

LES KOHN

## ALTERNATIVE HISTORY/ COUNTER-FACTUAL HISTORY – FUGITIVE SLAVES

This plan is based on a literary/historical genre which assumes, as its point of departure , a changed future as a result of a single event. (“What if.....”) Two well known examples are *The Man in the High Castle* a novel by Philip K. Dick (“What if “ Japan and Germany defeated the US in WW2 and occupied much of the US?) and Philip Roth’s “The Plot Against America” (“What if” Charles Lindbergh won the Republican nomination for president in 1940 on an appeasement platform and defeated FDR in the general election?).

For fans of original Star Trek series, this is exemplified by “Edith Keeler must die” a/k/a Joan Collins who never seems to die...

DO NOW: (10 minutes total) Identify an event in your life which, if it had not happened, would have changed your life (it may have been in a small way or in a major way) List at least 2 ways do you believe your life would have changed?

-example: you overslept for your Harvard interview/ you got rejected, and , instead, went to GSU where you met the love of your life; or

-you moved from rural Georgia to New York City and traded in country ham for pastrami and biscuits for bagels and bialys .

Share results – students recognize that planned or unplanned decisions can result in very unexpected results.

## DISCUSSION

Some “what ifs” have greater consequences than others. Considering “what ifs” allow us to understand history better

Why? The “what if” allows you a clean slate to look at social/political/historical debates. When there is no expected “right answer” , it is easier to examine potential outcomes.

Can you suggest a “what if” that would allow us to examine the institution of American slavery?

1. What if slavery was abolished without the necessity of a Civil War?

Is this a helpful question to initiate discussion? Too vague?

2. When the ballots were tallied in November 1860 and it became apparent Lincoln won the election, was there any chance of a resolution of disagreements about slavery, in whole or in part?

WHAT IF there was one more political compromise? There was one last effort:

Crittenden Compromise: A last chance.

Terms: see below

Results: Unsuccessful –

- a. For Southerners, too late to turn back from secession
- b. Each side thought it was giving up too much, especially the southern slave holders

3. Was there any other way of “kicking the can down the road” ?
  - a. Was Crittenden Compromise in actuality, doing exactly that?

FICTION ALLOWS US TO PROPOSE ALTERNATIVES THAT WE MIGHT BE RELUCTANT (or AFRAID) TO PROPOSE POLITICALLY. IT CAN CREATE SCENARIOS THAT CANNOT BE IMAGINED IN THE POLITICAL ARENA

CAN IT GO EVEN FURTHER THAN CONTROVERSIAL NOVELS LIKE UNCLE TOM’S CABIN?

## **TAKING THE LEAP INTO ALTERNATIVE HISTORY: The fate of American slavery in an alternative scenario**

Some useful information to set the scene:

1. When did the US abolish slavery?
2. Was the US the first nation to do this in the Western Hemisphere?  
(No)
3. The last?
  - a. No; Cuba ( a Spanish colony) ended slavery around 1886
  - b. Brazil: an independent nation allowed slavery until 1888
4. Does slavery still exist today?

If yes, where and in what forms?

**“Underground Airlines”** (2016), a novel by Ben H. Winters, takes place in a United States where slavery still exists in the 21<sup>st</sup> Century in 4 southern states.

WHAT IS THE “WHAT IF?”

Winters re-imagines US history.

December, 1860: South Carolina has already announced its intent to secede from the United States. Prior to Lincoln’s March 4, 1861 inauguration, six other southern states were moving in a similar

direction and up to eight other southern and “border” states were watching and waiting on the sidelines.

FEBRUARY 12, 1861: “LINCOLN ASSASSINATED” ( The “What if”)

**STUDENTS BRAINSTORM THE NEXT STEPS:** Start this as a full class discussion and continue until discussion leader satisfied that

- a. students understand the nature of the task, and
- b. enough possibilities have been presented to allow students, in groups, to pursue consequences of suggestions adduced during discussion or, preferably, to make their own predictions and follow the consequences of those predictions for the next 50-100-150 years

IDENTIFY EVENTS AND/OR PROCESSES IN US HISTORY THAT ARE LIKELY TO BE IMPACTED BY THE ALTERNATIVE HISTORICAL THEMES SKETCHED OUT

EXAMPLES:

- **Effects on other labor systems and labor supplies**
  - European immigrants to US
  - Asian immigrants to US
  - Native Americans
- Would there be an impact on industrialization?
- Would there be an impact on the rise of labor unions?
- Would there be an impact on agriculture?
- On movement from farms to urban areas?
  
