

The COLUMNS

DISPATCHES FROM THE 4TH FLOOR



There were, as we expected, some fits and starts to coming back to a semi-regular world, but after a year online, we'll take it. Some lectures, for example, had to be migrated to Zoom, but even in those cases, we were still able to safely open Jesse 410 back up for live watch parties. And as you'll see on pp. 16-18, we had to do a little pivoting to pull our annual Society of Fellows conference off in-person, but not nearly as much as last year. Small victories, but victories nonetheless!

We've also reaped the benefits, here and there, of being put in the position of having to get better (*very* incrementally better, in fairness, and with lots of help) at technology. As of this fall, all Kinder Institute talks are being live streamed—follow us on Twitter, @MUDemocracy, for details on that—and the online *Kinder Forum* initiative that we launched while on lockdown is still going strong. Author talks are happening on Zoom on the second Wednesday of every month for *Forum* participants, and we have plans in the works for Spring/Summer 2022 face-to-face events in Oxford and Charlottesville, respectively (contact **Allison Smythe**, SmytheA@missouri.edu, for more news on those).

We're ready for whatever the spring semester has in store—fingers crossed, that'll be more back-to-normalcy—and, as always, our sincere thanks for the support you've shown the Kinder Institute in what's been a difficult time for everyone.



KINDER INSTITUTE
on CONSTITUTIONAL DEMOCRACY

THAT SUCH A GRAPPLING WITH
**RACE, GENDER, AND
CITIZENSHIP** DREW ON
THE LEXICON OF THE THEATRE
TO REACH A BROADER AUDIENCE
SHOULD COME AS NO SURPRISE.

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CONSTITUTION DAY LECTURES

JAMES E. FLEMING & LINDA C. MCCLAIN

Constitution Day Lectures

SEPTEMBER 17 ZOOM LECTURES WATCH PARTY IN JESSE 410

1:00 pm

Spreading the Word: Written Constitutions and the Printing Press

For the top half of our festive Constitution Day double-header, Princeton University's Linda Colley, one of the greatest living Atlantic historians, will explore the intersection between constitutionalism and print media. Prof. Colley will first look to the past to examine the complex role that print varieties played in the process of constitutional generation and dissemination, and then to the future, to touch on the challenges posed to written constitutions around the globe by the coming of the digital age.




Linda Colley
Shelby M.C. Davis 1958
Professor of History at
Princeton

3:30 pm

The (Un)written Constitution

Providing a natural follow-up to Linda Colley's 1pm talk on written constitutions, Claremont McKenna political scientist George Thomas will deliver the second half of our Constitution Day lecture program, drawing on research from his forthcoming Oxford University Press book to argue, provocatively, that it is not so much the text itself, but rather the unwritten ideas relating to it, that animate our deepest debates about the nation's charter.



George Thomas
Wohlford Professor
of American Political
Institutions at Claremont
McKenna College





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Not only did we transform the 2021 **James E. Fleming & Linda C. McClain** Constitution Day Lecture into a pair of lectures. Whether by happenstance or design (who's to say!), we made this year's program into something of a balanced duality, with Princeton University Shelby M.C. Davis 1958 Professor of History **Linda Colley** exploring the significance of transmitting constitutional text to page and **George Thomas**, Claremont McKenna Wohlford Professor of American Political Institutions, following her lecture with one that unpacked why we should pay careful attention to the constitutional text that isn't there. Read on for more on the materiality of language and its absence, and a huge thanks to 2021-22 M.A. in Atlantic History & Politics candidate **Maggie Fuhrman** for doing the recapping for Prof. Colley's talk while our regular reporter taught.

Princeton University Shelby M.C. Davis 1958 Professor of History Linda Colley

Prof. Colley's Constitution Day talk traced the topic of her critically-acclaimed March 2021 book, *The Gun, The Ship, and The Pen* (Liveright), and particularly the third item in the titular triumvirate, as she focused throughout on investigating how mid-18th-century print culture affected written constitutions and contributed to their longevity and global spread. Written laws for the governance of political communities were, of course, neither an innovation of the time period in question nor a means of codifying the rights and ideals that people should live by that was dependent on print culture's central apparatus: the printing press. To this latter point, her talk's first example looked toward Pasquale Paoli's pioneering constitution for Corsica. Written in 1755, when the printing press was virtually nonexistent on the Mediterranean island, it distinguished itself from previous governing documents, Prof. Colley argued, both because it arose out of conditions which underscored the need for a formal constitution—it provided centralized control in a time of internal

conflict—and because of the direct governing power with which it endowed the state. Even if the document itself is long gone, it still stands out as a model for the constitutions that followed.

As remarkable as it may have been, the case of Paoli should in no way be used to obscure print technology's vital significance to the history of constitution making. On one hand, we can measure this significance practically. In the U.S., for example, the capacity to replicate constitutional prints ensured both that the document was widely distributed and consumed, and that it survived. Prof. Colley added that ready access to and advertisement of these prints likewise drew attention to a constitution's native power and popularity, leading to the rise of informal constitutions such as Paine's *Common Sense*.

As Prof. Colley went on to explain, though, we can't overstate how much the printing press' constitutional significance transcends practical and domestic terms. In the "pick and mix" constitutions she cites in her book, we see how printers were able to exert a certain ideological control over consumers by tailoring what constitutional ideas they did (or did not) disseminate to the public. And perhaps most central to the conjoined narratives of print culture and constitution making is the global circulation of ideas that the printing press facilitated. This becomes apparent, for example, in the striking similarities we see between constitutional models, with entire articles sometimes imported word-for-word from one national charter to another. At the same time, the ability to borrow ideas—coupled with the public's familiarity with these ideas—created space for governments, like Norway's, to imbue their constitutions with a unique sense of nationalism and indigenous ideology without seeming to deviate *too* far from what were coming to be seen as universal constitutional norms.

Claremont McKenna Wohlford Professor of American Political Institutions George Thomas

In describing the book from which his Constitution Day lecture took its title, Prof. Thomas noted that his October 2021 Oxford University Press monograph was not composed with a strong position on the Constitution in mind. Instead, by taking a more conceptual and empirical perspective, his goal, he explained, was simply to show how jurists and scholars alike inescapably rely to one degree or another on unwritten ideas about the text—or, perhaps better, on ideas about what is not explicitly written into the text—when interpreting and litigating the constitutional questions we care most about.

The central claim of *The (Un)written Constitution* (both the lecture and the book) is specifically germane to textualist and originalist jurists, Prof. Thomas continued, given the degree to which they downplay and often disavow any reliance on presuppositions or extratextual constitutional understandings in their jurisprudence. Hence, he opened the lecture with a look at the iconic late Supreme Court Justice Antonin Scalia, by way of a brief detour past current Justice, devoted originalist, and deep Scalia admirer Brett Kavanaugh, who recently commented that every time we re-read the Constitution, we should likewise revisit 1803's *Marbury v. Madison*. An admirable and very much a worthwhile suggestion, Prof. Thomas offered, but one which should at least acknowledge how Chief Justice John Marshall's spirited defense of judicial review turned on a theory of constitutions that is nowhere to be found in the United States' charter (Marshall, in fact, didn't even cite the text in laying out his primary holdings in *Marbury*).

Such an acknowledgment is probably also called for when it comes to considering the linchpin of Scalia's impassioned case for originalism and textualism. Following original meaning, Scalia contended, is the best way to prevent judges from mistaking their own predilections for the law; it is necessary, that is, for ensuring that restraint, rather than discretion, governs constitutional

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interpretation. A powerful argument, to be sure, but one that is not rooted in the Constitution's text—where in it is the need for judicial discretion mentioned?—but rather in Scalia's own underlying assumptions and theories about the kind of democratic government that the Constitution rests upon. We see this bear out, for example, in his opinion in 2010's *McDonald v. City of Chicago*, which affirmed that the 2nd Amendment, by way of the 14th, applies to states. At the time, originalist scholars lined up to argue that both the 14th Amendment's due process clause and its privileges and immunities clause supported this conclusion, but at the latter line of logic, Scalia balked. The due process clause was usable, he argued, because the liberties protected under it could be tethered directly to the Bill of Rights, whereas using the privileges and immunities clause, under which liberties were not delineated, invited judicial activism. Not only was this an instance of an originalist rejecting an interpretation of the original meaning of the 14th Amendment on the grounds that it was at odds with a century of previous legal scholarship on privileges and immunities; it was also a textualist citing an allusion to the Bill of Rights that is conspicuously absent in the text of the 14th Amendment, but was conveniently consistent with his own unwritten understanding of a need to limit the discretion of judges.

As Prof. Thomas went on to show, grappling with and settling constitutional questions by turning to unwritten ideas about democracy is more or less as old as the nation itself.

Take the 1798 Sedition Act. There was no disagreement at the time over whether the Constitution protected the freedoms of speech and press the Act raised questions about; the text made so much abundantly clear. Rather, its legitimacy hinged on

determining what the protections for speech and press actually implied. On the one hand, Samuel Chase defended the Sedition Act by invoking Blackstone, arguing that a licentious press was particularly harmful to republican forms of government because of the ease with which it could corrupt public opinion and morals. Once an election ran its course, Chase reasoned, printers must acquiesce. To counter, Madison held that the new and distinct form of republican government practiced in the United States demanded establishing meanings for free speech and a free press that were unindebted to the British common law tradition.

For Madison, power in the U.S. flowed from the people, who thereby had to be able to point out the failures of government in order to ensure that government remained popular. Whether Madison or Chase was right is ultimately neither here nor there in the broader scope of Prof. Thomas' talk. What's of note here is how the fundamental nature of the First Amendment was being derived from ideas about democracy that existed outside of the Constitution. Constitutional meaning was being constructed and built, *not* interpreted.

This praxis of relying on constitutional judgments that aren't anchored in text, Prof. Thomas reiterated in closing, has been a fixture in U.S. judicial history. In *Shelby County v. Holder* (2013), Justice Roberts placed federalism before voting rights while Justice Ginsburg inverted this order. Both reasonable, plausible arguments. Both arguments we should force ourselves to wrestle with, and yet, in a twist of fate that we need to start more

dutifully placing front and center in our discourse, neither of them arguments that are capable of victoriously pointing to the text in a grand, "A ha!" moment.



