of the white people in this part." The landlord demurred that Hamilton was a foreigner, and suggested they first try talking to him. They agreed and Hamilton came out. "We were free a few years ago," the angry mob told him, "but now we are all put under n—s." Think about what it means for the South's defeat in the Civil War to count as the end of white freedom. Think about what it means for simple legal equality to count as black domination. But these people didn't show up for civil deliberation. They cocked their guns to underline their

America's Unfinished Revolution, 1863-1877 (New York: Harper & Row, 1988), 428. Compare the mailed death threats in "Plymouth on the Negro," *Alexandria Gazette* (29 January 1877). See too *Report of the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States: Made to the Two Houses of Congress February 19, 1872* (Washington, 1872), 73-81.

threat: “You must leave the school and this neighborhood, and the sooner the better.” Hamilton capitulated.²²

Such tales of violence are endless. There are also countless reports of schoolhouses for black children being burnt and demolished. Some categories we’ve seen deployed before surfaced again. White citizens of Louisville petitioned the city to treat an elegant black schoolhouse as a nuisance. And a freedmen’s schoolhouse in Memphis “was burned by incendiaries.” Military protection was sporadically effective; local officials often pursued crimes lackadaisically—or not at all. The American Missionary Association vowed to rebuild in rural North Carolina, and local black people armed themselves to protect the new school. When racists showed up to tar and feather a Delaware teacher, “a volley of musketry from the colored men caused them to skedaddle.” A Union veteran convened a meeting in Monroe, Louisiana, to organize a school for black people. Several attendees were murdered. The principal of a New Orleans school was stabbed. A disabled Confederate veteran was teaching in

²² “Education on the Eastern Shore,” *Delaware Tribune* [Wilmington] (17 February 1870); also *Bangor Daily Whig and Courier* (12 February 1870); *The Raftsman’s Journal* [Clearfield PA] (16 February 1870); “Teaching ‘N—s,’” *Annapolis Gazette* (17 February 1870); “Mob vs. Education,” *County Union* [Towsontown MD] (19 February 1870); “Negrophobia in Maryland,” *Morning Republican* [Little Rock AR] (2 March 1870). For similar tales, see *Observer*, “Letter from Washington,” 20 March 1870 [1871?], *Daily Spy* [Worcester] (22 March 1871), also in *Massachusetts Weekly Spy* [Worcester] (24 March 1871); *Report of the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States: Made to the Two Houses of Congress February 19, 1872* (Washington, 1872), 75-77; “Gesner’s Story,” *Daily Inter-Ocean* [Chicago] (2 April 1875); Wilmer Walton, “The ‘Ku-Klux’ in Cape Girardeau County,” *Fair Play* [Genevieve MO] (27 May 1875). Hamilton’s story made its way to *Harper’s Weekly* (26 March 1870). For more nauseating language on equality as black domination, see “Speech of George F. Train,” *Democratic Advocate* [Westminster MD] (7 December 1865).

rural Mississippi. His school was demolished; with the help of black people, he rebuilt it; then it was burnt to the ground. The landlord refused to let him try again, so he tried in a nearby town. There too his school was burnt down; his life threatened, he gave up. “An intelligent mulatto girl in Tennessee” was murdered “merely because she was engaged in teaching colored people to read.” Franklin Sinclair, a black teacher and candidate for the state legislature, was murdered. The “mock trial” of his killer led to an acquittal on grounds of self-defense: Sinclair had had the audacity to refuse to remove his hand from his side.²³

Let’s entertain a naïve question. What was so terrible about black people learning to read? Literacy is a badge of dignity, so literate blacks were a dreadful affront to the grim pageantries of social domination. A teacher in rural Mississippi was hauled outside and struck with pistols and knives. His shirt was removed and he was whipped 175 times with black-gum switches, especially

²³ Alvord, *Fifth Semi-Annual Report*, 44; Alvord, *Sixth Semi-Annual Report*, 47; Horace James, *Annual Report of the Superintendent of Negro Affairs in North Carolina: 1864* (Boston, [1865]), 20-21 (also in “Negro Affairs in North Carolina,” *Freedmen’s Record* (September 1865), 142-43); “The Blackbird Forest,” *Daily Republican* [Wilmington DE] (27 November 1878); W. B. Stickney, “More Light,” *Bangor Daily Whig and Courier* (18 August 1866); Alvord, *Sixth Semi-Annual Report*, 38; “Old-Fashioned Outrages,” *Brooklyn Union* [NY] (3 June 1868), also “Outrage in Mississippi,” *Dodgeville Chronicle* [WI] (5 June 1868), both reprinting a story from the *Memphis Post* that seems not to have survived; “The Bullet as a Democratic Argument,” *Highland Weekly News* [Hillsboro OH] (11 February 1875). On Sinclair, see J. W. Alvord, *Seventh Semi-Annual Report on Schools for Freedmen, January 1, 1869* (Washington [DC], 1869), 32; “Affairs in Northern Louisiana,” *New Orleans Republican* (30 April 1868); “Murder of Franklin Sinclair,” *New Orleans Republican* (5 and 27 May 1868); *Report of the Joint Committee of the General Assembly of Louisiana on the Conduct of the Late Elections* (New Orleans, 1868), 53-54. For a Louisiana legislator’s disbelief that black children were being taught—“this is the climax of absurdities!”—see *Report of the Joint Committee on Reconstruction at the First Session Thirty-Ninth Congress* (Washington, 1866), 253, also in Alvord, *First Semi-Annual Report*, 6.

cruel instruments. He managed to ask what his offense was. "They said I wanted to make these n—s equal to the white man." "God damn you!" added his tormentors. "Don't you know this is a white man's country?"²⁴

But there were instrumental worries, too. After the Civil War no one would have invoked the imperatives of maintaining the pass system to support slavery. Still, one theme we've seen in surveying English workers surfaces here, too. Reading would give black people ideas above their station and make them unfit for menial labor. A black principal with a college degree chalked up the repeated burnings of schoolhouses and whippings of teachers around Waco, Texas to the thought that schools would teach "n—s to read and write when they ought to make crops." Uncle Remus, the elderly and amiable black man ventriloquizing racist sentiments for generations of American readers, put it this way: "Put a spellin'-book in a n—'s han's, en right den en dar' you loozes a plow-hand." Then too there was the delicate matter of the franchise. If black people could read, they would be qualified to vote. Add the demographic facts and you can see mandated illiteracy as a frantic campaign to maintain the power of the white minorities of some Southern states.²⁵

If the work done was heroic, well, the resistance was adamant, the need staggering. Thousands of schools were built, plenty with government support,

²⁴ *Report of the Joint Select Committee*, 78-79.

²⁵ *Bangor Daily Whig and Courier* (20 June 1872), with incidental variations in *Portland Daily Press* (19 June 1872). Joel Chandler Harris, *Uncle Remus: His Songs and His Sayings: The Folk-Lore of the Old Plantation* (New York, 1881), 223. Frank Wilkerson, "A Protest against a National System of Education," *The Sun* [NY NY] (28 April 1884), offers the same worry. His letter was greatly altered to press the argument about voting: see the report and rebuttal in "Educating Blacks at the South," *Crawford Avalanche* [Grayling MI] (8 May 1884). See too "The Soul of a Lyncher," *New York Age* (11 January 1919).

but with private support, too: famous philanthropist George Peabody donated a whopping \$2m. The last official government report on educating the freedmen, from 1870, concedes that “the masses of these freedmen are, after all, still ignorant. Nearly a million and a half of their children have never as yet been under any instruction.”²⁶

I haven’t tried to trace the bitter conflicts over teaching black people to read much beyond the halcyon days of Reconstruction, but here’s a suitably dispiriting postscript from 1903. Joined by her father, Miss Georgia Grimes of Paris, Kentucky, applied for a teaching position in Arkansas City, Kansas. Grimes was a high school valedictorian and earned a bachelor’s of literature from Kansas University in three years. Three classrooms needed a teacher. “It so happened in each of these rooms there was a colored scholar or two,” and her father balked. He “said that if his neighbors in his own state ever found out that his daughter was teaching little negroes he would be a social outcast.” The black editor of the *Topeka Plaindealer* scornfully greeted the news. “We are sorry for the young lady and her ignorant rebel father.” Raising the stakes, he added, “We also call her attention to the fact that her forefathers were rapists and seducers of colored women for centuries, and that they now lynch and burn Negroes for supposed crimes of which eight tenths [!] are innocent, for just such offenses as her forefathers DID commit. No doubt she has several half Negro brothers and sisters....” A paper from Grimes’s home town exploded in fury at this riposte. “The ‘n—’ editor of the paper is nothing less than a dirty scoundrel and would

²⁶ J. T. Trowbridge, *A Picture of the Desolated States; and The Work of Restoration* (Hartford, 1868), 666; J. W. Alvord, *Tenth Semi-Annual Report on Schools for Freedmen, July 1, 1870* (Washington [DC], 1870), 3.

not dare to publish such an article, if he was not so far away. The people of Kentucky are too proud to place themselves on an equality with the negro, and Miss Grimes, in refusing to teach 'n—s,' only did what any true Kentuckian would have done, and she deserves all the praise that can be given her."²⁷

THE CURRENT SCENE

Bathos alert! We've considered frenzied struggles over teaching black people to read. We've considered the suppression of antislavery newspapers. We've considered laws criminalizing reading the Bible and we've visited radical authors rotting in prison. And now I'm going to say something about *Heather Has Two Mommies* and *Daddy's Roommate*. These sympathetic portrayals of young children with gay parents regularly feature in today's fights over what should be taught in public schools and what should be available in library collections for children.²⁸

²⁷ "Graduates of Kentucky University," *Morning Herald* [Lexington KY] (8 June 1902) (here it's "Mary Georgia Grimes," but see too "Calendar," *Lexington Herald* (7 June 1902)); "Wouldn't Teach Negroes," *Topeka State Journal* (3 October 1903), with incidental variations in "She Drew Color Line," *Topeka Daily Herald* (3 October 1903); Nick Chiles, "Wouldn't Teach Negroes," *Topeka Plaindealer* (9 October 1903); "Dastardly Article," *Bourbon News* [Paris KY] (16 October 1903). For a bemused response, see "Paris, Ky.," *Topeka Plaindealer* (23 October 1903). Compare "Not Employed to 'Teach N—s,'" *Indianapolis Journal* (28 November 1886).

²⁸ Leslea Newman, *Heather Has Two Mommies* (Northampton, MA: In Other Words Publishing, 1989); Michael Willhoite, *Daddy's Roommate* (Boston: Alyson Wonderland, 1991). Though—it's a hard contest to win—neither title shows up at American Library Association, "Top 10 Most Challenged Books Lists," at <https://www.ala.org/advocacy/bbooks/frequentlychallengedbooks/top10/archive> (last visited 18 April 2024). *Heather* does make it on <https://www.ala.org/advocacy/bbooks/frequentlychallengedbooks/decade2019> (last visited 18 April 2024), but *Roommate* does not. See too PEN America,

In September 1997, the public library in Wichita Falls, Texas, purchased two copies of each title. They'd been getting the books on interlibrary loan, always an expensive proposition, and some of their users had requested that they add the books to their collection. The library shelved one copy of each in Youth Reference, the other in Youth Picture Books. For months, the books weren't charged out much, and there were only a couple of complaints. In May 1998, Reverend Robert Jeffress, pastor of the town's First Baptist Church, learned the books were in the collection. One account says a church member checked out the books and brought them to Jeffress; another says Jeffress checked them out. Either way, Jeffress destroyed the copies so that no one else could read them. He dutifully paid the library for the destroyed copies. He also gave a Mother's Day sermon against the two books: "as a culture we cannot condone what God has condemned." Suddenly—this response is now familiar—the library had plenty of requests for the books and people were donating plenty of copies. Jeffress later became a fixture on Fox News and a vocal supporter of Donald Trump, who spoke at his church, but I won't pursue any of that.

City Council then adopted a measure providing that if three hundred library users signed a petition urging that any book for children up to twelve years old be removed from children's areas, the library would have twenty-four hours to reshelve the offending book in the adult's section. In July 1999, petitions came in demanding the relocation of *Heather* and *Roommate*. Complaints were coming in about other books, too, including a couple featuring interracial

"Banned in the USA: Narrating the Crisis," at <https://pen.org/report/narrating-the-crisis/> (last visited 18 April 2024).

relationships. Jeffress stated he wanted City Council to order that the books be removed from the library. But a court found that the petition procedure violated the first amendment, and that was the end of the struggle to ban or even relocate the two books.²⁹

There's been more and more of this sort of thing, and I needn't rehearse the dismal table-thumping about grooming and critical race theory and parental rights. (Though it is an odd version of parental rights that allows particular individuals to get books withdrawn, even if other parents would like their children to be able to read them. There are some awfully busy complainers out there, too. In 2021-22, a majority of over a thousand complaints about books in school libraries were filed by just eleven individuals. Then too it seems odd that a group called Moms for Liberty is so zealous about purging worrisome books. And the internet offers easy one-stop shopping for those anxious to yank books from library shelves: just click on booklooks.org.) Nor do I want to make too much of the blast-from-the-past moments that punctuate our debates. In the preface, we met a government official intent on book burning. Time to meet another. Asked what he would do with books that a new state committee deemed inappropriate for school libraries, Tennessee state representative Jerry Sexton responded, "I would burn them."³⁰

²⁹ "After Protest by Pastor, Interest in Gay Books at Library Grows," *New York Times* (24 May 1998); *Sund v. City of Wichita Falls*, 121 F. Supp. 2d 530 (N.D. Tex. 2000); Michael J. Mooney, "Trump's Apostle," *Texas Monthly* (August 2019); <https://www.youtube.com/watch?v=On7C4xMTJ7I> (last visited 18 April 2024). I think the *Sund* court reached the right result, but its first amendment analysis is wrong; explaining why would take me too far afield.

³⁰ PEN America, "Educational Intimidation," at <https://pen.org/report/educational-intimidation/> (last visited 18 April 2024); Hannah Natanson, "Objection to Sexual,

Nor does it take even the prompting of private individuals. A 2023 Florida statute requiring “the suspension of materials alleged to contain pornography” got schools busy. Collier County’s public schools yanked almost 400 books, among them Aldous Huxley’s *Brave New World*, Arthur C. Clarke’s *2001: A Space Odyssey*, and Tolstoy’s *Anna Karenina*. It’s easy to agree that public school libraries shouldn’t contain pornography. It turns out to be tricky to decide which books are pornographic, mostly because of background disagreements about the criteria for *pornography*. *And Tango Makes Three*, a children’s version of the true story of two male penguins in a zoo that hatched and raised a chick together, got banned in Florida’s Lake County, thanks to the provision critics deride as the “don’t say gay law.” The authors have sued.³¹

LBGTQ Content Propels Spike in Book Challenges,” *Washington Post* (9 June 2023); Melissa Brown and Anika Exum, “‘Burn Them’: GOP Lawmaker Sparks Ire over Tennessee School Library Book Bill,” *Tennessean* (28 April 2022). The statute is 2022 Tenn. Pub. Ch. 1137. Developments in this domain are charted at <https://www.everylibrary.org>. For a depressing view from the trenches, see Amanda Jones, *That Librarian: The Fight against Book Banning in America* (New York: Bloomsbury Publishing, 2024).

³¹ Justin Richardson and Peter Parnell, *And Tango Makes Three* (New York: Simon & Schuster, 2005). See generally 2023 Legis. Bill Hist. FL H.B. 1069 (2023), Fla. Stat. § 1001.42 8(c)(3) (regularly described as the “don’t say gay” law), Fla. Stat. § 1006.28; Kendall Little, “Collier County Schools Plan on Banning or Restricting Nearly 400 Books from Libraries,” *Naples Daily News* (7 November 2023); for a fuller list than the article offers, see <https://twitter.com/FLFreedomRead/status/1719906896533160353> (last visited 18 April 2024); Melanie Wicker, “Classics of American Literature Being Axed at Collier Schools,” *News Press* [Fort Myers FL] (26 November 2023). The *Tango* complaint is at <https://storage.courtlistener.com/recap/gov.uscourts.flmd.415344/gov.uscourts.flmd.415344.1.0.pdf> (last visited 18 April 2024); for steps in the unfolding litigation, see <https://clearinghouse.net/case/45358/> (last visited 18 April 2024). Compare Dave Eggers, “Anatomy of a Book Banning,” *Washington Post* (24 June 2022).

