

# The Atlantic World and the Road to *Plessy v. Ferguson*

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The Gulf of Mexico has long been open to the movement of individuals and information as well as hurricanes. Throughout the nineteenth century, people circulated around the Caribbean Sea and the gulf in pursuit of work, security, and political alliances. During Reconstruction and its aftermath, some of those migrants helped frame the struggle against caste in the state of Louisiana in an innovative way. Their conceptual language and their experiences are worth recovering—to broaden our picture of southern history and perhaps also to enrich our thinking about constitutional frameworks of antidiscrimination.

The first step in taking a Caribbean perspective on Louisiana is to situate the United States South within a regional variant of the “long nineteenth century.” Scholars of slavery have helped integrate the Haitian Revolution of 1791–1804 into analyses of the antebellum South, and specialists on voting rights have noted that the formal disfranchisement of black voters corresponded to the moment of U.S. expansion into Cuba, Puerto Rico, and the Philippines at the end of the century. The continuing challenge is to understand the mechanisms by which such internal and external phenomena were linked.<sup>1</sup>

The city of New Orleans was at the center of what Shannon Dawdy has characterized as three overlapping areas of circulation of people and goods—one stretching up the Mississippi River, one reaching across the Atlantic Ocean to France and Europe, one spreading across the Gulf of Mexico to Havana, Veracruz, Port-au-Prince, and various smaller ports of the Caribbean.<sup>2</sup> If we pay particular attention to the Atlantic and Caribbean cir-

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<sup>1</sup> See Julius S. Scott, “A Common Wind: Currents of Afro-American Communication in the Age of the Haitian Revolution” (Ph.D. diss., Duke University, 1986); Ada Ferrer, “La société esclavagiste cubaine et la révolution haïtienne” (Cuban slave society and the Haitian Revolution), *Annales: Histoire, Sciences Sociales* (Paris), 58 (March–April 2003), 333–56; and David P. Geggus, ed., *The Impact of the Haitian Revolution in the Atlantic World* (Columbia, S.C., 2001). On voting, see Richard H. Pildes, “Democracy, Anti-Democracy, and the Canon,” *Constitutional Commentary*, 17 (Summer 2000), 295–319.

<sup>2</sup> Shannon Dawdy, “*La Ville Sauvage*: ‘Enlightened’ Colonialism and Creole Improvisation in New Orleans, 1699–1769” (Ph.D. diss., University of Michigan, 2004); Shannon Dawdy, “La Nouvelle-Orléans au XVIII<sup>e</sup> siècle: Courants d’échange dans le monde caraïbe” (New Orleans in the eighteenth century: Routes of exchange in the Caribbean world), *Annales: Histoire, Sciences Sociales* (Paris), 62 (May–June 2007), 663–85.

cuits, we can see how a vernacular anticaste ideology developed as people moved from experience to experience and found new names to describe the freedoms that they gained or lost at each step of the way.

At a crucial moment in Reconstruction New Orleans, one such set of beliefs was formulated as the entitlement of all citizens to the same "public rights." Public-rights thinking took shape in the 1867–1868 Louisiana Constitutional Convention and was written into the state's new constitution through fragile cross-racial and cross-ethnic electoral alliances. The construct of public rights anticipated many aspects of what we now recognize as the dignitary component of claims to equal access to public accommodations and public transportation. Moreover, it adroitly circumvented the efforts of white supremacists to characterize claims to equal rights as impermissible pretensions to "social equality."<sup>3</sup>

Early forms of public-rights thinking were visible among some of the thousands of migrants who arrived in New Orleans from Saint Domingue in 1809, after being expelled from their first refuge in Cuba.<sup>4</sup> Whatever their positions on slavery and the Haitian Revolution, the men and women of color among the émigrés brought a strong tradition of claiming equal rights for themselves. At Mirebalais in Saint Domingue in 1791, for example, "citizens of color" had signed a "Concordat" with white colonists, repudiating "the progress of a ridiculous form of prejudice" and obliging the colonists to recognize the "violated and misunderstood rights" of free people of color. The demands of free men and women of color had evolved quickly from political rights to a general exemption from markers and distinctions that conveyed social stigma or forced separation.<sup>5</sup>

