

## Sex Across the Race Line:

### Francis Wright & the Incubation of Modern Sexuality

by David Rosen

*No woman can forfeit her individual rights or independent existence,  
and not assert over her any right or power whatsoever,  
beyond what she may exercise over her free and voluntary affections ...*

Francis Wright

#### Love across the race line

On June 16, 1827, James Richardson and Josephine Lolotte began living together at the utopian community of Nashoba, a Chickasaw word that means Wolf River, located in the wilderness of eastern Tennessee, a full day's coach ride from Memphis. Surviving for only three years, it was the most radical of the dozens experiments in utopian communitarianism that flourished in the U.S. during the tumultuous, uprooting decades of the mid-19<sup>th</sup> century.<sup>1</sup>

Richardson was an immigrant Scotsman who was Nashoba's storekeeper and doctor as well as the community's operational overseer. Lolotte was the daughter of Mam'selle Lolotte (Larieu), a free woman of color from New Orleans who oversaw the raising of the children. She is described as "a young and attractive girl of marriageable age" – "a young quadroon girl." One historian found that they were bound to each other by a "natural affinity."<sup>2</sup>

The arrangement between Lolotte, a free black woman, and Richardson, a free white man, is important to us today, nearly two centuries later, because Nashoba was a radical – if flawed – experiment in free love. By living together Richardson and Lolotte declared not only their love and sexual desire for

one another, but entered into a binding commitment outside the sanctity of both church and state.

In *Paradise Now: The Story of American Utopianism*, Chris Jennings notes, "During its brief existence (1825-1828), the Nashoba Community embraced every single American bugaboo of the day: communism, atheism, feminism, abolitionism, free love, divorce, and interracial sex. The women were even reported to wear pants."<sup>3</sup> Frances Wright, along with her sister, Camilla, and Robert Dale Owen founded Nashoba; they had met at the secular utopian community of New Harmony, in Harmonie, IN, founded by Owen's father, Robert Owen.



Wright was the most charismatic, radical woman in America during the antebellum era. Born in Scotland in 1795, she was on a first-name basis with John Stuart Mill, Jeremy Bentham and Mary Wollstonecraft Shelley. In 1821, while in Paris, she met the Marquis de Lafayette and worked with him supporting a number of independence movements. In 1822, she published *A Few Days in Athens*, a fictionalized work on the philosophy of Epicurus; it drew praise from Thomas Jefferson who wrote her that it was a "treat to me of the highest order." Wright met and regularly corresponded with Jefferson, strongly

challenging him over his acceptance of slavery. In 1825, she was a confidante to and accompanied Lafayette in his legendary return to America; he scandalized his family by his open infatuation with Wright (calling her fondly, "my dear Fanny") and some suggest they had an affair.

Wright was a sought-after speaker, one of but a handful of public women in early-19<sup>th</sup> century America. She was a true radical, championing abolition, advocating free love and assailing slavery and religion. She was so prominent that she was invited to give Cincinnati's 1828 July 4<sup>th</sup> keynote address, thus credited with being the first woman to give a major public speech in America! She is also credited with being the first American woman to edit a journal, initially the *Harmony Gazette* that, after relocating to New York, became *The Free Enquirer*.

After Nashoba failed in 1828, she moved with Dale Owen to New York and, in 1830, they opened the Hall of Science in a converted church on 859 Broome Street. Hundreds regularly attended her lectures and, according to one historian, "the first books of reform [female] physiology and birth control were openly distributed." A youthful Walt Whitman attended her lectures and, looking back, he fondly recalled: "I never felt so glowingly toward any other woman. ... She possessed herself of me body and soul." So threatening was her message that she was denounced as the "Priestess of Beelzebub" and the "Red Harlot of Infidelity."<sup>4</sup>

America has profoundly changed since Richardson and Lotte proclaimed their love for one another. However, interracial marriage remained illegal throughout much of the U.S. until the 1967 Supreme Court decision, *Loving v. Virginia*. Barack Obama, America's 44<sup>th</sup> President, is the child of a "mixed" marriage, a white American mother and a black African father.

### A national scandal

With the help of Andrew Jackson, Wright purchased 1,000 acres in rural Tennessee and established Nashoba in 1825. Memphis was the nearest large settlement, but was then a tiny fur-trading outpost with only, as she reports, "a dozen log cabins." At Nashoba, she attempted to create a community that would not merely challenge deep-seated racial prejudices – and do so in the heart of the South -- but also fundamentally overturn Christian values and sexual mores. In addition -- and perhaps the most difficult challenge to be faced -- she sought to make it a financially self-sufficient venture.

Between the Revolution and Civil War, slavery was the defining issue of America and would ultimately split the nation asunder. The split was not only between those advocating its abolition and those unwilling to part with a very valuable economic, social and sexual institution. It also included those like Henry Clay and Abraham Lincoln who favored what was known as "colonization," the repatriation of freed slaves back to Africa, most notably to Liberia.<sup>5</sup> Equally critical and forgotten today, the abolitionists, while initially a relatively small movement consisting of many of the nation's most morally- and politically-progressive citizens, were themselves divided between those advocating for the gradual versus the immediate end to slavery. As the social tension over slavery mounted during the first-half of the 19<sup>th</sup> century, the repatriate and gradualist options grew evermore untenable, culminating, when civil war finally came, with Pres. Lincoln's emancipation of all slaves.