Why do I invoke bathos? Not because children's books don't matter: they do. Not because the right and ability of gay and trans people to be fully dignified, free and equal members of society don't matter: they do. Not because curriculum and the contents of library shelves don't matter: they do. Rather because books here are the occasion for conflict that's finally about other things, not only but not least whether children should grow up learning that there are gay and trans people, and that straight couples are not the only legitimate game in town. It would be rash to claim that nobody wants outright bans on *Heather* or *Roommate* or *Tango*: poke around the brackish recesses of the internet and you find all sorts of wackadoodle stuff. But the fight seems to be about classrooms and libraries, not the availability of books anywhere at all. Florida's Governor DeSantis complained, "This idea of a book ban in Florida, that somehow they don't want books in the library—that's a hoax. And that's really a nasty hoax, because it's a hoax in service of trying to pollute and sexualize our children." I don't care much whether we use the word *ban* to describe Florida's laws and practices. I do care that we notice how demented it is to imagine that a book depicting two male penguins raising a chick might pollute or sexualize children. I do care that we notice the difference between Florida's laws and stopping people from publishing newspapers, or demanding that anyone with copies of certain books hand them over to the government, or making it a crime to read the Bible, or trying to stop some people from learning how to read in the first place.³²

³² Patricia Mazzei, Elizabeth A. Harris, and Alexandra Alter, "Florida at Center of Debate as Book Bans Surge Nationally," *New York Times* (24 April 2023). Compare Clara N. Hawkes, "Outside Reading: The Case for the Defense," *Illinois Association of Teachers of English Bulletin* (1 April 1919).

Or again: when a school board in rural Tennessee decided the curriculum would no longer include Art Spiegelman’s *Maus*, the remarkable graphic novel about the Holocaust and its impact on his family, they cited “its unnecessary use of profanity and nudity and its depiction of violence and suicide.” Let’s set aside the odd editorial judgment that those features of the work are unnecessary. “I may be wrong,” said one board member, “but this guy that created the artwork used to do the graphics for *Playboy*.... If I had a child in the eighth grade, this ain’t happening. If I had to move him out and homeschool him or put him somewhere else, this is not happening.” I daresay no student with a smartphone is turning to the line drawings in *Maus*, mostly of Nazi cats and Jewish mice, for depictions of nudity. Whatever the pedagogical merits of this decision, though, students in McMinn County can still read *Maus*—outside school.³³

Perhaps it’s easier to see the difference at a historical distance with the ideological valence flipped. In 1869 Cincinnati’s brouhaha over teaching the Bible in public schools, no one asked the state legislature to ban the publication or sale or reading of the Bible. Contrast the grisly scenes of early modern England. But contrast too the caustic view of the Committee on Printing of Michigan’s Senate, also from 1869. “The committee believe that quite as many boys and girls are ruined by works of fiction and romance as by intoxicating drinks, and therefore would most earnestly hope they may soon be banished from the State.” The insistent refrain—“this mass of trash,” “trashy works,” senseless and ruinous

³³ “McMinn County Board of Education Statement,” 27 January 2022, at <https://www.mcminn.k12.tn.us/o/mcsd/article/639918> (last visited 22 September 2024), “McMinn County Board of Education: Called Meeting: January 10, 2022,” at <https://www.mcminn.k12.tn.us/o/mcsd/article/639918> (last visited 22 September 2024), 3.

trash” —makes censorship a matter of hygiene. Yes, bookstores, news agents, and others cashing in on “human depravity and national degeneracy” would resist restraints on “the steam power-presses of Pandemonium.” (Recall those marveling at and also those horrified by the sheer volume of machinery and type commanded by Charles Knight’s printing shop and by the copious output of the Society for the Diffusion of Useful Knowledge.) The committee looked ahead to our days, to a brave new future of renewed repression “as we advance toward the millennium.” One might wonder about a solemn committee report bristling with the agitated rhetoric of a bodice-ripper, but let that go. The heroic quest to banish trashy novels from the state, so that no one can read them anywhere, isn’t the same as the campaign to remove any particular book or books from schools.³⁴

So too for our febrile debates about critical race theory. I doubt the people bashing CRT know much about it. They are not pretending to participate in an academic debate about what theoretical approaches best illuminate race and racism. They want to indict what they take to be a corruptly politicized hyper-left agenda about teaching, and champion the educational credentials of what their opponents reject as jingoistic or downright racist stories about American history and politics. No surprise that Florida led the charge—successfully, as it turned out—against the College Board’s proposed Advanced Placement course on African American Studies. Does it matter what Florida students can and can’t

³⁴ Henry S. Sleeper, *Journal of the Senate of the State of Michigan: 1869*, pt. 2 (Lansing, 1869), 1393-94.

learn in school about race? Of course. Are Florida students still free to read more or less whatever they like? Sure.³⁵

Florida boldly leads the way in another kind of book suppression that concerns me much more, because it means wholly cutting off some people from access to some books. At last count Florida has banned almost 23,000 books, more than twice as many as second-place Texas in this ignominious national competition. The would-be readers being denied access are inmates in Florida's prisons. First amendment law permits prisons to ban publications if doing so is a reasonable step for maintaining security. That seems right: it would be odd if a prisoner had a constitutional right to read an instruction manual on how to make a shiv or kill a guard or escape. And courts are quite deferential to prison wardens, which makes epistemic or institutional sense, too: wardens know how to run prisons and judges don't. You can underwrite that with an appeal to the asymmetry of error costs. No big deal, on one view, to ban a book that wouldn't have caused trouble; a big bad deal to permit one that will cause trouble; so when in doubt, ban.³⁶

Still, in Florida and many other states, things have spiraled lethally out of control. Florida bans books by and about Malcolm X. That's pretty common in American prisons; in the preface, we saw Tennessee doing it. I don't myself see quite how Malcolm X's work is a threat to prison discipline, but then I have no idea how to run a prison, either. Still, epistemic deference goes only so far, and

³⁵ Anemona Hartocollis and Eliza Fawcett, "The College Board Strips Down Its A.P. Curriculum for African American Studies," *New York Times* (1 February 2023).

³⁶ Moira Marquis and Juliana Luna, PEN America, "Reading between the Bars," at <https://pen.org/report/reading-between-the-bars/> (last visited 19 April 2024).

many, most, of Florida's decisions are preposterous on their face. The Federal Aviation Administration's *Airplane Flying Handbook*? Banned. *Crochet One-Skein Wonders*? Banned. *Bloomberg Businessweek*? Banned. John Hope Franklin and Evelyn Brooks Higginbotham's *From Slavery to Freedom: A History of African Americans*? Banned.³⁷

When bureaucrats ban books by the truckload, they are not conscientiously trying to keep prisons secure. They are evincing callous contempt for prisoners. Does the public care? No, or anyway not enough for Florida and other states to mend their ways. There's cruelty here, but I suspect it's not driven by heated malice. It's driven by a failure to take inmates seriously, to respect them as persons. We have seen this contempt repeatedly: for *mulierculae*, for "paltry fellows," for "ignorant slaves." Some might imagine that denying books to the heavily black prison population has nothing to do with the nineteenth-century campaign to keep black people illiterate. Me, I'm not that imaginative.

Vexing issues surround measuring illiteracy. There's more here than the simple question, can you read? There's also, how well you can understand what you read? Lots more than vocabulary drives that. There's how fast, too, not that anyone needs to be a speed reader. A colleague reports that she often asks prisoners whether they can read fast enough to keep up with subtitles on videos, and that most say they cannot.

³⁷ https://drive.google.com/drive/folders/1KICEYg8WgyfsabEYx-o-h2zWQhL0dGY_, linked from a footnote to the PEN report (last visited 19 April 2024).

There's a wide range of estimates for how many Americans are functionally illiterate. The U.S. Department of Education's National Center for Education Statistics and many other groups use the Program for the International Assessment of Adult Competences (PIAAC), which reports results on five stages of literacy. You're at Level 5, the highest, if you can "integrate information across multiple, dense texts," "evaluate evidence-based arguments," and so on. You're at Level 2 if you can match "text and information," paraphrase, and perhaps "compare and contrast or reason about information requested in the question."

In 2014, 29% of American prisoners were below Level 2.³⁸

That figure does not reflect well on the pasts that brought them to prison. It does not bode well for their futures. Here's a bit of anecdotal, more compelling in its way than descriptive statistics. My younger daughter has worked with teenagers and young adults who've bounced in and out of Massachusetts's public schools and correctional justice facilities. She reports that their handwriting is awkward, childish, with some letters backwards and easy words misspelled. Much of it is unintelligible. The guys writing that way understand

³⁸ *Highlights from the U.S. PIAAC Survey of Incarcerated Adults*, at <https://nces.ed.gov/pubs2016/2016040.pdf> (last visited 20 April 2024); Exhibit B-1, Table 1.2. For a critique of the widely used PIAAC measures, see Kristen H. Perry, Donita M. Shaw, and Sara Saberimoghaddam, "Literary Practices and the Programme for the International Assessment of Adult Competencies (PIAAC): A Conceptual Critique," *International Journal of Education* (January 2020). I've been unable to track down evidence for some of the more eye-popping claims cited in, for instance, McKenna Kohlenberg, "Booked but Can't Read: 'Functional Literacy,' National Citizenship, and the New Face of *Dred Scott* in the Age of Mass Incarceration," *N.Y.U. Review of Law & Social Change* (2020). On the analytic and empirical issues surrounding measuring literacy, see too *Basic Reading Skills and the Literacy of America's Least Literate Adults*, at <https://nces.ed.gov/pubs2009/2009481.pdf> (last visited 20 April 2024).

and experience the notorious stigma surrounding illiteracy. They have wry and acerbic things to say about the social promotion that kept them moving along through school even though they weren't learning what they needed to, with "teachers" happy as long as they occupied themselves with youtube on their Chromebooks. They also have pointed and poignant things to say about their future employment prospects.

Not that Americans outside prison are paragons of literacy. Over half are below Level 3, which requires understanding "often dense or lengthy" texts and "rhetorical structures." That data was collected before the onslaught of Covid, too.³⁹

All sorts of things lurk behind those numbers, but one is crappy policy. Think about the plight of children attending some of the nation's worst public schools. In Detroit, long-running litigation began in 2016, almost exactly two centuries after Savannah made it a crime to teach black people to read. Plaintiffs complained about "missing or unqualified teachers, physically dangerous facilities, and inadequate bodies and materials." Mice, cockroaches, vermin, black mold, bedbugs, sex toys, and used condoms graced classrooms and corridors. Drinking water was "hot, contaminated, and undrinkable." Bathroom sinks didn't work; there was no toilet paper. "In some classrooms, ceiling tiles and plaster regularly fall during class time." Broken windows were covered with cardboard. As many as fifty students were packed into one classroom. Textbooks

³⁹ "Country Note: United States," https://www.oecd.org/skills/piaac/publications/countryspecificmaterial/PIAAC_Country_Note_USA.pdf (last visited 17 May 2024).

were scarce, obsolete, with pages tattered, torn out, and so heavily marked they were unreadable.

The grotesqueries continue. But here's the nub. Plaintiffs argued that they had a fundamental constitutional right to "a basic minimum education, meaning one that provides a chance at foundational literacy." The complaint alleged that "Plaintiffs sit in classrooms where not even the pretense of education takes place, in schools that are functionally incapable of delivering access to literacy"; the schools "wholly lack the capacity to deliver basic access to literacy."⁴⁰

Eventually the state settled the case by promising to add \$94m to the Detroit school district's budget; that promise was finally kept a few years later. Will the money solve the problems? No. Is anything going to solve the problems anytime soon? No. It's worth remembering that children do not choose where to be born or where to go to school. You were lucky enough not to go to a "school" that left you unable to read competently. But being consigned to a dismal school is not some sheer natural contingency, like having a meteor fall on your house while you're sleeping. Barely offstage are an often wretched congeries of laws, policies, and social practices.⁴¹

Once upon a time the authorities rejoiced when they thwarted those intent on reading the Bible or reading dangerous political texts. I don't think the

⁴⁰ Gary B. v. Whitmer, 957 F.3d 616 (6th Cir. 2020). There are further distressing factual allegations in the plaintiff's complaint, B. et al. v. Snyder et al., 2:16cv13292 (E.D. MI 2016), 77-95. The government's reply brief assails plaintiff's legal theories but doesn't contest any of the factual allegations: 2017 U.S. Dist. Ct. Motions Lexis 571704.

⁴¹ <https://www.michigan.gov/whitmer/news/press-releases/2020/05/14/governor-whitmer-and-plaintiffs-announce-settlement-in-landmark-gary-b--literacy-case> (last visited 20 May 2024).

authorities are rejoicing in the plight of teenagers and young adults bouncing in and out of prison, or the plight of students battling vermin and poring over decrepit textbooks. I don't think the authorities are rejoicing in the role compromised literacy plays in a host of other problems. But I don't think that they care—that we care—enough to do something about it. Contempt is cool, even cold, again nothing like heated malice. That makes it all the more insidious.

I had claimed that the case against reading is disgusting. Why? It imagines that some—paltry fellows and the like—are markedly inferior, underlings to be arranged, managed, used by their superiors, those dignified, responsible, intelligent enough to read whatever they like. You could dismiss—or embrace!—that view as “inequality” or “hierarchy.” But we can do better. Now I'll investigate its precise contours and explore what it took to dismantle it.

SEVEN / THE WORLD TURNED UPSIDE DOWN

So battles over literacy, over who gets to read and what they get to read, were ferocious, often homicidal. Here I want to ask, what changes enable us to imagine that pretty much anyone ought to be able to read pretty much anything? (Not: what's the causal motor? Not: what material changes create a new ideology? Not anything like that, though I can vaguely imagine being ruefully affectionate about the view that such procrustean explanatory strategies are illuminating. Think instead about people wrestling more or less—more *and* less—consciously and intentionally with, and in, a very tangled web of beliefs and practices, often at cross purposes.) I'm going to lurch drunkenly toward answering that question. Let me start by clutching some texts for support.

The New Testament reports that some Thessalonian Jews rejected Paul's teaching that Jesus was the Christ. Gathering "certain lewd fellows of the baser sort," they tried, mostly in vain, to round up their opponents. They presented Paul's host Jason and some others to the Roman authorities, "crying, These that have turned the world upside down are come hither also."¹

That trope has resounded through the centuries. *The World Is Turned Upside Down*, a doggerel song lyric from 1646, mocks Puritans for banning the celebration of Christmas: "Holy days are despis'd, / New fashions are devis'd. / Old Christmas is kicked out of town. / Yet let's be content, and the times lament, / You see the world turn'd upside down." *The World Turn'd Upside Down*, another stinging assault on Puritans from that same year, argues that "Religion can no

¹ Acts 17:1-6.

ways be good, / That so inhumanely delights in Blood: / Nor doth that Doctrine
from the Scriptures spring, / For to rebel against God and the King.”²

Sometimes the trope might seem lighthearted. *The World Turned Upside-Down*, probably from the mid-late 1700s, furnishes the sort of thing we associate with *Doctors Dolittle* and *Seuss*, where animals play human roles. We get an ox turned farmer, then butcher; two horses dueling over a filly in love with both of them; fish ruling over creation; and more. The text says something about the dominion of men over the rest of nature. (Men, not people: another staple of the genre is women ruling over men.) You can decide how lighthearted that is. Or take an 1830 publication with the same title, where we find “a cat in a bird cage / For singing she mews / And a pig politician / Reading the news.” *Politician* here isn’t an elected official; it’s someone interested in politics, and the usage is pejorative. The pig politician isn’t cute. He’s ridiculous, maybe even disgusting.³

² *The World Is Turned Upside Down* ([London, 1646]); T. J., *The World Turn’d Upside-Down: or, A Briefe Description of the Ridiculous Fashions of These Distracted Times* (London, 1647).

³ *The World Turned Upside-Down: or, The Folly of Man Exemplified in Twelve Comical Relations upon Uncommon Subjects* (London, [1750-1780?]), n.p.; OED s.v. *politician*, 2b; *The World Turned Upside Down* (Hartford, [CT], 1830), n.p. For more inversions with animals, see for instance *The World Turned Upside-Down or The Folly of Man* (London, [1795?]); *The World Turned Upside-Down: Illustrated by Wonderful Prints* ([London, c. 1805-1809]); *The World Turned Upside Down; or, No News, and Strange News* (York, [1820?]). The tradition, narrowly understood, reaches at least as far back as *Il Mondo alla Riversa* (n.p., 1552-1579). For a married man bemoaning his lot and reasserting his primacy by cudgeling his wife, see *The World Turn’d Upside Down* ([London?, 1790?]), reprinted with minor variations in *The World Turn’d Upside Down; Together with Constant Charley* (Boston, [1810]). For more on what many such texts reveal about what we call patriarchy, see my *Household Politics: Conflict in Early Modern England* (New Haven, CT: Yale University Press, 2013). For a lengthy text inverting gender, social status, people and animals, animate and inanimate objects, and more, see *The World Turned Upside Down; or, The Comical Metamorphoses* (Boston, [1780?]; also Boston, [1794?] and London, [1790?]).

In the background yet again is Jesus's injunction from the Sermon on the Mount: don't "cast ye your pearls before swine, lest they trample them under their feet." Recall the sixteenth-century Englishman with the effrontery to enlist Jesus's caution in denouncing "the damnable liberty of having [the Bible] in the vulgar tongue," in shrinking from "the irreverent and lewd handling of the multitude," in parading his confidence that Jesus didn't want those evildoers "handling...his secrets," in demanding the withdrawal of the English translation of Scripture. Our pig politician seems less fraught. Maybe he is.

