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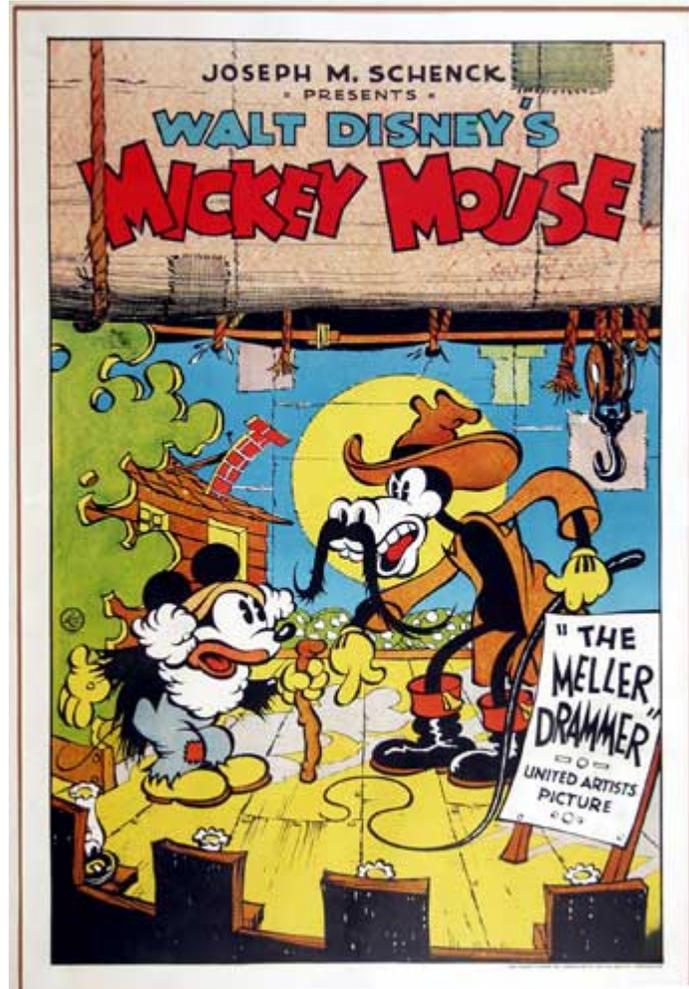
## How “Uncle Tom’s Cabin” and Tom Shows Changed the American Social Climate and defeated the American Legal Institution of Slavery

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# How “Uncle Tom’s Cabin” and Tom Shows Changed the American Social Climate and defeated the American Legal Institution of Slavery



The reach of *Uncle Tom's Cabin* is still strongly felt. The Disney Corporation created *Mickey's MellerDrammer* in 1933. Mickey and his friends put on a Tom Show in the 8 minute carton. The cartoon featured Mickey as Uncle Tom and Horace Hosecollar as Simon Legree. The cartoon reinforced the cultural resonance with a new generation of American movie-going public in the 1930's.

Maria Patrice Amon  
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## **How “Uncle Tom’s Cabin” and Tom Shows Changed the American Social Climate and defeated the American Legal Institution of Slavery**

### I. Introduction

*Uncle Tom’s Cabin* is a ubiquitous novel in the background of our shared culture. It is no longer automatically assigned as part of the high school curriculum, but we can still feel the strength of the book. I was never assigned the book to read as a student. However, the book was somehow absorbed into my mind. Without knowing the story, I could correctly explain references to the book. I knew that Simon Legree was the epitome of evil without ever knowing why. I knew that being an ‘Uncle Tom’ was bad but I did not know why. It was not until I began researching this paper that I truly came to understand how and why I held this silent background knowledge about a book I had not even read.

The reverberations from this monumental novel are still felt today by most of the American society. Walt Disney, founder of the Disney Corporate Empire, was so enamored with the book that he commissioned a cartoon featuring every child’s favorite rodent. Mickey Mouse and his friends put on a low-budget barnyard production. The cartoon played in movie theatres across the nation in the 1930’s. The cartoon brought the melodramatic to a new generation of audiences and resolidified the position the story in holds the national consciousness.

