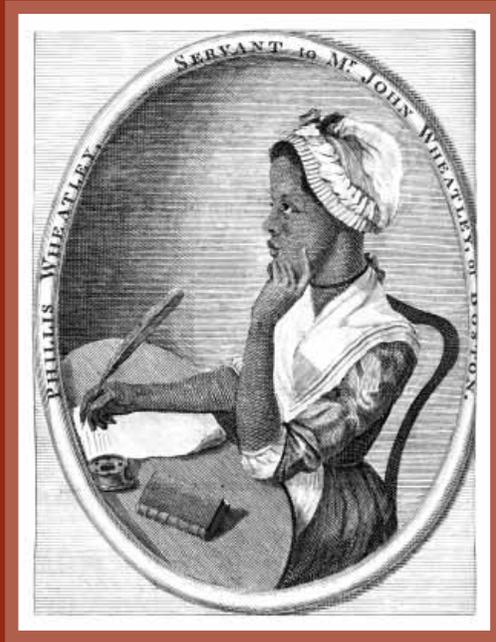


“TO FULFILL THESE RIGHTS”
AFRICAN AMERICANS AND THE QUEST
FOR EQUALITY



An Exhibition from the
Arthur C. Pulling Rare Books Collection
University of Minnesota Law Library
and the
Givens Collection of African American Literature
University of Minnesota

APRIL 2004

“TO FULFILL THESE RIGHTS”

AFRICAN AMERICANS AND THE QUEST FOR EQUALITY

Drawn from the Arthur C. Pulling Rare Books Collection and the Archie Givens, Sr. Collection of African American Literature, *“To Fulfill These Rights:” African Americans and the Quest for Equality* traces critical developments in the early history of African Americans. The exhibit offers an impressionistic record of the long history of African Americans and their quest for equality. *To Fulfill These Rights* traces two distinct but related aspects of this history: the treatment of African Americans by the legal system, and the cultural and spiritual heritage of African Americans as seen through literature.

The exhibition opens with documents which trace the development of laws related to slavery in England and which formed the basis for the law of the colonies and the United States in its formative period. Primary materials documenting the major judgments concerning slavery in England include *Smith v. Brown and Cooper* (1705) in which Lord Chief Justice John Holt held that “as soon as an [African] comes into England, he becomes free;” and *Somerset v. Stewart* (1772) which was widely understood as freeing slaves in Great Britain, thus fanning the flames of the growing abolitionist movement. Also included is the first edition of Sir William Blackstone’s *Commentaries on the Laws of England* (1765-1769), in which Blackstone declares that “The law of England abhors and will not endure the existence of slavery within this nation.” Blackstone also acknowledges, however, that the common law of England does not necessarily extend to the colonies.

The legal origins of slavery in the American colonies are documented in session laws and statutes dating from as early as 1672 in the Arthur C. Pulling Rare Books Collection. An examination of statutory law from the mid-seventeenth century reveals a gradual formalization of the status of slaves, resulting in increasingly repressive laws, especially in the southern colonies. Included in the exhibit is an early printing of Virginia’s law of 1662 stating that children of slave mothers are slaves, regardless of the status of the father; Maryland’s 1671 law stipulating that Christian baptism will not result in freedom; and the first comprehensive slave code, the 1696 South Carolina code. Also included are examples of early anti-slavery laws, such as Article 91 of the *Massachusetts Body of Liberties* (1641), which stated that “There shall never be any bond slaverie... amongst us,” but actually left the door open for slavery in its statement that “strangers” sold to settlers could be slaves. The exhibit traces slavery laws to the Revolutionary period, by which time each of the colonies had laws dealing with slavery or race, with nine maintaining markedly comprehensive slave codes.

In addition to early statutory law, the exhibit features abolitionist literature, including early editions of the writings of Anthony Benezet and John Woolman, the two great leaders of the pre-Revolutionary anti-slavery crusade. Also featured are the writings of later abolitionists, such as Jonathan Edwards, Theodore Parker, and Theodore Dwight; first editions of case reports, such as the notable Amistad and Dred Scott decisions; contemporary accounts of major fugitive slave law cases; and a very early printing of the *Emancipation Proclamation*.