EVENING LECTURES



Minette's Worlds: Theatre & Revolution in Saint-Domingue

UVA John L. Nau III Bicentennial Professor of the History & Principles of Democracy Laurent Dubois

There is an inherent difficulty in writing the history of the Haitian Revolution: How do you channel the thought and visions of the enslaved people who imagined and enacted the Revolution when they left very few documents behind? Put more optimistically, alternate pathways for accessing the intellectual and political worlds of the era must be identified, and as University of Virginia's **Laurent Dubois** laid out in his October 28 lecture at Swallow Hall, the theatre provides an interesting and valuable point of entry into this task. A confluence of factors, he explained, make this so. The theatre was, for one, pervasive in Saint-Domingue in the mid- to late 18th century; every port of significance had a playhouse whose twice-per-week shows turned out the full scope of the imperial apparatus. Especially for the non-literate people in the colony—perhaps most notably the domestics who often attended the theatre with planters—it was the origin point for political ideas and themes which circulated from the theatre back to the plantation, where lines were quoted and stage performances recreated. And it was a space of social and political struggle, where free Blacks in Saint-Domingue asserted their presence through attendance.

The music of enslaved people—so ubiquitous in Saint-Domingue—was also a touchstone of this intersection between revolution and the theatres where African culture and colonial institutions were brought to life (and brought into conflict with one another) each night, and as Prof. Dubois showed, this connection between art and politics comes into sharp focus when we look to specific examples.

"*Our state's avenger*": In Voltaire's *Alzire, ou les Américains*, performed regularly in Saint-Domingue, Montezuma leads an uprising against the Spanish, with the pledge to take vengeance for America. Not only were the Incan revolt against

the Spanish, as well as the particular figure of Montezuma, frequently invoked by the army of enslaved and free Blacks who fought the French in the Haitian Revolution and who similarly saw themselves as an Indigenous people trying to recover their sovereignty from European robbers. The play's central theme of avenging America was likewise embraced by Dessalines, the first emperor of the free Haitian republic and a devotee of the theatre who, in fact, renamed the insurgents under his command during the Revolution the *Armée indigène*.

"*Ab, Zaire, you are crying*": This line from Voltaire's *Zaire* appeared in a manumission document published in a Saint-Domingue newspaper that asserted both (a) that an enslaved woman by the same name *needed* to be freed from bondage on the basis of her virtue and sorrow; and (b) that she would be a citizen if given the right and that she should be given it (it was specifically in the making of this latter point that the play was quoted). That such a grappling with race, gender, and citizenship drew on the lexicon of the theatre to reach a broader audience should come as no surprise. Nor should the letter's subject, as enslaved people were frequently named after plays in Saint-Domingue.

Minette's Worlds: In a biography unearthed by Jean Fouchard in 1955 and given new life in Marie Vieux-Chauvet's 1957 novel, *Dance on the Volcano*, Minette rose to prominence in Saint-Domingue during theatre's peak in the 1780s, when performance was almost entirely closed to people, like her, of African descent. In an act of resistance, she broke the color line and became a star of the 18th-century stage, whose roles we can track through newspaper accolades. At the same time, and as Vieux-Chauvet does in her novel, the story of Minette must also be reimagined and newly understood by working through the questions that it raises related to her struggles as a woman of African descent in these spaces of whiteness and colonial power. Who, for example, was she performing for? How can we frame her place in the theatre not as a refusal or rejection of local culture but as something else? And finally, as Prof. Dubois noted in closing, another important line of inquiry must be pursued as the narrative of Minette's life becomes clearer. Like many refugees from Saint-Domingue did in the early 19th century, she made her way first to Cuba and then to New Orleans, where she died in 1807. We know now that she performed throughout her post-Saint-Domingue career, perhaps even as far north as Baltimore and Philadelphia which invites us to consider the depth to which she, and others like her, functioned as vital cogs in trans-Atlantic cultural exchange.

The lecture was co-sponsored by Missouri Humanities, the MU Afro-Romance Institute, and Mizzou's School of Languages, Literature, and Cultures

It seems like every semester we make some comment in the newsletter about setting a record for number of events on the docket, only to come back six months later to say that we've set a record for number of events on the docket. Same story this time around. With the last-minute addition of James Buchanan biographer **Thomas Balcerski's** September 3 talk, we ensured that, with the exception of the Friday of Thanksgiving Break, not a week would end this semester without a colloquium or workshop. Add to the Friday talks a pair of Thursday evening public lectures—one of which, with renowned Atlantic historian **Laurent Dubois**, is recapped on p. 5—and it's safe to say that we didn't lack for learning. We cut the recaps off at the midway point of the semester here, but fear not: everything November and beyond will be covered in the Winter 2022 edition of *The Columns*. Before we get to the news, a special thanks to M.A. in Atlantic History & Politics candidate **Kara Cheslock** for pinch-hitting for the regular recapper at our October 22 colloquium.



Eastern Connecticut State University Associate Professor of History Thomas Balcerski

If we place its origins in the 1790s, with Jefferson and Madison's forging of the Democratic-Republican Party, there can be little argument that what we now know by the first half of its old moniker is the nation's oldest mass partisan institution. As Eastern Connecticut historian **Thomas Balcerski** noted in introducing his September 3 talk in Columbia, the first installment of the Kinder Institute's Fall 2021 Friday Colloquium Series, the goal of his new book project isn't simply to chart the expanse of the Democratic Party's history but to unpack the fascinating admixture of evolutionary consistencies and schisms within it. Specifically, even as positions changed and figureheads fell in and out of

favor, the Party remained, he argued, conservative at its core, at least from its Jeffersonian roots through the rise of New Deal liberalism (and in some cases, well beyond this terminus).

For as capacious a term as it is, the most fundamental aspect of Democrats' 'conservatism' remained largely in focus during the time period in question: an anti-elitist insistence, dating back to the Democratic-Republican Societies of the Age of Jefferson, on simultaneously expanding democratic rights and constraining to whom these rights applied (unsurprisingly, white men). That said, highlighting this thematic tradition doesn't explain significant variation in what, exactly, both leaders and rank-and-file Party members grounded their conservatism in. Dovetailing Walter Houghton's 1880 ur-infographic on the history of political parties with political scientists' work on re-alignment, Prof. Balcerski cited shifts in the balance of partisan power as one causal factor underlying this variation. He added, though, that the articulation of Party identity was likewise dependent on whom, between Jefferson and Andrew Jackson, this identity was being crafted around, as well as one's tolerance for what he termed "historical amnesia." Following an 1830 Jefferson Birthday Dinner, for example, Thomas Hart Benton, the dinner's likely organizer, wrote in the *Washington United States Telegraph* of attendees touting the Democratic-Republican principles of the event's namesake—namely strict states' rights constructionism—in spite of the fete taking place in the midst of Jackson's negotiation of the nullification crisis and in spite of Jackson being present at it. Bringing into stark relief the degree to which intra-Party divisions ruled the day, after South Carolina Senator Robert Hayne offered a toast to the sovereignty of the states, Jackson offered the rebuttal, "our federal union, it must be preserved." Some version of Benton's take on the Party's origin story would be invoked as needed at Jefferson Day Dinners throughout the late 19th and early 20th centuries: by post-Civil War Southern Democrats as a way to align the Party with white supremacy and economic entrenchment; by Populists latching onto Jefferson's anti-monopolism; and again by turn-of-the-century Segregationists, who cited Jefferson's pro-states' rights distaste for government overreach as a way to organize around opposition to civil rights for African Americans and voting rights for women.

This is not at all to say that Jackson was extinguished as a guiding light for Democrats but only that the memory of he and Jefferson worked in tandem, if not always in harmony. Following William Jennings Bryan's 1896 presidential defeat, for example, many Midwestern Bourbons re-centered Party identity around Jackson, while Southern Segregationists looked to Charlottesville. Even more notably, as he searched for a way to square New Deal liberalism with Party history,

FDR turned toward the Age of Jackson as a usable past, resurrecting Jacksonian Democracy's common man focus to position the Party in opposition to special interest groups and their outsized share of social, political, and economic power (this affiliation, unsurprisingly, was pronounced at a Jackson Day Dinner). The twain finally met, though, in 1948, when at the newly-merged Jefferson-Jackson Dinner, Wilson W. Wyatt summoned both spokes of the Party's genesis in an attempt to reconcile the conservatism of the past with the Cold War liberal present by emphasizing Democrats' longstanding, if also highly debatable, commitment to human rights. Under the umbrella of progressivism, Jefferson could be the Party founder, Jackson its plain spokesmen, and mid-century Democrats—Dixiecrats notwithstanding—could self-style as members of a Party that "by tradition and by conviction" had long "put its trust in the people."



2019-21 Kinder Junior Research Fellow Sonia Tycko

Before taking her new post at University of Edinburgh, Prof. **Sonia Tycko**, the Kinder Institute's inaugural Junior Research Fellow at Oxford, paid a final visit to Columbia to present her research on coercion and contract labor in, as she described it, the England of Shakespeare, Milton, Locke, and Hobbes. We began in a 17th-century courtroom where William Haverland was being indicted on charges that he plied fellow countryman Thomas Stone with brandy and brought him to the Thames, where the *Martha* was waiting to ferry him to a life of indentured servitude in Britain's North American colonies. If the fact that Haverland was indicted was an aberration, the exploitation at the heart of his ploy—known at the time as spiriting—was anything but aberrant. Spiriting was one of a number of common practices Prof. Tycko covered in her talk that embodied the degree to which force and consent co-existed in the contract labor market of early modern England.

If a heaping dose of historical amnesia was required to wed old and new in 1948, this is doubly true today. For more than a generation, Democrats have laid claim (or at least tried to lay claim) to a 200-year lineage rooted in dedicated defense of social security, broadly construed, and workers', women's, and civil rights. As Prof. Balcerski pointed out in closing, we shouldn't overlook how the articulation of this history often begins with FDR, which underscores just how paralyzed the Party is when it comes to grappling with its actual past. Moreover, the very idea of a coherent Party identity belies one aspect of its long history that *has* endured: the kinds of division that U.S. Representative Alexandria Ocasio-Cortez reminded us of when she noted how, in any other country, she and Joe Biden wouldn't be in the same party, an observation that should lead us to at least question if and when a partisan tent can get too big.