Wright challenged Jefferson and other national leaders over their tolerance of slavery. She opposed additional slave states joining the union and developed an original economic theory to support the gradual abolition of slavery. She applied Robert Owen's economic theory that workers create profit by their labor, a

theory that Marx would later look upon favorably, to the labor of slaves. If, she argued, slaves generate profit, why could they then not buy themselves out of slavery through the fruits of their labor? Equally critical to her theory of gradual emancipation, as a slave generates profit he – or she! – could be acculturated in democratic values and skills (most importantly, reading and writing) so as to be a person better prepared for freedom. Nashoba was to be an incubator of a free society – one that sought to abolish slavery, marriage and religion.

Nashoba was a mixed community of free black and white men and women as well as ten or more African-American slaves. This arrangement -- of women and men, married and unmarried, black and white, free and slave, adult and child -- was a historically unprecedented attempt to remake civil society. It was doomed to failure by the forces of its inherent and irreconcilable tensions as well as by the material conditions under which it operated. From all accounts, it appears to have been a pretty miserable place, consisting of a handful of poorly constructed and furnished houses (which seem more like shacks), a well for water and ill-attended gardens and domesticated animals – no wonder why Wright often stayed in Memphis.

The community's dependence on slaves must surely have been its deepest contradiction. While in principal generating their own profit (but accused of being poor laborers), the slaves were under the discipline of the overseer, James Richardson. In the community's journal, he reports – without a blush of shame – on the moral and physical treatment of slaves:

May 26, 1827: Agreed that the slaves shall not be allowed to receive money, clothing, food, or indeed anything whatever from any person resident at, or visiting this place whether trustee, coadjutor, probationer, or stranger. ...

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June 1, 1827: Met the slaves at dinner time. Isabel has laid a complaint against Redrick for coming during the night of Wednesday to her bedroom uninvited, and endeavoring without her consent, to take liberties with her person. Our view of the sexual relation has been repeatedly given to the slaves. Camilla Wright again stated it, and informed slaves that, as the conduct of Redrick, which he did not deny, was a gross infringement of that view, a repetition of such conduct, by him, or by any other of the men, ought in her opinion to be punished by flogging. She repeated that we consider the proper basis of sexual intercourse to be the unconstrained and unrestrained choice of both parties, Nellie having requested a lock for her door of the room in which she and Isabel sleep, with the view of preventing the future uninvited entrance of any man. The lock was refused as being in its proposed use inconsistent with the doctrine just explained. ...

Maria tried to hang herself for jealousy of Henry which we would not support her in.

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June 17, 1827: Met the slaves – James Richardson informed then that, last night, Mam'selle Josephine and he began to live together, and he took this occasion of reporting to them our views on color and on the sexual relations.

Nashoba failed in 1828 and was transformed into a society of small capitalists. Wright is reported to have taken the slaves to Haiti and given them their freedom.<sup>6</sup>

As overseer and with the naïve self-assurance of a true believer, Richardson sent an article based on the journal to Benjamin Lundy, a leading abolitionist and publisher of the influential, *Genius of Universal Emancipation* – Wright was away and, being far wiser, surely would have opposed sending it. In any case, Lundy published the article and, to say the least, it created a firestorm within the abolitionist movement. While the poor treatment of slaves was denounced (especially flogging) and the failure to have locks on women's rooms assailed, it

was the explicit acceptance of free love between blacks and whites that most shocked abolitionists. (It is rumored that Wright even suggested that intermarriage between blacks and whites was one way to overcome race differences.<sup>7</sup>) Wright and her brave compatriots had crossed the race line, the Grand Canyon of sexual practice, and challenged the deepest fear – and fantasy – of American life. As Wright’s biographers would later point out, the Lolotte and Richardson amalgamation was “[a] free union of two persons without marriage! Sexual relations between a white man and a colored woman, on exactly the same terms of free choice and mutual inclination which might be expected among whites.”<sup>8</sup>

#### Crossing the race line

The marriage of Richardson and Lolotte was not the only interracial sexual relationship in America, let alone in the South, during the antebellum period. Surely the most scandalous interracial affair of that era – and perhaps of all American history -- involved Thomas Jefferson and Sally Hemings. Unlike subsequent scandals involving presidents,\* their affair was controversial as much for having to do with it being an adulterous liaison as it was an interracial one at that. (Among the plantation gentry, however, a slave master was understood to have had certain “property rights” that legitimized sexual access to female slaves, so Jefferson’s indulgences – given male culture among his peers of the period – was tolerated.) While still denied by

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\*These include Andrew Jackson’s marriage to Rachel Jackson – they were married before her divorce was finalized; Warren Harding’s affairs with Carrie Fulton Phillips, Nan Benton and others – and the rumor that he was killed by his wife; Franklin Roosevelt’s love affair with Lucy Mercer; John Kennedy’s trysts with Ingra Arvad, Marilyn Monroe and Judith Cambell Exner, among others; and Bill Clinton liaisons with Jennifer Flowers, Monica Lowinsky and who knows how many others.

some of Jefferson’s decedents,\*\* many now accept the likelihood that Jefferson and Hemings not only had sex and children together, but a deep and long-lasting relationship.<sup>9</sup> Hemings -- sometimes called Sarah -- was born in 1773, the daughter of Elizabeth (Betty) Hemings and a non-documented father. Most say her father was John Wayles, a near-by plantation owner and Jefferson’s father-in-law; some argue that she was the daughter of an English sea captain. In any case, according to her son, Madison, she served Jefferson at Monticello as chambermaid, seamstress, nursemaid-companion and, later, lady’s maid to his daughters. Madison referred to his mother as “Jefferson’s concubine.”<sup>10</sup> Between 1787-1789, she lived in Paris (along with her brother, xx) with the Jefferson family.