Anticaste thinking, of course, was not necessarily antislavery. The initial emphasis was on equality of treatment among the free and on the ridiculousness of status distinctions based on color. Slaves themselves accelerated emancipation in Saint Domingue, though crucial alliances with free people of color made victory possible. In 1793–1794 the abolition of slavery was decreed in the colony and ratified in Paris. In theory, distinctions of color were prohibited in official records. Record keepers, however, were not always so scrupulous. Marie Blanche Peillon, for example, appears as a godmother in a 1799 baptismal record from Les Abricots, near Jérémie in southern Saint Domingue. Her name carries no color qualifier or indication of her status before abolition, only the note that she was also the widow Aubert. Her godchild's mother, however, was still given a color designation and recorded as Marie Françoise, dite (called) Rosalie, *négresse libre* (free black woman).<sup>6</sup>

<sup>3</sup> On public rights, see Rebecca J. Scott, "Se battre pour ses droits: Ecritures, litiges et discrimination raciale en Louisiane (1888–1899)" (To fight for one's rights: Writing, litigation, and racial discrimination in Louisiana [1888–1899]), *Cahiers du Brésil Contemporain* (Paris) (no. 53/54, 2003), 175–209; and Rebecca J. Scott, *Degrees of Freedom: Louisiana and Cuba after Slavery* (Cambridge, Mass., 2005), 42–46, 88.

<sup>4</sup> Refugees from the former French colony of Saint Domingue were deemed unwelcome in the Spanish colony of Cuba after the French invaded Spain in 1808. See Paul Lachance, "Repercussions of the Haitian Revolution in Louisiana," in *Impact of the Haitian Revolution in the Atlantic World*, ed. Geggus, 209–30; Carl A. Brasseaux and Glenn R. Conrad, eds., *The Road to Louisiana: The Saint-Domingue Refugees, 1792–1809* (Lafayette, 1992); and Olga Portuondo Zúñiga et al., *Entre esclavos y libres de Cuba colonial* (Between slaves and free people of colonial Cuba) (Santiago, Cuba, 2003). On the corresponding domestic version of equal-rights thinking, see Caryn Cossé Bell, *Revolution, Romanticism, and the Afro-Creole Protest Tradition in Louisiana, 1718–1868* (Baton Rouge, 1997).

<sup>5</sup> See John D. Garrigus, *Before Haiti: Race and Citizenship in French Saint-Domingue* (New York, 2006); and Laurent Dubois, *Avengers of the New World: The Story of the Haitian Revolution* (Cambridge, Mass., 2004), 80–88, 119–20.

<sup>6</sup> The baptismal record is included in "Rectification de noms d'épouse Tinchant dans son contrat de mariage" (Correction of the names of the wife of Tinchant in her marriage contract), Nov. 16, 1835, Act 672, 1835, Notary Theodore Seghers (New Orleans Notarial Archives Research Center, New Orleans, La.). All translations from French or Spanish to English are by the author.

Along with others who had achieved formal respect under the rule of Toussaint Louverture and André Rigaud in Saint Domingue, Marie Blanche Peillon would find herself marked by stigma when she migrated to Louisiana in the early years of the nineteenth century. There she was recorded as Marie Blanche, widow Aubert, *femme de couleur libre* (free woman of color), placed in a legally defined group on which the state imposed specific restrictions, including a requirement that they provide proof of freedom and obtain residency permits. The widow Aubert had, however, known a time and place when it was otherwise.<sup>7</sup>