To account for the ways in which freedom and coercion weren't reflexively invalidating concepts in the landscape of early modern labor, scholars have gravitated away from the free/un-free binary and toward a spectrum of unfreedom. As Prof. Tycko explained, however, neither separating freedom and coercion by type (the binary) nor by degree (the spectrum) does quite enough to capture how consent, in theory an expression of one's freely choosing to enter into a contract, was used *as* a form of coercion. We see this, for example, in court records that show consent judicially ascribed to people who entered into contracts unknowingly or, in the most absurd cases, who did so without any alternative option—the ship captive who legally bound himself to service because he accepted his only source of food. The construction of consent-as-coercion can likewise be seen if we consider how contracts were less a function of free choice and more a marker of submission to entrenched social hierarchies, an interpretation of exploitative power dynamics wholly supported by 17th-century elites' perception of the poor as natural laborers whose lack of means made them eager to work.

In providing specific examples from her own research, which focuses on the period from ca. 1610-1680—an era that saw the advent, growth, and decline of the first iteration of English colonial servitude—Prof. Tycko first turned toward the distinction between medieval guild apprenticeships and the parish apprenticeships of the 17th century. Consent factors very little in records kept of the former, likely because of how it [consent] could be reasonably derived from the fact that participation resulted in privileged access to trade guilds. On the other hand, “free and willing entry” clauses were a fixture in parish apprenticeship contracts, through which children of the poor were bound to the homes of wealthy neighbors to serve, sometimes until the age of 25, as unpaid domestic and agricultural servants. “Free” and “willing,” in spite of these clauses, should be taken as relative terms, as the administrative unit of the parish held one proof of agreement and the masters the other, an arrangement which reveals not a concern with the consent of the indentured child but rather a preoccupation with ensuring that the masters carried out their duty to the parish.

Similarly, as colonization and commerce increasingly came to dovetail with one another in the mid-17th century, transatlantic servitude spiked throughout both the Caribbean and the North American British colonies, though these indentures, like parish apprentices, had no legal role or counterpart in determining the validity of their contract status. Often targeted

because of their social, political, and economic vulnerability—many of them, in fact, victims of the spiriting schemes with which the talk opened—arrival was, in most cases, treated as tantamount to consent. It’s here, Prof. Tycko added, that we also began to see the intersection of racial ideology and labor status. Even with the expansion of the institution of slavery during this time, masters continued to seek out indentured servants from Europe as a way to populate militias capable of suppressing the rebellion of enslaved peoples, for example, or in anticipation of a subsequent need to build race-based coalitions with former servants.

That this was happening as the gap between indentured servants and enslaved people was widening underscores the fundamental distinctions between these two labor statuses, namely the protections and provisions that came with contracts: indenture was not heritable; one could sue if assaulted beyond “acceptable correction” or if one was held in service beyond contract dates; one could expect adequate food, shelter, and medical care. Still, Prof. Tycko argued in wrapping up her talk, attending to the forms of coercion that indentured servants were consistently subjected to roots the birth (and dearth) of freedom of contract squarely in the 17th century in a manner that might significantly inform our understanding of this freedom’s complicated, uneven history in post-emancipation societies.

national membership and belonging that came with it—allows these ambiguities room to take on appropriate significance.

The ‘American’ designation for external voting, Prof. Ginnane explained, should not be taken to suggest it is a policy phenomenon at all unique to the U.S. In fact, external voting has become part of a standard toolkit for modern states, reflecting changes in how they spatialize political community and how they understand and value emigrants and diasporas. That said, for a number of reasons, the United States does provide an interesting, because somewhat counter-intuitive, case study. Specifically, existing theories for the extension of external voting rights focus on a range of factors—attracting investment from non-resident citizens and partisan competition, to name two—that don’t apply to the U.S.

As Prof. Ginnane explored in the doctoral research from which her talk was drawn, the domestic rise of external voting instead has wartime roots. Its first iteration dates to 1864, when, at Lincoln’s behest, 19 states allowed enlisted soldiers to vote absentee, and its formal codification in the 20th century emerged during World War II, with the 1942 Soldier Voting Act ensuring that military personnel deployed abroad could



Kinder Institute Postdoctoral Fellow in Political Thought & Constitutionalism Tara Ginnane

If social science theories often try to flatten ambiguities in political identity, the subject of Kinder Institute Postdoctoral Fellow **Tara Ginnane’s** September 24 talk—the rise of American external voting policy and the new ideas about



vote in federal elections via special ballot. From here, non-resident franchise in federal elections progressively expanded: first to government employees posted abroad, through the 1955 Federal Voting Assistant Act; then to all citizens *temporarily* living abroad, through an amendment of the FVAA; and finally, with the passage of 1976’s Overseas Citizens Voting Rights Act, to all citizens living abroad regardless of government affiliation or time spent outside the U.S.

In unpacking the thinking that led to the OCVRA, as well as some of the debates surrounding it, Prof. Ginnane began by noting a certain theoretical disconnect. Non-resident citizens were poorly legible to the state—the U.S. had very little information about things as basic as who was abroad, where, and for how long—yet the government still felt some sense of obligation, and even urgency, to engage them. As a result, they had to construct a template of sorts for a non-resident citizen from vague impressions and stereotypes. What they landed on was a reluctant professional who had shallow roots abroad and an active intent to return stateside. This did not, of course, account for a number of ex-pats who didn’t fit this bill (those with dual citizenship, those who were abroad with



family), nor did the rough sketch of a reluctant professional describe individuals living abroad whom the U.S. was worried about extending voting rights to: Social Security retirees in their native homes behind the Iron Curtain, for example, or tax emigrants in Costa Rica. Still, the policy was broadly inclusive, perhaps because of the assumption that these “ex-pats of concern” wouldn’t vote in federal elections anyhow. Returning to the wartime roots of the OCVRA, in justifying reluctant professionals’ membership in an enfranchised political community, lawmakers transformed them into de facto soldiers, emphasizing that they met the military personnel’s standard of virtuous citizenship and service to the nation. Oftentimes, Prof. Ginnane added, this idea of service was couched in a language of footholds and beachheads that revealed the central place that the spread of American capitalism held in legislators’ conception of national interest.

We can, Prof. Ginnane noted in closing, see interesting new dimensions to American identity and its construction when we view it through this lens of virtuous, emigrant service. For one, this approach debunks the idea that emigration is tantamount to a rejection of the shared ideals around which civic identity is crafted and instead shows that some ideals might be infinitely stretchy and that civic nations constituted around or by them can “happen” anywhere. Similarly, it pushes back against those territorial understandings of national identity which perceive of the U.S. as a political community of individuals defined and contained by shared laws, public cultures, and borders. This doesn’t mean that external voting proves territory doesn’t matter to the formation of identity—at its core, the OCVRA does, after all, distinguish between domestic voters and voters abroad—but only that it’s unclear *how* it matters.

Hobart & William Smith Colleges Associate Professor of History Matthew Crow

In a 1786 letter expressing enthusiasm about cutting a canal between North and South America, Thomas Jefferson imagined a strain of violent geoen지니어ing that would give present-day climate scientists—that should give present-day anyone—horrified pause. Such a canal would, he hoped, stall the Gulf Stream, leaving sailors and fishermen out of work, less entangled with the maritime power of Great Britain, and more inclined to take up the plow as yeomen farmers. As Hobart & William Smith Colleges Prof. **Matthew Crow** described, this nightmarish sketch of what could be—one supplemented by a dream of flattening Appalachian mountaintops to bring the sea breeze to the American interior—exhibited

an ambivalence toward the ocean that was characteristic of Jefferson's particular brand of agrarian republicanism.

The same could be said of his 1788 report on whaling, in which, among other things, he critiqued how the industry's corrupting impulse for profit ran the risk of both sabotaging Franco-American trade relations and supplanting citizenship as the locus of participants' identity. The U.S. would do well, he concluded, by scaling back Atlantic commerce to focus on plantation life. If representing whalers was Jefferson's responsibility, as he truly thought it to be, they still could not be squared with his vision for the nation.

That Jefferson treated whalers—and whales—even as minor players in the crafting and telling of early U.S. history is, Prof. Crow continued, revealing. Nowhere did Jefferson mention Nantucketers' contributions to sustaining systems of white supremacy and empire, nor did he include enslaved or Indigenous peoples as capable or worthy of participating in the act of history-making. Herein lies a key to understanding Jefferson's relationship with the ocean. His ambivalence, which often spiraled into fear, can't be expressed in such finite concerns as the new imperial markets that became available to whalers when they gained capacity to process oil at sea. The arbitrary forces that dictated maritime labor politics—and the vectors of pressure these forces visited on politicians—were

symptomatic of a larger issue for Jefferson: that oceans resisted governance. Specifically, transatlantic exchange was essential if the institution of slavery, so central to Jeffersonian America, was to continue. That said, Jefferson saw the terraqueous globe as a space that facilitated the resistance of enslaved people—a space where “the contagion of liberty” spread more quickly—and he saw the world's ports and harbors as high-intensity legal zones in which racialized status quos could fall under peril. The importance of the Caribbean, Prof. Crow added, can't be overstated here. Jefferson couldn't look to the British and French plantations there and *not* see a reversal of the history that he was writing and, more importantly, the history over which he hoped to retain sovereign control.

Which is, perhaps, why American rivers—so chartable, so navigable, and thus so harness-able for westward imperial expansion into the U.S. interior—became integral to Jefferson's thinking...

For more on Prof. Crow's colloquium, which examined everything from how we make the past useful to understanding the present, to Melville's description of Moby Dick as analogous to Virginia's Natural Bridge, to the fate of the humanities in a world of disinvestment in education, visit the Kinder Institute's YouTube page for a recording of the talk.

Louis. A prequel, as he described it, to his previous St. Louis-based monographs, *Mapping Decline* and *Citizen Brown*, his new work goes as far back as 1893 to reveal how private, race-restrictive deed covenants mark something of an original sin in the narrative he's unpacking.