Hemings appears to have been a very attractive, poised and appealing woman. When visiting England, John and Abigail Adams found her – then, only fourteen -- to be “fond of [Jefferson’s] child and appears good natured.” A contemporary account from Isaac Jefferson, a slave, reports her to be “mighty near white ... very handsome, long straight hair down back.” And Jefferson’s grandson, Thomas Jefferson Randolph, recalls her as “light colored and decidedly good looking.” Four of her children with Jefferson survived to adulthood, two females and two males – all appeared to be white in complexion and were set free by Jefferson. Ironically, Hemings was not freed by Jefferson but given “her time” (a form of unofficial emancipation so she could continue to live in Virginia) by his daughter, Martha Randolph.

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\*\* The Thomas Jefferson Foundation issued a report in January 2000 finding high probability that Jefferson was the likely father of up to six of Hemings’ children; the Thomas Jefferson Heritage Society released a study in April 2001 attempting to refute the previous study, this one proposing that Jefferson’s younger brother Randolph as the likely father of Hemings’ children.

In 1823, Marcus Brutus Winchester, of Memphis, married Amarante Loiselle, of New Orleans. Winchester, born in 1796, was the eldest son of James Winchester, a friend and business partner of Andrew Jackson; he left school at 16 to fight with his father and Jackson in the War of 1812. The elder Winchester deeded 420 acres to his son for what became Memphis, a town that he named and his son served as its first mayor.

Winchester shocked the good people of Tennessee by marrying Loiselle (called Mary), a free black woman. She was known for her "acts of charity, liberal donations to religious purposes, exemplary and unobtrusive deportment."<sup>11</sup> They had six daughters and two sons – and named one after Robert Owen and another after Frances Wright. Yet, even with the apparent advantages of their social standing, they could not escape racial persecution. Mary Winchester suffered what one historian describes as "a peculiar form of American cruelty" when she, as a free woman of color, was barred from Memphis; Marcus Winchester's career declined, operating a ferry and serving as postmaster until, after Mary's death, he reestablished his social status, becoming a state senator.

During this antebellum era, intimate relations could also take place between a white woman and a black man as evident in the experiences of the noted abolitionist Frederick Douglass. While only recently escaped from slavery, he married Anna Murray, a free black woman, in 1838, and they remained together for the next four decades. Anna Douglass remained illiterate all her life and was reported to be long-suffering from various maladies. She appears to have shared little of Douglass' intellectual and political interests, and also is reported to have been overwhelmed by domestic chores and child rearing.

In the 1850s, Douglass is rumored to have had a number of affairs with white

women, including the daughter of a leading British abolitionist and with the journalists, Otilie Assing, a half-Jewish, German immigrant and – like Marx – a "48er." Assing, an outspoken abolitionist, met Douglass in 1856 when researching an article for a German newspaper and thus began a twenty-plus year relationship with him and his family. She was his lover and a close political advisor, tutor to his children and translator of his works. Upon being diagnosed with cancer, Assing committed suicide. Anna Douglass died in 1882 and, after observing the traditional period of mourning, Douglass married Helen Pitts, a white woman twenty years his junior, in 1884. They remind together until his death in 1895.

If slavery was the defining issue of American life in the eighty-odd years between the Revolution and Civil War, then interracial sexual relations was surely the most explosive dimension of this, America's most peculiar institution.<sup>12</sup> In the antebellum period, interracial heterosexual relations were a complex matrix of mediating variables. For one, relations could take place in the North or the South, often leading to similar outcomes but with different consequences. For another, relations could involve a white man and black woman or a white woman and a black man – and the black participant could be either a free person or a slave.

Interracial sexual relations could take one of three forms. First, they could be voluntary acts of love, like that between Richardson and Lolotte or Assing and Douglass. Second, they could be acts of commercial exchange, one expression of predominantly heterosexual prostitution that flourished throughout the country. Finally, they could be involuntary acts of violation; this could take the form suggested by the amalgamation between a free man and a slave, like Jefferson and Hemings, or the outright rapes in one form or another that took place throughout the country but had a very

peculiar meaning under the South's plantation system. In the post-Civil War decades, these forms would continue to define interracial sexual relations, but acts of violation shorn of the deepest irony of slavery -- i.e., the slave master's protection of African-American females from rape because they were "property," a commercial investment -- would reach unprecedented levels.

#### Sexual amalgamation

The first recorded interracial marriage in America took place in 1681 on William Boarmans' plantation on the western shore of Maryland. The couple -- Eleanor Butler, a white servant girl called Irish Nell, and Negro Charles, a black slave -- was married by a local Catholic priest. During these early days of the new nation, voluntary and noncommercial sexual relations between blacks and whites were not yet illegal. However, while some objected to the marriage (most notably Lord Baltimore, Nell's master), no one sought to prevent it. What most troubled many local whites was why Nell would marry a slave and thus not only lose her own freedom but the freedom of her children?<sup>13</sup>

In the period before the Civil War, interracial sexual relations were referred to as "amalgamations". The more prejudicial term, "miscegenation" -- derived from the Latin *miscere*, to mix, and *genus*, race -- was coined in 1863 by David Cole and George Wakeman as a pseudoscientific-sounding demonization of race mixing. Amalgamation came from European usage and referred to "the blending of any two or more distinct groups of people through intermarriage or nonsexual cultural exchange." However, by the mid-1830s, the term had begun to take on negative connotations for both interracial social and sexual relations, reflecting the mounting crisis over slavery.<sup>14</sup>

In the antebellum period, voluntary, noncommercial sexual amalgamation

took place in one of two ways. It could occur within the formal arrangement of marriage, be it by state or church agreement or by mutual, common-law agreement. Or it could occur as a discreet -- but all-too-often semi-public -- act of sexual liaison. In the North and South, there were plenty of both.

