

Beyond Freedom's Reach: A Kidnapping in the Twilight of Slavery

Carol Wilson

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Review

Wilson, Carol

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Rothman, Adam *Beyond Freedom's Reach: A Kidnapping in the Twilight of Slavery*. Harvard University Press, \$29.95 ISBN 9780674368125

A Case Study of Tenuous Freedom and Tenacious Resistance

The best kind of microhistory employs an interesting personal or family story to engage readers while elucidating larger themes of historical relevance. Adam Rothman's reconstruction of an unknown episode of kidnapping in Civil War-era New Orleans is a prime example. Meticulously researched, well-written and thoughtfully argued, this work should attract not only students of African-American history; those who study southern and Civil War history will enhance their knowledge of 1850-1860s Deep South culture.

Few have likely heard of Rose Herera, yet her story--up to a point--is heartbreakingly familiar. Born in rural Point Coupée, about one hundred and fifty miles up the Mississippi River from New Orleans, she found herself sold from owner to owner over several years, eventually landing in the city. Yet, like many slaves, she fought to create a stable family life, marrying free black man George Herera, and with him, having five children. The three eldest would be taken from their parents by a white woman who claimed them as her property. But at this point Rose Herera's story departs from the all-too-common rendition of slave families torn apart.

In 1862, Union troops arrived in New Orleans. They came to govern the state, not to free the slaves, but for whites wedded to the old order of white supremacy, the changes which followed were shocking. Hardest to accept perhaps was the growing awareness that their loyal servants were anything but. Slaves ran away in droves, joining Union army regiments or simply attaching themselves to camps in whatever way they could. Others fled north or west. Those who stayed became "insolent", refusing to perform tasks or demanding compensation. Plantations fell apart, as did urban households.

Yet slaveholders clung to the hope that slavery would be salvaged and some took their slaves with them as they fled the reach of the Union army--into Texas, Mexico, and Cuba. New Orleanians had a long relationship with the island, based largely on trade--both legal and illegal--and the smuggling of African slaves into Cuba continued with a direct connection to New Orleans.

Before the war, slaveowners could simply take their slaves with them when they traveled. But Union presence in the city gave Rose Herera the protection she needed to prevent being forced to Cuba against her will. Under the Second Confiscation act, Confederate slaveowners were liable to lose their slaves, as well as other property. However, when a conflict with her owner's aunt landed Herera in jail, owner Mary DeHart acted and took Herera's three oldest children with her to Cuba in early 1863. Herera, now ill, and caring for a newborn infant, her fourth child, was left behind in jail.

Once freed from jail, Rose Herera began a struggle of several years to recover her children who remained enslaved in Cuba, even after slavery was abolished in the United States, their home. (George died of tuberculosis in May, 1864).

Herera's lawyer was highly skilled and motivated, but the case was by no means clear-cut, beginning first with the question of jurisdiction. She was much more likely to get a fair hearing from a Union Army military tribunal, which had begun the process of allowing black testimony against whites, than a Louisiana court, which continued to uphold the rights of slaveholders to their property. Other issues included the question of consent--had Herera allowed the children to go with DeHart, as the white woman claimed, or was that irrelevant, as Louisiana law prohibited the separation of young children apart from their mother? Or had the children already become free as a result of the Confiscation Act, which forfeited the property of owners still loyal to the Confederacy, as the DeHarts were?

Rothman deftly weaves the details of the case with the broader themes, especially demonstrating the chaos of wartime emancipation. In Louisiana, he writes, "local conditions mattered a great deal . . . but slaveowners everywhere resisted emancipation with more or less vehemence." A particularly vicious aspect of this attempt to retain white supremacy was the effort to return newly freedpeople to slavery in places outside the United States where slavery was still legal, like Brazil and Cuba. How many met this fate is not clear. There were

enough cases to prompt Massachusetts Senator Charles Sumner to launch an investigation into the subject, but--just as with pre-Civil War kidnapping of free blacks--the actual numbers are perhaps not the most important point. The mere threat of being captured and sold into slavery could serve as an effective mechanism to terrorize a population striving for equality. The kidnapping rumors demonstrate that, just as prior to the war, so too afterwards, the freedom enjoyed by African Americans was limited in significant ways.

The case of the Herera children became bogged down in the shifting climate of wartime/postwar Louisiana and it would be over three years before the Herera children returned home to their mother. But return home they did, a victory for Rose and, posthumously, George Herera, who, despite their status as a slave and free man of color, claimed their children and refused to simply relinquish them to white people who claimed them as property. This was perhaps the most personal form of resistance on the part of slaves and free blacks--the insistence on a stable family life in the face of determined efforts of whites to destroy it.

Carol Wilson is the Arthur A. and Elizabeth R. Knapp Professor of History at Washington College, Chestertown, Maryland. She is the author of Freedom at Risk: The Kidnapping of Free Blacks in America, 1780-1865 (1994) and The Two Lives of Sally Miller: A Case of Mistaken Racial Identity in Antebellum New Orleans (2007). Her most recent publication is "Plaçage and the Performance of Whiteness: The Trial of Eulalie Mandeville, Free Colored Woman, of Antebellum New Orleans." American Nineteenth Century History 15, no. 2 (2014): 1-23.