In the early 20th century, he explained, private restrictions stood in lieu of zoning and building codes and covered everything from manufacture and design (e.g., materials); easements and public spaces (e.g., sewers, roads, or alleys); public safety (e.g., no burning coal); and nuisances (e.g., no pigs or chickens, no commercial use, no slaughterhouses, dairies, or salons). It was under “nuisance” that race restrictions were subsumed. In terms of articulation, they were often overt—“shall not sell, convey, lease, or allow to be occupied by Negroes”—but also at times expressed anxiety regarding what, exactly, a racial category was, excluding, for example, “anyone of African or Mongolian descent.” In terms of application, Prof. Gordon noted how the restrictions disproportionately spanned swaths of properties versus single parcels. Most common were subdivision restrictions, widely and openly recognized in advertisements that never explicitly mentioned race but instead used a language of “highly restrictive” to signal race-related exclusion to prospective buyers. Almost as frequent

were petition restrictions, uniform agreements applying to entire neighborhoods that were typically concocted by the St. Louis Real Estate Exchange, an association of white real estate agents, and packaged to neighborhood groups.

Though it dates back to the 1890s, the formal practice of residential race restriction was relatively limited in the first two decades of the 20th century: a few subdivisions in Southwest St. Louis, scattered individual properties, and a couple of private streets. A confluence of factors changed this, though, starting in the early 1920s. By the time a 1916 attempt to install a full-blown racial zoning ordinance in the city was finally struck down as unconstitutional, the Great Migration was already underway, leading to the rapid “professionalization” of restrictive standards in the real estate industry. The rise of white subdivisions in St. Louis County was, to be sure, one aftershock of this, but perhaps even more conspicuous was the huge jump in neighborhood-level race-restrictive covenants that began around 1925.* Specifically, concerted efforts were made to use petition agreements to hem in The Ville, St. Louis' largest African American neighborhood, a strategy that continues to scar the city's built landscape in the form of the Delmar Divide. As Prof. Gordon laid out, after white homeowners north of Delmar challenged race restrictions that prohibited them from selling to Black homeowners and leaving their neighborhoods, the Exchange's strategy pivoted toward widening Delmar, making it a commercial zone, covering everything south of it with restrictions, and effectively establishing the street, one of St. Louis' major thoroughfares, as a hard, racialized boundary.

The deed covenants at the heart of this scheme were ruled unconstitutional by the Supreme Court in *Shelley v. Kraemer* (1948), but their effects live on in many other forms. For example, Prof. Gordon pointed out how we see a dramatic rise in Black homeownership in Northern St. Louis post-*Shelley*. However, for a number of reasons, such as the residual impact of organized segregation on private home appraisals, this rise often came without the equity building associated with homeownership. This is true right along the Delmar Divide as well, where segregation has remained more or less untouched. Though the housing stock north and south of Delmar is nearly identical, median home value more than doubles on the white-majority southside of the Divide, and family income data shows similar disparity. The long shadow of pre-*Shelley* segregation is likewise evident in a collapse in school equality north and south of Delmar and in the food and employment deserts that span North St. Louis. We can, Prof. Gordon argued in closing, thus understand the present with far greater nuance and far greater accuracy by taking into account the systematic, patchwork apartheid that divided St. Louis for the first half of the 20th century and that we still live with in the 21st.

**A note to prospective historians reading this recap. The needle for projects of this nature is buried deep within the haystack. The county recorder logged deeds by hand, often in inscrutable cursive, making OCR scraping impossible. Apparently, title companies of the era were as frustrated by the recordkeeping norms as historians today are, as they started keeping their own typed records of deeds, which is where Prof. Gordon found the bulk of his source material.*



University of Iowa Professor of History Colin Gordon

Making a return visit to Columbia, after being one of the Kinder *Forum's* first speakers back in Fall 2014, University of Iowa's **Colin Gordon** used his October 8 colloquium on the fourth floor of Jesse Hall to introduce the next phase of his research on the history of racial segregation in Greater St.



Franklin & Marshall Professor of History Van Gosse

The great fallacy of scholarship on the origins of American politics, Franklin & Marshall Professor of History **Van Gosse**

noted in opening his October 15 colloquium at the Kinder Institute, is the idea that, at the time of the founding, only propertied white men could vote. No! In New Jersey, for example, women could vote from 1776-1807, and this was not by way of accident or anomaly but was a very deliberate institutional choice. And as Prof. Gosse explores in his 2020 UNC Press book, *The First Reconstruction*, at every point between ratification and 1860, Black men likewise went to the polls, and engaged actively in party politics, in counties, cities, and states across the growing U.S. Lincoln alluded to this in his lament of the *Dred Scott* decision but only got it half-right. Where he said that Black men ratified the Constitution in five of the 13 former colonies, the number was actually ten (only Virginia, South Carolina, and Georgia had racial qualifications for suffrage).

If this latter fact has long been ignored by the vast majority of historians, it was in no way lost on residents of the antebellum U.S. In particular, enslavers and their allies took note of it

all the time and everywhere, often taking to the newspapers to summon and rebuke Black suffrage as a way to discredit political opponents or galvanize supporters. As for why this has been understudied—in truth, more or less unacknowledged—Prof. Gosse offered a pair of answers. On one hand, we can think of it as an unconscious collaboration of liberal and radical historians. For the former (see: Arthur Schlesinger, Gordon Wood, Sean Wilentz), not noticing Black men voting allows them to think of the white republic as a regrettable facet of an otherwise progressive history. For the latter (see: Alexander Saxton, David Roediger), overlooking it supports the notion of a monolithically white republic that defines the nature of the country. The idea of a racialized, violently discriminatory white republic, Prof. Gosse emphasized, is very real. That said, he continued, it's by no means a totalizing fact but rather something that was challenged throughout the antebellum period by Black men and white allies who embraced a nonracial idea of America in addition to opposing slavery.

In terms of the other explanation for why we harbor a certain blindness to pre-Civil War Black suffrage, Prof. Gosse argued that, even when historians have taken note of Black men's political participation—as, for example, Leon Litwack did in his foundational 1965 monograph, *North of Slavery*—they've often just as quickly dismissed this participation as not worth counting: irrelevant because of its numerical insignificance—bordering-on-invisibility. It's this explanation that *The First Reconstruction*—expanding on work done in a select few, site-specific scholarly studies on the subject—pushes vehemently back against. As Prof. Gosse demonstrated in the remainder of his talk, if we train our focus on states or, in some cases, regions, we can see how Black men voted in numbers that not only swayed elections but also shaped party strategies.

Pennsylvania: In what Prof. Gosse described as a “strange, antique place” made up of 19th-century micro-regions, Pennsylvania suffrage was entirely localized and determined at the county level, which yielded an uneven history. Some counties never enfranchised Black men. Black men, though able at some points in time to vote, very rarely did so in Philadelphia (proof of the unreliable, reductive nature of any myth of metropolitan political hegemony). But at the same time, Black men made up a key voting constituency in a number of rural counties, helping, for example, Whigs sweep Bucks Co. in 1837 by margins narrow enough that it spurred a statewide movement to disenfranchise Black voters that was driven *not* by racial ideology but instead by naked party politics.

Upper New England (i.e., Massachusetts and North): It wasn't simply that Black men voted in New England for the entirety of the period that Prof. Gosse's book explores. It's more that, particularly in port towns where abolitionism flourished alongside market capitalism, Black men made up a distinct, and distinctly powerful, economic and political class. They functioned symbiotically with Boston's Brahmin elite. They controlled the waterfront in Portland, ME—as well as wards around it—to the extent that they were receiving patronage positions in local government as early as the 1820s. And New Bedford was something of a fortress of Black political power and wealth, where Black men formed an autonomous voting bloc that moved between parties based on interest and favor. The New England exception, at least for a matter of two decades, was Rhode Island, which followed Connecticut and New York's lead by disenfranchising Black men in 1822, only to re-enfranchise them in 1842 as Democrats fought to loosen white suffrage so to include Irish immigrants.

New York: From 1800-1815, New York was a portrait of Black political dynamism, as Black men made up a large, mobilized, militant political community in the contentious hotbed of the Hudson Valley. From Van Rensselaer to Burr, New York Federalists courted and counted on the Black vote, which swung countywide elections as the party briefly surged back into power after Jefferson's Embargo. As in Pennsylvania in 1837-38, however, these emphatic exertions of Black political power led to disenfranchisement via freehold property requirements in 1821—the doing of Martin Van Buren—though the battle to regain the vote would begin in 1837, and Black men increasingly entered the state political arena throughout the 1840s, 50s, and 60s, effectively becoming a formidable sub-machine of Sewardite Republicans.

Ohio: Though never a slave society, Ohio's state constitution came as close as possible to disenfranchising Black men via denizenship and black laws. Starting in 1823, though, and continuing through 1860, the Ohio Supreme Court repeatedly and unequivocally confirmed that to be white was simply to be preponderantly white, making thousands of mixed-race men white under the law, elevating them to a higher political status than in any other state.

Whether in Maine or Ohio, the shared ideology of Black republicanism—premised largely on birthright citizenship, orthodox Protestantism, and military service—was a direct one, perhaps summarized best by Frederick Douglass: “Again, *we are Americans*, just like you except for this accident of complexion.”



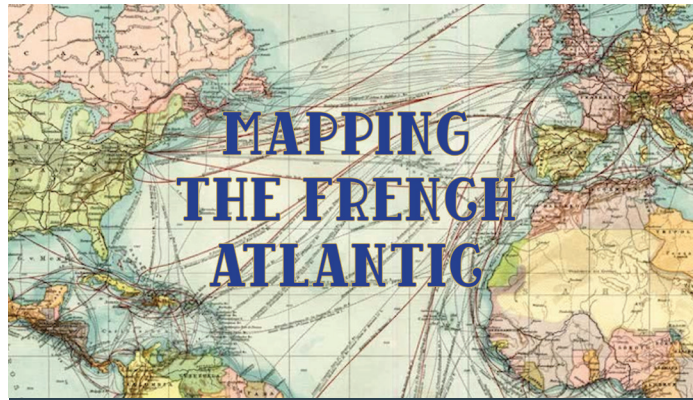
Iona College Gardiner Assistant Professor of History
Nora Slonimsky

On the most semantic of semantic levels, copyright is a fairly simple concept: the right to control who makes copies of—and, in doing so, who profits off of—your work. In this, it is not the protection of an idea, as we commonly assume, but rather a guarantee of the right to the fruits of one's labor. As Iona College Prof. **Nora Slonimsky** explained in her October 22 visit to the Kinder Institute, in practice, however, copyright in the early U.S. was anything but simple, raising questions about the reach of government, the possibility of a national literature, and much in between.