In New York City in 1835, as reported in the local press, Charles Albraith, "a dapper little tailor from Philadelphia ... became enamoured by a *black* woman," Mary Brown, owner of an oyster house. After they entered into a common-law marriage, Albraith is reported to have gotten very drunk and, refusing Brown's demands that he stop drinking, struck her. She had him arrested and, before a judge, had their marriage annulled; he was forced to vacate the city for Philadelphia. Also in 1835, Elias Kent and Mary Ann Markey, two free whites originally from Albany, moved to New York and were married. Unfortunately, as reported by Markey's father, "a *coloured girl* called at the house" and insisted that she had been married to Kent for three years and had two children with him.

While interracial marriage was not illegal in New York State, a different story was played out in Massachusetts. In Boston in 1845, the common-law married couple, Samuel White, described by the *Boston Daily Bee* as a "dyed in the wool Ethiopian," and Susan Wentworth, "a delicate snow-white female," was arrested for "cohabitation, amalgamation and several other tions." Convicted, they were each given a one-year prison sentence.<sup>15</sup>

Finally, the New York City draft riots of 1863 was the nation's fiercest urban uprising, then the racially/sexually-inspired crimes that took place during the riot must surely have been among the most ruthless assaults on persons in American history. The mostly Irish mob, depicted with visual acuity by Martin Scorsese in *The Gangs of New York* and

based on Herbert Ashby's classic tale, singled out for assault both institutions of bourgeois authority and African-Americans. There are reports that the mob dragged a dead free black man through the streets with a rope tied to his genitals. However, the mostly male rioters took out a special rage on the white women who were married to free black men or were known prostitutes who entertained black men. Among the former were Ann Derrickson and Ann Martin and, among the later, Mary Burke; Ann Derrickson's son by amalgamation was just saved from being lynched by the mob through the intervention of his neighbors.<sup>16</sup>

In the South, during the antebellum period, court records, newspaper accounts and personal diaries are filled with stories of voluntary, interracial amalgamations that culminated in marriages (and children) as well as a host of unwanted pregnancies (and, all too often, claims of rape). In her seminal study, *White Women, Black Men: Illicit Sex in the 19<sup>th</sup>-Century South*, Martha Hodes makes clear that there was extensive true love and sexual engagement across the color line in the south, and that the valiant people who committed this all-too-human crime of falling in love often paid a very high price.

Around the time that Richardson and Lolotte married, numerous other interracial couples were reported to be amalgamations. For example, in Virginia in 1825, Delks Moses, a black slave who carried a gun and challenged white people, was reported living with Catharine Britt, "a base white women." John Weaver, a free "mulatto," living in eastern North Carolina in 1827, was found to be living in common-law marriage with an unnamed white woman. Other North Carolina interracial marriages during the 1830s and 1840s included Alfred Hooper and Elizabeth Suttles and Joel Fore and Susan Chestnut; both men were free men of

color. William Watters and Zilpha Thompson were also cohabitating, but Watters - accused of being a black man - claimed he was not of African descent. However, an interracial Tennessee couple, Jesse Brady and Louisa Scott, were brought to court in 1848 for living together "as man and wife" and Louisa was convicted because only the white person was judged to be the "offending person."<sup>17</sup>

Interracial sexual intimacies outside of marriage were more problematic, especially when a pregnancy resulted. In the autumn of 1825, Polly Lane, an eighteen-year-old free white girl from Davidson County, North Carolina, accused the slave, Jim, of rape. Both individuals were well known to local residents and both had legal representation - although Jim was imprisoned while the trial progressed. After extensive investigation - and Polly's pregnancy became more evident and clearly predated the alleged rape - charges against Jim were dropped. Nonetheless, the fruit of their amalgamation posed a serious challenge. As Hodes points out, "As a free child of partial African ancestry, its existence would erode categories of slavery and freedom based upon race."<sup>18</sup>

Numerous other interracial couples engaged in often-discreet sexual liaisons. For example, one night in 1806 in the Virginia piedmont, William Howard, a free white man, found his free white wife, Elizabeth, "undressed and in bed" with Aldredge Evans, "a man of color." Equally scandalous, Tabitha Hancock, of the North Carolina piedmont, was reported to be living "at a Negro quarter among Negroes" and to have had "children of various colors and complexions." Local gossip and incriminating rumors were one way that stories of such liaisons spread. In North Carolina in 1818, a local farmer posted a notice that his neighbor, Betsy Holt, had been "busily engaged" with a black man. A similar accusation was raised about a

Mrs. Horton for having a "connection with a man of the wrong color." In Virginia in 1858, Martha Kelley was denounced for having a "negro child" and for having been with black men.

A host of white women – many of them married to white men! -- admitted to interracial engagements only when they gave birth to an apparently mixed-race baby – an infant often labeled "mulatto". In the Virginia piedmont in 1801, Elizabeth Morris gave birth to a mulatto baby and her husband divorced her. A similar fate befell Lydia Butt in 1803 (who, after her baby's birth, admitted to her husband that it "was the child of a Negro slave named Robin"), Mrs. James Howard (who was suspected of having an affair with her slave, Henry) and Catherine Beck (who swore that her "mulatto" child was fathered by a white man – and the court accepted her story).