But—bear with me—why a pig? That choice summons up another trope that's interested me for a long time, a more narrowly political take on Jesus's rampaging swine. I mean the one made (in)famous by the great conservative Edmund Burke in his denunciation of the French Revolution. No longer, lamented Burke, would learning support the nobility and the church. Instead, learning—think of those dastardly Enlightenment intellectuals—had "aspired to be the master." The repulsive results? "Learning will be cast into the mire, and trodden down under the hoofs of a swinish multitude." *A swinish multitude*: we've encountered this haughty language before. The left had a field day exploring, exploding, it. Here I'll just wistfully recall the radical journal *Politics for the People*, launched a few years after Burke's salvo. Sometimes subtitled *A Salmagundy for Swine*, sometimes *Hog's Wash*, the journal ran a "Remonstrance of the Swinish Multitude, to the Chief and Deputy Swineherds of Europe"; letters from A Ci-Devant Pig, Brother Grunter, Gregory Grunter, Porkulus, Gruntum Snorum, Old Bristle-Back; even a poem, "Mr. B—ke to the Swinish Multitude."⁴

⁴ Edmund Burke, *Reflections on the Revolution in France* (London, 1790), 117.

The journal also trotted out a purported “Address to Laborers and Mechanics” from “A Gentleman.” “You have no rights but the rights of horses and beasts of burdens,” he fumed. You “are of the lowest class of beings that can be called MEN,” “the scum of the earth.” Yet “many of you have had the *audacity* to read books of your own choosing,” even those of “that infamous traitor and incendiary TOM PAINE.” “How, I say, could you suppose yourselves capable of making choice of books? how could you think of dabbling in politics?” Those aren’t two far-flung questions. Better to say they are very close, even redundant. “It is your duty never to touch a book of religion but what is put in your hands by the parson of your parish, nor a book of politics, unless handed you by a justice of the peace.” The magistrates “have an undoubted right...to forbid you to read, think, or speak any thing but what they approve.” I’ll return to this impish, impudent, impious little piece, which is scrupulously accurate in conjuring up the sentiments of reading’s opponents.⁵

Not that the ridicule made conservatives back down. Here’s a conservative newspaper some thirty years after Burke’s salvo, with an anguished we-told-you-so flourish reminding the reader of their earlier opposition to mechanics’ institutes. “Fearful progress has already been made in the dissolution of British Society,” they warned. “Refractory laborers...as a more comprehensive and imposing title, have assumed the new nick-name—Operatives.” (The reader is supposed to shudder in horror at menial inferiors not knowing their place.) Give Brougham and his “infidel college,” the University of London, a few more years

⁵ A Gentleman, “The Pernicious Principles of TOM PAINE Exposed, in an Address to Labourers and Mechanics,” *Politics for the People* (30 January 1794), 4-6.

and they'd "sever the only remaining bond, by which poverty, ignorance, and numbers are held in subordination to rank, wealth, and knowledge." (Why *infidel*? At an early organizational meeting for the university, Brougham vowed that there was "no idea of...giving a theological education.") "A scheme more completely adapted for the destruction of this Empire, could not have been invented by the author of evil himself." Offering a secular education? Working to raise the ignoble status of workers? Positively Satanic.⁶

Here's a conservative journal, forty years after Burke's salvo: "Heaven forbid that we should ever apply any insulting epithet to the People. But look there—behold the swinish multitude. Look at their tails contorted in desperate obstinacy, that will neither be led nor driven—and telling as plainly as tails can tell, that is an equal chance whether the bestial herd will make a charge upon women and children, or higglety-pigglety go headlong, in demoniac suicide, into the sea." That last bit alludes to the episode in the Gospels where Jesus exorcises the demons from two possessed men (in one telling just one man) and sends those demons into a herd of pigs, who promptly plunge into the sea. In the journal's clumsy tweak, the people aren't only porcine; they're also infernal. Pop

⁶ "Postscript," *St. James's Chronicle, And General Evening Post* (30 July—2 August 1825); "The London College," *Times* (4 June 1825). Before that, see Thomas Campbell's letter to Brougham, suggesting "a great London University": "Proposal of a Metropolitan University," *Times* (4 February 1825). For the 8 May 1826 prospectus, see *London Magazine* (August 1826), 554-59, or *Statement by the Council of the University of London, Explanatory of the Nature and Objects of the Institution* (London, 1827), app., no. 1. For more on planning the university, see H. Hale Bellot, *University College London 1826-1926* (London: University of London Press, 1929), chap. 2. Consider Brougham's swipe (in an early Commons debate on emancipating the Catholics) at "the prejudices which grow so luxuriantly on the banks of Cam or Isis," that is at Cambridge and Oxford Universities, where you had to be an Anglican to enroll: *Hansard* (1 March 1825).

culture had its irreverent way with this bit of Scripture, too. “Devil take the pig,” offered a song portraying a country bumpkin bringing his pig to market in London. The pig rushes into a brandy shop and gets soused with a “*swinish multitude*” of disreputable humans.⁷

No surprise to see *Politics for the People* ventriloquizing a conservative explicitly labeling Tom Paine an incendiary. We’ve seen Paine conjured up repeatedly as the bugbear of opponents of reading, his texts the very model of the meretricious nonsense they worried would poison the minds of his readers. Joining the vituperative chorus, Burke scolded a correspondent: “You talk of Paine with more respect than he deserves. He is utterly incapable of comprehending his subject.... They indeed who seriously write upon a principle of levelling ought to be answered by the magistrate—and not by the speculatist.” Burke was happy to maintain that contemptuous stance in his *Appeal from the New to the Old Whigs*. He quotes Paine at length and brushes aside his arguments. “I will not attempt in the smallest degree to refute them.” Others might, “if such writings shall be thought to deserve any other than the refutation of criminal justice.” The next year, George III proclaimed his concern with “wicked and seditious Writings” and commanded legal officials to move decisively against them. The proclamation elicited gushing popular support.⁸

⁷ *Blackwood’s Edinburgh Magazine* (May 1831), 728. Mark 5:1-13; Matthew 8:28-32; Luke 8:27-33. T. Jones, “Piggish Propensities; or, The Bumpkin in Town,” *The Universal Songster; or, Museum of Mirth*, 3 vols. (London, 1825-26), 1:415. More generally on the ramblings of the swinish multitude, see my *Poisoning the Minds of the Lower Orders* (Princeton, NJ: Princeton University Press, 1998), chap. 12.

⁸ Burke to William Smith, 22 July 1791, *The Correspondence of Edmund Burke*, ed. Thomas W. Copeland, 10 vols. (Chicago: University of Chicago Press, 1958-1978), 6:303-304; [Edmund Burke], *An Appeal from the New to the Old Whigs* (London, 1791), 95. Note too

Time, past time, to let Paine speak for himself—to read some of his words. He nonchalantly returned fire. There is “nothing in Mr. Burke’s *Appeal* worth taking much notice of.” Burke’s audience is “a set of childish thinkers and half-way politicians born in the last century.” Monarchy and aristocracy were on their last legs, anyway. Then comes the kicker: “Mankind are not now to be told they shall not think, or they shall not read.” I don’t think Paine was impassively reporting a political settlement; if he was, he was whistling in the dark. These matters triggered deep political conflict, bloodshed too, for quite a long time after Paine’s kicker.⁹

For centuries, it was utterly ordinary to worry about the wrong people reading the wrong stuff. The only important question was how to choke off the flow of toxic sludge from authors to readers. As we’ve seen, different strategies beckoned. Shatter printing presses spewing out political bile; impose censorship and punish not just authors scribbling forbidden views, but also printers grinding out unlicensed publications; demand that people hand in copies of forbidden texts.

A more categorical strategy beckoned: keep people illiterate. That one was hard for Protestants to swallow, though some gulped it down cheerfully enough. We haven’t yet encountered John Carteret, second Earl of Granville, “one of the

Burke to Sir Lawrence Parsons, 7 March 1793, *Correspondence*, 7:359. *By the King: A Proclamation* (London, 1792) (the text is dated 21 May 1792); *London Gazette* (7-10 July 1792). For still more worries that if you teach people to read, they can read the likes of Paine, see John Bowles, *Education of the Lower Orders: A Second Letter to Samuel Whitbread, Esq. M.P.* (London, 1808), 9-10.

⁹ Thomas Paine, *Rights of Man; Part the Second: Combining Principle and Practice* (London, 1792), iv-vi.

most distinguished orators and statesmen of the last reign," as the *Universal Magazine* saluted him in 1789. His forty years in office saw him climb to serve over a decade as Lord President of the Council under George II and George III. "He hoped...never to see our negroes in America become Christians, because he believed that this would render them less laborious slaves." Nor did he want the colonists educated, lest they stop "wholly attending to trade" and have their heads crammed full of "speculative notions of government and liberty." And he was "not for having the vulgar taught to read, that they might think of nothing but the plough, and their other low avocations." In his world, the earl's views were not embarrassments.¹⁰

Others wanted to teach people to read so they could study the word of God. But again, some wanted to spread literacy for profane reasons: to help workers find their way to better jobs, to help turn deferential subjects into proud citizens, most fundamentally to embrace everyone as free, equal, and dignified members of society. (No points for noticing what *low avocation* says about the dignity of labor.) That project struck many as daffy and deadly.

We've already caught one disturbing glimpse of Samuel Taylor Coleridge fuming about reading. I don't want to play literary voyeur, but here's another: "as to the devotees of the circulating libraries, I dare not compliment their *pass-time*, or rather *kill-time*, with the name of *reading*. Call it rather a sort of beggarly daydreaming," a mindless activity properly classified with "swaying on a chair or gate; spitting over a bridge; smoking," and the like. I bet the Society for the

¹⁰ "The Politician: A Character," *Universal Magazine of Knowledge and Pleasure* (December 1789), 313.

Diffusion of Useful Knowledge had Coleridge in their sights when their *Working Man's Companion* admitted that few still wanted workers to be downright illiterate. But, they counseled the reader, "some there are who would rather see you idling about, or swinging on a gate, or standing at the corner of a street, than reading a book." And I wish Thomas Love Peacock's witty spoofs of Coleridge were famous. "The people read and think!!!" exclaims his Mr. Mystic. (Peacock's footnote helpfully fingers Coleridge.) "The public, the public in general, the swinish multitude, the many-headed monster, actually reads and thinks!!!! Horrible in thought, but in fact most horrible!"¹¹

Again, here's the riddle: what changes made the case against reading a repulsive curiosity?

AGENCY

Recall the categories opponents of reading deployed to explain their horror. Queen Elizabeth denounced "venomous and lying books." Nestle her language right up against Pope Clement XIII's: "Accursed men vomit the poison of serpents from their hearts for the ruin of the Christian people by the contagious plague of books which almost overwhelms us." Antislavery papers

¹¹ S[amuel] T[aylor] Coleridge, *Biographia Literaria: or Biographical Sketches of My Literary Life*, 2 vols. (London, 1817), 1:49-50n.; *The Working Man's Companion: Cottage Evenings* (London, 1831), 7 (and see t.p. for the attribution to the Society); [Thomas Love Peacock], *Melincourt*, 3 vols. (London, 1817), 3:41. Compare Thomas Carlyle, *On the Choice of Books: The Inaugural Address of Thomas Carlyle, Lord Rector of the University of Edinburgh* (London, 1866), 71-72, with [Stafford H. Northcote], Earl of Iddesleigh, *The Pleasures the Dangers and the Uses of Desultory Reading* (London, 1885); Northcote too was Lord Rector of the University of Edinburgh, and this piece was the first in a series of talks for students.

were creating a public nuisance. “Moderately eaten of,” thought Richard Atkyns, printing was nourishing and healthful. But recalling civil war and regicide, he varied his metaphor: “Paper-pellets became as dangerous as Bullets.” The literacy of some slaves, on one account of Denmark Vesey’s attempt to organize a slave revolt, allowed “the powerful operation of the Press to act on their uninformed and easily deluded minds.” A huge chorus, stretched across time and space, denounced incendiary publications.

Whatever their differences, these categories all suggest that when someone reads, something bad happens to them. These lethal texts work their black magic behind the readers’ backs. Or even if the readers are consciously deliberating, they are led astray. They don’t have the minimal good judgment to reject radical claptrap and religious blasphemy. Let’s pause to consider agency. Relax: we needn’t pursue the recondite difficulties surrounding causes and reasons, heteronomy and autonomy, and phenomenological and noumenal “realms” (better, perspectives).

Start with the difference between doing something and having something happen to you. You decide to listen to the Gerry Hemingway Quintet’s *Demon Chaser* while working out, and you do just that. You could listen to something else, or nothing at all; you could skip your workout; it’s up to you. Or you are strolling through the park (that’s doing something) and a bird poops on your head (that happens to you). You didn’t knowingly or negligently expose yourself to a high risk of that ignominious dousing, say by walking on a heavily wooded and guano-spattered path. It was dumb luck.

Sometimes—usually—while you’re doing something, things are also happening to you. Or, better, if you zoom in for a more fine-grained description, an activity is a mix of doings and happenings. You choose to pick up the book, you start reading, things pop into your head, you get distracted by your kids squabbling, you think hard about a vexing passage. Or—suppose it’s a novel—suddenly you are deeply sad. You didn’t choose to have that emotional response, though you still could exert some control. You could bask in it or try to shrug it off.

The distinction between doings and happenings is slippery, in part because it isn’t a single distinction. Take the ways in which we discuss and experience a lack of self-control. You’ve been pretty careful with your diet, but now you’re tempted to walk into the local ice cream parlor. “Okay,” you think, “I’ll get a baby scoop.” Then the guy behind the counter serves you two large scoops and apologizes: “My mistake. I’ll charge you for the baby scoop.” You decide to eat just a bit of this larger serving and throw out the rest. Minutes later, your spoon is scraping the melted remnants in the bowl and you are tempted to order a banana split.

Just what did you do here and what happened to you? It isn’t facetious or confused to say, look, you did it all. It’s not as though someone tied you to the chair, brandished a dagger, shoveled the ice cream into your mouth, and held your nose so you’d have to swallow to go on breathing. Here, your doing it means you weren’t coerced, or that you’re properly responsible. But it also isn’t facetious or confused to deny that you did it. It’s not as though you chose the larger serving. Did your arm lift one wretchedly delicious spoonful after another

to your mouth? Sure. But you were on automatic pilot. Indeed you might have been so preoccupied that you didn't notice what you were doing and didn't taste the ice cream. "Next thing I knew," you sigh, "the ice cream was gone." That sounds like a refusal to shoulder responsibility. But you needn't indulge in bad faith to mark the sense in which you weren't acting. Try this: while asleep, you have a terrible dream. Thrashing around, you bruise your wrist on the bedpost. Doing or happening?

Whether you're conscious of something doesn't settle whether you're acting. You'd be all too terrifyingly conscious of being strapped into your chair, but that's happening to you. And when you take that all too familiar commute home, you might never pay conscious attention to your driving, and there you are, safely pulling into your driveway: you did it. But sometimes it is plausible to put something on the happenings side of the ledger because you were on automatic pilot.

We can't resolve the complications here just by bearing down harder and harder on quite what your mental states were. There are vexing moral and political controversies about assigning responsibility. As one familiar story goes—call it a political take on what psychologists call the fundamental attribution error—your cultural milieu promotes morbid fascination around food and physical fitness. It is not an innocent background fact that there is an ice cream parlor, nor that firms have invested not just in marketing their products but in engineering them to be tasty and addictive. We should think of your going on a diet and breaking the diet alike as public health problems, or as another bit of capitalist mystification. Then it's plausible to say you're not doing something

in the sense that you're not responsible. It's a stretch, but not dumb or incoherent, to say that something has happened to you. It's also plausible to say that you're still responsible. Even in a perilous position, even where the odds are stacked against you, it's incumbent on you to act prudently. Anyway, both you and the background actors can be responsible. In that sense you can and do act, can be culpable or praiseworthy, in a setting that has been sculpted by others, even when they have acted strategically to control your actions in their own interests.

Back to the hapless readers who are being poisoned, shot, ignited by pernicious texts. When they read, something bad happens to them. Or even if the readers are consciously deliberating, they are led astray. They don't have the minimal good judgment to reject radical claptrap and religious blasphemy. Even if they're attempting to respond to reasons, they're just being buffeted about causally. They're reading, they're trying to sort things out on the merits, but they're getting themselves tied in knots. That's not the same as having someone strap you into a chair. Nor is it the same as playing Houdini and deliberately strapping yourself into a chair. It's choosing to start toward one destination but arriving far from there. Or it's like launching a project and then finding yourself flailing around, in over your head. Imagine happily setting out in a dinghy on a calm day, then alarmedly realizing when the summer squall hits that you aren't a skilled enough sailor even to keep afloat. Are you in control of your actions? No one is holding a gun to your head, but that doesn't settle the matter. You're in control under one description: you can maneuver the sail and the rudder. You're not in control under another: you can't safely bring the boat to shore. The artless

readers inviting talk of poison, plague, bullets, and the rest might be like that, too. They propose to steep themselves in the word of God or to consider some political arguments, but they end up erupting in blatant heresies and brazen radicalism.