- **Foreign policy?** Would US be a 20<sup>th</sup>-21<sup>st</sup> Century world leader in the same sense we understand it to be?
  
- **Human rights?** (Fugitive Slave Laws persist and are revised to apply to slaves in non-plantation surroundings)
  - Are fugitive slave laws a per se example of laws that violate human rights?
- **International consequences:**
  - Might the United States become a “pariah nation” similar to South Africa in late 20<sup>th</sup> Century?

## WHY EVEN ENGAGE IN THE EXERCISE OF ALTERNATIVE HISTORY?

Allows a debate on controversial issues free from distraction by policy recommendations which may have betrayed ulterior motives

-what might US slavery have looked like in 2016?

-labor needs : initial example might be TCRR (Irish Catholic and/or A-A CW veterans work for Union Pacific and Chinese immigrants – in work gangs run by Chinese labor contractors) on Central Pacific

- another example –hired our prisoners in Birmingham AL areas to work in coal and iron mines (see Douglas Blackmon)
- changing mores
- impacts on immigration
- impacts on Native Americans?

Changes in the nature of slavery? If any

- more humane
- more inhumane
- use of Frederick Winslow Taylor efficiency processes to further dehumanize slave labor and slaves

## REAL HISTORY AND IMAGINED/PREDICTED HISTORY

### REALITY

Crittenden Compromise **rejected**

Slavery “ended” by national action, losers rely on “federalism/states rights to obstruct

13<sup>th</sup>, 14<sup>th</sup>, 15<sup>th</sup> Amendments ratified promised “freedom” and “equality”

### ALTERNATIVE

Crittenden Comp. enacted into law and guaranteed by “13-18<sup>th</sup> Amendments

Southern states opt to abolish slavery, one by one; the “hard 4” remain;

Slave states evolve harsher regimes, leading to novel’s climax

Crittenden Compromise revived as a solution to the threat of Civil War

- permanent existence of slavery in the slave states
- use 36 degrees 30' – extend this line coast to coast with slave states to its south and slavery prohibited in states to its north
- insure its permanence by constitutional amendment prohibiting federal actions which might compromise the slavery regime

IRONY IN NOVEL – The “CRITTENDEN” Amendment is listed in novel as the 18<sup>TH</sup> AMENDMENT- WE KNOW 18<sup>TH</sup> AMENDMENT as establishing **PROHIBITION**, the only US constitutional amendment passed and then explicitly repealed

1. What do you know about the CC?
  - a. Provide a document or reading
  - b. What was its context?
  - c. What did it propose?
  - d. Pros and Cons?
2. Alternative history allows us to see how it works

Impact on Fugitive Slave legislation and activity

Book takes place +/- 2000 ;

- changes in technology
- changes in economy

The basic framework of Fugitive Slave Act is the same

- Commissioners
- Obligation to cooperate
- \_One interesting modification (fictional):

BIG CHANGE: WHEN PERSONAL LIBERTY LAWS BECOME PROBLEMATIC as a counter-strategy to recapture (SEE PRIGG) , what strategy evolves next? **CLEAN HANDS LAW**

1. What is it?
2. What does it remind you of?
3. South Africa, boycott,

HOW DOES THE SOUTH CHANGE?

HOW DOES RELATIONSHIP BETWEEN THE “HARD FOUR” SLAVE STATES AND THE REST OF THE US?

Many Southern states abolish slavery on their own (Federalism as justification, author quickly tells us the practical reasons for some states’ decisions to abandon slavery)

By 2000, only 4 slave states left (“the hard 4” – care to guess?)