Some white women – often along with their black lovers -- sought an abortion or worse to hide their dreaded secret. For example, in North Carolina in 1838, Nancy Willis is reported to have, in Hodes's words, "pleaded with a local doctor to help end her pregnancy ...." There are also reports of those who felt even greater despair and were accused of murdering their racially-mixed new-born, like Betsy Crabtree and Harry Wall in North Carolina in 1821.<sup>19</sup>

During the antebellum period (and especially in the South), there were repeated allegations of rapes committed by black men – both free and slave – on white women. Such acts of violation no doubt occurred although, as with the case of Jim and Polly Lane, many seem to have been fictitious claims by white women to cover the fruits of a far more threatening liaison. Nevertheless, one of the most striking features of sexual intimacies between black men and white women in the antebellum South was, when a white woman raised the specter of rape as the cause of their pregnancy, relatively few charges resulted in

convictions and – if "proven" – fewer imprisonments, floggings, castrations and lynchings seem to have resulted as compared to what would occur later in the century. The tenor of interracial sex -- particularly between a black man and white women -- changed after the Nat Turner rebellion of 1830 and, even more so, with the defeat of the Confederacy in 1865. In a South increasingly racially polarized, the simultaneous efforts to desexualize white women and hypersexualize the threat posed by black men lead to a culture of terror unprecedented in the nation's history. In important ways, this fictitious moral antinomy defines American sexual culture to this day.

#### A nation in formation

Amalgamation, whether social or sexual, involved first and foremost an acceptance of difference. During the period between national independence and the Civil War, America was witness to an unprecedented level of intermixing of different – and often fiercely contesting – peoples and cultures. This intermixing of differences fueled the transformation of the U.S. from what one historian called a "nostalgically agrarian" country to the beginnings of a manufacturing nation.<sup>20</sup> It was a transformation that recast the way people related to one another, especially with regard to sexually experiences.

Nation formation between 1787-1860 can be segmented into two phases. The first, 1787-1819, witnessed post-Revolutionary exuberance, driven as much by a spirit of national liberation as by the growth of cities and the transition to a waged-based, money economy. This period witnessed the introduction of Eli Whitney's "cotton engine" or gin and the adoption of the "America System" of production based on the division of labor, interchangeable parts and the use of unskilled labor. It saw the Colt Works apply the system to the manufacturing of muskets, thus not only transforming rifle



production but foreshadowing by a century Henry Ford's industrial revolution.<sup>21</sup> It was a period when revolutionary ardor spread through all social institutions. "The ferment of the Revolution period," argues Milton Rugoff, "resulted in greater social freedom, however temporary."<sup>22</sup> Together, these factors helped fuel a palatable sense of optimism – a period in which difference was relatively tolerated, with the all-important exceptions of African slaves and Native people.

However, post-Revolutionary optimism eroded following the British-imposed embargo of 1806-1807 and the resulting War of 1812, and culminated in the nation's first depression, the panic of 1819. The panic resulted from problems associated with America's competitive, dual currency system (i.e., federal and various state forms of legal tender), the transition from "species" hard money to paper money and the questionable – if not outright corrupt – practices of the Second Bank.<sup>23</sup> It was as a sobering experience for a young nation.

The second phase, 1820-1860, witnessed the erosion of the earlier exuberance and its replacement with a mounting sense of trepidation. This change was due to repeated financial panics and mounting political disillusionment that culminated in a war waged over whether individual freedom would be applied equally to all of the nation's peoples, be they property owners or property-less white adult males, let alone white women, African freemen or slaves or Native people. The nation was changing, its future was in doubt.

Technology played an important part in this transition. The period witnessed the laying of the nation's first -- and all-important -- transportation and communications infrastructures. The Erie Canal opened in 1825, linking heartland agriculture and manufacturing to New York and, therefore, the world market. In 1830, Samuel Morse introduced the

telegraph, establishing the nation's first electronic communications system linking people at a distance; by 1861, the telegraph unified the nation. The nation's railroad network grew from 1830, with a mere 73 track miles, to in 1860 with 30,635 miles; the transcontinental railroad was completed in 1869. Anticipating the future, the nation's first oil well was tapped in Titusville, PA, in 1859.<sup>24</sup> These were the enabling technologies upon which a powerful industrial economy was built.

In the two decades following the panic of '19, the nation succumbed to a series of inflationary spirals that led to skyrocketing prices, especially for many basic commodities like flour and beef. Class differences were intensified challenging what it meant to be an American citizen. Most acutely, wealth distribution was exaggerated as never before: in 1774, the richest 1 percent owned 12.6 percent of the nation's assets; by 1860, the very rich claimed 30 percent of all wealth.<sup>25</sup> As this class restructuring took place, a self-assured middle-class with unquestionable moral conviction emerged to administer the new social order. As the Depression of 1837 got underway, flour riots broke out in New York involving more than a thousand people and, in the South, the cotton market collapsed, with resulting runs on banks throughout the country.

The 1820-1860 period witnessed the emergence of a powerful evangelical movement – often called the Second Awakening – that sought spiritual revival and to renew American morality. It sought to redress the eroding sense of exuberance that characterized the post-Revolutionary era. The revival movement emerged in upstate New York's "burned over" district and spread rapidly throughout the country, especially in the rural West. It replaced the deism of the Founding Fathers as America's religious ethos. Its spirit of renewal contributed to the rise of the temperance movement in the 1820s, the abolitionist

movement of the 1830s, the feminist movement of the 1840s and – to the shock and chagrin of its proponents – the communitarian and free-love movements (e.g., Shakers and Oneida) that flared up throughout the era.