While pre-Revolution copyright may have been legally rooted in 18th-century British notions of limited statutory protection, Prof. Slonimsky noted how, in her own scholarship, she tries to take a wider view of the subject, focusing, for example, on how individuals of the era related abstract concepts of self-ownership to the act of producing and protecting literary property, broadly construed. Perhaps the earliest instance of this can be seen in a 1755 map of the middle British colonies in North America, which the cartographer, Lewis Evans, marked in the corner with a personal symbol to ward off anyone thinking of reproducing it. Whether Evans was making any legitimate legal claim in doing this is, at best, up for debate, but the intrinsic association of production and personhood is abundantly clear here. So, too, in the case of Phyllis Wheatley. Now one of the more notable poets of the colonial era, Wheatley couldn't find North American subscribers for her work due to her status as an enslaved woman. This would change during a trip to England in the early 1770s, where,

at the behest of Selina Hastings, Countess of Huntingdon, bookseller Archibald Bell agreed to publish and circulate Wheatley's *Poems on Various Subjects, Religious and Moral*. As was often the case both before and after the Revolution, though, it was the publisher, Bell, who held the copyright for the book. This left Wheatley, who was emancipated shortly after returning from England, with no recourse other than to plea that only she be allowed to reprint her work, as it was both her only source of income and her only property. The rich, complicated politics of self-ownership—of one's literary production and one's very person—Prof. Slonimsky added, are everywhere to be found in Wheatley's correspondences from the time.

All of this set the stage for the convergence of three primary factors related to copyright, and debates about it, in the newly independent states: jurisdiction, reputation, and, again, ownership. As for the first of these three, after taking over for her husband as state printer of New York, Elizabeth Holt filed for back pay on the grounds she'd assumed this role prior to her husband's death, raising questions about proprietorship and jurisdiction that implied both her acknowledgment of the state's authority to put copyright into effect and the state's recognition of her capacity to file for it. (As Prof. Slonimsky emphasized, many such questions were handled at the state level in the nation's first years, not only because of the absence of federal copyright law but also because questions remained regarding whether copyright fell under federal purview in the first place.) For Jedidiah Morse, it was his reputation as a self-proclaimed authority on American geography that was behind his loudly beating the drum for the passage of a federal copyright law, which ultimately happened in 1790. And for Peter Williams, a leading voice in the abolitionist movement who was born free in New York, all three of the aforementioned factors were woven together. After having to turn to white allies in the anti-slavery movement to assuage doubts that he actually wrote the oration on the abolition of the slave trade that he was seeking to circulate, he understandably came to see copyright as a declaration by the state of his authorial capacity and authority, his ownership of the literary production that emerged from this capacity, and, at the most fundamental level, his personhood. And in this, Prof. Slonimsky argued in closing, we can see how copyright intertwined with civic belonging as a way to determine who has access to rights and on what terms, how those rights are claimed, and how federal authority over them is established.



Mapping the French Atlantic

UVA John L. Nau III Bicentennial Professor of the History & Principles of Democracy Laurent Dubois

After delivering a Thursday night lecture tightly focused on theatre and revolution in Saint-Domingue, University of Virginia Prof. **Laurent Dubois** zoomed out in his October 29 presentation at the Kinder Institute's Friday Colloquium Series, providing an overview of a new book project that traces the long, complicated history of France's Atlantic empire. In some ways, Prof. Dubois explained, the draw of the research is that the narrative of the French Atlantic deviates sharply, at least in places, from more familiar models of imperial history. Unlike in the U.S. and Great Britain, the empire doesn't serve as the gravitational center of France's national storytelling. Rather, it reveals itself in the more subterranean ways that colonization impacted culture, for example, and landscapes both built and natural.

This was true, Prof. Dubois continued, from the history's 16th-century beginnings. When merchant fishing vessels set out east from the Seine's terminus at Le Havre to New Finland and Brazil, it's unlikely that those aboard anticipated the waves they would make in the world of Parisian fashion, but Brazilwood and the red dye extractable from it quickly became the major export from the imperial expeditions to South America, while beaver pelts from New Finland filled the void created when the Baltic fur trade dried up and would come to be a centerpiece of French mercantilism. And, of course, none of this exists without a common hallmark of colonialism: infiltration into and exploitation of Indigenous peoples. The French boys left behind on Brazilian coasts to establish advantageous relations with the communities there became connectors of the French empire; and when the

King of France visited Le Havre in the mid-16th century, he found an island in the Seine transformed into a piece of Brazil, with parrots, hammocks, houses, and a battle between two Indigenous groups staged by Brazilian and French actors. With more and more Brazilians traveling to and staying in France, the American experience had, by 1550, firmly rooted itself in French culture.

The cultural impact of colonization grew in the 17th century, as settlement of Canada introduced the adventure novel to France's literary salons and Indigenous religion, as documented in great detail by Jesuit missionaries, to France's citizens and theologians alike. The through-line of exploitation would also continue, and become even more violent, as France moved into Louisiana and negotiated possession of Saint-Domingue with the Spanish later in the 17th century. Trafficked from the West African interior to French ports in Senegal, and from there to the Caribbean, the largest group of people moving into the French Americas during this era were enslaved Africans, many of whom were held in bondage on plantations in Saint-Domingue, the most profitable settler colony in the world and the heart of the French imperial economic system. (To underscore the centrality of Saint-Domingue to French Atlantic history, Prof. Dubois added that the Haitian Revolution, followed closely by the sale of Louisiana, all but ended France's "American story.") That said, the rise of the plantation model in Saint-Domingue was something of an anomaly in the French empire. Any thought of extending it inward and northward into the Mississippi Valley, for example, ended with the failed attempt to establish plantations at Natchez. And this speaks, Prof. Dubois pointed out, to an idiosyncrasy of imperial configuration. Functionally speaking, the French empire wasn't made up of controlled territories, but rather metropolitan nodes of French governance—in Montreal, Quebec, New Orleans, and Caribbean port cities—that were surrounded by huge swaths of land that remained primarily Indigenous spaces. While some have argued that this signifies France's lack of success as a settler-colonial empire, we might instead treat it, as Prof. Dubois' current research does, as an opportunity to reconceptualize the empire as a system of rivers and deltas across different parts, and on different sides, of the Atlantic. Viewed this way, France re-emerges as an imperial—and, in fact, *transimperial*—power that reshaped a broad range of landscapes, markets, and populations in the Atlantic world by serving as nexuses of connection and interaction between them.

Given the timing of this newsletter, we're woefully short on undergrad news. We have, of course, the recap of the Society of Fellows conference, always the highlight of August at the Kinder Institute, on pp. 16-18, but many of the other programs that we typically report on currently hover in in-between status. Kinder Scholars interviews won't take place until the last week of November; application review for both our Oxford Spring Break trip and our new "Race & Politics in South Africa" January study abroad trip to Cape Town was still ongoing when we sent this to the printers; and the first round of drafts for our undergrad Journal on Constitutional Democracy likewise didn't get submitted and edited in time to make this deadline.

So, expect detailed cohort info plus essay teasers soon, but also rest assured that limited news fodder in no way implies limited activity. In addition to enjoying an excursion to the Missouri Theatre in October to hear Afro-Cuban jazz outfit Maquette, our Fellows have been wowing in lunchtime one-reads with visiting speakers, most notably raising the bar to newfound heights during an October 15 lunch discussion with Franklin & Marshall Professor **Van Gosse**. Add to that the colloquium debrief sessions that have been happening almost every Friday in Wolpers Hall with participants in our Kinder Institute Residential College, and it's been a busy first few months on campus.

And perhaps even busier off campus. Our Alumni Council, now in its third year, launched a pair of new initiatives early

this semester: an alumni scholarship fund, which will support undergrad participation in one of our study abroad/away programs in D.C., Oxford, or South Africa, as well as a mentorship program that pairs juniors and seniors affiliated with the Kinder Institute with KICD alumni who have gone on to grad school and/or careers in fields of common interest. Before we get to the recap of the *eighth* annual Fellows conference, a special shout out to the following alum who've given their time and guidance to some of our current students.

Fares Akremi (Class of 2015, Stanford Law, currently clerking in D.C. Circuit Court)

Ashleigh Atasoy (Class of 2018, UC-Berkeley Law 3L)

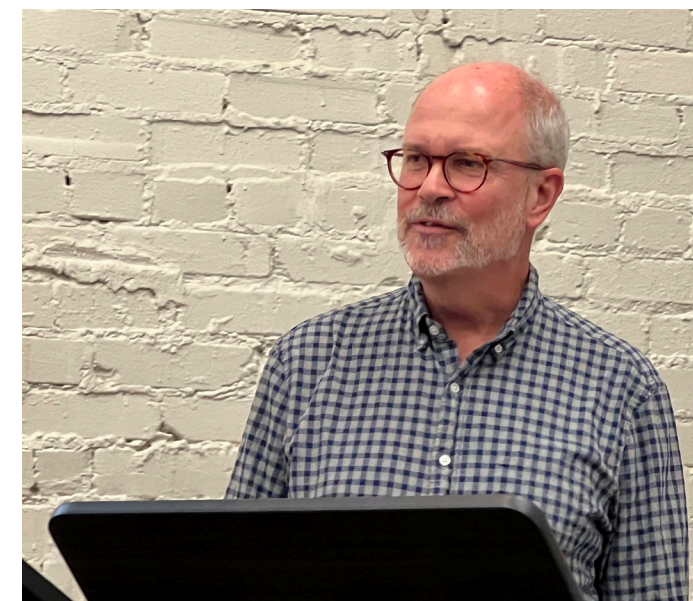
Sam Franks (Class of 2016, University of Michigan Law)

Matt McKeown (Class of 2016, University of Washington MPA, currently Human Capital Consultant with Deloitte)

Riley Messer (Class of 2020, M.A. in Atlantic History & Politics Class of 2021, Washington University Law 1L, matriculating 2022)

Allie Pecorin (Class of 2018, currently ABC Senate Reporter in D.C.)