1. SC/NC now merged into “Carolina”
2. Alabama
3. Mississippi
4. Louisiana

(Geography question: What happens to Georgia???? – it abolishes slavery in 1944 but allows a protected interstate road link between two other slave states to allow them to trade

THIS LESSON

IF SLAVERY CONTINUES INTO 21<sup>ST</sup> CENTURY, HOW DOES IT ADAPT?

DO SLAVES BASICALLY REMAIN “COTTON-PICKERS”?

IF NOT, WHAT WOULD YOU PREDICT THEY WOULD BE DOING?

Consider US history-

Slaves in WW1? WW2?

AS WE HEAD TO THE THRILLING CONCLUSION .....

CLONING?

THOUGHT CONTROL?

PROCESSES OF DEHUMANIZATION?

IDEAS: COMMODITIZATION OF SLAVES discussed in Walter Johnson “Soul by Soul” - rankings #1 quality males go for different prices in different markets

**IN CLASS PROJECT: Assuming that slavery was either partially abolished or not abolished at all in 1865, choose a subsequent period (decade) in US history and discuss**

- a- how the challenges and problems endemic to that period might have been exacerbated or mitigated by use of slaves**
  - i. e.g .labor needs**
  - ii. “private armies” to maintain order**
  - iii. as strike breakers during the eras of labor union formation and development**
  - iv. angry slaves threaten revolt**
  
- b- What groups of people (citizens, non-citizen residents, ethnic groups, national groups) would have been affected and how?**
  - i. Pay particular attention to effects on African-American US citizens outside of the “Hard Four”**
  
- c- What effects the continuation of American slavery would have had on US foreign policy or on the United States’ international reputation?**

**Individual groups would focus on a particular time period, a specific theme or, if material warrants, a particular them restricted to a specific time period.**

**YOU MAY LOOK AT DOMESTIC OR INTERNATIONAL ISSUES, OR BOTH**

**WHAT INFERENCES MIGHT YOU DRAW**

**-ELUCIDATE PROS AND CONS**

**SPECULATE ON RESULTS, SHORT TERM OR LONG TERMS**

**TIMELINE: ONE EVENT PER DECADE???**

**BROADER TIME PERIODS OR MORE CATEGORIES?**



**EXAMPLE OF HISTORICAL GRID.**

Student groups would be provided the following grid for brainstorming:

**EFFECTS OF CONTINUATION OF SLAVERY**  
**POLITICAL      ECONOMIC      RELIGIOUS      SOCIAL**

---

1862-1900	US geographic expansion slows, less of a need?	Growth of large corps., labor unions (strikes)	
1898-1918	Military needs	Urban Sweatshops don't develop; they can't compete with slave labor Less opportunity for immigrants	No Great Migration
1919-1939	How do slaveowners cope with depression?		

**Gandhi in India**

**Northern states**

Enact "Clean Hands Laws" (relationship to 19<sup>th</sup> Century Personal Liberty laws?)

**WW2** Increased pressure on South to liberalize?

What would Civil Rights issues look like in the 6 - 10 slave and border states that did abolish slavery?

Would they be influenced more by the "Hard Four" or the rest of the United States?

**COLD  
WAR**

**USSR propaganda re American slave holding?  
South Africa**

**TODAY**

HISTORIC AND CONSTITUTIONAL REFERENCES THAT APPEAR IN THE  
NOVEL (Real and Fictional)

“HARD FOUR”

- 8 a. mines, private contractors, bauxite, overseers, “treatment violations”

*governmental (state or federal) regulation of slave work conditions – Believable??*

- 9 Indiana was , like most states , a Clean Hands state

*Indiana refuses to allow slave manufactured goods to be sold in Indiana - guilty conscience?*

“North American Human Rights Association, a Montreal-based outfit that inspects supply lines”

- 11 “temporary suspension of status rule” to add PB muscle to his defensive line

