

Redemption Songs: Singing for Freedom Before Dred Scott

Robert Tinkler

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Review

Tinkler, Robert

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VanderVelde, Lea *Redemption Songs: Suing for Freedom before Dred Scott*. Oxford University Press, \$29.95 ISBN 9780199927296

Slaves' Voices Reemerge from the Cases in Which They Sought Freedom

Historians of the South and of American slavery owe a debt of gratitude to Lea VanderVelde for *Redemption Songs*, a book that tells heart-rending stories of freedom contested, lost, and won. Professor of law at the University of Iowa and author of *Mrs. Dred Scott* (Oxford University Press, 2009), VanderVelde is well suited to have written this study centering on the St. Louis Circuit Court where Dred and Harriet Scott first asserted their legal claims to freedom. With the assistance of several individuals with deep knowledge of local records in St. Louis, VanderVelde pushed beyond her initial interest in the Scotts. A particular hero is Melvina Conley, a data processor in the circuit court who collected references to freedom suits as she combed through old case files over the years. This research helped VanderVelde to identify some 239 freedom suits in antebellum St. Louis.

The trial court records of these suits, often rich in detail owing to depositions and transcripts, give more voice to enslaved African Americans than do appellate court documents (which deal more with questions of legal error than with the particulars of litigants' lives). Prodigious amounts of research in census records, city directories, newspapers, and other primary sources allowed VanderVelde to put flesh on the individuals known only from dusty court documents. From the records emerge accounts of very human struggles—often lasting decades—for freedom.

The book consists of fourteen chapters. The first provides an overview of legal issues surrounding freedom suits; each of the next twelve chapters is dedicated to the struggles of particular individuals or families for freedom; and the final chapter conveniently sums up the author's themes.

St. Louis itself, VanderVelde argues, explains the abundance of freedom suits in its courts. As a place of transit along major rivers bordering free soil, the city attracted slaveholders with slaves in tow. Frequently, before arriving in Missouri, slaves being moved west sojourned with their masters in nominally free areas, such as Illinois. That was the case with Winny, a woman originally from the Carolinas whom the Whiteside family held for six years in Illinois before a final relocation to Missouri. Winny's attorneys convinced the Missouri supreme court in 1824, a quarter century after her arrival in the St. Louis area, that residence in free territory emancipated her. In subsequent years, numerous other freedom suits benefited from this important precedent established by Winny's case. (VanderVelde notes with irony that the legal system of slave state Missouri often proved friendlier to freedom than that of ostensibly free Illinois).

St. Louis's location also proved legally significant in freedom suits because, during the late eighteenth and early nineteenth centuries, the city and the surrounding region fell successively under the control of different nations—Spain, France, and the United States—with the laws and customs of each influencing the interpretation of slavery in antebellum Missouri courts. For instance, a Spanish governor's 1769 prohibition on Indian slavery in Louisiana (which then included St. Louis) served in the 1830s as the basis for freeing the racially-mixed Marie Scypion and her three daughters; the maternal line determined one's status as slave or free, and Marie's mother was a member of the Natchez nation.

VanderVelde's study will interest not only legal historians, but also those focused on social history, for the author illuminates the lives of men and women who used the courts to challenge their bondage. Women, she finds, constituted the majority of freedom suit plaintiffs, for two main reasons. First, because a child's legal status followed that of its mother, female slaves wanted to assure that not only they, but also their progeny, would be declared free. Second, rather than sue, men more often escaped slavery by running away. Slaves, she notes, timed the filing of suits carefully to make sure they could survive and have the best chance for freedom. Plaintiffs also needed sympathetic white attorneys and judges, of whom there were several prominent ones in Missouri. The process of litigation and appeal was lengthy—in the case of Rose and her children, more than twenty years—and, while the legal system decided their fate, slaves usually had to endure jail or being rented out as laborers. Even after being freed by a court, individuals still faced the possibility of re-enslavement. For instance, despite becoming technically free in 1814, Lydia and her daughters found

themselves as late as the 1830s victims of kidnapping attempts by white men—including the sitting Illinois secretary of state—designed to return them to slavery. And, of course, not all plaintiffs achieved freedom, as in the case of the nearly thirty slaves of Milton Duty, whose will calling for their manumission various whites successfully challenged.

The book, for all its positive elements, could have used more careful editing. Numerous small (yet irritating) problems with grammar, punctuation, and style appear throughout the text. Also, sometimes individuals are not clearly or are inconsistently identified. Marie Scypion, for example, sometimes appears as Marie-Jean Scypion. Minor factual mistakes creep in, too. In discussing the *Dred Scott* case, the text, on page 208, identifies John Sanford as the brother-in-law of Mrs. Emerson-Chaffee, but he was her brother (the index entry on Sanford on page 302 gets their relationship right). And it's fairly certain that the first shot of the Civil War occurred at Fort Sumter, not Fort Sumner as stated on page 178. (One cannot imagine a fort with Charles Sumner's name existing within the borders of South Carolina).

These complaints aside, *Redemption Songs* is an outstanding work that will influence how historians, and especially how general readers, think about antebellum American slavery and the law.

Robert Tinkler teaches courses on the history of the American South and of the Civil War and Reconstruction era at California State University, Chico.