They pick up the books, their hands turn the pages, their eyes scan the words, but their control, their agency, is impoverished. Or, we might say, they are agents, but they should never be entrusted with the tasks they've taken on. They can't be relied on to do a good job. (You don't let your teenager remove your intestinal polyps, either.) This picture of reading gets bound up in another distinction involving agency, the one on which an agent does something to a patient. These irresponsible readers are the patients. Who's the agent? Or who are the agents?

Recall Thomas Hobbes's formulation: the government should "examine the Doctrines of all books before they be published. For the Actions of men proceed from their Opinions; and in the well governing of Opinions, consisteth the well governing of men's Actions." Hobbes was an idiosyncratic radical in his day, but here he was banally conventional. His is a pithy reminder of why the governments of early modern England—Catholic and Protestant, royal and republican—put so much effort into controlling the press, into controlling reading itself. Burke offered a strikingly similar formulation: "All direction of publick humour and opinion must originate in a few."¹²

¹² Burke to the Marquess of Rockingham, 22-23 August 1775, *The Correspondence of Edmund Burke*, ed. Thomas W. Copeland, 10 vols. (Chicago: University of Chicago Press, 1958-78), 3:190. See too Burke to the Duke of Richmond, 26 September 1775, *Correspondence* 3:218.

I've touched briefly on a fact that helps buttress those formulations: for centuries, state capacity was severely limited. What can the government do to secure the rudiments of social order before the rise of an organized police force? (Such a force first appeared in 1829, when Robert Peel organized one in London. That's why the British called their policemen peelers and still call them bobbies.) When the state has nothing up its sleeve besides the likes of night watchmen, soldiers, and the occasional posse comitatus or hue and cry, the project of governing opinion is simple common sense. More state power lets us relax or eliminate the project of governing opinion. It would be frivolous to lean hard on this bit of chronology, but 1829 happens to be the year after Brougham instructed Parliament that the schoolmaster was abroad.

As usual, contingency reigns. China uses vast state power to govern opinion even more aggressively. Contemplate having the police drop by to have tea with you—so convivial!—to warn you off dangerous ideas. Contemplate cruising an internet constantly scrubbed by tens of thousands of unblinking censors, not to mention artificial intelligence. Contemplate going to prison for posts deemed to pick quarrels and provoke trouble. Contemplate writing a book that somehow can't be published because it's deemed politically objectionable, or publishing a book that magically vanishes from bookstores, or being a bookseller who magically vanishes yourself. Contemplate what you don't do, what you don't read, what thoughts you don't let yourself pursue and what thoughts you don't even think in the first place, when you live under such a regime.

Whether or not governing opinion is justified, something profoundly inegalitarian, hierarchical, antidemocratic is built into these time-honored

strictures against leaving the lower orders (the swinish multitude, the vulgar many, the many-headed monster, the mob, blahblahblah) free to read more or less whatever they like. Some people—churchmen, governors—get to decide what other people—us—get to read. They’re the agents, we’re the patients, and our job is to patiently submit. Or so we are vehemently instructed.

SELF AND SOCIETY

That view gets underwritten with appeals to the stupidity of ordinary men and women. Bashing enlightenment and embracing prejudice, Burke writes, “We are afraid to put men to live and trade each on his own private stock of reason; because we suspect that this stock in each man is small.” Pope Leo XIII inveighed against an unrestricted freedom of speech and press. “Lying opinions” should be “diligently repressed” because “by far the greater part of the community is either absolutely unable, or able only with great difficulty, to escape from illusions and deceitful subtleties.” H. L. Mencken is more acidulous: “Democracy is the theory that the common people know what they want, and deserve to get it good and hard.”¹³

I disagree that most people are simply stupid, and you needn’t be mindless or pious to join me. The key is seeing how richly social individuals are. I’ll take an unfortunate thought of John Stuart Mill as my foil. “Human nature,” warns Mill, “is not a machine to be built after a model, and set to do exactly the

¹³ Edmund Burke, *Reflections on the Revolution in France* (London, 1790), 129; *Libertas: Encyclical of Pope Leo XIII on the Nature of Human Liberty*, 20 June 1888, https://www.vatican.va/content/leo-xiii/en/encyclicals/documents/hf_l-xiii_enc_20061888_libertas.html (last visited 2 July 2021); H. L. Mencken, *A Mencken Chrestomathy* (New York: Alfred A. Knopf, 1949), 622.

work prescribed for it, but a tree, which requires to grow and develop itself on all sides, according to the tendency of the inward forces which make it a living thing." Are there cruelly repressive laws, cultural norms, and social practices? Sure. But it makes no sense to imagine society as an obstacle to the full flowering of the seed that was always already your self.¹⁴

Consider the stars of a story that's been told for thousands of years: children brought up by wolves, by bears, by monkeys, by gazelles, you name it. These feral children wander out of the village, or kidnappers abandon them, or they trail too far behind the other children playing in the woods and get lost. They reappear only years later. Free of enervating social interference, are they human trees developing in accordance with their inward forces? Are they mighty specimens of individuality? Meet the wild boy of Aveyron, captured in the woods in 1799: "a disgustingly dirty child affected with spasmodic movements and often convulsions who swayed back and forth ceaselessly like certain animals in the menagerie, who bit and scratched those who opposed him, who showed no sort of affection for those who attended him; and who was in short, indifferent to everything and attentive to nothing." Eleven or twelve years old, he'd been abandoned probably when he was four or five. When the Aveyron peasant who lovingly cared for him dropped him off in Paris, the wild boy left "without reluctance or regret." Seven years later, his assiduous teacher reported some progress. Still, he confessed, "the education of this young man is incomplete and must always remain so." His intellectual progress, "which in

¹⁴ John Stuart Mill, *On Liberty* (London, 1859), 107. I've borrowed several paragraphs in what follows from "Society against the Individual," in my *Little Book of Political Mistakes*, <https://little-book-of-political-mistakes.pubpub.org> (last visited 7 May 2024).

children growing up in civilized surroundings is the natural fruit of time and circumstances, is here the slow and laborious result of a very active education in which the most powerful methods are used to obtain most insignificant results.”¹⁵

Trust monarchs to come up with an obscene variant of the usual tale. Herodotus reports that Egyptian king Psammetichus wanted to figure out who was more ancient, Egyptians or Phrygians. So he gave two “common” infants to a herdsman and told him to make sure that no one say a word in their presence. Just give them milk to drink, he went on, and let goats keep them company. Psammetichus thought the pair would eventually speak a pure or natural or original language. About two years later, both children started saying “bekos,” the Phrygian word for bread. Case closed: Phrygians were more ancient. Holy Roman Emperor Frederick II tried the same stunt in the thirteenth century. So did King James IV of Scotland around 1500. He gave two babies to a woman who couldn’t speak, “desiring to understand the language their bairns could speak, when they came to lawful age. Some say they spoke good Hebrew,” reports the noncommittal chronicler. What, not Phrygian?¹⁶

Here’s one last tale, stomach-turningly recent and all too well attested. When Danielle was almost seven years old, the police in her Florida town removed her from her house. Feces and cockroaches were everywhere, trash and broken windows too, and a 46-pound girl wearing a chock-full diaper, her hair

¹⁵ Jean-Marc-Gaspard Itard, *The Wild Boy of Aveyron*, trans. George and Muriel Humphrey (New York: Appleton-Century-Crofts, 1962), 3-4, 9-10, 88, 100.

¹⁶ Herodotus, *Histories*, bk. 2, chap. 2; Joseph L. Baird et al., *The Chronicle of Salimbene de Adam* (Binghamton, NY: Center for Medieval and Renaissance Studies, 1986), 352; Robert Lindsay, *The History of Scotland; from 1436 to 1565*, 2nd ed. (Glasgow, 1749), 190.

full of lice, lay on a torn mattress on the floor. Her mother did change her diaper sometimes. “The pile of dirty diapers in that room must have been four feet high,” lamented the detective. Her mother had fed her, barely, but otherwise neglected her. As far as anyone could tell, she didn’t even talk to her daughter.

Danielle didn’t speak Phrygian. Danielle didn’t speak Hebrew. Danielle didn’t speak, period. Although brain scans found nothing wrong, she seemed indifferent to other people. The pediatric psychologist who examined her reported, “There was no light in her eye, no response or recognition.... We saw a little girl who didn’t even respond to hugs or affection. Even a child with the most severe autism responds to those.” A couple of saints adopted her, and while she was doing better as a teenager, language was still beyond her.¹⁷

If no one talks to you, you don’t learn language. Starved of human contact—of society—you wouldn’t be a heroic individual. You wouldn’t be recognizable as an individual at all. The narrators of the classic tales often emphasize the feral children’s curious traits: they lope on all fours; they have an unbelievably acute sense of smell. The uncanny blurring of human form and animal behavior offers a creepy reminder of how dependent we are on society. Not just to get food, clothing, and shelter, though don’t sneeze at that, and don’t brag about how good you are at going survival camping with your snazzy camping gear. I doubt you are expert in spinning Gore-Tex out of your inward forces. We’re dependent on society to learn how to talk, to become recognizably human in the first place.

¹⁷ Lane DeGregory, “The Girl in the Window,” *St. Petersburg Times* (3 August 2008); DeGregory, “‘Girl in the Window’ Still Struggles Decade after She Was Found Starving,” *Orlando Sentinel* (31 December 2017).

Language is just the beginning. We don't rely on social contact merely to supply the causal prerequisites of becoming a person; our social lives are also importantly constitutive of the persons we are. You meet someone at a party, you show up for a job interview, you strike up a friendly conversation with your new neighbor: so you need to introduce yourself. Barring peculiar contexts, you don't give your height and weight; you don't ask your interlocutor if she'd like to examine your fingerprints; you don't report that your second toe is longer than your big toe. Instead, you say what you do for a living, whether you're married, if you have children. You might mention your religious faith, where you went to school, which branch of the military you served in, the work you do for a local charity, the instrument you play in an amateur jazz band. But wait! When you introduce yourself, you're supposed to say something about who you are. Why are you brandishing sociologically loaded facts about yourself?

Because that's exactly who you are. You are the person who occupies those social roles, who has those social relationships, who pursues those social activities. The real you is not timidly hiding behind those facts instead of offering a properly transparent introduction. Are you riveted on your genetic inheritance? Suppose we clone your infant self, stick the clones in a time machine, and drop one off on the Mongolian steppes, another in ancient Athens, a third in Albania in the glory days of Enver Hoxha.... Think of how remarkably different each "you" would be, partly for causal reasons (your experiences would have shaped you differently), partly for constitutive reasons (your apt introduction of yourself would be different).

Individual traits, dispositions, skills, foibles, and more, are themselves richly social. Some people have always been greedy, we say. But there has to be stuff for them to have—and there has to be at least some rudimentary form of property. They don't spin property out of their inward forces. This time, I'll take an unfortunate thought of Jean-Jacques Rousseau as my foil. In a historical fable analyzing inequality, Rousseau reveals that the founder of civil society was the first man who enclosed some land, announced "this is mine," and hoodwinked others into believing him. But without an already existing institution of property, that gambit has to be opaque. I suppose others could tell that the fence would obstruct movement. But what sense could they possibly make of the claim, "this is mine"? ("I have a right to exclude you from this space" can't bootstrap itself into the world, either.) And how could he have conceived that claim in the first place? What could he have meant by it? Contrast a sensible claim that Rousseau almost does make. You can't experience resentment or indignation unless you have the concept of wrongful injury. Your innermost feelings depend on what's socially available.¹⁸

Some say that people have always wanted to make money. But before the rise of money, no one walked around desiring money and then asking themselves perplexedly, "Wait, what do I want?" And someone's intelligence in making money, their entrepreneurial or investment skill, depends on features of the social world. M. I. Finley argues that it's not that Cato flouted the economic imperatives of increasing production and exchanging goods; it's rather that "he

¹⁸ Jean-Jacques Rousseau, *Discours sur l'origine et les fondemens de l'inégalité parmi les hommes* (Amsterdam, 1755), pt. 2.

never heard of them.” When Columella, who lived just after Jesus, analyzed farming, he paid attention to how much the land, slaves, and vines cost. He thought about the two years it would take for the vines to bear grapes. But he ignored the costs of buildings and equipment, of maintenance, of depreciation. He wasn’t being careless; he was using the tools at hand. The ancients, Finley continues, had no concept of amortization and no market in real estate.¹⁹

In such a world, you could boast a very high IQ and you could crave lots of money. But a modern businessman with a lower IQ, living in a world with more sophisticated concepts and practices, could run circles around you. To shift literary and chronological gears, call it the Connecticut-Yankee-in-King-Arthur’s-Court effect. Or think about how much smarter that smartphone in your pocket makes you, the intellectual feats it lets you readily perform. In a jiffy you can report how many years the typical NFL quarterback plays, or what the evidence suggests about the impact of economic sanctions against Russia, or what 2,243 multiplied by 2,835 is, or.... Don’t say it merely lets you parrot facts. For one thing, the internet will be happy to identify, oh, good objections to Anselm’s ontological argument. For another, the ability to learn things quickly is a paradigm form of intelligence. With a smartphone, you are a lot quicker, so you are a lot smarter. If you’re not impressed by what artificial intelligence can do, and therefore what *you* can do, wait a few years. Don’t restrict the point to technological breakthroughs. Think about available conceptual and social repertoires more broadly.

¹⁹ M. I. Finley, *The Ancient Economy*, 2nd ed. (London: Hogarth Press, 1985), 110, 116-18.

Consider a mischievous suggestion about seventeenth-century England, when the empire and the joint-stock likes of the East India Company were off and running. Merchants then “failed to calculate their profits on trade,” reports one historian. Their accounting techniques were so crude that they couldn’t tell “whether they were making or losing money.” They would monitor their inventories and assume an increase meant they were making money. Did they even consider opportunity cost? Well, they managed to compare real estate and usury, but generally no more than that. If accounting and investment planning are still so crude, you can be as brainy and as greedy as you like, and your making money will be hit or miss—not, I emphasize, because of the usual risks. Oh, good luck finding derivatives if you are trying to cushion yourself from certain risks. They wouldn’t be part of the social landscape, either.²⁰

Maybe these historical claims aren’t exactly right. But something along these lines must be right. A much less brainy modern businessman effortlessly does all kinds of things that merchants once simply could not do. But knowing how to do something is another paradigm form of intelligence. A merchant, Werner Sombart observes, “must be able to see with a thousand eyes, to hear with a thousand ears, to feel with a thousand antennae.” Those remarkable sense organs aren’t in the merchant’s head. They’re in the social world: in communications media, in “rational business methods” laboriously constructed by “thousands upon thousands of people,” in credit instruments and negotiable securities. Sombart’s merchant has two eyes, two ears, and zero antennae, organs

²⁰ Richard Grassby, “The Rate of Profit in Seventeenth-Century England,” *English Historical Review* (October 1969), 748-49.

themselves no keener than those of the seventeenth-century English merchant and the ancient Roman farmer. But he sees and hears a whole lot more.²¹

So individuals are causally and constitutively shaped by their social worlds. There's more: groups can be intelligent, creative, in ways that none of their members alone could be. A major breakthrough in our understanding of geology cannot be attributed to any single individual. It emerged from an endless exchange of letters among a community of geologists. Likewise, wonderful breakthroughs in jazz were achieved by the Association for the Advancement of Creative Musicians. Pianist Muhal Richard Abrams was crucial, but there's no reason to think he could have done all the musical work himself. Social landscapes shape what counts as choiceworthy action, and it's another mistake to imagine that that always takes the form of pursuing one's interests. That thought travels under the name realism, but it's a hallucination. The nineteenth-century Balinese theater state was built around ritual performances, not pluralist jockeying for the pursuit of power. Nor did Philip II send the Armada against England in the pursuit of Spain's geopolitical interests. He did it to please Pope Sixtus V and topple the Protestant Jezebel Elizabeth from the throne. Tossing aside the religious conflict as a pretext isn't a recipe for superior insight.²²

²¹ Werner Sombart, "Capitalism," *Encyclopaedia of the Social Sciences*, ed. Edwin R. A. Seligman, 15 vols. (New York: Macmillan, 1930), 3:202, 201, 206.

²² Martin J. S. Rudwick, *The Great Devonian Controversy: The Shaping of Scientific Knowledge among Gentlemanly Specialists* (Chicago: University of Chicago Press, 1985); George E. Lewis, *A Power Stronger than Itself: The AACM and American Experimental Music* (Chicago: University of Chicago Press, 2008); Clifford Geertz, *Negara: The Theatre State in Nineteenth-Century Bali* (Princeton, NJ: Princeton University Press, 1980); Garrett Mattingly, *The Armada* (Boston: Houghton Mifflin, 1959).