Modernly, *Uncle Tom’s Cabin* has become something very different from what Harriet Beecher Stowe intended it to be in the 1850’s. Today, the term ‘Uncle Tom’ has clear negative connotations. So clear are the connotations that a young child could know that to be called an ‘Uncle Tom’ is a very bad without even knowing from where the

reference stemmed. Uncle Tom began as a hero, a man who would patiently endure pain and unfairness with an undefeatable faith. Over time the innumerable adaptations of *Uncle Tom's Cabin* morphed the character of Uncle Tom into a passive flatterer willing to pander to the people who enslaved him. This interpretation is widely criticized by modern audiences.<sup>1</sup>

The controversial adaptations and derivatives of the original story are not unique to the modern era. Today Harriet Beecher Stowe's sentimental novel is attacked by both conservatives and liberals, just as it was when it was published. *Uncle Tom's Cabin* is called both paternalistic, for being too caring for the slave characters, and malicious, for presenting the slave characters as caricatures. However, the one thing that critics cannot argue with is the deep and lasting impact the novel has had on American society and the American legal institution of slavery.

From the deep saturation of the story into the national consciousness, the basic story is well known. However, the book is no longer an automatic part of the average educational curriculum. Consequently, a majority of modern popular criticism of *Uncle Tom's Cabin* is based largely on assumptions of people who have not read the story. Most people who have not read the book assume either one of two things: first, because the book attacked slavery it must not itself have had any racist tones to it, or second, people with basic knowledge of the book's racial caricatures dismiss the book as having no historical, social, or literary value.<sup>2</sup> However, the novel presents a priceless window into pre-civil war life and the struggles all of American society was facing. The novel does

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<sup>1</sup>Harriet Beecher Stowe, *UNCLE TOM'S CABIN* 455 (Elizabeth Ammons ed., W. W. Norton & Company, Inc. 1994) (1852).

<sup>2</sup>Joy Jordan-Lake, *WHITEWASHING UNCLE TOM'S CABIN: NINETEENTH-CENTURY WOMEN NOVELISTS RESPOND TO STOWE*, at xv (2005).

depict black characters in stereotypes and caricatures, but it also presents black characters with full emotional and moral depth.

*Uncle Tom's Cabin* is a tool for modern audiences to understand the struggle faced by antebellum Americans. The novel shaped the nation helped destroy the legal institution of slavery by raising awareness of the issue and forcing fragmentation of the nation into proslavery and antislavery factions.<sup>3</sup>

First, *Uncle Tom's Cabin* was a direct attack on the American legal institution of slavery. Harriet Beecher Stowe wrote the novel in response to the passage of the Fugitive Slave Act of 1850. Stowe wanted to present the harsh realities of slavery to bring down the American legal institution of slavery. The story dealt directly with issues of slavery and had the goal of changing people's hearts away from slavery.

Second, *Uncle Tom's Cabin* made the issue of slavery real for millions of people. The novel and theatrical adaptations reached millions of people domestically and internationally from a wide spectrum of social backgrounds. The novel used sentimental techniques to convince readers of the evils of slavery. The plays used the techniques of moral drama to reinforce the immorality of slavery.

Third, the novel and plays bolstered antislavery forces in the North and angered unyielding Southerners. This led to a balkanization of the United States. The social balkanization produced by *Uncle Tom's Cabin* raised the national awareness of the issue of slavery and pushed national passions to the breaking point thereby contributing to the initiation of the Civil War and helping to destroy the legal institution of slavery.

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<sup>3</sup>My approach recognizes that *Uncle Tom's Cabin* was not alone in bringing an end to the American legal institution of slavery. Slavery ended as a result of a combination of many social, political, and legal forces. However, this paper focuses on how *Uncle Tom's Cabin*, by collaborating with all the other forces working to end American legal slavery, changed the sentiment of the nation and bolstered support for abolitionism which in turn helped bring the end of the American legal institution of slavery.