In no way was difference more pronounced than in the changing definition of what, in fact, was America. First, during the first-half of the 19<sup>th</sup> century the nation's land mass more than tripled through the Louisiana Purchase of 1803, Spain's cession of Florida in 1845, the Texas annexation of 1845, the establishment of the Oregon territory in 1846 and the cession from Mexico of California and the Southwest in 1848. Between 1790 and 1860, the nation's total landmass increased to 3,021,000 square miles from 891,000 square miles.<sup>26</sup>

Second, the nation's populace both increased and changed. The first national census of 1790 placed the population at 3.9 million people – with 750,000 African-Americans, both free and slave.\* By the Civil War, the population had witnessed an eight-fold increase to 31.4 million people -- with 4.4 million black people, of which 3.9 million were slaves. This picture of a nation in formation is further complicated by two distinct yet intimately related demographic developments that caused enormous consternation at the time – and still do. Alarming to some, the birth rate of US-born white women fell dramatically. In 1800, a white woman on average gave birth to seven (!) children; a half-century later, the birth rate for these women had fallen by 20 percent to 5.42 infants! [Reynolds/28] Equally alarming to some, foreign-born people were immigrating at rates that dramatically increased over time. In the two decades between 1820 and 1840, just 750,000 immigrants entered the

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\* The US Census reports the slave population for 1780 at 698,000 and for 1800 at 894,000. [Kirland/128]

nation; but in the following twenty years, 1840 to 1860, foreign-born immigration soared to 4.3 million people.<sup>27</sup>

Changes in the nation's landmass and population composition contributed to two important developments – the movement westward and the growth of cities. Westward expansion was facilitated as much by the pioneer spirit of frontiersmen and family settlers as the "iron horse." Nothing more typified the spirit of this expansion than the brutal defeat of the Native peoples, their forceful containment on reservations and the colonization of their ancestral lands. And nothing more exemplified the changing role of the federal government in national life than how it fostered the national rail system. As Edward Kirkland argues in his classic 1932 study, *A History of American Economic Life*, "The government provided the venture capital" that built the nation's railroad network. Equally important, it furthered railroad construction through a generous land-grant system that ultimately totaled over two hundred million acres.<sup>28</sup> Westward migration helped move the nation's population center from, in 1790, east of Baltimore, MD, to southeast of Parkersburg, WV, by 1850.<sup>29</sup>

### Moral order

It seems nearly impossible today to image what the quality of life was like during the decades immediately following the Revolution. For most people, Independence had been long in coming and often in doubt; it was not formally established until the *Constitution* was adopted in 1787. During the decades that followed, the new nation was motivated by a boldness drawn as much from its own Revolution as that of the French.

Many complained that young people no longer listened to their parents; and that austere Calvinist church authority was being challenged by evangelical spiritual renewal and undermined by secular

society; and the intimacy of rural life (with its attendant institutions of social control) was giving way to the anonymity of city life (with its many opportunities for illicit conduct). Most shocking, as a historian notes, "Men wore skin tight pantaloons and displayed their thighs by cutting down the skirt of the coat to narrow tails. Women abandoned corsets and bared their arms, shoulders and parts of their breasts."<sup>30</sup> Perhaps the most disturbing aspect of the changing nature of city life was the evolution of prostitution during the early post-Revolutionary era. One should not forget that in New York in 1755, eleven prostitutes were publicly whipped! As one historian notes, "By the early 1800's, [prostitutes] had become a permanent part of the population of large cities."<sup>31</sup> America was embarking on its first sexual revolution.

The deepest, most profound freedom the Revolution liberated was that of the new man. In the words of historian Howard Chudacoff, "notions of Lockean individualism, which gave precedence to the autonomous being in relation to external institutions such as the state, laws, the economy, replaced the corporate communalism that characterized colonial society."<sup>32</sup> A new male person was taking shape, but one marked by the nation's uneven development. Unevenness characterized the outposts of westward settlement as much as the rapidly growing cities, especially those of the slums of the Northeast. However, unevenness found its most pressing expression in the growing battle over slavery: Would it be extended to the new territories?; would the older, agrarian slave system constrain the nation's economic development?; would the incubating system of financial and industrial capitalism – with its free labor system – determine the nation's future?

Unevenness defined the perceived disruptive lawlessness that troubled the good citizens of the older Eastern cities

as well as the boomtowns of the spreading West. Lawlessness was shared with equal adore by many free men of all classes, backgrounds and races, whether upper-crust gentlemen, wageworkers or urban laborer. It was marked by a male camaraderie of shared alcohol, gambling, smoking, spiting, cursing and sexual assertiveness. This was the era of buccaneer American male virility, patriarchy and misogyny; it may well have been the low-point of women's freedom in the new nation.

Cities were the dynamic engines of social change in the post-Revolutionary era. City life promised freedom, one defined by social anonymity and the money economy. They also promised legal protections of very private, personal activities. Single men and women deserted rural life in droves; immigrants recast the complexion of city life; wage-earning jobs gave men – especially younger, unattached men – an unprecedented sense of freedom; and women, especially single women either unmarried, widowed or abandoned, found prostitution one of the few available – and better paying! – jobs they could get.

Along the Atlantic Coast, port cities expanded, drawing a growing number of rural folk, immigrants and wayward seamen – and brothels proliferated. Nowhere was this perceived failure of city life's moral vice and lawlessness more viscerally revealed than in New York City. In 1800, the population stood at 60,000; by 1820, it more than doubled to 123,000; and by 1860, it was witness to a staggering six-fold jump to 800,000. Christine Stansell captures the city's post-Revolutionary quality of city life:

Overcrowding aggravated already serious sanitation problems. ... Garbage and waste collected in open sewers that ran down the middle of the streets and congealed into a fetid mire around the street pumps and docks where servants, slaves and the municipal scavengers dumped refuse and slops every night. Horses, dogs, cattle and pigs

compounded the problem of street sewage. Waster was in short supply.