Social institutions themselves can do things that no individual actor is trying to do or even can do. (If you're fastidious, you might think that strictly speaking institutions can't do anything, though they can have effects. I think that's dead wrong, but I won't belabor the point here.) The market allocates goods efficiently, something no entrepreneur, no corporation, no central planner could conceivably know how to do. Prices reflecting far-flung local information signal actors to adjust their conduct in ways that turn out to be efficient.²³

Mocking the reading abilities of early modern subjects, then, could be just like mocking the financial abilities of ancient or early modern merchants. Imagine sneering that those people are just too stupid to entrust them with running a business. Maybe that complaint didn't arise because it's not as though anyone else could have done any better. But the Coleridges and Burkes of the world, the proud churchmen and jittery government officials, thought they could read better than others. They probably could. But why?

Ready to hand—deafeningly, monotonously—is the fantasy that it's because they are naturally superior. Deep inside their horticultural selves are superior abilities, and those abilities have flowered, and they explain and justify their elevated social status. (Theodicy, anyone?) Now think about the grimly sustained social work ensuring that the contemptible inferiors become, remain,

²³ Besides Adam Smith's invisible hand (*An Inquiry into the Nature and Causes of the Wealth of Nations*, 2 vols. [London, 1776], 2:35), see especially the twentieth-century debate on the possibility of economic calculation under socialism. The high points are Oskar Lange and F[red] M. Taylor, *On the Economic Theory of Socialism*, ed. Benjamin E. Lippincott (Minneapolis: University of Minnesota Press, 1938), and especially F. A. Hayek, "The Use of Knowledge in Society," *American Economic Review* (September 1945).

what they allegedly already are naturally. “You are not fit to read, so we must keep you illiterate.” This vicious circle justifies vicious cruelty. It is hard to overestimate the centrality of this pernicious dynamic in the saga of inequality.

Are some people brighter than others? Sure. Is some of that a matter of their innermost selves, whatever that means, or their genetic inheritance? Sure. But one should think about the social experiences that (causally and constitutively) shape different kinds of readers. How much time do you have to read? What reading materials are at hand? How well are you educated? Do you read with others? Do you talk to them about what you read? Do you read broadly? What does it take to download a book onto your tablet seconds after you decide to read it? What does it take to let you effortlessly look up words by holding your finger on them? What social arrangements give some people time enough to write? and let them post their thoughts online? or provide publishing firms, staffed with editors, designers, and more?

When social options are limited, you could look askance at those leading cramped lives. But sanity demands instead that you think about expanding options. You could teach people to read. You could set up lending libraries and book clubs. You could publish cheap editions. You could organize Sunday schools, mechanics’ institutes, a Society for Diffusing Useful Knowledge, London University, and more. Others could add pious, conservative Cheap Repository Tracts, or sizzling radical newsletters. Some of the actual actors here intended to promote reading; others were reluctantly taking rearguard actions to try to soften the blow of widespread literacy and the all too ample supply of radical texts; still others acted for wholly other reasons. But the community ended up with a richer

range of possibilities than anyone had in mind. Those who were poor readers, or not readers at all, became gifted, even avid, readers. James Mill had “no doubt” that workers should be educated and could gain “a very high degree” of intelligence. His son John Stuart connected this broadly egalitarian view with democracy narrowly understood. His father, he recalled, “felt as if all would be gained if the whole population were taught to read, if all sorts of opinions were allowed to be addressed to them by word and in writing, and if by means of the suffrage they could nominate a legislature to give effect to the opinions they adopted.”²⁴

Will these readers adopt reasonable views? Will they be objective? Here too, riveting your focus on the individual will make you skeptical. Maybe people are too passionate to be reasonable or objective. They clutch at arguments and evidence that suit their agendas. They read to flatter their preconceptions and they fling aside books that don’t pander.

Here too, we should turn sociological. Let’s think of reasonableness and objectivity as (possibly!) emerging from social practices, not as features of individuals’ heads. A weak form of the argument would be what political scientists call the miracle of aggregation. Take Condorcet’s jury theorem: if each individual is barely more likely to get the right answer than the wrong one, even a decently sized population is enormously likely to get the right answer. Or suppose there’s some signal we’re interested in: the best choice for who should

²⁴ James Mill, “Education,” in *Supplement to the Fourth, Fifth, and Sixth Editions of the Encyclopaedia Britannica*, 6 vols. (Edinburgh, 1824), 4:29; John Stuart Mill, *Autobiography* (London, 1873), 106. Consider Charles Hall, *The Effects of Civilization on the People in European States* (London, 1805), 22-23; *Essays on Government* (London, 1839), 241-42.

be elected, say. Then suppose there's lots of noise; maybe the large majority is getting stuff wrong. They are tracking other facts: the race of the candidates, their height, their attractiveness, or whatever else. *If* the noise randomly distributes votes across candidates, the signal will prevail. James Madison's analysis of factions and the common good is a bit more sociological. He casts factions as groups opposed to others' rights or the common good. But then he too is in simple aggregation mode. "Enlarge the sphere," pull in more and more factions, and they are likely to cancel each other out, leaving the voice of the common good to prevail.²⁵

Might aggregation work this magic? Yes, but there's reason to doubt it. For instance, it is hard to fit Madison's cheery thought together with his acknowledgment that "the most common and durable source of factions has been the various and unequal distribution of property." Enlarge the sphere and that cleavage will only be amplified. Madison is not entertaining the possibility of egalitarian redistribution. He makes a mistake like Rousseau's: "the rights of property originate," he asserts, from "the diversity in the faculties of men." Gender aside, that's a nonstarter. The rights of property originate in law, and we should think about particular legal regimes—property, contract, tax, inheritance—when we want to understand inequality.

Let's be more deeply sociological about it. Think about the interactions among people. Don't think of public opinion as what emerges when you call a random sample of people, ask them questions, and report the aggregated results. Think of it instead as a genuinely collective opinion that emerges from ongoing

²⁵ *Federalist* no. 10.

public practices of reading, writing, free speech, news coverage, and the like. In this second sense there is no public opinion in North Korea. You could run a poll there, if you could get people to answer questions. But since they don't freely exchange their views, all you'd get would be a bunch of individual opinions. A public is more than a set of discrete individuals.

You might think of reading as a solitary, even deeply private, act. You're home alone, curled up with your novel. Well, privacy too is a social arrangement; there's loads more than the physical fact that it would be tough to spy on you. That aside, you might know that plenty of others are reading the same novel, and they might know that you know, and.... These many-levelled bits of knowledge, adored by game theorists, don't exhaust the senses in which something can be social. You might be a member of a book club. There it's not just that everyone knows that everyone else is reading the same book. It's also that you meet and discuss them. It is unhelpful to think of discussion as a practice in which I am talking to you, and you are talking to me, and I know that you are talking to me, and you know that.... Consider a practice I've touched on, that of a literate person reading aloud to illiterate people. Consider a minister leading the faithful in responsive reading. For those people, reading is a genuinely shared experience.

So imagine a diverse community reading, writing, and talking. People know different things and they have different perspectives. Their views collide, not only in formal debate but also in everyday life. Don't ask whether a single individual can assemble what everyone says, make judicious judgments, and revise them constantly as new stuff surfaces. (Don't ask whether a central

planner can assemble all the information about what people are producing and consuming, what resources are around, and what it will take to extract and transport them, and then set sensible prices and adjust those prices in real time as things keep changing.) The practice doesn't depend on every single person being a saint of impartiality. On the contrary, it might well work better if there are fanatics, people passionately invested in pressing some case, maybe for terrible reasons. (That guy insulted you at a conference, so you will forever strive to refute his work.) All that matters is that on any particular matter, there are enough relatively disinterested people to sort things out, and that their views prevail—provisionally. No one has to be disinterested about everything. You can be a wild-eyed partisan about global warming and still evenhandedly appraise policy suggestions about income taxes.

Even epistemic bubbles might be epistemically productive. Suppose some people marinate in MSNBC, others in Fox. (Okay, don't suppose, it's true.) Each group continues to sharpen, even exaggerate, their own views. As long as some others are considering what both sides have to say, this could be fine, better than fine. An internally differentiated public sphere can work better than one giant ongoing conversation. So too only subsets of the community might care particularly about chicken crowding or percussion techniques or any number of other things; they will devote more time and develop more insight on those matters. No one can be even minimally competent in everything. No one can read even a bit in all the amazingly different kinds of literatures there are. People are pretty much free to pursue what they like. No individual needs to plan any of this, or assign people roles, or anything like that. No individual could. Beware

magical thinking, whether it travels under the name structural functionalism or evolutionary explanation. No causal mechanisms here ensure happy outcomes, let alone the happiest outcomes.

The weaker and stronger sociological views are different, but they aren't mutually exclusive. They could both help move the community toward more reasonable or more objective views. Now some skepticism about the cognitive abilities of the lower orders slides into skepticism about the promise of this sociological turn. That perennial bestseller of the sixteenth century, Sir Philip Sidney's *Arcadia*, supplies a classic example. A "mutinous multitude" and an "unruly sort of clowns" are getting rowdy. They're told to choose a representative to bring their "grievs and demands" to their prince. Yet they can't sort out their disagreements and articulate their complaints. "No confusion was greater than of particular men's likings and dislikings: one dispraising such a one, whom another praised, & demanding such a one to be punished, whom the other would have exalted." "Never Bees made such a confused humming." Theirs is a whole even less than the sum of its ignoble parts.²⁶

Or here's Mencken again: "If x is the population of the United States and y is the degree of imbecility of the average American, then democracy is the theory that $x \times y$ is less than y ." Whatever he's thinking about aggregation or debate, the process is backfiring. Today's worries about social media algorithms, the

²⁶ Sir Philippe Sidnei, *The Countesse of Pembrokes Arcadia* (London, 1590), 215 verso, 217 recto, 218 verso. Then again, Charles Knight, publisher for the Society for the Diffusion of Useful Knowledge, quoted this very passage and commented, "Out of such 'contrarieties' is gradually formed that power of public opinion which no statesman can safely despise." Charles Knight, *The Popular History of England*, 8 vols. (London, [1862?-1867?]), 3:262.

disappearance of local newspapers, and the like have the same form. But they point in the right direction. What changes in our social practices would make us collectively more intelligent? I don't see any reason to doubt the inherent capacities of individual readers. Nor do I see any reason to condescend to the economic incompetence of ancient and early modern businessmen.²⁷

If you think your political opponents are stupid, you might be wrong. But even if you're right, don't imagine you've unearthed something about their limited natural capacities. Think instead about the social background causing and constituting their stupidity, and what we might do to reform it. Stupidity is every bit as much socially constructed as intelligence. Likewise, if you daydream that man is that animal which by nature maximizes quasi-concave utility functions, think about the social settings that structure and enable that pursuit. (If you are confident that the structure is so formal that it's empty, and you can cram anything in, I resolutely disagree; but then you might think about why the view is worth insisting on. Because you can do math with it?)

Agency is not a matter of wresting free from social context. If you think of the so-called dialectic of structure and agency as the relationship between that which constrains and that which breaks free, you have everything wrong from the get-go. Voltaire scripts a dialogue between Boldmind (he deliberately puts the coined name in English) and Medroso (Spanish for *fearful*), who's Catholic. "Every man can educate himself," maintains Boldmind. "You're a bird in the

²⁷ Mencken, *Chrestomathy*, 621. Compare Walter Lippmann, *Public Opinion* (New York: Macmillan, 1922), with John Dewey, *The Public and Its Problems* (New York: Henry Holt and Company, 1927). The social bases of intelligence furnish one of John Dewey's great sprawling themes; for an uncharacteristically crisp statement of one facet of his view, see *Liberalism and Social Action* (New York: G. P. Putnam's Sons, 1935), 52.

Inquisition's cage.... Dare to think for yourself." But our knowledge, too, is ineluctably social. It's impossible to figure out everything for yourself. At every step, you are trusting others. I know that Russia invaded Ukraine. I know because sources I have no reason to doubt told me it was true. Could I check? Well, I could fly to a place others would tell me is Ukraine, and they would point to bomb damage that they would say is inflicted by Russia. They could even point to enemy troops and assert that theirs are Russian uniforms. Push farther: how do they know it's bomb damage? How do I know what bombs do? How do I know that there *are* bombs? or what uniforms are? Could I check their account? Yes, by seeking out what others can show me—and what they say about it.²⁸

One: what you believe depends on who you believe. Even when you are figuring stuff out yourself, you are trusting lots of others. I wanted to know what Puritan radicals did and didn't say about equality under the law, so I read their pamphlets. I wouldn't have been able to pose that question without believing what other people have said about the matter. I wouldn't be able to believe I was reading actual pamphlets from the 1640s if I didn't trust the many people who put together Early English Books Online. When you're not figuring stuff out

²⁸ "Liberté de penser," in [Voltaire], *Dictionnaire philosophique, portatif*, nouvelle édition (Londres [Nancy?], 1765), 227. For more on these matters, see my *Cunning* (Princeton, NJ: Princeton University Press, 2006), 102-121. Consider George Dering Wolff, "The Catholic Periodical Press," in *Three Great Events in the History of the Catholic Church in the United States: Souvenir Volume Illustrated* (Detroit, 1889), 48: "Very many Catholics think, or act as if they think, that they are at liberty to read newspapers which notoriously exert an influence such as we have spoken of; and they permit their children to read them. Catholics have no more right to read such papers, or to permit their children to read them, than they have to associate with, or to permit their children to associate with irreverent or bad persons, or with those who sneer and scoff at the true faith."

yourself, it's even more obvious that what you think will depend on who you believe. I believe that mRNA vaccines have saved lots of people from dying of covid. I believe that because I trust the relevant set of journalists, who in turn trust the relevant set of experts. Others distrust such sources. They believe that ivermectin or bleach cures covid, or that covid is no worse than the common cold, or something along those fanciful lines.

Two: who you believe depends on what you believe. I was skeptical of US reports on military successes in Afghanistan and Iraq, partly because I've read the Pentagon Papers and I know that the government's presentation of the Vietnam War was systematically duplicitous. I don't trust a few famous scholars because when I know a lot about something they say, I think, no, that's just wrong. The collective judgment of the relevant communities enshrines these scholars as authoritative. I could be wrong, as I—or you—could be wrong about anything. It's epistemically prudent to trust the results of searching discussion among those with relevant knowledge, especially if they have conflicting views; it's helpful if their own epistemic norms are in good working order. But it's no guarantee.

There is no priority between those two matters. As you come to believe new things, you'll revise who you trust. As you come to trust new sources, you'll revise what you believe. Shouldn't sensible epistemic standards guide you through the maze of conflicting sources and claims? Of course. But what you take to be sensible epistemic standards aren't magically removed from how deeply social the business of gaining knowledge is. Not just how deeply social, but also how deeply political. If we take *politics* as the realm of controversies over

legitimate authority, and we acknowledge that we disagree over who the epistemic authorities are and what claims are authoritatively true, there is nothing derivative or metaphorical or vague in thinking that the quest for knowledge is political.