Emerson Sprick (Class of 2015, Georgetown Economics M.A., currently Bipartisan Policy Center)



SOCIETY OF FELLOWS

Unlike last time around, when we reinvented proceedings more or less wholesale, we were able to return some familiar features to our 2021 Society of Fellows conference, the annual kickoff to the Kinder Institute’s academic year. Fellows got to attend all sessions as a full cohort, rather than having to break into pods, and we once again capped the conference off with a feast at Columbia fine dining institution, Sycamore. A nice *almost* return to normalcy, to be sure, but far more important than any dinner or room capacity was the incredible level of engagement of this year’s Fellows, who dove head first into conversations on topics ranging from the philosophy of the Declaration of Independence, to “Race, Citizenship, and Country Music.” It was, to be perfectly honest, a blast to just be at the back of the room, listening to ideas unfurl, which might explain why our regular reporter was a bit derelict in his documentary duties, jotting down notes on only two of the eight sessions on this year’s docket.

Session 1: “Political Philosophy and the Declaration of Independence,” with Kinder Institute Director **Justin Dyer**

Session 2: “Two Tales of Emancipation in Missouri,” with Williams Woods University Assistant Professor of History and former Kinder Institute Ph.D. Fellow **Zachary Dowdle**

At least in Columbia, the legacy—or, rather, a very select *part* of the legacy—of James Sidney Rollins is fairly familiar: founder of the university and the man behind the swing vote that made congressional passage of the 13th Amendment possible. Familiarity being at times the hobgoblin of thoroughness, though, Prof. Dowdle spent his 75 minutes with the Fellows going beyond the talking points we know about Rollins to craft a more complicated tale of his relationship with the end of slavery.

Two tales, in fact. As Prof. Dowdle emphasized, Rollins’ narrative can’t be disentangled from the narratives of those he enslaved in Boone County, including James Hamilton, who Rollins purchased, along with Hamilton’s wife and children, at auction in neighboring Howard County in 1837. Hamilton’s narrative is far more difficult to piece back together than Rollins’, of course, as the personal and documentary histories of enslaved people were so often unrecorded, erased, or manipulated to the benefit of those who enslaved them. In Hamilton’s case, the difficult task was made even more so as a result of Rollins forcing him, for reasons not entirely clear and through ruthless beating, to change his name to James Harney.

What makes Rollins such an interesting case study in the history of slavery, Prof. Dowdle noted, is the national-,



state-, and individual-level breadth of his experience with emancipation. As for a thematic through-line which might broadly characterize this experience, Prof. Dowdle showed over the course of his talk how the details of Rollins’ story cohere to paint the portrait of a self-interested, shape-shifting politician for whom expedience and personal advancement, rather than ideals, were of paramount importance. As early as 1840, for example, Rollins professed a hatred of the institution of slavery despite being one of the largest slaveholders in Central Missouri, itself the largest slaveholding region in the state. After losing the 1857 gubernatorial race amidst questionable claims of him being an anti-slavery advocate, Rollins radically pivoted toward virulent pro-slavery rhetoric during his successful U.S. congressional run in 1860. (Though personally in support of slavery, to state the obvious, Prof. Dowdle pointed out how Rollins, a progress-oriented, pro-internal improvements Whig at heart, did express institutional opposition to it on the grounds that slavery held back Missouri’s economic development.) Even his famous vote for the 13th Amendment should come under some scrutiny. For one, Rollins cast it only *after* receiving news that the Missouri legislature, just days prior to the vote in Congress, dismissed his and other Clay Banks’ proposal for gradual, compensated emancipation in favor of immediately freeing all enslaved people in the state. On top of this, in a last-ditch effort to profit off of the end of slavery, he attempted to attach a compensation rider onto the amendment’s last draft.

The marriage of moderate pragmatism and racism that defined many of Rollins’ antebellum positions would continue after the Civil War. In a January 1878 letter to Governor John Phelps proposing the construction of a land grant agricultural college in Missouri, Rollins, summoning slavery by another name, suggested that using imprisoned African Americans to construct the college might help cut costs. In spite of the fact that he ultimately profited more (via land speculation) on slavery’s end than its existence, Rollins still filed for compensation in 1866 for enlisting at least seven men he formerly enslaved in the Union army, including James Hamilton. In stark contrast, Prof. Dowdle ended by noting how, on September 20, 1897—more than thirty years after Rollins’ petition—Hamilton was *still* filing claims with the U.S. government to receive his war pension, which was being withheld as a result of confusion over the name under which he was enlisted. Here, Prof. Dowdle concluded, we see the limits of Reconstruction: where radical change could’ve happened, it so frequently didn’t as a result of the self-interested maneuvering of figures like Rollins.

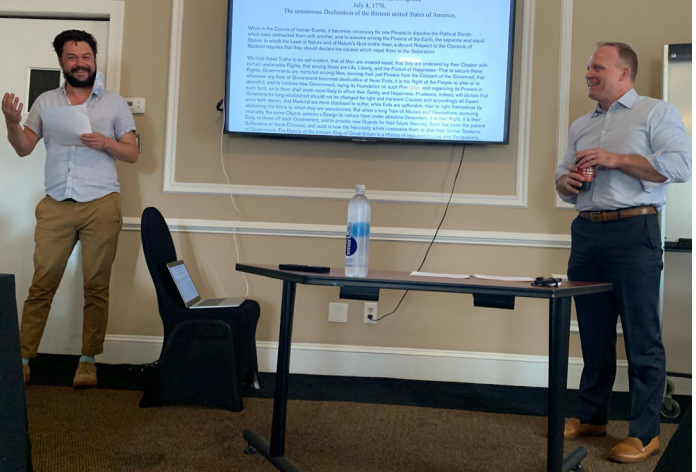
Session 3: “Everyone Their Own Historian: Demystifying the Historical Field,” with Kinder Institute Collegiate Fellow and History Ph.D. Candidate **Jordan Pellerito**

Session 4: “How to Read a Room: Spatial Politics in Early America,” with Kinder Institute Postdoctoral Fellow in Political History **Erin Holmes**

Session 5: “Rhetoric against Fortune: *Plutarch’s Life of Demosthenes*,” with Assistant Teaching Professor of Political Science and Constitutional Democracy **Rudy Hernandez**

Session 6: “Slavery, Music, and Resistance,” with Kinder Institute Postdoctoral Fellow in Political History **Billy Coleman**

Session 7: “Why Does the Senate Take so Long to Confirm Presidential Appointments,” with Assistant Professor of Political Science **Heather Ba**



While the political theatre of delays involving presidential appointments needing senate confirmation (PAS) seems almost like nightly news at this point, trivializing these delays as standard fare might obstruct our satisfactorily addressing three primary questions relating to them: why should we care, who is responsible, and what can be done about it.

As for why we should care, the answer is pretty straightforward. Especially in the early going of an administration, the executive branch agencies that these appointments staff stand up the government, giving legs to the policy platforms on which the president ran and because of which the president was elected. There is, Prof. Ba added, also considerable risk in leaving positions vacant. As the appointment process dragged on during the Trump administration, for example, ambassadorships in Saudi Arabia, El Salvador, and Turkey—all nations whose internal crises dramatically impacted and often directly involved the United States—remained unfilled.

Determining where delays happen and what means are available for preventing them requires first breaking the appointment process down into its two constituent parts. On one side of the ledger is the executive branch, which identifies and recruits candidates for vacant agency positions; announces an intent to nominate said candidates; and then, along with the FBI, vets each one. From there, the Senate takes over, conducting its own committee-level vetting process before submitting each candidate to the full Senate body for a disposition vote. Especially in today’s hyper-polarized political climate, popular opinion, Prof. Ba noted, is that blame for holding things up falls on the Senate’s using the PAS process as a way to grind political axes. This isn’t entirely false. As recent research conducted by White House Transition Project (WHTP) intern and former Kinder Fellow and Scholar **Brendan Durbin** demonstrates, ideology is the reason for appointment obstruction most commonly cited in the media. Not entirely false, but perhaps also misleadingly true. Specifically, Prof. Ba

showed how other work done by the WHTP, where she serves on the advisory board, has shed important new light on the degree to which accountability should also, and perhaps in even greater share, fall on the executive branch. Simply put, planning matters. In the post-Reagan era that Prof. Ba and the WHTP have so far examined, it is no coincidence that George W. Bush had the shortest time to appointment confirmation and Donald Trump the longest. Why? Bush’s transition team began identifying and vetting nominees before he’d even won the presidency, whereas Trump fired his entire transition team after the 2016 returns were in.

Prof. Ba concluded by outlining a number of the reasons why getting appointees to the Senate quickly results in quicker appointments. Doing so, for one, comes at a time which she



described as “pre-ugliness.” Because there is less policy on the table, there is less to hold ideologically hostage. Similarly, there is less room for opportunism—a second-cousin to ideological hostage taking—when appointees, and particularly appointees for critical positions, find their way to senators’ desks with some urgency. Finally, on a purely pragmatic level, there is a time-constraint issue in play. The longer appointments take, the more senators’ workload has had time to accrue; and the more work that has piled up, the less bandwidth senators have to devote to the confirmation process.

Session 8: “Race, Citizenship, and Country Music,”
Conference Keynote with Stephanie Shonekan, Professor of Music and Black Studies and Associate Dean in the MU College of Arts & Science



Now on campus after successful completion of the Oxford leg of the M.A. in Atlantic History & Politics, see below for our 2021-22 M.A. candidates, who were joined in the U.K. this past July by our inaugural Holness Fellow, **Diane West**. And for a glimpse of the shoes that this year’s grad students have to fill, see pp. 20-21 for an excerpt from the transcript of 2020-21 M.A. cohort members **Claire Smrt** and **Tyron Surmon’s** podcast explaining Atlantic History to the non-Atlantic historians among us. (Note: Students marked * are part of our first cohort of M.A./J.D. students.)