The pursuit for dignity, justice and equality in the legal arena is reflected in the poetry, novels, essays, and autobiographies of African Americans from Phillis Wheatley to Langston Hughes to Alice Walker. This cultural and spiritual heritage is central to the Givens Collection of African American Literature. The exhibit showcases premier pieces from the Givens Collection, including Phillis Wheatley's *Poems*, printed in 1773, the first book published by an African-American. Also featured is a first edition of *Uncle Tom's Cabin*, one of the most controversial and popular books ever printed in the United States. Pre-eminent writers in Afro-American life and letters from the nineteenth and twentieth century are represented in the exhibit—W. E. B. Du Bois, Booker T. Washington, Langston Hughes, Lorraine Hansberry, James Baldwin, and Malcolm X.

In this year which marks the fiftieth anniversary of *Brown v. Board of Education*, the landmark Supreme Court decision that first affirmed equal treatment for African Americans nationwide under the Constitution, it seems fitting to revisit the earlier endeavors that made the modern movement for equality possible. It is hoped that the exhibit will provide insight into the formidable legal barriers faced by the early abolitionist and civil right crusaders, as well as showcase the rich cultural heritage of African Americans born out of the struggle for equality.

Katherine Hedin

Curator of Rare Books and Special Collections



SELECTIVE CHECKLIST OF THE EXHIBITION

THE ARTHUR C. PULLING RARE BOOKS COLLECTION

English antecedents:

Sir William Blackstone. *Commentaries on the Laws of England*. Oxford, 1765-1769.

The first readable account of the English legal system. The combination of graceful style and profound learning made it a best seller among law books. The most influential men in the colonies, including James Madison, John Adams and Thomas Jefferson, ordered copies. Blackstone became the basis for law in America—but not for laws dealing with slavery.

Wrote Blackstone: “This spirit of liberty is so deeply implanted in our constitution, and rooted even in our very soil, that a slave or a negro, the moment he lands in England...becomes a free-man.” (Bk. I, Ch. 1)

The vicissitudes of a mid-18th century female Jamaica slave: from slavery to freedom, to marriage with a white Englishman and ownership of a plantation. London, 1756-1769.

Eleven manuscript documents, on paper and vellum, recording the life of Anna Woodart, a slave and the daughter of a Jamaican plantation owner. Original documents record her inheritance of the plantation, her naturalization in England granting her “the same rights and privileges with English subjects born of white parents,” and her marriage to a white Englishman. These documents offer a unique perspective on the legal and social aspects of slavery—and womanhood—in the British empire. In addition, they provide an uncommon look at one plantation owner, who in his will left property to one slave, and at the same time declared that he had branded forty of his slaves with his initials.

Selections From the Pulling Collection of Early Session Laws and Statutes:

A Complete Collection of All the Laws of Virginia. London, [1684]

“An Act for Mulatto Children, being bound or free according to Condition of the Mother” (December 23, 1662):

“Whereas some doubts have arisen, whether Children got by an English Man upon a Negro Woman, should be Slaves or Free: Be it therefore Enacted ... by the present Grand Assembly, That all Children born in this Countrey, shall be held Bond or Free according to the condition of the Mother.”

A Collection of all the Laws of the Province of Pennsylvania: Now in Force. Philadelphia, Printed by Benjamin Franklin, 1742.

“An Act for the Trial of Negroes” (February 7, 1705):

“That for preventing Negroes meeting and accompanying together on the First-Days of the Week, or any other Day or Time, in great Companies or Numbers; ... above the Number of four in Company ... such Negroes so offending shall be publickly whip'd”

Abolitionist Tracts, Laws and Trials:

Anthony Benezet. *Observations on the inlaving, importing, and purchasing of Negroes*. 2nd ed. Germantown, [Pennsylvania], 1760.

One of the earliest abolitionist tracts printed in America. Benezet, a Quaker, worked for the abolition of slavery by writing anti-slavery pamphlets and by educating African American children, free and slave.

John Woolman. *Considerations on keeping Negroes ...* Philadelphia, Printed by Benjamin Franklin, 1762.

First edition of this famous abolitionist essay by one of the most celebrated Quakers of the eighteenth

century. Woolman, a tailor, became an abolitionist when his employer asked him to draw up a bill of sale for a slave woman. He wrote in his journal, "I was so afflicted in my mind that I said before my master, and thy friend, that I believed slavekeeping to be a practice, inconsistent with the Christian Religion."

Thomas Jefferson. *Notes on the State of Virginia*. 2nd American ed. Philadelphia, 1794.

One of the most important books by an American in the 18th century. Although Jefferson wrote of his belief in racial differences in terms of intellect, reason, and creativity, at the same time he "damned slavery as a blot on the nation, a political and moral evil."

The African captives: trial of the prisoners of the Amistad on the Writ of Habeas Corpus before the circuit court of the United States for the district of Connecticut at Hartford. New York, 1839.