Kant echoes Voltaire. "Have courage to make use of your *own* understanding!" he exclaims; that is "the motto of Enlightenment." But he immediately turns to the "*public use* of one's reason." I needn't chart the precise contours of his view or its legacies. Enough to say that at its center is a "scholar" — that's not a faculty member at a research university — who addresses "the entire public of the *world of readers*" through his writings. The scholar isn't speaking as the representative of some institution. He isn't a military officer ordering men to obey or a tax collector ordering men to pay. He is offering arguments for readers to consider. It's intriguing that Kant focuses on reading, not speech. We often think of him as a theorist of different mental faculties, but his sketch here is sociological through and through.²⁹

If you're startled to encounter a classical liberal with a lively sociological imagination, maybe you've been hypnotized by the rote incantation that liberalism is a theory of presocial or atomized individuals. Well, dare to think for yourself! ("Be not the slave of authority," proclaims the *Colored Citizen* in 1866. "If you think anything of yourself, think for yourself.") When Adam Smith wants to explain why workers are "as stupid and ignorant as it is possible for a human creature to become," or how to understand "the gross ignorance and stupidity

²⁹ "An Answer to the Question: What Is Enlightenment?" in Immanuel Kant, *Practical Philosophy*, trans. and ed. Mary J. Gregor (Cambridge: Cambridge University Press, 1996), 17-22.

which, in a civilized society, seems so frequently to benumb the understandings of all the inferior ranks of people," he does not help himself to the view that they are naturally inferior, that they were born that way, that they flowered into the miserable weeds they always already were. He does not dismiss or demean workers as swinish or vulgar or unruly clowns. He indicts the division of labor: "The man whose whole life is spent in performing a few simple operations...has no occasion to exert his understanding." Smith also ridicules "how contemptuously" some "very contemptible authors" describe farmers. Actually, he urges, farmers' varied activities mean they rarely lack "judgment and discretion," and their understanding "is generally much superior" to mechanics'. And he demands public education. "For a very small expense the public can facilitate, can encourage, and can even impose upon almost the whole body of the people, the necessity" of learning reading, writing, and arithmetic. The public can set up and partly pay for schools for children "in every parish or district." Four decades later, Coleridge would sulk on his fainting couch and implore God to save us from the horrible prospect of ordinary people going to libraries. Insert deep sigh here.³⁰

Smith already grasps the kind of point Finley would make centuries later. He dryly acknowledges the "wonderful tales" about the wealth of ancient Mexico and Peru. But "in arts, agriculture and commerce, their inhabitants were much more ignorant than the Tartars of the Ukraine are at present." They didn't even use money. If you want to explain the far superior wealth of even the

³⁰ *Colored Citizen* [Cincinnati] (19 May 1866); Smith, *Wealth*, 2:366-73, 1:157-58. Smith is angry enough to echo his own cadences: "that drowsy stupidity which in a civilized society seems to benumb the understanding of almost all the inferior ranks of people."

backwaters of modern Europe, don't appeal to contemporaries' enhanced greed or native intelligence. Think about how their social landscape is different.³¹

EQUALITY, DIGNITY, AND PERSONS

Here's Hobbes again: "in the well governing of Opinions, consisteth the well governing of men's Actions." Now juxtapose my single favorite line from the Supreme Court: "Authority here is to be controlled by public opinion, not public opinion by authority." The world turned upside down, indeed. That one-line manifesto casts democracy as government by discussion, in Walter Bagehot's fine phrase. Bagehot echoed John Stuart Mill on how free speech yields intellectual progress—and he pursued the way it shapes and improves individuals. Just as the market is better at allocating goods efficiently than a central planner would be, so too the process of unsupervised reading and speaking and listening is better at generating good ideas than the state or church or any old poohbah would be at promulgating them. I hope I needn't disavow any economoid reading of free speech to draw that abstract parallel. When Justice Holmes writes, "the best test of truth is the power of the thought to get itself accepted in the competition of the market," we should not scurry to identify property rights, prices, contractual transfer, and the like. Yes, one says

³¹ Smith, *Wealth*, 1:254-55. For liberalism as a theory of social structure, see my *Happy Slaves: A Critique of Consent Theory* (Chicago: University of Chicago Press, 1989), chaps. 2-3. For an account of how richly social one's emotions and moral judgments are, see Smith's *Theory of Moral Sentiments*.

colloquially about some idea, “I don’t buy it.” No, that’s not really like leaving the department store empty-handed.³²

When lowly subjects become proud citizens, government officials are kicked off their lofty perch. They become public servants. There’s a kind of dignity in that, too: there’s nothing facetious in an American newspaper’s referring in 1849 to “that fidelity to the public service which is the crowning glory of every public servant.” But a public servant doesn’t invite—or extort—meek deference. The shift registered in everyday life, not just in the lucubrations of political theorists. Take this 1792 vignette: “A courtier asked an old woman who sat by the road side, as the King passed by, if she saw his Majesty? She answered, I want nothing of him—Kings are made for Subjects, not Subjects for Kings; why then should I regard him who is the public servant?” After the French Revolution, she could have called herself a citizen, as some assertive people in England were.³³

We’ve repeatedly encountered the thought that reading, or literacy itself, is a badge of dignity. About a decade after the civil war, David King headed South to teach freedmen. His elderly students passed around a pair of glasses to

³² *W. Va. State Bd. of Educ. v. Barnette*, 319 U.S. 624, 641 (1943); Walter Bagehot, *Physics and Politics*, no. 5 (London, 1872); *Abrams v. United States*, 250 U.S. 616, 630 (1919) (Holmes, J., dissenting).

³³ “The ‘Union’s’ Proposition,” *Daily National Whig* (6 June 1849); [John Croft,] *Scrapeana: Fugitive Miscellany* (San Souci [York], 1792), 39, with typographical variations in *The Humourist: A Collection of Entertaining Tales, Anecdotes, Repartees, Witty Sayings, Epigrams, Bon Mots, Jeu d’esprits, &c.*, 4 vols. (London, 1822), 1:81. A more formal version of the sentiment appears as lethal nonsense in [Gilbert Crockatt and John Monroe], *Scotch Presbyterian Eloquence Display’d: or, The Folly of Their Teaching Discover’d, from Their Books, Sermons, Prayers, &c.* (London, 1789), 58.

whoever was reading, “not from necessity always, but as an adjunct to the dignity of reading.” The inexorable flip side is the shame attaching to illiteracy. A poignant instance is the Belfast landlord discovered in 1816 holding a newspaper upside down and pretending to read it. So too we’ve encountered the thought that reading has instrumental effects that promote dignity. Here’s Vicesimus Knox, writing a century earlier: “Men by reading were led to reflect, and by reflection discovered, that they had been under an error when they looked up to their governors as to a superior Order of Beings.” You needn’t be cynical to discount classic Enlightenment rhetoric about reading and political demystification. You need to be confused to dismiss it categorically.³⁴

Reading is caught up in the last fateful transformation I want to notice, a fundamental change in the structure of personhood. (I don’t want to fuss over the differences between agency and personhood. Suffice it to say I won’t be recycling what I said about agency.) Today we think of personhood as a binary concept: either you’re a person or you’re not. But for centuries, personhood was a dimensional concept: you could be more or less of a person. We might dourly say that today’s view is official. By *official* I mean not *state-sanctioned*, but rather something we know we’re supposed to think, and kinda do think. We still trade

³⁴ Constance Fenimore Woolson, “King David,” *Scribner’s Monthly* (April 1878), 780-81. The story is reprinted in Woolson’s *Rodman the Keeper: Southern Sketches* (New York, 1880); there she reports writing the stories while living in the south for “the greater part of the past six years” (preface, n.p.). James Paterson, *Autobiographical Reminiscences* (Glasgow, 1871), 50; [Vicesimus Knox], *Essays, Moral and Literary*, 2 vols. (London, 1778), 1:317. See too *Historical Sketches of Civil Liberty; from the Reign of Henry the VIIIth to the Accession of the House of Stuart* (London, 1788), 66. And see the woman admired for being able to write—“Her air and manner are evidently intended to be regal”—in Elvira J. Powers, *Hospital Pencillings* (Boston, 1866), 56-57 (20 April 1864).

in barely covert ways on the centuries-old view, even if we no longer say forthrightly that you could be more or less fully human. *Human* or *humanity* can double between a biological category, membership in the species *homo sapiens*, and a moral or political category, centering on being entitled to the regard of others. The latter is personhood. So try it this way: once upon a time, it was not true that biological humans were automatically deemed full persons.

A concept, let's say, might be weakly or strongly binary. It's weakly binary if the underlying facts are dimensional, but we care about some threshold or cutoff point. If I start plucking hair from your head, at the end of the day you will certainly be bald. Actually, somewhere well before the end, you will be bald. (No fair protesting that you're already bald.) We might dispute quite when that happens, but plenty of perfectly reputable concepts have fuzzy boundaries. So being bald or not bald is weakly binary. (Introducing the concept of *balding* doesn't sidestep the point; it repeats it.) Contrast the usual light switch, not a dimmer but a simple on/off device. That's strongly binary. It has only two states, all the way down, as we might say.

Literacy is weakly binary. You can distinguish illiteracy from literacy. But surely one can be more or less literate: able only to stumble along with relatively easy texts, able to quickly and accurately make sense of more complicated tasks, able to synthesize and criticize a range of sources. I suppose there are multiple underlying dimensions, depending on the context. Sometimes for instance we use *literate* to mean *well read* in some area or other. And there too there will be an

underlying question of just how well read you are. Those five stages of literacy from PIAAC are just another way of structuring dimensional facts.³⁵

All the usual candidates for the basis of personhood—being a rational agent, framing and pursuing conceptions of the good, self-consciousness, and the like—make that concept weakly binary, too. That leaves nauseatingly tantalizing space for people to focus on the underlying dimensional facts. Are young children persons? Are newborn infants? They'll gradually get better at being rational agents and the like; that capacity or status doesn't snap on all of a sudden, as if it were a light switch. Are they entitled to moral regard? Sure, but is it the same kind we owe to full-fledged persons? Indeed part of what we owe children is nurturing them in to lead them to dignified personhood. But parental care here is not Kantian respect. When your child thinks it would be interesting to drink Drāno, you patiently explain why that's a terrible idea, and she isn't persuaded, you do not owe it to her to respect her autonomy by letting her proceed. Nor do you need to wring your hands about the dangers of paternalism. So now think about what's at stake in addressing grown black men as *boy*, never *Mister*, and in requiring those grown men to use *Mister* in addressing little white boys.³⁶

It is no good saying that personhood just plain is binary, that that is built into the structure of the concept, that you demonstrate you don't know what you're talking about if you cast it as dimensional, or that you're being incoherent.

³⁵ For an intriguing study of another dimension or sense of literacy, see David E. Kirkland, *A Search Past Silence: The Literacy of Young Black Men* (New York: Teachers College Press, 2013).

³⁶ For Kant on children, and the epistemic immaturity of some adults, see Mika LaVaque-Manty, "Kant's Children," *Social Theory and Practice* (July 2006).

Saying some view is true by definition is not an especially impressive way of securing it. It's no way at all: it makes the view empty. I doubt the cogency of peremptorily dismissing what Gilbert Ryle called category mistakes. If someone says, "that truth is green," you can work yourself into a lather and scream, "the concept of truth does not admit of the predicate color!" But it would be more prudent to say, "sorry, I don't get it, could you explain what you have in mind?" You might learn something.³⁷

Anyway I doubt that dimensional personhood intuitively feels oxymoronic. Lying in plain sight is the three-fifths compromise. You could try to bracket it by saying it's just a rule about political representation, and the real paradox of slavery lies in understanding how one could be fully a person and fully property at the same time. That won't do. In 1837, the American Anti-Slavery Association was selling broadsides of the already famous image of a shackled slave, kneeling with his forearms beseechingly raised, with a banner emblazoned "Am I Not a Man and a Brother?" coupled with John Greenleaf Whittier's "Our Countrymen in Chains," for two cents apiece. Here humanity, kinship, and shared nationality all point inexorably in the same direction: slaves are persons. The point of the broadside is that their actual plight in society is a moral travesty. They are not treated as persons. They are not accorded respect. They are held in contempt. Southerners saw the point well enough. "The

³⁷ Gilbert Ryle, "Categories," *Proceedings of the Aristotelian Society* (1937-38).

principle...that a slave is a moral agent," announced a Richmond paper, "however naturally just...is politically abominable."³⁸

"Must I undertake to prove that the slave is a man?" asked Frederick Douglass. He wasn't pressing a point about the biological species. "The slave is a moral, intellectual and responsible being" — a person. Even the South knew it. Their "statute books are covered with enactments forbidding, under severe fines and penalties, the teaching of the slave to read or to write. When you can point to any such laws, in reference to the beasts of the field, then I may consent to argue the manhood of the slave." But both the Association and Douglass knew perfectly well that slavery consigned its victims to less than full personhood. That explains the pathos of their appeals. Personhood too is causally enabled and constituted by social arrangements. A critic of slavery in 1828 Newcastle grasped the point. Some, he said, "object to the emancipation of the slaves, because they consider them an inferior race of beings in the scale of creation, just on a level with the brute." Odd, then, to worry about their rebelling. "They may, indeed, be treated like brutes, and, like them, be exposed for sale in the public markets; but they are still capable of thought and reflection.... The schoolmaster is gone abroad, even amongst the slaves, and knowledge will find its way."³⁹

Some will object. "Being a person is just being an entity entitled to a certain kind of moral regard: to be treated, as Kant says, not only as a means but also as an end in oneself. That normative claim doesn't rise or fall with how well social

³⁸ *Am I Not a Man and a Brother?* ([New York, 1837]); "Larche's Case," *Constitutional Whig* (16 May 1826). On the paradoxes of slavery, see especially James Oakes, *Slavery and Freedom: An Interpretation of the Old South* (New York: Knopf, 1990).

³⁹ Frederick Douglass, *Oration, Delivered in Corinthian Hall, Rochester* (Rochester, [NY], 1852), 17-18; "Negro Slavery," *Newcastle Courant* (17 May 1828).

arrangements respect it.” If you like. But suppose I need to break a window and can’t find a sledgehammer, so I pick you up while you’re sleeping and hurl you through the glass. You can protest that I’ve mistreated you, and your being a person is a plausible if hifalutin explanation. (But I shouldn’t hurl a cocker spaniel through a window, either.) Less cartoonishly, if others push you around, beat you, rape you, cavalierly deny you housing and a job, control what you can read or stop you from reading at all, believe that that is exactly the sort of thing that suits the ignominious likes of you, and cement their views in law and social practice and culture, your status as a person will crumble.

So—here comes a trademark pragmatist move, motivated by suspicion of priority claims—it’s not just that *if person, worthy of respect*. It’s also that *if accorded respect, person*. Again, that latter claim is causal as well as constitutive. Put differently, I’m not equivocating on personhood as a normative claim and personhood as a social status. If you’re treated with respect, trusted to make your own decisions, you can cultivate the skills and dispositions to act intentionally, control your actions, consider reasons, frame and pursue some conception of the good, and the like. Choose whatever basis of personhood you will, and you’ll have to agree that like entrepreneurial skill, it is caused and constituted by social arrangements. Neglected Danielle is the limiting case, a gruesome reminder that you can abuse a young *homo sapiens* and they won’t become a person at all. But other sorts of bad treatment will produce someone who’s less of a person, if we just peek through the weakly binary scheme and look at the underlying dimensional facts. Look unflinchingly at the social lives of *mulierculae*, paltry

fellows, ignorant slaves, and so many more like them. Don't blithely assure yourself that come what may, surely they are persons.⁴⁰

Enough with cartoons. Consider this 1693 announcement:

The greatest part of Men, like the *Serpent*, lie hissing and groveling upon the *Earth*, and their Souls are so fixed in that grosser *Moiety* of Themselves, their *Bodies*, that nothing can Sublimate or Refine them. The numerous *Rabble* that seem to have the Signatures of *Man* in their Faces, are but *Brutes* in their Understanding, and have nothing of the Nobler part that should denominate their Essences; 'tis by the favor of a *Metaphor*, we call them *Men*, for at the best they are but *DesCartes's* AUTOMATA, moving Frames and Figures of Men, and have nothing but their Outsides to justify their Titles to Rationality.

We owe this gem of insight to Sir Thomas Pope Blount, Baronet. I bet he never tripped over the thought that his august status enabled him to read widely, to write a book, to reflect so thoughtfully on the brutes he lived among.⁴¹

The passage jostles different views together. One: most men have souls, but they aren't refined. Two, with a nod to Descartes: such men are just machines. They have neither minds nor souls. Yes, that's unabashed blasphemy.

⁴⁰ On the more recent debate, see especially Stephen L. Darwall, "Two Kinds of Respect," *Ethics* (October 1977); Sarah Buss, "Respect for Persons," *Canadian Journal of Philosophy* (December 1999).

⁴¹ Thomas Pope Blount, *A Natural History: Containing Many Not Common Observations: Extracted out of the Best Modern Writers* (London, 1693), n.p., italics reversed. I owe the reference to Keith Thomas, *Man and the Natural World: A History of the Modern Sensibility* (New York: Pantheon, 1983), 43.

When Blount says it's a metaphor to call them men, or that only "their outsides" give them a claim to rationality, he clearly sees the distinction between biological humanity and personhood. He's convinced that most men, the numerous rabble, are biological humans, but not persons at all.