*Defensive linemen = Roman gladiators?*

- 12 “European consensus” “stakeholder influence”- a phrase borrowed from the Israelis.
- 13 “Batlish” hearings –confirmation to Chair of SEC-she may want to use securities laws to punish corporations. that profiteer off of plantation labor
- 13 “Suzie’s closet” , Black Panthers, “mere ameliorationism”
- 14 inspecting “free papers” – expected submissive protocol
- 19 US Marshals Service
- 19 Person Bound to Labor” (*the euphemism for slaves*) - “service name” PIN 78312-99
- 19 “Garments of the Greater South, Inc. (GGSI)” , Pine Woods AL, a Tuscaloosa suburb (GGS)
20. FUGITIVE PERSONS ACT, descendant of:  
 Fugitive Slave Act 1793  
 FUGITIVE SLAVE ACT 1850  
 Reinforced in 1861  
 Revised and strengthened 6x more  
 -1875- DC slavery abolished but fees for obstruction go up  
 1935 – FDR proposes “creation of comprehensive regulatory framework for plantations w/ Bureau of labor practices to enforce it, he compromises w/ South by granting marshals immunity from “zealous” northern prosecutors
- 20 States continue to pass “personal liberty laws “ but SCOTUS strikes them down
- 20 1970 – AA law enforcement officials are given right to claim “non-participation “ under the Moore Amendment\*  
 (a strategic compromise ??)
- 21 “shitty Pakistani cigarette” - no Carolina tobacco available *because of Clean Hands Laws??*

- 22 the president, an avowed “centrist” on the Old Question” – refused to w/d her nomination
- 33 institutional racism in north also – more police checkpoints in northern states than might be expected (required by Fugitive persons Law?)-
- 36 GGSI had 4,232 Persons Bound to Labor
- 41 He was tattooed of course, a single black box w/ logo  
blacked in box meant no longer belonging to “employer - ”tell tale sign of former status” except that many free blacks in North get blacked out box tattoo as sign of solidarity (Danish- WW2)
- 42 21<sup>st</sup> century identification techniques/ data bases (included BMI of 23.3
- 43 “late-summer honey – warm tone #76 – one of 172 varieties of AA skin tone delineated in US Marshals Service field guide
- 46 Street scene in Indianapolis – local toughs mess w/ victor’s head-grab him and sell him to a slave trader
- 52-55 convo. w/ Mr. Bridge: problems with the file can’t make the prima facie case?
- 57 “there’s nothing here on the record of acquisition ... his patrimonial and matrimonial lines are question marks.”
- 62 forbidden literacy
- 75 Implementation of the Crittenden compromise  
-preserving slavery where it was  
-preventing its expansion elsewhere  
-balancing northern sentiment and southern economic welfare  
-“No future amendment of the Constitution shall affect the five preceding articles”

79 “America’s f-----d-up piecemeal economy; stumbling in and out of recessions; all that proud but self-defeating unwillingness to do business with the Hard Four”  
TEXAS WAR?

#### EUROPEAN CONSENSUS

81 Jesse Owens from Alabama defects in 1936 to USSR

95 Truckers won’t do “south to north” security too oppressive

100 “Georgia abolished slavery in 1944, same as Kentucky. It was president Truman’s great victory, achieved by dangling the prize of wartime contracts, a huge economic incentive for states to go free”

-but it left Atlanta Airport half-slave/half-free

-allowed US 20 from Alabama to Carolinas to be used to connect slave states although it traversed a now free state

108 TEXAS “the success story of early 20<sup>th</sup> century abolitionism”

free by statute in 1939

1964 – Texas want to secede – LBJ says “No WAY”

11 years of fighting. Result “uneasy détente”

“We created the Special Economic Zone....”

119-123 Escape from Bell’s - comparisons to Upton Sinclair

124 Arkansas becomes free in 1947 – reference to a 1954 painting “First Day jitters” about a black child in Little rock – AA in Ark get to go to a segregated schools- 7 years later- Supreme Ct says you have to provide something

137 Freedman Towns, e.g. in Chicago – grim description

138 “An invisible city, floating like a dead island, in the wide water of civilization”

153 “the data base was TorchLight, a comprehensive listing of every person who is or who has ever been held by any of the plantations, factories, mines, “working prisons”, home systems, oil rigs, all the endless varieties of places where Persons Bound to Labor are bound.”