Like many of the émigrés from Saint Domingue, the widow Aubert did not hesitate to buy and sell as slaves others who had come with her across the gulf, despite the 1793 decrees of abolition in the French colony. There was nonetheless often only one degree of separation between the enslaved and the free. The widow Aubert shared a household with an émigré carpenter born in Belgium, with several women whom she held as slaves, and with her free goddaughter Elizabeth, born in Saint Domingue to Rosalie, an African mother. She later gave two slaves to Elizabeth as a wedding gift and freed three others, so we know something of their identities. We thus learn that the widow Aubert, although free, could not write, but her slave Marie-Antoinette could. Marie-Antoinette, in fact, signed her own name to her manumission document. The webs of sociability, reciprocity, and exploitation in such a household were likely to be very complex.<sup>8</sup>

During the 1830s the Louisiana legislature ratcheted up the constraints on free people of color, pushing some of them to emigrate. The son of one such family later explained that his father, Jacques Tinchant, left Louisiana for France in 1840 "with the only object in view of raising his six sons in a country where no infamous laws or stupid prejudices could prevent them from becoming MEN." In the phrase "stupid prejudices" we hear an echo of the concordat of Mirebalais, and in the invocation of manhood we see the insistence on respect for dignity and honor. Not only were Jacques Tinchant's own roots in Saint Domingue, but his wife was Elizabeth Dieudonné, the widow Aubert's goddaughter, born in the town of Les Abricots in 1799 to the freedwoman Rosalie.<sup>9</sup>

For the sons of Jacques and Elizabeth Tinchant, moving to the village of Gan in southern France in 1840 brought them into the public schools and into the ferment of growing republican opposition to France's constitutional monarchy. In the nearby city of Pau, the elections of 1848 were accompanied by drums, trumpets, and the proclamation of universal manhood suffrage.<sup>10</sup> And when France finally ended slavery in its colonies in that same year of 1848, the decree of abolition not only proclaimed slavery contrary to human dignity but also declared that all former slaves would now become citizens. No legal distinctions were to be made among classes and no exceptions "to the principle of liberty

<sup>7</sup> See the marriage contract of Marie Blanche Peillon's goddaughter: contract of Marie [Elizabeth] Dieudonné and Jacques Tinchant, Sept. 26, 1822, p. 31, 1822, Notary Marc Lafitte, *ibid.*; and Bell, *Revolution, Romanticism, and the Afro-Creole Protest Tradition in Louisiana*, 75.

<sup>8</sup> See "Affranchissement par Marie-Blanche Peillon Ve Aubert à Sophie, Marie-Antoinette & Frédéric Bruno, ses esclaves" (Manumission by Marie-Blanche Peillon, widow Aubert, of Sophie, Marie-Antoinette, and Frédéric Bruno, her slaves), Sept. 12, 1832, Act 457, 1832, Notary Octave de Armas, (New Orleans Notarial Archives Research Center).

<sup>9</sup> Edouard Tinchant to Máximo Gómez, Sept. 21, 1899, exp. 3868/4161, leg. 30, Fondo Máximo Gómez (Archivo Nacional de Cuba, Havana, Cuba). Original in English. See also Rebecca J. Scott, "Public Rights and Private Commerce: An Atlantic Creole Itinerary," *Current Anthropology*, 48 (April 2007), 237–49.

<sup>10</sup> See J. Dauzié, ed., *La vie politique dans les Basses-Pyrénées sous la Seconde République* (Political life in the Basses-Pyrénées during the Second Republic) (3 vols., Pau, 1976–1977), I, docs. 6, 9, 18, 22; Scott, "Public Rights and Private Commerce," 241–43.

and social equality." The practice of reconstruction in the French colonies did not live up to this promise. But the concept of a full and universal citizenship, independent of color, was formally legitimated at the moment of abolition.<sup>11</sup>