The rebellion of July 2, 1839 on the slave ship Amistad near the coast of Cuba had a significant impact on the American abolitionist movement. The decision of the United States Supreme Court in 1841 to free the rebels was an important victory for the country's anti-slavery forces.

Report of the decision of the Supreme Court of the United States, and the opinions of the judges thereof, in the case of Dred Scott v. John F.A. Sandford. Washington, 1857.

The ruling of the U.S. Supreme Court on March 6, 1857 that made slavery legal in all the territories strengthened the controversy between the North and the South and helped precipitate the Civil War.

Abraham Lincoln. *Emancipation Proclamation*. Washington, 1863.

A very early printing of Lincoln's proclamation, printed January 2, 1863, one day after the original 2 page broadside was issued.

THE GIVENS COLLECTION OF AFRICAN AMERICAN LITERATURE

Phillis Wheatley. *Poems on various subjects, religious and moral*. London, 1773.

Sold into slavery as a child to John Wheatley, Phillis Wheatley was educated by the Wheatley family. She began writing poetry at an early age and is considered the first black female poet in the United States. Wheatley was the first African American to be published.

Richard Hildreth. *The white slave, or, Memoirs of a fugitive: a story of slave life in Virginia*. London, 1852. 1st English illustrated edition.

The first anti-slavery novel in the United States.

Harriet Beecher Stowe. *Uncle Tom's Cabin*. Boston, 1852.

When first published in book form in 1852, *Uncle Tom's Cabin* became an instant best seller, selling over 10,000 copies in the first week. According to legend, when Abraham Lincoln met Stowe he said, "So, you're the little woman who wrote the book that started this Great War!"

Nancy Cunard. *Negro Anthology*. London, 1934.

Over 150 different people contributed articles, poetry, musical scores, and pictures to this anthology including W.E.B Du Bois, Arthur Schomburg, and Langston Hughes. At the time of publication there was no other work that documented the culture and life of people of African descent around the world in such detail as *Negro Anthology*.

Malcolm X. *The autobiography of Malcolm X*, with the assistance of Alex Haley. New York, 1965.

Published posthumously after Malcolm X's assassination in February 1965, this book is a personal narrative of "the angriest man in America," as Malcolm X once called himself. A militant leader who extolled race pride and black nationalism, it was said that he was the one man in America who could start—or stop—a race riot. "I don't know," Malcolm X responded, "if I could start one. I don't know if I'd want to stop one."

ARTHUR C. PULLING RARE BOOKS COLLECTION
RIESENFELD RARE BOOKS RESEARCH CENTER
UNIVERSITY OF MINNESOTA LAW LIBRARY

The foundation for the Rare Books Collection was laid during the tenure of Arthur C. Pulling, Library Director from 1912 to 1942. To quote one of his colleagues, law librarian Caroline Brede, the creation of this great research collection was the result of Professor Pulling's "vast knowledge of books, prices, dealers, and his well-known ability to 'horse trade.'" Over the past seven decades the collection has continued to increase both in size and quality and is recognized as one of the finest legal rare book collections in the United States.

The cornerstone of the Rare Books Collection is early English and American law. The collection of early English law, from 1490 to 1599, is one of the best in the country. Of equal importance is the collection of American law, composed of early session laws and statutes of the colonies and states, important documents of the American Revolution, and early editions of such scholars as James Kent and Joseph Story.

Katherine Hedin, *Curator of Rare Books and Special Collections*

THE GIVENS COLLECTION OF AFRICAN AMERICAN LITERATURE
ELMER L. ANDERSEN LIBRARY, UNIVERSITY OF MINNESOTA

The Archie Givens, Sr. Collection of African American Literature consists of approximately 9,000 items, most of which are African American fictional works. Included are novels, poetry, plays, short stories, essays, literary criticism, periodicals, and biographies of writers dating from the late-18th century to the present and covering such literary periods as the Harlem Renaissance and the Black Arts Movement. The Givens Collection also includes a lesser but still significant number of nonfiction and scholarly titles relating to African American art, education, social sciences, sports, and entertainment. Manuscript material in the Givens Collection includes correspondence, pamphlets, published and unpublished literary manuscripts and poetry, screenplays, playbills, souvenir books, photographs, sheet music, and ephemera.

Karla Y. Davis, *Curator*

Cover illustration: Phillis Wheatley, *Poems on Various Subjects, Religious and Moral*, 1773.

"To Fulfill These Rights" was the title of a White House Conference held June 1-2, 1966 on racial equality in America.