## II. *Uncle Tom's Cabin* was a Direct Attack on the American Legal Institution of Slavery

Harriet Beecher Stowe wrote *Uncle Tom's Cabin* as a direct attack on the American legal institution of slavery. Stowe had a strong sense of the religious moral duty.<sup>4</sup> This moral duty to humanity stood in direct opposition to slavery. Stowe wrote *Uncle Tom's Cabin* in response to the passage of the Fugitive Slave Act, a bill she saw extending and imposing the immorality of slavery upon all Americans. The story dealt directly with issues of slavery and presented the harsh realities of slavery in an attempt to bring down the American legal institution of slavery. Stowe hoped that when people saw the immorality of slavery their hearts would change and all support for the American Legal institution of slavery would end.

### 1. The Social Climate Before *Uncle Tom's Cabin*

Forced slavery of people of African descent was practiced in American and protected as a legal institution almost from the time first Europeans came the New World. In 1619, 20 Africans were legally sold in the British colonies. In the 1600's America developed a legal institution to protect slavery. Massachusetts legally allowed the creation of the first American slave carrier, *Desire*, a ship that would sail to Africa and collect free Africans then transport them back to America where they would be sold into slavery.<sup>5</sup>

Colonies created statutes that legalized slavery. Colonies created fugitive slave laws forbidding freemen from giving a runaway slave food or shelter, hereditary slave

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<sup>4</sup>Suzanne M. Coil, HARRIET BEECHER STOWE (1993).

<sup>5</sup> Slavery and the Making of America, Timeline, <http://www.pbs.org/wnet/slavery/timeline/index.html> (last visited April 3, 2007).

laws forced slave status onto a child born to a slave mother, slave-owners were prohibited from freeing their slaves, and freed black men were disallowed to be in the colony land.<sup>6</sup>

Courts also shared the responsibility of supporting slavery. Colonies created comprehensive slave codes and then the courts would enforce and expand the codes through liberal interpretations. Courts recognized the lifelong forced slavery of all blacks in slavery. This law was never applied to whites who were held as slaves in the beginning of settling. Further courts emphasized the second-class status of all blacks by recognizing anti-miscegenation laws banning blacks from marrying whites. Additionally, courts revoked rights from free blacks. Courts revoked the right to hold slaves from free blacks, revoked the right to bear arms from free blacks, and revoked the right to even be present in a colony from free blacks. As the 1700's and 1800's progressed slavery became more entrenched into the American economy and society.<sup>7</sup>

Before the publication of *Uncle Tom's Cabin* in the 1850's, American society in the eighteenth and nineteenth centuries had become both dependant upon slavery and hostile to free blacks. By the end of the 1790's most Northern states had created laws which mandated gradual emancipation for all blacks after they had reached a certain age and performed a certain amount of service. Despite this seemingly positive step, these Northern states in turn created harsh black laws that discriminated against blacks, relegating them to status barely above slavery. Blacks in Southern states dealt with even worse conditions. Southern states strongly depended on slave labor for agriculture.

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<sup>6</sup>*Id.*

<sup>7</sup>*Id.*

Southern slave codes were strict and absolute. Positive steps towards emancipation mirroring those of Northern states were never made.<sup>8</sup>

The abolitionism movement in America began through religious groups. The American Quakers opposed slavery as a social evil and declared that all men were created equally. Religious groups created abolition groups and solicited members and donations through lectures, petition drives, and printed materials.<sup>9</sup> The lobbying of these groups produced results. In 1780 Massachusetts was the first state to abolish slavery by interpreting the Massachusetts Constitution to declare all men free regardless of race.<sup>10</sup> One religious abolition group formed in the early nineteenth century, The American Colonization Society, supported the idea of returning former slaves to Africa to form the colony of Liberia. This group felt that the racial prejudice exhibited by people across the nation could not be overcome; creating a new colony could allow former slaves to create a Christian society where they did not face racial prejudice. In the 1830's William Lloyd Garrison, a hugely-influential American abolitionist and journalist, stressed the religious and moral opposition of slavery and stated that supporting slavery was a sin.<sup>11</sup>

The strong moral opposition slavery held by abolitionists, the deep economic dependence on slavery by Southerners, and the purposeful indifference towards blacks demonstrated by Northerners created turmoil and a foreboding sense of impending social upheaval. In 1803 the United States acquired a vast amount of land through the Louisiana Purchase. This new territory sought to be annexed into the United States. However, there

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<sup>8</sup>*Id.*

<sup>9</sup>American Abolition Project, American Abolitionism, <http://americanabolitionist.liberalarts.iupui.edu/> (last visited April 3, 2007).