When Jacques Tinchant left New Orleans for France in 1840, two of his sons remained behind. One of the others later returned to Louisiana, where he joined his brothers in the cigar business. The youngest, Edouard Tinchant, traveled to Louisiana during the Civil War, arriving just in time for the Union occupation of the city that began in 1862. By now, the rights consciousness of many free people of color was combined with antislavery, and as the war drew to a close, the possibility of universal manhood suffrage moved quickly onto the agenda. At the time of the congressional Reconstruction Acts and the elections of 1867, in which male former slaves could vote, the anticaste thinking that had developed over the previous half century came to the fore. From his post as a teacher in a school for freed children at 280 St. Claude Street, Edouard Tinchant was elected to the 1867–1868 state constitutional convention, where urban activists of color joined forces with Radical Republicans who had come from the North, some local Unionists, and former slaves and artisans from Louisiana's countryside. Together, they hammered out a new guarantee of equal "civil, political, and public rights."<sup>12</sup>

The formal category of "public rights" seems to have had roots in French jurisprudence, particularly the courses taught by Pellegrino Rossi at the Collège de France in Paris in the 1830s. But the Louisiana variant was reinforced by a popular insistence that markers and perceptions of color not trigger discriminatory or invidious treatment of private persons in public spaces—hence the guarantee in the Louisiana Constitution of 1868 of equal access to public transportation and to any enterprise requiring a state or municipal license to operate. The anticaste thinking that activists of color had pioneered during the French and Haitian revolutions thus fused with language developed by an Italian jurist lecturing in France and with the rights consciousness of black veterans of the Union Army. In the case of Edouard Tinchant, it gained vividness from his experience, while in the Union uniform, of being forced off a New Orleans streetcar on the grounds of color.<sup>13</sup>

The concept of equal public rights was built on a transnational political dialogue that encompassed Haiti as well as France, translated into terms that were readily accessible to people who had never left the state of Louisiana. It appealed both to French-speaking men and women of color and to English-speaking radicals, capturing something they

<sup>11</sup> See "Circulaire Ministérielle du 7 mai 1848, portant instructions pour l'exécution du décret du 27 avril 1848" (Ministerial circular of May 7, 1848, encompassing instructions for the execution of the decree of April 27, 1848), *Bulletin Officiel de la Martinique* (1848); and Myriam Cottias, "Le partage du nom. Logiques administratives et usages chez les nouveaux affranchis des Antilles après 1848" (The sharing of names: Administrative logics and popular practices among the freedpeople of the Antilles after 1848), *Cahiers du Brésil Contemporain* (Paris) (no. 53/54, 2003), 163–74.

<sup>12</sup> On Edouard Tinchant as principal and teacher, see Minutes of the Orleans Parish School Board (1865–1869), Sept. 16, 1867, p. 209 (Louisiana and Special Collections, Earl K. Long Library, University of New Orleans, New Orleans, La.). On the convention debates, and for the full text of the constitution, which includes the phrase "civil, political, and public rights," see *Official Journal of the Proceedings of the Convention for Framing a Constitution for the State of Louisiana* (New Orleans, 1867–1868), 84–109, 293–94. See also Ted Tunnell, *Crucible of Reconstruction: War, Radicalism, and Race in Louisiana, 1862–1877* (Baton Rouge, 1984), 66–91, 111–35.

<sup>13</sup> Pellegrino Rossi distinguished private (or civil) rights, public (or social) rights, and political rights. Rights designated "public" were "social" because they reflected core rights of individuals in the social sphere. See P. Rossi, *Cours de droit constitutionnel professé à la Faculté de Droit de Paris* (Course in constitutional law delivered at the School of Law of Paris), vol. I (Paris, 1866), 1–12. For Article 13 of the 1868 Louisiana Constitution, see *Official Journal of the Proceedings of the Convention for Framing a Constitution for the State of Louisiana*, 294. On Tinchant's experience on the streetcar, see Edouard Tinchant to Editor, *Tribune de la Nouvelle-Orléans*, July 21, 1864. I thank Diana Williams for calling this letter to my attention.