She concludes by noting, "To some degree, the stench and filth oppressed all classes of citizens, but the laboring classes, predictably, suffered the most."<sup>33</sup>

Amidst the social disruption, the U.S. was witness to the flowering of the first "free love" movement and the establishing of a remarkable number of (relatively) short-lived utopian communities. Wright's Nasboha was the most notorious, but it was not alone. Stephen Pearl Andrews was an anarchist who formed Modern Times, on Long Island, NY, and Berlin Heights, near Cleveland, OH. Mary Gove Nichols and Thomas Low Nichols founded Memnonia, near Yellow Springs, OH).<sup>34</sup> In addition, as the historians John D'Emilio and Estelle Freedman note, a number of utopian religious sects emerged that "established a distinctive alternative to the norm of monogamous, marital sexuality. Shakers chose celibacy; Mormons practiced polygamy [;] and the followers of John Humphrey Noyes at the Oneida community engaged in a 'complex marriage.'"<sup>35</sup>

A parallel history of repression shadows the attempts to redefine sexual expression and to establish and enforce censorship laws. John Cleland's *Fanny Hill* is the first pornographic work published in the U.S. in 1821 -- and the first work prosecuted for being obscene. Anticipating the enormous power of the image that would emerge during the latter-part of the 19<sup>th</sup> century, the State of Massachusetts brought charges against Peter Holmes, the U.S. publisher. Martha Alschuler notes that the "conviction [was] based on the illustrations, as well as the text itself."<sup>36</sup>

The U.S. Congress passed the nation's first obscenity law in 1842. It was adopted in response to a flood of French picture-cards that became popular during the early decades of the 19<sup>th</sup> century and that were considered to be sexually

provocative. The law was directed at imported visual materials because, as Alschuler observes, "only pictorial art was thought to be dangerous."<sup>37</sup>

The Civil War introduced the first "mass" market for what was called cheap "licentious" literature. As historians John D'Emilio and Estelle B. Freedman point out, "The Civil War encouraged the growth of sexual commerce in the form of both obscene literature and prostitution."<sup>38</sup> Another scholar found that in New York during this period, "Pornographic items were sold by some pushcart vendors and stationery stores, and ... even reputable vendors sold postcards with graphic images, drawings with suggestive captions, and photographs of scantily clad women."<sup>39</sup> During the war, one apparently widely circulated "barracks favorite" was "New Pictures for Bachelors," a packet of 12"x15" pictures. This collection sold for 12 cents a piece or \$1.20 a dozen and, as D'Emilio and Freedman note, "placed the man in the role of voyeur observing a group of young women in various states of undress."<sup>40</sup>

The Civil War postponed a long-simmering battle over sexuality that came to a head during the decades following the War. The nation was being pulled between a receding small-town and agrarian Christian propriety, in which the family kept sexuality private, and a rapidly growing urban, "modern" secularism in which the market made people and their sexuality public and commercially available. Fundamental social changes were recasting female labor in America; during this period there was the first sizable entry of women into the labor force as well as an (apparent) increase in female prostitution operating in urban areas.

Changes in popular culture threatened traditional values. Faced with the provocative challenge of a new sexuality, a powerful movement emerged that attempted to contain it. The movement

was deeply frightened of the growing multitude of unattached and unsupervised male and female wage earners who were redefining urban life. Its champion was the ever-upstanding Anthony Comstock who represented the Young Men's Christian Association (YMCA) and the Women's Christian Temperance Alliance (WCTA), the "moral majority" of the day.

In 1868, less than five years after the end of the Civil War, the Christian right was strong enough to have the New York State legislature pass an incredible broad law to suppress what was described as "obscene" materials -- including all materials and devices that dealt with contraception, birth control and other sexual matters, be they medical or explicitly erotic. Within another five years, the movement had garnered enough power to have the U.S. Congress enact what would today be considered a sweeping, omnibus anti-obscenity law that essentially extended New York State prohibitions to all mail and interstate commerce. So sweeping was the law that it covered nearly every form of communication then known or anticipated save oral speech itself:

... no obscene, lewd, or lascivious book, pamphlet, picture, paper, print, or other publication of an indecent character, or any article or thing designed or intended for the prevention of conception or procuring of abortion, nor any article or thing intended or adapted for any indecent or immoral use or nature, nor any written or printed card, circular, book, pamphlet, advertisement or notice or any kind giving information, directly or indirectly, where, or how, or of whom, or by what means either of the thing before mentioned may be obtained or made, nor any letter upon the envelope of which, or post-card upon which indecent or scurrilous epithets may be written or printed, shall be carried in the mail ...<sup>41</sup>

So effective was the law that, within the first six months of passage, Comstock claimed that it led to the seizure of 194,000 pictures and photographs, 14,200 stereopticon plates and 134,000 pounds of books, among other things. By the end of his life, Comstock said he had destroyed 3,984,063 photographs and 160 tons of "obscene" literature.<sup>42</sup> These laws would remain in force until the 1930s, when they were largely reversed; however, Robert Kennedy would rely upon them in his victorious 1962 censorship battle against Ralph Ginsburg and *Eros* magazine.<sup>43</sup>