154 shrimp boat slavery

191 It was Massachusetts that passed the first “Clean Hands law” back in the day (1927)?

Declared that the possession, sale or consumption of slave made goods within its borders would thenceforth be a criminal act.

Southern interests ..... said no f--- way.

Illegal regulation of trade

Protectionism

Americans being robbed of their constitutionally protected rights to spend their money however they liked

Mass. Contra: Police power. SUPREME COURT said OK

Federal Clean hands Act passed in 1934 w/ Dem. Majority and FDR signature.

This allowed northerners to feel that they DIDN'T have blood on their hands

**NB. Contrast this w/ FDR refusal to support and Anti-Lynching Law in real life in 1930**

193 Hunger strikes

MLK marches from Georgia (free) to Selma –

Freedom Summer idea used

LBJ reacts to hunger strikes by supporting voting Rights Act

“New Agenda” “Abolition in our time.”

MLK assassinated in TN while celebrating legal abolition in TN.

GGSI goes offshore to sell to Townes Stores = Walmart??

203-06 Victor's escape from Bell Farm

209 Kissinger announces US withdrawal from UN (12/73)

### THE TRIP SOUTH

212 Rambler's Roost Hotel – TN, 50 miles north of “the Fence”

217 BATLISCH Assassination

219 Internal Border and Regulation (IBR) an agency of Dept of Homeland Security

Like Customs

WHITE (ALABAMA citizens)

WHITE (Other US citizens)

COLORED IN CAR (ALABAMA Permit)

COLORED IN CAR (Other US permit)

(If you would ask your Negro to step out of the car)

221 Green Hollow AL - a Southern version of Stepford??

Local police & INTERSTATE COLORED PERSONS CONTROL

227 “Welcome to the Hard Four”

232 ELIJAH, a very old white man

235 Made up case: GULLIVER - HOSPITAL Corp. v. MISSISSIPPI  
variant on DRED SCOTT??

236 Gulliver came home in chains. Peabody turned around and sold the man offshore”

249 Visit to GGSJ corporate HQ / Mr. Newell

258 Newell gives speech about humane treatment of PBLs  
“This is not the slavery of fifty or even ten years ago”

274                    These strong hands belong to you  
                          Hands and back and spirit too”  
                          Every day in all I do  
                          GGSI, my heart is true....”

                          Arms out  
                          Hands up  
                          Heads back  
                          Hold pose  
                          45 and under, hands down

                          shackled on the subway

278                    BLP regulates torture of workers

290                    Turner alarm, Turner system  
                          “every plantation in every county of the Hard Four was  
                          required to maintain a reinforced vehicle called a Turner  
                          Wagon, with a small armed company of guards , that could  
                          be sent out to any other plantation experiencing  
                          insurrection; a threat to one being understood as a threat  
                          to all” named for Nat Turner, although the system didn’t  
                          become common until the Starman Revolt in Carolina in  
                          1972.”

311                    ”GGSI has a medical facility. OK? The egg is harvested from  
                          a human subject....  
                          They were taking girls like Luna and stealing their eggs,  
                          separating out the DNA, forming hybrids, breeding cell  
                          lines”



HOLZER PRESENTATION AT CHAPPAQUA LIBRARY 9=25-2016

LINCOLN and GREELEY

Press and politics – cogs in the same machine esp after 1840's each industry supported the other

Why did they never “click”?

Met at 1847 rivers and harbors conference in Chicago

Lincoln looked “so woebegone” “Old Abe” at before 40

Lincoln served one term in Congress as a Whig.

Greeley did get a seat IN CONGRESS BY APPOINTMENT , NOT ELECTION

Greeley thought AL “did not aspire to leadership”

Each proposed a bill for DC emancipation – AL was more conservative

“The shadow 13<sup>th</sup> Amendment?” – did AL transmit it to the states for ratification

Blockade of southern ports can be seen as only evidence of AL treating South as an enemy nation rather than rebellious states.