knew but perhaps had not previously named: that individual dignity was nourished by formal respect in public space and public culture. White supremacists had made the term "social equality" anathema to a large part of the white population by associating it with physical intimacy. So the delegates chose the conceptually subtle alternative of "public rights." English-speaking conservatives in the constitutional convention still furiously opposed the language. Judge William H. Cooley fumed, "I never heard the term 'public rights' mentioned as a private one, and . . . I cannot understand the idea of a private individual exercising public rights."<sup>14</sup>

The amendment to add the term "public" after the word "political" in the list of rights guaranteed in the bill of rights won by a vote of 59 to 16.<sup>15</sup> For eleven years after the ratification of the 1868 Louisiana Constitution, this innovative language was part of Louisiana law and jurisprudence. Rural organizers as well as urban activists took their place in the public sphere, pressing the campaign to increase former slaves' access to rights and resources. But as Reconstruction was reversed and white supremacists moved toward ascendancy in the 1870s, the radical language was revoked in the 1879 Louisiana Constitution, and owners of taverns and steamboats could henceforth discriminate with impunity.<sup>16</sup>

The vision embodied in the 1868 Constitution, however, was taken up by another generation of men and women born in Louisiana and in the Caribbean. Beginning in the late 1860s, émigré Cuban revolutionaries living in New Orleans organized to support Cuban independence, forming cross-racial committees to advance their cause.<sup>17</sup> In 1884 the great Cuban rebel general Antonio Maceo, known for his implacable opposition to racism, arrived in the city with Gen. Máximo Gómez, and their two families rented a house on St. Philip Street, creating a cross-racial household in the heart of Faubourg Tremé. Cuban émigrés, many of them tobacco workers, convened a General Assembly on Claiborne Avenue and voted their warm greetings and their support for the struggle. In those same years, Pierre L. Carmouche, a Louisiana-born young man from the sugar town of Donaldsonville, came to New Orleans to train as a blacksmith. He subsequently worked as an organizer with the Knights of Labor, voted Republican, and saw himself as a patriotic "colored" citizen. He later wrote that his highest goal was "the success of Maceo in Cuba."<sup>18</sup>

<sup>14</sup> *Official Journal of the Proceedings of the Convention for Framing a Constitution for the State of Louisiana*, 117. For an earlier and quite different usage of the term "public rights," deriving from William Blackstone, see William J. Novak, "The Legal Transformation of Citizenship in Nineteenth-Century America," in *The Democratic Experiment: New Directions in American Political History*, ed. Meg Jacobs, William J. Novak, and Julian Zelizer (Princeton, 2003), 85–119, esp. 95.

<sup>15</sup> *Official Journal of the Proceedings of the Convention for Framing a Constitution for the State of Louisiana*, 114–18. On the members of the convention, see Eric Foner, *Freedom's Lawmakers: A Directory of Black Officeholders during Reconstruction* (Baton Rouge, 1996); and Tunnell, *Crucible of Reconstruction*, 229–38.

<sup>16</sup> On rural organizing, see John C. Rodrigue, *Reconstruction in the Cane Fields: From Slavery to Free Labor in Louisiana's Sugar Parishes, 1862–1880* (Baton Rouge, 2001). On paramilitary mobilization and the imposition of white supremacy, see James K. Hogue, *Uncivil War: Five New Orleans Street Battles and the Rise and Fall of Radical Reconstruction* (Baton Rouge, 2006). For the removal of the language of public rights, see the Bill of Rights of the 1879 constitution in Louisiana, *Constitution of the State of Louisiana Adopted in Convention at the City of New Orleans the Twenty-Third Day of July, A.D. 1879* (Baton Rouge, 1894).