- <sup>1</sup> Hal D. Sears, *The Sex Radicals: Free Love in High Victorian America* (Lawrence, KS: The Regents Press of Kansas, 1977) and John C. Spurlock, *Free Love: Marriage and Middle-Class Radicalism in America, 1825-1860* (New York: New York University Press, 1988).
- <sup>2</sup> A. J. G. Perkins and Theresa Wolfson. *Frances Wright: Free Enquirer – The Study of a Temperament* (New York: Harper & Brothers, 1939), pp. 166, 170.
- <sup>3</sup> Chris Jennings, *Paradise Now: The Story of American Utopianism*, [Random House, 2015, xx].
- <sup>4</sup> Perkins and Wolfson, op. cit., p. 208; Helen Lefkowitz Horowitz, *Rereading Sex: Battles over Sexual Knowledge and Suppression in Nineteenth-Century America* (New York: Knopf, 2002), p. 45.
- <sup>5</sup> David Reynolds, *Walt Whitman's America: A Cultural Biography* (New York: Knopf, 1995), p. 124.
- <sup>6</sup> Celia Norris Eckhardt, *Fanny Wright: Rebel in America* (Cambridge, MA: Harvard University Press, 1984), p. 164; Spurlock, op. cit., p. 40.
- <sup>7</sup> Spurlock, op. cit., p. 40.
- <sup>8</sup> Perkins, p. ct., p. 169.
- <sup>9</sup> Virginius Dabney, *The Thomas Jefferson Scandals: A Rebuttal* (Lanham, MD: Madison Books, 1981); Dabney; Hemings-bio]
- <sup>10</sup> [Dabney, op. cit., p. 45.
- <sup>11</sup> Eckardt, op. cit., 113-14-qttd]
- <sup>12</sup> Kenneth Milton Stampp, *The Peculiar Institution: Slavery in the Ante-Bellum South*.  
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- <sup>13</sup> Martha Hodes, *White Women, Black Men: Illicit Sex in the 19<sup>th</sup>-Century South* (New Haven, CT: Yale University Press, 1997), pp. 19-22.
- <sup>14</sup> Leslie M. Harris, "From Abolitionist Amalgamators to 'Rulers of Five Points': The Discourse of Interracial Sex and Reform in Antebellum New York City," in Martha Hodes, ed., *Sex, Love, Race: Crossing the Boundaries in North American History* (New York: New York University Press, 1999), p. 191.
- <sup>15</sup> Barbara Meil Hobson, *Uneasy Virtue: The Politics of Prostitution and the American Reform Tradition* (Chicago: University of Chicago Press, 1990), p. 31.
- <sup>16</sup> Leslie M. Harris, "From Abolitionist Amalgamators to 'Rulers of Five Points': The Discourse of Interracial Sex and Reform in Antebellum New York City," in Martha Hodes, ed., *Sex, Love, Race*, op. cit., pp. 200, 206-07; Adrian Cook, *The Armies of the Street: The New York City Draft Riots of 1863* (Lexington, KY: University of Kentucky Press, 1974), pp. 77-95.
- <sup>17</sup> Hodes, *White Women, Black Men*, p. cit., pp. 49-50.
- <sup>18</sup> *Ibid.*, pp. 39-48.
- <sup>19</sup> *Ibid.*, pp. 50-53.
- <sup>20</sup> Reynolds, op. cit., /xx]
- <sup>21</sup> Edward C. Kirkland, *A History of American Economic Life* (New York: Appleton-Century-Crofts, 1969), pp. 218-19; Gideon Siegfried, *Mechanization Takes Command: A Contribution to Anonymous History* (New York: Norton, 1969), pp. 48-49.
- <sup>22</sup> Milton Rugoff, *Prudery and Passion* (New York: G.P. Putnam's Sons, 1971), pp. 27-28.
- <sup>23</sup> Margaret Myers, *A Financial History of the United States* (New York: Columbia University Press, 1970), pp. 84-98; Reynolds, op. cit., p. 54.
- <sup>24</sup> Kirkland, op. cit., pp. 155, 260, 295 and 305.
- <sup>25</sup> Reynolds, op. cit., p. 141.
- <sup>26</sup> U.S. Department of Commerce. *Statistical Abstract of the United States 1993* (Washington, DC: U.S. Government Printing Office, 1993), p. 218.
- <sup>27</sup> *Ibid.*, p. 10.
- <sup>28</sup> Kirkland, op. cit., pp. 168, 275; see also pp. 153-70.
- <sup>29</sup> *Statistical Abstract*, op. cit., p. 26.
- <sup>30</sup> Rugoff, op. cit., pp. 27, 104.
- <sup>31</sup> *Ibid.*, p. 24.
- <sup>32</sup> Howard Chudacoff/27
- <sup>33</sup> Christine Stansell, *City of Women: Sex and Class in New York, 1789-1860* (Chicago: University of Illinois Press, 1987), pp. 4, 9-10; *Statistical Abstract*, op. cit., p. 8.
- <sup>34</sup> John D'Emilio and Estelle B. Freedman, *Intimate Matters: A History of Sexuality in America* (New York: Harper & Row, 1988), pp. 113-16.
- <sup>35</sup> *Ibid.*, p. 116q.
- <sup>36</sup> [Alschuler/ p. 76.

<sup>37</sup> Ibid., p. 77.

<sup>38</sup> Ibid., p. 158.

<sup>39</sup> [Hovey/924]

<sup>40</sup> D'Emilio and Freedman, op. cit., p. 132.

<sup>41</sup> Alschuler, op. cit., pp. 77-81.

<sup>42</sup> [Corn-Revere/4]

<sup>43</sup> [Heidenry/60]