- Kara Cheslock** (MU, International Studies & Political Science)
- Luke Cryer** (Westminster College, Fulton, MO)
- Mia Edwards** (University of Sheffield, U.K.)
- Travis Fitzwater** (Missouri State Representative)
- Max Frank** (MU, Political Science & Philosophy)
- Maggie Fuhrman** (MU, History)
- Julia Gilman** (MU, History & Constitutional Democracy)
- Shannon Gundy*** (Central Methodist University, Warrensburg, MO)
- Aubree Hardesty** (MU, Political Science)
- Drew Hoffman** (MU, History)
- Grant Hopkins*** (U.S. Military Academy/Lincoln University, Jefferson City, MO)
- Catherine Hutinett** (MU, History & Anthropology)
- Sean Kelly*** (University of Notre Dame, South Bend, IN)
- Jacob Levenson** (MU, Political Science & Sociology)
- Serena Maxfield** (MU, Political Science)
- Sara O’Connor*** (University of Central Florida, Orlando, FL)
- Maya Vasdani** (University of British Columbia, Canada)
- Andrew Warbritton** (MU, History & Mathematics)
- Rosie Williamson** (Oxford University, Corpus Christi College, U.K.)





With M.A. Graduates in Atlantic History & Politics Claire Smrt and Tyron Surmon

TYRON: My name is Tyron (calling from Kent, Garden of England)

CLAIRE: My name is Claire (calling from Kansas City, in the Heart of America)

TYRON: And we are both M.A. students at the University of Missouri, studying Atlantic History and Politics. However, we shy away from telling people that.

CLAIRE: Whenever we get asked what we study and we say the words ‘Atlantic History’, we get a number of responses—but mostly confusion. So, we’ve made this podcast to help explain to our friends, and frankly to ourselves, what it is we’re studying.

...

CLAIRE: So what is Atlantic History? The best single-sentence definition we’ve come across was from historian Trevor Burnard, who describes Atlantic History as being “about the making of the modern world, through exchanges of people, ideas, and things”...*buuuuuut* that doesn’t really mean anything out of context, so let’s break it down.

TYRON: Historiography is how historians approach the studying and writing of history. In turn, Atlantic History is a distinct field of historiography, which posits that from the discovery of the ‘New World’ by Christopher Columbus in 1492, until around the late 18th century, there existed an

‘Atlantic World’ as a distinct regional unit. This unit bound together all the peoples and societies around the Atlantic basin—so the people of Europe, Africa, and the Americas—in diverse ways.

CLAIRE: We’ll explain that in more detail, but first, let’s answer the question: where did Atlantic History come from? There are two origin stories.

TYRON: On one hand, it is very political. The first use of the word ‘Atlantic’ in this context was from Walter Lippman in 1917. Arguing for the United States to enter the First World War, he said how they needed to uphold the “Atlantic community,” the “profound web of interest which joins together the western world.” America joined the war, so maybe the whole Atlantic thing worked, but they kinda ditched everything afterwards. But during the Second World War, it resurfaced.

CLAIRE: The Atlantic Ocean was described as the “inland sea of Western civilization” that bound the surrounding nations together. Developments like the Atlantic Charter, NATO (North Atlantic Treaty Organization), the Marshall Plan, and Truman Doctrine all show how the Atlantic was really this big political thing. This association in particular really tarnished Atlantic historians of that age.

TYRON: So, two of the early pioneers were Palmer and Goldehot. At the 1957 Tenth International History Congress in Rome (didn’t know that was a thing, but fair, I would click on that Facebook event), they presented a paper arguing for an ‘Atlantic civilization’ existing...and the historians there *hated* it.

CLAIRE: Yes, if you picture when you make a comment in class and it doesn’t go well, at least then you just get silence. They got roasted.

TYRON: They got accused of being apologists for NATO. And of course, accusing a historian of being political is accusing them of the worst crime they could commit.

CLAIRE: Their work wasn’t accepted at the time, but now Atlantic History is far more mainstream. And this really gets to our second point: how Atlantic History stemmed from natural developments in the field of history itself.

TYRON: Previously, history was always written through the lens of the nation-state. But in recent decades, historians have become far more comfortable working outside of this

framework. So instead of something being a purely ‘American’, or ‘French’, or ‘British’ story, we can now see that the history, as it played out, was far more connected and complex. If you were an ordinary person on the ground, those national labels often meant nothing to you, and it took some time for historical scholarship to realize that.

CLAIRE: And on the topic of that ordinary person, this is also the era when history started to care about them. A random farmer or a peasant somewhere was as equal a subject of historical inquiry as a king or a general might be.

TYRON: Furthermore, developments such as the use of computers, innovative statistical techniques, and greater archive access in and of themselves completely changed the ways historians do their research. Likewise, the natural inclination of historians to challenge existing arguments and ask new questions drove the scholarship forward.

CLAIRE: From all these things, these seemingly disparate developments, the contours of the ‘Atlantic World’ started to become visible in a way they just weren’t for previous generations of historians.

TYRON: So yeah, we’ve come a long way since Palmer and Goldehot got shouted down at that random conference in Rome.

CLAIRE: As for the contours of Atlantic History that emerged, take the Colombian Exchange. Beginning in the late fifteenth century, food, animals, and disease were all exchanged throughout the Atlantic World. The main event was European disease. Indigenous peoples faced a 90% population loss as a result of contact with Europeans, while Europeans gained potatoes, corn, beans, tomatoes, and even avocados, massively changing the diets of Europe...The demographic impact was staggering. These new foods allowed surging population growth in Europe, even as many died in the Americas. Some historians have argued that it was for this reason that Europe was able to become so dominant in subsequent world history.

TYRON: We actually don’t learn about the Colombian Exchange in the UK. I told my mom about the potato and she didn’t believe me.

CLAIRE: Well, I appreciate how she’s here to fact check us and keep us on our toes.

TYRON: Yeah, and just wait until she hears about the horses...

CLAIRE: Well, beyond potatoes, horses, and disease, there is the movement of humans. Of course, not all this migration was voluntary. An estimated 12.5 million people were transported from Africa to the Americas as enslaved people. This was massively influential to the course of history. In fact, four out of every five people who went to the New World before 1820 were African. We tend to think of the settling of the Americas as a white person story, but an Atlantic perspective shows how that just wasn’t the case.

TYRON: And slavery really bound this Atlantic World together. These enslaved people arrived in the Caribbean thanks to British slaving ships, a very profitable endeavour and one which greatly enriched cities like Bristol or Liverpool. And this slaving had massive ramifications for societies in Africa. Whilst Europeans originally tapped into an existing African market, over time these slave states geared themselves for the sale of human captives to Europeans—the mass commodification of humans being their main economic activity. Enslaved people were then often put to work on sugar plantations—think places like Jamaica, Haiti, or Barbados—and at the end of the 17th century, sugar was England’s single biggest import, highly popular all across English society. As sugar was easily taxable, it was also a source of great revenue for the crown. And because these slave islands only grew cash crops, they were dependent on food from other places. So somewhere like New England, which didn’t really practice slavery on this scale, and didn’t really consume sugar, their economy was still centered around slavery by being based around the production of foodstuffs for slave islands in the West Indies. So that was a convoluted example (and I apologize), but it really does show you how integrated this world was and how slavery was at the center of it.

CLAIRE: And all of this connectivity was bound to lead to conflict. War is also a headline story of the Atlantic World.

TYRON: Initially, the conflicts were localized and the ramifications regional. Grand imperial ambitions were often frustrated. Claims of sovereignty couldn’t be enforced, and conflict in each area followed its own logic and timetable. But as states got more powerful, warfare became ever more integrated across the Atlantic...

To hear the whole podcast, visit the M.A. in Atlantic History & Politics page on the Kinder Institute website.

NEW FACULTY

We were lucky enough to bring in four new faculty members for AY 2021-22, and in good time, we hope all of our local readers will get a chance to meet them (if they haven't already). For our non-Columbia subscribers, though, we wanted to find a way to introduce them that wasn't just copying and pasting bios from a website, so we asked all of them the same two questions, with the goal of featuring their answers over the next few issues. First up, Kinder Institute Visiting Distinguished Professor of Legal History **Anne Twitty**, who's on leave this year from the History Department at the University of Mississippi and who's spending the fall semester teaching the Constitutional Democracy BA's "American Legal History" class.



KICD: Can you give our readers just a brief description of the project—article, chapter, book, other—that you'll be working on this year while in residence in Columbia?

AT: I am fascinated by the development of indentured servitude in the Northwest Territory, not only because we tend to think that, in America, the practice died out at the end of the seventeenth century, but also because this alternate form of bondage co-existed with slavery for an extended period of time. In Indiana and Illinois, first at the territorial stage and later, after they became states, indentured servants could be found in the same communities—often even the same households—as enslaved people. The Northwest Ordinance had ostensibly made slavery illegal, while indentured servitude was recognized in statute and state constitutions—in short, one practice was supposedly banned while the other was explicitly legal—and yet, masters didn't race to transform all the enslaved people they claimed into indentured servants. I find this choice fascinating, and hope it can tell us more about unfreedom and legal culture in the region. The particular chapter I'm working on now is trying to plumb these depths.

KICD: What's the reading that you're most excited to bring to students this semester (or year) and/or what's the reading that you were once upon a time most excited to bring to students that triumphantly bombed?

AT: I am deeply committed to the idea that ordinary people routinely encounter law—and invoke legal concepts—in their daily lives, so one of the first articles I wanted my students to read this semester was a piece by legal anthropologist Susan Silbey entitled, "J. Locke, op. cit.: Invocations of Law on Snowy Streets." It's a light-hearted piece that investigates the practice of "saving" shoveled-out parking spots in a handful of northern cities in the United States by leaving all kinds of objects in them—from lawn chairs to busts of Elvis Presley—when you head off to run errands. Silbey shows how ordinary people unwittingly invoke Locke's famous "labor theory of property" in an attempt to justify actions that violate municipal statutes—that is, they claim that because they spent time removing snow from a public parking spot, they now have the right to reserve it for themselves until the snow melts. I have several students from Chicago who personally attested to the practice, and we had a lively discussion about how these extralegal claims are defended and challenged by other urban residents and the authorities.