<sup>17</sup> A Cuban émigré revolutionary living on Camp Street in New Orleans had begun organizing in 1869. See "Diez y siete comunicaciones firmadas por Francisco Guillén, dirigidas al Pdte. y Vice-Pdte. de la Jta. Central Republicana de Cuba y Puerto Rico. Fchdas: New Orleans, Nov. 23, 1869; Feb. 14 y 22. Mar. 5, 12, 20, 28, 30—dos—y 31: Mayo 5, dos, 7, 9, 10, y 30 de 1870" (Seventeen communications signed by Francisco Guillén, directed to the president and vice-president of the Central Republican Junta of Cuba and Puerto Rico, dated New Orleans, Nov. 23, 1869; Feb. 14 and 22, March 5, 12, 20, 28, 30—two—and 31, May 5—two—7, 9, 10, and 30, 1870), sig. 48–41, caja 157, Fondo Donativos (Archivo Nacional de Cuba).

<sup>18</sup> See the folder containing letters from Ramón Castillo, José Victorio López, and others to C. Gral M. Gómez,

Carmouche was also said to be “particular” on matters of color. In 1890 the Louisiana legislature passed the infamous Separate Car Act, imposing forced segregation on all railway travel in the state. The law was challenged by a Committee of Citizens including the shoemaker Homer Plessy, the notary Louis A. Martinet, the sailmaker Arthur Esteves, and the cigar seller Rodolphe Desdunes. The blacksmith Pierre Carmouche sent contributions to the committee from his hometown of Donaldsonville.<sup>19</sup>

The social base of the challenge to the Separate Car Act was far broader than the image evoked by the phrase “upper-class Afro-Creoles” sometimes used by legal scholars to describe Plessy’s supporters. That base—male and female—is made visible in the pages of the *New Orleans Crusader* and in the records of Louis Martinet, whose office as a public notary was located on Exchange Alley in New Orleans. Dozens of voluntary organizations, including the splendidly named Ladies of Determination Benevolent Mutual Aid Association and another group simply called Dignité, drew up their bylaws and signed their names or their marks in Martinet’s office. In a gesture that had little to do with passing and everything to do with dignity, Martinet scrupulously refrained from attaching stigmatizing markers of color to their names.<sup>20</sup>

The case of *Plessy v. Ferguson* offered one last opportunity for Louisiana activists to enunciate their philosophy of equal rights for private persons in public spaces. Those rights had been struck from the Louisiana Constitution in 1879 and had also ended their brief appearance in the national Republican party platform. The *Plessy* challengers sketched a broad picture of citizenship in which respect for individual dignity required that the state guarantee nondiscriminatory treatment in the public sphere. In 1896, however, it was the white-supremacist formulation—which reinterpreted the claim to equal treatment as a matter of forcing oneself where one was not wanted—that carried the day with the U.S. Supreme Court. The damage thus done was both practical and doctrinal, formalizing the sleight of hand that portrayed an aggressive program of state-imposed caste distinctions as the mere ratification of custom.<sup>21</sup>

It is common to view the *Plessy* challenge as quixotic and to see the defeat in court as a coda, formalizing the end of a battle long lost. But if we look at Louisiana as part of a larger Gulf of Mexico, we see that for the *Plessy* activists the claim to rights and standing was part of an ongoing and multinational struggle. Ramón Pagés, identified in the record as the head of the Spanish cigar workers’ union in New Orleans, spoke at a meeting called in 1893 by Louis Martinet and the Committee of Citizens and expressed his support for the campaign by invoking “public rights.” The label “Spanish” was New Orleans vernacu-

N. Orleans, Aug. 17, 20, and 21, 1884, exp. 455/476, leg. 3, Fondo Máximo Gómez. On Pierre Carmouche, see Scott, *Degrees of Freedom*, 75–77, 90–91.

<sup>19</sup> See Scott, *Degrees of Freedom*, 162.