So far, so binary. Maybe Blount is making a detached factual observation. Maybe he's indignant that these prostrate snakes are degraded, degrading themselves, when they're persons, morally entitled to so much more. Actually, though, Blount bluntly rejects the thought that these buffoons are entitled to any better. Consider his report on Turkey's coffeehouses. Few customers can read, but the owners hire someone to read "either an Idle Book of Tales, which they admire as Wit, or filthy obscene Stories, with which they seem wonderfully affected and pleased." "These are the *Schools*, which they frequent for their Information." But those schools fill their heads with sedition. So during the Cretan War "the wise *Visier*" shut them down in Constantinople and other big cities. How ludicrous to let the grubby likes of them enjoy trashy books read aloud! By contrast, Jeremy Bentham fondly recalled stumbling on the greatest-happiness principle as a very young Oxford student, while reading a pamphlet by Joseph Priestley in a circulating library at a coffeehouse. Look what unsupervised reading hath wrought.⁴²

What about being less fully human? Consider next the early modern English language of status, the difference for instance between silly clowns and persons of quality. In 1640, Edward Hyde (later Earl of Clarendon) recounted

⁴² Blount, *Natural History*, 108-109; "Article on Utilitarianism" [1829], in Jeremy Bentham, *Deontology together with A Table of the Springs of Action and The Article on Utilitarianism*, ed. Amnon Goldworth (Oxford: Clarendon, 1983), 291-92.

another sort of filthy obscene story—Hyde called it “ridiculous”—in the House of Commons. A gentleman had owed his tailor a lot of money for a long time. The aggrieved tailor showed up at the gentleman’s house and threatened him with arrest. “Upon which the Gentleman, enraged, gave him very ill Words, called him base Fellow,” and tried to toss him from the premises. “In this Struggle, and under this Provocation, Oppression, and Reproach, the poor Tailor chanced to say, that He was as good a Man as the other.” That audacious sentiment got him summoned to court. To stay out of prison he forgave the debt.⁴³

Recall Francis Place, the radical tailor, losing genteel clients almost two centuries later when one discovered that Place had an extensive library. That’s less brutal, but not that far removed from Hyde’s tale, and not only because both happen to involve tailors. Both tales summon up Lord Grey’s flippant response when John Fortescue asked him to stop hunting on his property: “stuff a turd in your teeth, I will hunt it, and it shall be hunted in spite of all you can do.” Further hunting led to brawls and Star Chamber proceedings. No ordinary commoner, Fortescue was a member of Parliament, and Queen Elizabeth’s displeasure with Grey landed the lord in Fleet Prison. Had Fortescue enjoyed less dignity or status, though, the lord’s response would have been exactly right. Peers of the realm couldn’t be arrested for the likes of trespass, but they could

⁴³ *The Life of Edward Earl of Clarendon* (Oxford, 1760), pt. 1, 57.

magically dismiss writs summoning lesser sorts to court. Some are socially permitted, even required, to treat others with contempt.⁴⁴

“As good a Man as the other”: those told to eat shit affirmed it, and those hurling coprophilic insults denied it. In 1636, William Farr called Robert Pendred “base fellow, fool, ass, and many other like terms, and bade a turd in his teeth.” In 1637, John Moorenden told John Peyton he was a liar and “a base fellow,” and added that “he cared not a turd for any Peyton, and that he was a better man than any Peyton in England.” In 1639, Edward Gibbs told Robert Walsh he was a liar and “a base rascal, and a [ur]d in his teeth.” When Moorenden says he doesn’t give a shit about Peyton, he is evincing contempt. The likes of Peyton don’t register on his mattering map. They’re not entitled to any regard; or, one might say, Moorenden is claiming he is free to use and abuse Peyton as he likes. Is Peyton a person? Is Peyton a person if Moorenden can get away with his abuse? If the law underwrites his right to treat Peyton this way? But Peyton isn’t a sledgehammer, either. He’s somewhere between that object and a fully dignified person. He is less of a person, which means that personhood here is dimensional.⁴⁵

The law here is interested in maintaining the peace. These cases are peppered by duels and challenges. More important, the law is regulating

⁴⁴ Lawrence Stone, *The Crisis of the Aristocracy 1558-1641* (Oxford: Clarendon Press, 1965), 236, 54; *Fortescue v. Legrey*, STAC 5/F24/31; DNB s.v. Grey, Arthur, fourteenth Baron Grey of Wilton (1536–1593).

⁴⁵ “516 Peyton v Moorenden,” *The Court of Chivalry 1634-1640*, <https://www.british-history.ac.uk/no-series/court-of-chivalry/516-peyton-moorenden> (last visited 13 March 2024). “676 Walsh v Gibbs,” *Court*, <https://www.british-history.ac.uk/no-series/court-of-chivalry/676-walsh-gibbs> (last visited 13 March 2024).

reputation, the currency of social status. “As good a man” needn’t mean “as much a person.” It can mean “as high a rank.” In 1637, William Williams called John Stepney a “base rascal” and, “phlipping his fingers” (that’s flipping as in filliping), spat out the now predictable “turd in your teeth,” and added “that he was a better man” than Stepney. (*Rascal*, a repeated epithet here, isn’t affectionate. It means “a member of the rabble.”) But, protested Stepney—Sir John Stepney, thank you very much—he was high sheriff of the county. His family had been gentry for up to two centuries. When Peyton petitioned the court, he insisted he was “a gentleman descended of a very ancient family.” These gambits are routine. Jockeying for status, insisting that one’s claims be respected, was the fraught terrain of everyday life.⁴⁶

The very pews in church—how big they were, how ornately crafted, where they were placed—were a badge of status. It was no adolescent prank when a Berkshire gentleman weakened his rival’s pew so that it would collapse when he sat down. The Worshipful Company of Fishmongers placed “a very fair large pew” in London’s St. George Church. They’d contributed more money than any other trade group to restore the church and they reserved the splendid pew for men and women in the almshouse they ran. This pew too was a badge of honor, though in a decidedly different register.

⁴⁶ On the difference between value and status in thinking about dignity, I agree with Jeremy Waldron, *Dignity, Rank, and Rights: With Commentaries by Wai Chee Dimock, Don Herzog, Michael Rosen*, ed. and intro. Meir Dan-Cohen (Oxford: Oxford University Press, 2012), 23-27. “625 Stepney v Williams,” *Court*, <https://www.british-history.ac.uk/no-series/court-of-chivalry/625-stepney-williams> (last visited 13 March 2024); *OED* s.v. *rascal*, 1.3a; *OED* s.v. *flip*, 1. For more on the contemporary law of libel and *scandalum magnatum*, see my *Defaming the Dead* (New Haven, CT: Yale University Press, 2017), 105-14.

“Making *Pews* in Churches, and seating Persons according to their *Quality*,” reflected a minister, “seems so contrary to an *Apostolical Precept*.” He cited “James,” and must have meant the bit in the Epistle of James worrying about “respect of persons.” That’s not the Kantian thought; it’s rather the corrupt business of paying attention to social status. It was idiomatic then to take “no respect of persons” as meaning *equality*. That’s the usage in the King James Bible—and that was the usage adopted by radicals. “Kings are but men,” warned a pamphleteer during the civil war of the 1640s, not many months before Charles I met the gallows. “There is no respect of persons with God; nor ought to be with men.” Scripture also has God turning the world upside down, after all. The allure of regicide aside, *no respect of persons* is obviously not a call for sweeping disrespect. It is a complaint about offering deference to the allegedly superior—and about their extorting deference. It trades straightforwardly on the background view that personhood is dimensional, even as it protests it. Our official commitment to binary personhood explains why we trip over that idiom.⁴⁷

Isn’t it wrong, demands James, to usher the man “in goodly apparel” to “a good place; and say to the poor, Stand thou there, or sit here under my footstool”? The Quakers were famously, infamously, egalitarian about social status. “The plain truth,” announced one Quaker, was that “manners and titles

⁴⁷ Stone, *Crisis*, 55, 249; John Stow, A. M., et al., *The Survey of London: Containing the Original Increase, Modern Estate and Government of That City, Methodically Set Down* (London, 1633), 882; A Presbyterian of the Church of England [William Sherlock], *A Discourse about Church-Unity: Being A Defence of Dr. Stillingfleet’s Unreasonableness of Separation* (London, 1681), 34; Romans 2:11, Colossians 3:25; *The Last Warning to All the Inhabitants of London* ([London, 1646]), 8; Isaiah 24:1.

are invented to maintain a respect of persons, and to exalt the person of the rich man that wears costly garments." He appealed to the same plea from James. No less a figure than John Donne, poet and Dean of St. Paul's Cathedral, preached on the Epistle. "Undervalue no man for his outward appearance," he exhorted the faithful. In another sermon, Donne berated great men for their vanity: "You need not distinguish your pews by figures." All around them was the dust of dead Christians' bodies. They too would be dust. Nothing is so egalitarian as death.⁴⁸

The Quakers also defied the conventions of hat discipline in the presence of those of superior status. "This *cripple, ceremonial, shadowy, modish worshipping of men's Persons...* by doffing the Hat...is below the dignity of a man," insisted the same Quaker I just quoted. Fawning, scraping, doffing one's hat, standing in another's presence, saying "sir," moving aside on the street to let the great man pass: such everyday conduct constituted persons as unequal, some as not fully human or as lesser persons. Everyday slang testifies to the same indignities. A *catch fart*, we learn from a 1796 *Dictionary of the Vulgar Tongue*, is "a footboy; so called from such servants commonly following close behind their master or mistress." The coinage is, um, not the very model of decorous submission. It stretches back at least a century more.⁴⁹

⁴⁸ James 2:1-3; A Friend to Truth, Who Is No Respector or Regarder of Persons, Called a Quaker, *The Worlds Honour Detected, and, for the Unprofitableness Thereof, Rejected* (London, 1663), 18; John Donne, *XXVI Sermones (Never before Publish'd)...The Third Volume* (London, 1661), 33, 296.

⁴⁹ Friend, *Worlds Honour Detected*, 16. This text is centrally devoted to assaulting hat discipline. [Francis Grose], *A Classical Dictionary of the Vulgar Tongue*, 3rd ed., corrected and enlarged (London, 1796), s.v. *Catch Fart*; B. E. Gent., *A New Dictionary of the Terms Ancient and Modern of the Canting Crew* (London, [1690-1699]), s.v. *Catch-fart*.

You can scoff at the pretensions of those men of quality—and the willingness of the alleged inferiors to play along. Here’s Scottish poet Robert Burns: “Gie fools their silks, and knaves their wine, / A man’s a man for a’ that.” Or again: “Ye see yon birkie, / Wha struts, and stares, and a that; / Though hundreds worship at his word, / He’s but a coof for a’ that.” (*Gie* is “give.” A *birkie* is “a smart fellow” and a *coof* is “a stupid fellow.”) All fine, better than fine, by me. But it doesn’t undercut the sense in which everyday practices made personhood dimensional. So too for the three-fifths compromise. Did those enslaved have a straightforward moral claim to be free and equal? Of course. But in painfully obvious ways, they were also lesser persons than the free white population.⁵⁰

I don’t think social hierarchy requires dimensional personhood. There is a time-honored Christian way of reconciling social inequality with human equality. It takes off from another caution from Jesus: “it is easier for a camel to go through the eye of a needle, than for a rich man to enter into the kingdom of God.” Imagine being the Prince of Wales, the loathsome future George IV, and receiving these stern injunctions from your mother, Queen Charlotte, on your eighteenth birthday:

Be charitable to everybody, not forgetting your meaner servants.

Don’t use them with indifference, rather pity them that are obliged to serve, and do unto them as you would be done by. I mean by that

⁵⁰ “For A’ That and A’ That,” in *The Works of Robert Burns*, 4 vols. (Liverpool, 1800), 4:216. [Ebenezer Picken], *A Dictionary of the Scottish Language* (Edinburgh, 1818), 82, 14, 40. I am repressing the temptation to say something suitably blistering about “My Station and Its Duties,” in F. H. Bradley, *Ethical Studies* (London, 1876).

you should not think yourself above doing good to them. The contrary will make you appear vain, and vanity is the root of all vice and a sure proof of ignorance. For what is man to man? We are all equal and become only of consequence by setting good examples to others, and these must be given with a view of doing our duty but not with the idea of superiority, for then the action loses its merits.

The queen understands social inequality perfectly well. The servants are mean (not malicious, but “inferior in rank or quality; unpleasant”) and to be pitied. But they are fully equal persons, in that way the equal of royals. I suppose the social conditions of servants in the royal household by 1770 gave them enough of the basis of personhood to get over a plausible threshold. But Charlotte, George, and others didn’t have to adopt the weakly binary conception of personhood. They could instead have cut straightaway to the underlying dimensional facts. As I’ve suggested, many did just that.⁵¹

If you’re fretting that I’ve meandered away from reading, fret no more. Think of how profoundly demeaning it is to cast human beings, persons, as animals—lower animals, as we say, with another unthinking nod to status hierarchy. People can read; animals can’t. When Farr calls Pendred an ass, he doesn’t mean *buttocks*. He means *donkey*, and the insult is a pointed play on biology and morality: Pendred is not a person. When Burke indicts the swinish multitude and generations of conservatives delightedly echo him, they are inviting the reader to hold the lower orders in contempt, to think of them as less

⁵¹ Matthew 19:24; Queen Charlotte to the Prince of Wales, 11 August 1770, in *The Correspondence of George, Prince of Wales, 1770-1812*, ed. A. Aspinall, 8 vols. (London: Cassell, 1963-71), 1:5; *OED* s.v. *mean*, adj., 1, II.

than fully human, as objects to be governed, not dignified persons with a robust claim to participate in governing. When the 1830 *World Turned Upside Down* offers a pig politician reading the news, it is inviting the reader to grimace at the spectacle of subhuman creatures daring to read and take an interest in politics. When the mock Gentleman in *Politics for the People* demands, “How, I say, could you suppose yourselves capable of making choice of books? how could you think of dabbling in politics?” he is dramatizing the view that the lower orders must remain humble subjects, must never try to rise above their ignoble station by choosing what to read—must not even imagine that they can try to assume the dignified status of full persons. That’s why he also instructs them, “you have no rights but the rights of horses and beasts of burdens.” That’s why he tells them that they “are of the lowest class of beings that can be called MEN.” Horses, beasts, and the lowest sort qualifying as men are not mere objects, things simply to be used by those secure in the social glories of full personhood. They are not sledgehammers. But they are entitled only to lesser moral regard, to something like benevolent care, not to respect. They cannot be trusted to make their own decisions. Their opinions need to be governed. Their reading needs to be controlled.

Cross the Atlantic and you find more of the same. A Boston newspaper was incredulous at the 1817 news that Savannah had made it a crime to teach black people to read. “Abominable—if true,” they exclaimed; “we hope this is a calumny on the city.” But as we know, it was true. A Savannah newspaper indignantly repelled the attack, with more dehumanizing animal imagery. “We presume the wise editor thinks that the blacks were *born* with the *natural right* of

learning to read. So in good truth, was his grandfather's jackass!" But that animal too was sentenced to hard physical labor, "with a total exclusion from all polite company," so it wouldn't have conduced to "the poor animal's own comfort" or "the public good" to teach it. The closing adolescent flourish: "we have never heard of northern jackasses reading much, though they undertake to write, now and then." Listen to the scornful riposte of a Missouri Baptist informed that black children attended Ohio schools, and, as the correspondent reporting the exchange noted, "mark the pronoun": "I consider that any man that would teach a n—, or rate it above the brute, is no Christian, nor a white man." Recall the Southerner who hissed, "You might as well try to teach your horse or mule to read as to teach these n—s." Douglass, recall, would acerbically point out that no Southern state prohibited "beasts of the field" from reading. So too James Birney's *Philanthropist*, less than a year after his press was destroyed, waxed incredulous at those thought that "inability to read the Scriptures" and "the animalization of the whole man" were sensible strategies for making slaves Christians. Ponder these claims for a while and you will better grasp both racism and the politics of personhood.⁵²

⁵² "Abominable—If True," *Columbia Centinel* (26 November 1817); *Columbian Museum, and Savannah Daily Gazette* (9 December 1817); "Slavery in Missouri—The Dark Side and the Light Side," *Cleveland Daily Herald* (5 November 1859); "Teaching Slaves to Read," *Philanthropist* (14 April 1837). See too John Zug Ms. Journal, 24 September 1838, mss. pp. 23-24, African American History Collection, 1792-1966, Box 3, Folder 02a, Clements Library, University of Michigan; Rep. Joshua Reed Giddings (Whig, OH), *Congressional Globe* (25 April 1848), and consider the scorn in "Joshua R. Giddings on Negro Superiority," *Southern Aegis* [Bel Air MD] (19 September 1857). For the racist thought that whites might be even more contemptuous of blacks than is warranted by their natural inferiority, see Charles C. Jones, *The Religious Instruction of the Negroes*

Here's reliable Mencken for the trifecta: "Democracy is the art and science of running the circus from the monkey-cage." This twentieth-century journalist waxed Burkean in describing ordinary men and women as animals. Mencken's crack was not the last dying wheeze of this sort of thing, which is in rude good health today. Take for instance struggles over whether prisoners are lesser persons. Thinking about prison authorities reading inmates' mail, Justice Thurgood Marshall protested, "To suppress expression is to reject the basic human desire for recognition and affront the individual's worth and dignity.... When the prison gates slam behind an inmate, he does not lose his human quality." There's a reason we saw prison authorities censoring thousands of books. There's a reason I could so easily survey the dehumanizing imagery many casually invoke to describe inmates. Here's a relatively polite snippet: rank and file staff at California's High Desert State Prison, a 2016 report found, saw the inmates as "little more than wild animals." That wasn't hyperbolic editorializing. The report quotes one staff member as saying their job was "to protect society by taking animals off the streets." Contrast the hauntingly evocative words of Denise, imprisoned in Ohio's Northeast Pre-Release Center. "I got excited about every book I read because it was like a me inside of me getting a chance to come out, and it would just live!"⁵³

(Savannah, 1842), 106, but compare 124: "As to moral and religious character, the Negroes are *naturally* what all other men are."