STARTING POINTS

In November, *Starting Points* ran a symposium on James Madison, bringing together scholars near and far to venture outside of Madison's greatest hits in reexamining his historical contributions to political thought. Writing about everything from Madison's constitutional fatherhood (**Sanford V. Levinson**, University of Texas Law), to "Slavery and the Constitution in Madisonian Perspective" (**Michael Zuckert**, University of Notre Dame, Emeritus), to "Making Individuals Citizens" (**Colleen Sheehan**, Arizona State University), the online forum was a lively and insightful one, not only when it came to Madison himself but also the landscape of modern American politics. One contributor—responding to Levinson's claim that "It's Time for a DNA Test to Determine the Paternity of the Constitution"—was the Kinder Institute's own Distinguished Faculty Fellow **Alan Gibson**, who was kind enough to let us publish a teaser of his essay, and we recommend that all *Columns* readers head with haste to startingpointsjournal.com to see what comes after the ellipses.



Kinder Institute Distinguished Faculty Fellow Alan Gibson

In his contribution to this symposium, Sanford Levinson joins a list of scholars denying James Madison the title "Father of the Constitution" and challenging, in their estimation, exaggerated claims about his influence in the constitutional moment of 1786 to 1789. For his part, Professor Levinson emphasizes the radical character of Madison's universal veto of state laws, his admirable but ultimately failed attempts

to defend proportional representation in the Senate, and his ignoble but successful effort to bolster Southern (read: slaveholding) power in the election of the President through the Electoral College. Never mind that Madison championed the Bill of Rights. Madison, Levinson observes, first opposed the addition of a bill of rights before championing it. Credit for what we now celebrate as the Bill of Rights should be given to Madison's constituents, who forced him to follow through with the campaign pledge of ratification.

Never mind also that Madison wrote the most remembered and memorable *Federalist Papers*. Levinson is unimpressed. *The Federalist*, Levinson rightly observes, was not widely circulated during the ratification process. Similarly, twenty-first century Americans have little noted and long forgotten what Madison said in *The Federalist*. We are no worse for that neglect because, as contemporary students of American government observe, Madison's contributions as Publius tell us little about how our system operates today.

To his credit, Levinson would not altogether cancel Madison. Instead, he suggests that we place him among the many Framers "who, in their own ways, and for good and ill, contributed to the making of the American Constitution in 1787" and then again in the "second creation" of the first meetings of Congress. Still, the counterfactual that Madison never existed leaves Levinson unruffled. To prove that Madison—not Hamilton, Washington, or James Wilson—was the "Father of the Constitution," we must support a strong causal claim. We must establish that Madison mattered. We must find his DNA in the Constitution. Good luck, Levinson suggests.

What's a Madison scholar to do? Get in line for tickets to *Hamilton*? It seems that every contribution about the formation of the Constitution once attributed to Madison has now been dismissed. Can Madison be rescued from this thunderstorm of criticism? Can he be restored as "Father of the Constitution"? Should he be?

First, Madison should not be defended where he is indefensible. Levinson mentions Madison's enslavement of Black Americans. To his credit, Madison did not pronounce anything like Jefferson's venomous scientific racism. Nevertheless, his role as an enslaver of Black families, his failure to free those families at his death, and his support for neo-colonization and diffusion can never be condoned. Madison's role in constitutionalizing slavery is a more complex matter, but he ultimately supported provisions, especially the Three-fifths Clause, that supplied a federal bonus of political power to

Southern states by amplifying their numbers in the House of Representatives and providing men who enslaved others with an easier road to the Presidency than they would have had if only “free inhabitants” had been counted for purposes of apportionment. In constitutionalizing slavery, Madison joined most other Founders in prolonging its eradication and almost certainly guaranteed that only war could achieve its abolition.

Furthermore, I have no intention of arguing that Madison was the “Father of the Constitution” or insisting upon that label—but not because he was not the most important Framers at the Convention and in the broader constitutional moment of 1786 to 1789. The problem, as Levinson suggests when he is not entertaining the contradictory claim that some other Founder is properly “the Father of the Constitution,” is with this patriarchal label itself. It is hardly unimportant, I might add, that Madison never claimed this title for himself. We can do better. Madison, in a letter to William Cogswell, pointed the way by suggesting that we think of the drafting of the Constitution as “the work of many heads & many hands.”

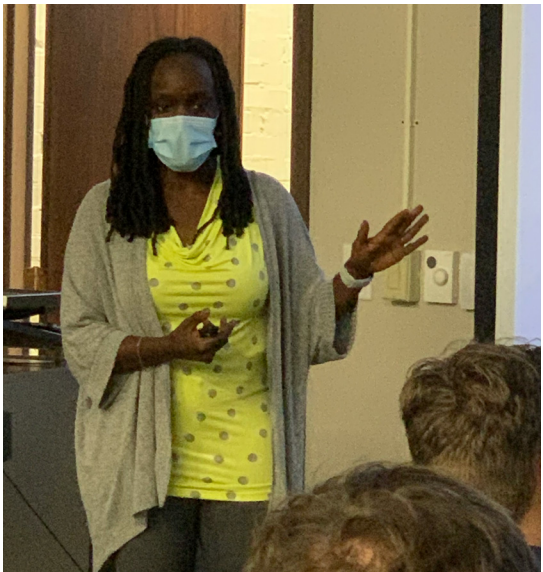
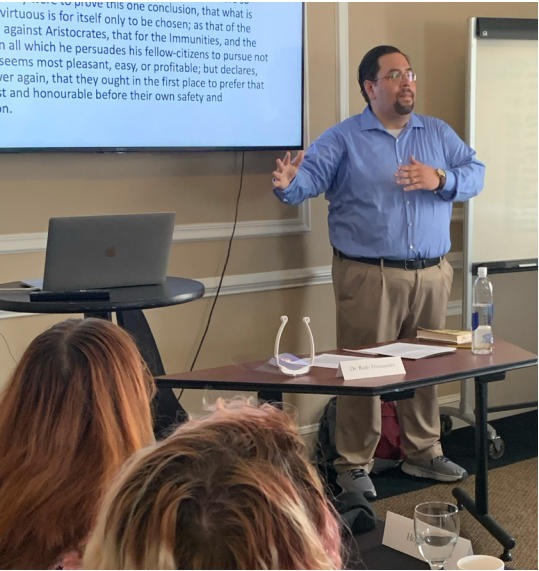
Instead of either piling on Madison or trying to reestablish his legitimate claim to a misconstrued title by making erroneous or exaggerated claims, I propose the following: James Madison played an indispensable role in the drafting of the Constitution, in the ratification contest, and at the first sessions of Congress. When Madison’s role as the unofficial record keeper of the debates at the Convention and the numerous activities he undertook on behalf of the Constitution during his retirement years are thrown into the mix, he ends up being the most important commentator on and steward of the Constitution of his generation. His contributions as Publius, especially *Federalist 10* and *51*, are important historically for understanding the character of the Founding moment. Moreover, they offer not simply profound, but profoundly instructive lessons about the American political system. Patriarchal labels and exaggerated hagiographic claims aside, Madison was not one among many Framers. He was uniquely important in the constitutional moment of 1786-1789.

Appreciating Madison’s strong imprint on the design of the Constitution begins by exploring a point that breezily passes in Levinson’s account, namely that Madison’s extensive pre-Convention preparations were integral to the Virginia Plan. The Virginia Plan, in turn, catalyzed and structured the offensive that nationalist delegates took early in the Convention that led the Convention to abandon the Articles

of Confederation and provided the template from which the Constitution emerged. Until recently, even the most basic accounts of the drafting of the Constitution acknowledged as much. Today, Madison’s significance in setting the Convention’s agenda and with it the foundational structure of our constitutional system has faded from view and is not fully understood or appreciated.

To elaborate, Madison’s concrete experiences in the Confederation Congress, the Virginia House of Delegates, and his pre-Convention historical research led him to the conclusion that an unprecedented form of federalism was needed to address the “vices” that plagued the American federal system. Most importantly for our purposes, this new form of federalism was Madison’s. It was the product of his political experiences and historical research. He introduced it into the Convention. We cannot presuppose that it would have been there if he had not. Broadly speaking, Madisonian federalism included the adoption of a fundamentally novel federal system in which the national government was supreme in limited but important areas and “would operate without the intervention of the States.” Concretely, this was best achieved in a system in which federal officials were not elected by state legislatures and federal measures were executed directly on individuals rather than through the medium of the states.

A truly national government restructured along these lines and supplied with the essential attribute of sovereignty—the right to coerce—would give a new-modelled national government, according to Madison, the independence and resources it needed to be viable. As he put the issue, such a government would make and enforce *law*, not provide recommendations (which is what requisitions were). It would thereby become a true “Political Cons[ti]tution” rather than a mere alliance or treaty between independent states. Furthermore, because it would operate directly on individuals rather than through the states and large states would no longer have the ability to ignore federal measures, such a system, Madison argued, would have to be based on proportional representation. It was only fair for the American citizens in Virginia, Massachusetts, and Pennsylvania to have a say in the formation of public policies commensurate with their proportion of the total American population. Only this arrangement was consistent with the “republican principle” of majority rule and the principle of equality underlying it...



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NEWS IN BRIEF

Congrats to M.A. in Atlantic History & Politics candidate **Mia Edwards**, who received the Western Historical Association Graduate Student Award to present her research at the October 2021 WHA Annual Conference in Portland . . . This deserves (and will soon get) its own story, but for now, hats off to KICD Associate Director **Jeff Pasley** and co-editor **Craig Hammond** for wrapping up the monumental undertaking that was *A Fire Bell in the Past*, a two-volume collection of scholarly essays re-assessing the Missouri Crisis at the state’s bicentennial that was published this fall as part of our *Studies in Constitutional Democracy* monograph series with University of Missouri Press. . . First time (if memory serves) that we’ve been able to sing this particular praise, but KICD Associate Professor and MU Law Wall Family Fellow **Tommy Bennett’s** scholarship on federal vs. state jurisdiction was cited by Supreme Court Justice Thomas in *TransUnion LLC v. Ramirez* (2021) . . . Saving perhaps the biggest news for last, we found out in November that Kinder Institute Postdoctoral Fellow in Political History **Billy Coleman** took home the American Musicological Society’s 2021 H. Robert Cohen Award for his recent UNC Press monograph, *Harnessing Harmony: Music, Power & Politics in the United States, 1788-1865*