<sup>20</sup> The phrase “upper-class Afro-Creoles” is from Michael J. Klarman, *From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality* (New York, 2004), 8. The notarized acts cited are act 20, vol. 1, 1891, Notarial Acts of Louis A. Martinet (New Orleans Notarial Archives Research Center); and act 6, vol. 1, 1890, *ibid.* On the cross-class support for the *Plessy* challenge, see Keith Weldon Medley, *We as Freemen: Plessy v. Ferguson* (Gretna, 2003); Scott, “Se battre pour ses droits”; and the contributors listed in copies of the *New Orleans Crusader*, Desdunes Family *Crusader* Clippings Collection (Archives and Special Collections, Xavier University Library, Xavier University, New Orleans, La.).

<sup>21</sup> Kirk H. Porter and Donald Bruce Johnson, comps., *National Party Platforms: 1840–1956* (Urbana, 1956), 47 (1872 platform), 54 (1876 platform). See Medley, *We as Freemen*; Otto H. Olsen, *The Thin Disguise: Turning Point in Negro History*; Plessy v. Ferguson, a *Documentary Presentation, 1864–1896* (New York, 1967); Charles A. Lofgren, *The Plessy Case: A Legal Historical Interpretation* (New York, 1987); Scott, “Se battre pour ses droits”; and Gerald Postema, “Introduction: The Sins of Segregation,” *Law and Philosophy*, 16 (May 1997), 221–44.

lar for Latin American; Pagés was a Cuban revolutionary in exile. For him the struggle in Cuba was of a piece with the struggle for equal rights in Louisiana.<sup>22</sup>

By early 1898 Democrats in Louisiana were about to convene a new state constitutional convention with the express goal of disfranchising nearly all of the population of color. Men such as Pierre Carmouche would have been justified in despairing of the content of the U.S. citizenship afforded them under what remained of the Fourteenth and Fifteenth amendments. But within weeks of the explosion of the battleship *Maine* in Havana harbor in February 1898, Carmouche wrote to the U.S. secretary of war to offer his services and those of other men of color from Ascension Parish. Eventually the U.S. government decided to recruit what officials called an "immune regiment" from among men of color in Louisiana and Texas, who were imagined to carry a special resistance to the fevers ravaging the troops in Cuba. In July 1898 Carmouche was mustered in as a second lieutenant, and in August his unit shipped out to Santiago.<sup>23</sup>

Pierre Carmouche wrote home to Louisiana to describe his journey on the troopship from New Orleans to eastern Cuba. His wife, Bridget, replied that she had read his letter to "grandma"—Adèle Colomb, Pierre's mother, who had been born into slavery in 1830 on a plantation in Ascension Parish. "Dear Pat it must have made you feel Proud to think you had the Pleasure of looking on the Island of Hayti the Land of Tousaint Louvarture and St. Domingo. It does grandma as much good to hear of your travels as if she had been along with you."<sup>24</sup>

In the end, it was difficult to channel the equal-rights energy of men like Carmouche through the armed forces of the United States on a mission of occupation. It was equally difficult for Cuban proponents of independence to see those occupiers as embodying the ideals of Antonio Maceo. Back at home, public culture and public spaces in Donaldsonville as in New Orleans were fast closing down for activists such as Pierre Carmouche. But for a moment, in the eyes of his family, this particular crossing of the Gulf of Mexico could once again evoke an Atlantic imaginary of freedom.

## Conclusion

Like the dazzled or scandalized nineteenth-century visitors who preceded us, historians have often reached for adjectives and metaphors to try to capture what seems to be an irreducible differentness to New Orleans. "Gallic" culture, "Latin" race relations, polyglot neighborhoods, cosmopolitan activists . . . the very vagueness of the terms suggests the difficulty of capturing the city's idiosyncrasies. After Hurricane Katrina, some observers seized on the even less precise epithet of "Third World City"—as if the stark inequalities revealed by the flood could not be attributed to the nation the city actually belonged to. Perhaps we should drop the quest for the telling label and turn our attention instead to the web of interrelationships that the labels tend to obscure.