⁵³ Mencken, *Chrestomathy*, 622; *Procurier v. Martinez*, 416 U.S. 396, 427-28 (1974) (Marshall, J., concurring). See *Thornburgh v. Abbott*, 490 U.S. 401 (1989) (affirming the "broad discretion" prison officials must enjoy, 413, to control what readings enter the prison, and affirming the use of toothless reasonableness review to deal with challenges). Association of State Correctional Administrators, *Independent Assessment of the High Desert State Prison* (n.p., 2016), 8, 26; Megan Sweeney, *Reading Is My Window*:

Politics for the People deployed their own insulting animal imagery, too, turning the world upside down yet again. They ran a piece on “King Chaunticlere,” a rooster. It is always best, we learn, “to rid the world of tyrants.” Guillotines not being stylish, the narrator chops off the bird’s head with a knife and discovers that “he was no better than a common scratch-dunghill pullet; no, nor half so good, for he was tough, and oily, and rank with the pollutions of his luxurious vices.” The journal ran other pieces on similar lines. “Kings are *wolf shepherds*. Homer styles them *devourers of the people*; and they do not appear to have lost their original taste.” A grand jury found these pieces scandalous and seditious, and publisher Daniel Isaac Eaton stood trial on charges of seditious libel.

The prosecutor conceded that maybe it was “reprehensible” for Burke to talk about the swinish multitude, but maintained that Burke’s words couldn’t justify Eaton’s outrageous language, “calculated to find its way among the lowest of the people,” “the rude and vulgar.” He invited the jury to consider the ghastly results of circulating such poisonous contempt for George III. “The ends of it are to render the people ferocious, to render them bloody, to render them cruel”: to render them carnivorous: not cannibals, something more like wolves.

“Whom are politics for, but the people?” demanded Eaton’s defense attorney. “Are politics for placemen and pensioners only? Are they alone blessed with understandings fitted to the investigation of this sublime and mysterious science? Or is it not, or at least ought it not to be, a subject within the

comprehension of every man?" I've never believed the maxim *ought implies can*, but the attorney is not imagining that we could somehow enhance the impoverished natural capacities of the people. His easy turn to "ought it not be" shows that he knows that social change could make them adequate readers, even if they're not that already. The prosecutor was alarmed by how cheap *Politics for the People* was, how easily it would circulate among the lower orders. The defense attorney responded that Eaton deserved applause. "Political pamphlets, I think, should be cheap. I am very sure that public order and tranquility will never be maintained so well as when every man reads and understands political pamphlets." There it is again: is it dangerous for ordinary men and women to read political texts? Do the elites have superior reading abilities? Or does unsupervised reading promote social order?

Eaton's attorney thought it interesting that the indictment and prosecution had selectively quoted from the journal. They'd omitted the bit about "the tyranny exercised on a negro slave." (It is a tale of a failed escape, which the master punishes with hideous torture. I'll spare you the pornographic details.) Surely it was the proud inheritance of Englishmen to revile tyranny in all its forms. He reminded the jury that the Commons had resolved "that the influence of the Crown had increased, was increasing, and ought to be diminished." Couldn't Eaton sound the same tones as a parliamentary majority? The attorney hammered away at the importance of a free press in safeguarding the people's rights.

The jury took just an hour to acquit Eaton, who promptly published the trial transcript. Score it a victory in battle for the forces of reading. The

government would soon crack down further with the Treason Act of 1795, which imposed capital punishment on anyone daring to “imagine” the death of the king, and which included in that offense “publishing any printing or writing.” Last word from the ardent enemies of reading goes to Samuel Horsley, Bishop of the Church of England, who rose in the Lords to vigorously defend the new measure. There is nothing even vaguely original in his refrain. “Have the opinions of men no influence upon their actions?” demanded the bishop. “Have these publications no tendency to spread opinions? Are they not circulated for that purpose, with great industry, and with too sensible an effect? Have not the minds of the common people been turned by such publications to subjects to which it had been better if their minds never had been turned? Have they not been poisoned with false and pernicious notions? And has not a great change in the demeanor of the lower orders actually been produced?”⁵⁴

I’d asked what changes let us adopt the view that everyone ought to be free to read more or less everything. There are different ways of gathering the strands of my discussion, but I want to be schematic, even if it means sacrificing nuance. So recall first the bundle of views that opponents of reading relied on. Social order depends on people having the right views. But people aren’t up to

⁵⁴ *The Trial of Daniel Isaac Eaton, for Publishing a Supposed Libel, Intituled Politics for the People; or, Hog’s Wash: At Justice in the Old Bailey, February Twenty-Fourth, 1794* (London, [1794]). See “King Chaunticlere; or, The Fate of Tyranny” and “The Reflections of a True Briton,” *Politics for the People*, no. 8 (1793), 102-110. The parliamentary vote was not in 1782, as the transcript has it: *Parliamentary Register* (6 April 1780). 36 Geo. III c. 7; *Parliamentary History* (13 November 1795), also in *The Speeches in Parliament of Samuel Horsley, LL.D. F.R.S. F.A.S.* (Dundee, 1813), 179. See generally the astonishing John Barrell, *Imagining the King’s Death: Figurative Treason, Fantasies of Regicide, 1793-1796* (Oxford: Oxford University Press, 2000).

the task of winnowing out repulsive views and adopting sensible ones. The scope of their agency is impoverished; maybe they're not agents at all. They flounder about when they read. Or maybe noxious texts causally manipulate them. They're too stupid, too undignified, too inferior, too laughably contemptible, to be trusted with reading whatever they like. It's ludicrous to cast them as persons entitled to respect. Their opinions need to be governed, so their reading needs to be controlled—if indeed they should be reading at all. That's imperative enough to justify prison terms and bloodshed. Social order is on the line.

Here's how to turn that loathsome world upside down. Don't think of the foibles and idiocies of readers as given facts that justify control. Think of them as the contingent effects of social practices that can and should be reformed, not least control itself. Relinquishing control over opinion is the right strategy for leading people to better opinions. Not because isolated individuals standing magically outside society command prodigious knowledge and acute critical sensibilities, but because the social practice of free speech, emphatically including reading and writing, is more epistemically reliable than having a tiny handful of elite actors lay down the law. Trust people to be responsible, treat them with respect, acknowledge them as dignified equals, and they will become agents who can shoulder the responsibilities of reading. They will take their rightful place as persons.

It's not as though we must choose between such blunt alternatives. Why not have the government occasionally restrict the distribution of singularly stupid and pernicious views? (Choose your poison: racist hate speech, claims of

electoral fraud, anti-vax screeds....) A prominent part of the answer is distrust of the authorities. If you license governments to excise the wrong views from public discussion, to yank the wrong texts away from readers' eyes, you are licensing bad judgment and corrupt self-dealing. Think about what governments today rule out of bounds. Think about how Mill fits together his consequentialist rejection of "abstract right" with his apparent absolutism about free speech. "The strongest of all the arguments against the interference of the public with purely personal conduct," he declares, "is that when it does interfere, the odd are that it interferes wrongly, and in the wrong place." Now apply that general thought to censorship. You don't have to pretend that the practice of uncontrolled reading infallibly yields intellectual progress. You just have to notice it's better than the alternative.⁵⁵

Time to redeem my promissory note: what about attacks on the fundamentals of social order? We've seen many laws designed to squelch just such attacks, a veritable parade of risible insanities. Consider two more. First, from Virginia in 1836: any abolitionist entering the state who "shall here maintain, by speaking or writing, that owners of slaves have no property in the same, shall be deemed guilty of a high misdemeanor," facing as much as a fine of two hundred dollars fine and a prison term of three years. Second, from North

⁵⁵ Mill, *On Liberty*, 24, 149-50. Compare Samuel Torshel, *A Design about Disposing the Bible into an Harmony* (London, 1647), 2-8. For sentiments on free speech quite like Mill's, see John Locke, "Comments on the 1662 Printing Act," [December 1694-January 1695], in *Censorship and the Press, 1580-1720*, ed. Geoff Kemp and Jason McElligott, 4 vols. (London: Pickering & Chatto, 2009), 3:417-21; [Locke], *A Second Vindication of the Reasonableness of Christianity, &c.* (London, 1697), 379-82; [Matthew Tindal], *A Letter to a Member of Parliament, Shewing, That a Restraint on the Press Is Inconsistent with the Protestant Religion, and Dangerous to the Liberties of the Nation* (London, 1698).

Carolina in 1854: circulating “any written or printed pamphlet or paper...the evident tendency whereof is to cause slaves to become discontent with...bondage...and free negroes to be dissatisfied with their social condition and the denial to them of political privileges” is a felony. As a court rightly noted in affirming a conviction, that any black person see or read the offending text is no element of the crime. Offenders should be imprisoned at least a year, with the court having discretion to impose time in the pillory and whipping. Recidivists would be executed. I introduce these laws not as a *reductio*, but as exemplary. It’s sweetly gullible to believe that today’s authorities are more enlightened. I could write quite a lot about the stupidities and injustices of letting the authorities insulate the fundamentals of the social order from attacks. Enough here to remind you what they could do armed with such a power.⁵⁶

Or, better, what they did do. The authorities burned abolitionist pamphlets. They burned Bibles. They burned Bible readers. They did so not

⁵⁶ An Act to Suppress the Circulation of Incendiary Publications, and for Other Purposes, *Acts of the General Assembly of Virginia, Passed at the Session of 1835-36* (Richmond, 1836), 44. Compare Enticing Away, and Inciting Insurrection among Slaves, Act of 22 November 1850, in Josiah Gould, *Digest of the Statutes of Arkansas* (Little Rock, 1858), 345: “If a free person, by speaking or writing, maintain that owners have not right of property in their slaves, he shall be confined in jail, not more than one year, and fined not exceeding five hundred dollars.” *Revised Code of North Carolina, Enacted by the General Assembly at the Session of 1854* (Boston, 1855), 205 (with cognate offenses along with willfully circulating: “wilfully bring[ing] into the State, with an intent to circulate,” also aiding and abetting bringing or circulating). See the earlier Act to Prevent the Circulation of Seditious Publications, *Acts Passed by the General Assembly of the State of North Carolina at the Session of 1830-31* (Raleigh, 1831), 10. *State v. Worth*, 52 N.C. 488 (1860); Worth gave another (white) man a copy of Hinton Rowan Helper, *The Impending Crisis of the South: How to Meet It* (New York, 1860).

sporadically, in spasms of misguided zeal, but routinely, imagining themselves as somberly pursuing judicious policy to secure the fundamentals of social order.

Feh.

CODA

He graduated at the top of his class from Waterville College (today we call it Colby) in 1826. He would give a valedictory address at commencement that September, where he would read one of his poems, too. First, though, this promising young man had been tapped to give a Fourth of July speech that summer in a nearby town. It was the fiftieth anniversary of American independence. Thomas Jefferson and John Adams died that same day, but neither he nor his audience would have known that yet. It was no time for restraint.⁵⁷

“The age in which we live is an age of wonders—I had almost said of miracles,” he announced. The “mighty revolutions” of the past half century had changed “the mind of man. His powers have become strengthened and enlarged, and the circle of his vision more extended. He has acquired more self-confidence, more skill; more curiosity, more intellect.” This young man understood that social practices can make people smarter. Maybe he’d read Smith or Kant, maybe not. “He, who had slumbered, for ages, at once the dupe and the victim of slavish authority, rises in his strength, casts off the trammels which superstition

⁵⁷ Joseph C. and Owen Lovejoy, *Memoir of the Rev. Elijah P. Lovejoy* (New York, 1838), 23-26; Edwin Carey Whittemore, *Colby College 1820-1925: An Account of Its Beginnings, Progress and Service* (Waterville, ME: The Trustees of Colby College, 1927), 38-39; Elijah P. Lovejoy Papers, Southwest Collection, Special Collections Library, Texas Tech University, box 1, folder 16.

and bigotry had thrown around him, and walks abroad in his native dignity.” No longer would he be “chained unresisting to the car of tyranny.” “Knowledge is, in our day, triumphing gloriously, over time, over space, and over prejudice.” “Politics, laws, and government are subjected to a free discussion.” The “march of mind” — he was gushing several months before Brougham founded the Society for the Diffusion of Useful Knowledge and *the march of intellect* became an inspiring slogan and the object of caustic derision — was rescuing even those stuck in “the darkest, deepest shades of ignorance.” It was turning them into dignified equals. It was transforming the very structure of personhood, shredding the dimensional concept and making the binary one real.⁵⁸

Nothing explicit there about reading, but speaker and audience alike knew how important it was in this drama. No surprise that the young man, no dreamy prattler, would launch an antislavery newspaper. Blowback was instant and fierce. The young man claimed that people hated his paper only a little for its stance on slavery, but mostly for its spirited opposition to “Popery.” I take no pleasure in having to wonder how far apart those two are, and no, not because I imagine that faithful Catholics capitulate to ruthless priestly domination. Scant

⁵⁸ Elijah P. Lovejoy, *An Oration Delivered at China, July 4th, 1826: Being the Fiftieth Anniversary of American Independence* (Hallowell, ME, 1826), 8-11. The original is in Collections of the Maine Historical Society, QJ M 081 D26L. It’s reprinted in William G. Chrystal, “Elijah Lovejoy’s Oration on the Fiftieth Anniversary of American Independence: An Essay Discovered,” *Maine History* (2014), 312-14. For churchly controversy over Lovejoy, see *Proceedings of an Ecclesiastical Council, in the Case of the Proprietors of Hollis-Street Meeting House and the Rev. John Pierpont, Their Pastor* (Boston, 1841), 122-23; *Proceedings of the Session of Broadway Tabernacle, against Lewis Tappan, with the Action of the Presbytery and General Assembly* (New York, 1839), 6-9; “Letter from J. Holcomb,” *Vermont Telegraph* (22 May 1839).

years later, Charleston's *U.S. Catholic Miscellany* sounded stirring originalist tones: "There is no danger, no possibility on our own principles, that Catholic theology should ever be tinctured with the fanaticism of abolition. Catholics may and do differ in regard to slavery, and other points of human policy, when considered as ethical or political questions. But our Theology is fixed, and is, must be the same now as it was for the first eight or nine centuries of Christianity." Eleven years after his commencement address, after he'd obtained his fourth printing press—yes, we met him at the beginning of our sordid, squalid tour—our young man, Elijah Lovejoy, was gunned down in Alton, Illinois. Score it a defeat for the forces of reading.⁵⁹

Some marveled not just at Lovejoy's stubbornness, but also at the bizarre thought that people should be free to circulate and read antislavery papers. They categorically rejected Lovejoy's stirring views about curiosity, intellect, reason; about throwing off the constraints of superstition and bigotry; about dignity and enlightenment. They rejected them with scathing laughter and bitter sneers; with

⁵⁹ Joseph C. and Owen Lovejoy, *Memoir of the Rev. Elijah P. Lovejoy; Who Was Murdered in Defence of the Liberty of the Press, at Alton, Illinois, Nov. 7, 1837* (New York, 1838), 149 (and see 176). See generally John A. Duerk, "Elijah P. Lovejoy: Anti-Catholic Abolitionist," *Journal of the Illinois State Historical Society* (Summer 2015). "The Catholic Church—Domestic Slavery, and the Slave Trade," *U.S. Catholic Miscellany* (9 December 1843), reprinted under that title in *Charleston Daily Courier* (14 December 1843), *Catholic Herald* (14 December 1843), *Catholic Cabinet* (January 1844), and *Letters of the Late Bishop England to The Hon. John Forsyth, on the Subject of Domestic Slavery* (Baltimore, 1844), v; also as "Bishop England on Southern Slavery," *Irish News* [New York, NY] (18 October 1856). Compare John H. Hopkins, *Bible View of Slavery* ([New York, 1863]); Hopkins was bishop of the diocese of Vermont (16). For a sample of the time-honored charge that Catholics are slaves, see P. W. M., "Popery—Slavery," *Millennial Harbinger*, 4th ser. (March 1854), 148-51. Consider too "The Abolitionists," *Baptist Banner* [Shelbyville KY] (3 October 1835); "The Lovejoy Monument," *Catholic Telegraph* (3 September 1896).

vigilante action aping legal forms and actual criminal trials and punishment; with tarring and feathering, threats and murder. Lovejoy's determined opponents had distinguished ancestors and they have distinguished descendants.

It's easier now to embrace Lovejoy, both for his passionate abolitionism and his commitment to reading. It's tempting to revise the scorecard and award him a posthumous victory. But it would be worse than fatuous to imagine that his posthumous victory has been complete, any more than Eaton's. Has there been progress? I guess. We no longer embrace illiteracy. We no longer burn people at the stake for reading the Bible and saying the wrong things about it. We no longer draw and quarter people for printing radical political books. Not in this part of the world, anyway. But we are still fighting about reading.