The household of the widow Aubert and the carpenter Lambert Détry in the 1820s was indeed polyglot and cosmopolitan, and one could perhaps stretch the terms "Gallic"

<sup>22</sup> On Ramón Pagés, see L. A. Martinet, ed., *The Violation of a Constitutional Right. Published by Authority of the Citizens' Committee* (New Orleans, 1893), 16; and Miguel Varona Guerrero, *La Guerra de Independencia de Cuba, 1895–1898* (The war for Cuban independence, 1895–1898) (3 vols., Havana, 1946), II, 1360–61.

<sup>23</sup> See Scott, *Degrees of Freedom*, 154–215.

<sup>24</sup> Bridget Fernández Carmouche to Pierre L. Carmouche, March 12, 1899, Carmouche/Conway Family Papers (in Leroy Soles's possession, Detroit, Mich.). I thank Leroy Soles for allowing me to use this material.

or "Latin" to describe it. But understanding its internal dynamics requires placing each of its members into a more precise context, situating the slave named Gertrude in relation to the goddaughter Elizabeth and both of them in relation to the widow, the carpenter, and the other slaves who worked in his shop as sawyers. At certain moments, we also need to see all of them through the eyes of Elizabeth's African-born mother Rosalie Vincent, who had maintained her freedom after fleeing Saint Domingue for Cuba in 1803. Rosalie Vincent did not leave Cuba for New Orleans with the others in 1809 but returned instead to independent Haiti, the one place where a woman of color could be sure of freedom and citizenship. In April 1835, however, she traveled to New Orleans, where her daughter Elizabeth had now married, and in October 1836 she stood as godmother at the baptism of her grandson Juste Tinchant in St. Louis Cathedral.<sup>25</sup>

From this perspective, we may better understand the commitment to public rights (as well as women's rights and freedpeople's access to land) on the part of Rosalie Vincent's grandson Edouard Tinchant when he took the floor at the Louisiana Constitutional Convention of 1867–1868. His family had made New Orleans their own through multiple crossings of the gulf and the Atlantic, and he counted himself a French-born "son of Africa" of "Haitian ancestry," an American citizen, and a resolute enemy of "aristocratic tyranny," whether in the form of the Confederacy or of Louis-Napoléon Bonaparte. Edouard Tinchant volunteered for military service in the Union Army during the Civil War and claimed citizenship on those grounds. But when the United States failed him, he was prepared to exchange that citizenship for another affiliation. His family's multigenerational struggle had given its members footholds in Mexico and France as well as Belgium. However modest his financial resources, he could move on to Belgium in the late 1870s, when the federal government withdrew its support for Reconstruction.<sup>26</sup> Those who remained behind took the full brunt of the reversal of the achievements he had fought for. And once the damage done by decades of legally sanctioned white supremacy was etched onto the city of New Orleans, the belated restoration of formal public rights in the 1960s could not undo it.

As we trace stories like that of Rosalie Vincent and her grandchildren, we can place the arc of Louisiana history within a nineteenth century framed by the Haitian Revolution at one end and the Cuban War for Independence at the other. The tenacious legal struggles against racism carried out in New Orleans may have been "exceptional" in the context of the United States, but from the vantage point of the wider European and Caribbean worlds, they represented but one port in a long itinerary across the age of Atlantic revolutions.

<sup>25</sup> See Rebecca J. Scott and Jean M. Hébrard, "Les papiers de la liberté: Une mère africaine et ses enfants à l'époque de la révolution haïtienne" (Freedom papers: An African mother and her children in the age of the Haitian Revolution), *Génèses* (Paris), 66 (March 2007), 4–29.

<sup>26</sup> For these elements in Edouard Tinchant's credo and life history, see Scott, "Public Rights and Private Commerce." On similar shifting affiliations, see John Fabian Witt, *Patriots and Cosmopolitans: Hidden Histories of American Law* (Cambridge, Mass., 2007).

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