<sup>10</sup>Slavery and the Making of America, *supra*.

<sup>11</sup>American Abolition Project, *supra*.

was a very delicate balance between free and slave states in congress. To admit another state could destroy that balance.

In 1820 congress divided the lands gained through the Louisiana Purchase with the Missouri Compromise. Land above the 36 degree parallel would be free, and land below it would be slave. Missouri, which is above the parallel, would be admitted to the union as a slave state.<sup>12</sup> The Compromise of 1820 maintained the balance of congressional power between Slave and Free states. However, slavery was growing in national importance and visibility. By 1849, California applied for admission to the union as a free state.<sup>13</sup> A free California presented a problem to the national balance between slave and free states.

The Missouri Compromise sustained the nation for thirty years. However, the Missouri Compromise would not suffice to cover annexation of California. After the Mexican-American War (1846-1848), another large tract of land stood ready to be annexed into the United States, and again the delicate balance of power between free and slave states seemed in danger. United States Senator Henry Clay proposed a compromise as a resolution introduced January 29, 1850.<sup>14</sup>

The compromise was a collection of five laws that admitted California and still maintained the balance of power between the north and the south. Under the compromise, California would be admitted into the union as a free state, Utah would be established as a free territory, a stronger Fugitive Slave Act would be passed, the nation's largest slave market in Washington D.C. would be eliminated, and the boundary dispute between

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<sup>12</sup>Coil, *supra* at 93.

<sup>13</sup>*Id.* at 93.

<sup>14</sup>Resolution Proposing the Compromise of 1850, S. RES. 36, 31<sup>st</sup> Cong. (1850), *available at* <http://www.ourdocuments.gov/doc.php?doc=27&page=transcript> (last visited April 3, 2007).

Texas and New Mexico would be settled by giving New Mexico the disputed land and giving Texas \$10 million to be used towards their large state debt. The Compromise of 1850 was passed by the congress and all five bills were signed into law by President Millard Fillmore in September 1850.<sup>15</sup>

The goal of the compromise was to temporarily solve the slavery issue and to quell growing dissension. The compromise tried to satisfy both sides of the issue by including benefits for both proslavery and antislavery factions. Abolitionists won annexation of a free California. Proslavery groups won a stronger Fugitive Slave Act that would require northerners to assist in the recovery of lost slaves. The Fugitive Slave Act of 1850 and admission of California to the union maintained the balance of power and soothed fears of the imbalance.<sup>16</sup>

The compromise was disliked by many abolition groups. The abolitionists' opposition to the act can be seen in contemporary news reports condemning the law and abolitionist newspapers featuring stories of fugitives who had been recaptured and taken back south.<sup>17</sup> Abolitionist opposition to the Compromise of 1850 was not uniform. More moderate abolitionists urged others to follow the law and warned that not following is equal to an act of revolution.<sup>18</sup> However, abolitionists were united in dislike of and strong opposition to the Fugitive Slave Act of 1850.<sup>19</sup> The act quickly became the most controversial aspect of the compromise and representative of the fight over slavery.

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<sup>15</sup>Coil, *supra* at 93.

<sup>16</sup>*Id.* at 99.

<sup>17</sup>Alfred L. Brophy, "Over and above... There Broods a Portentous Shadow,--The Shadow of Law": Harriet Beecher Stowe's Critique of Slave Law in "Uncle Tom's Cabin", 12 J. OF L. AND RELIGION 457, 466 (1996).

<sup>18</sup>*Id.* at 467.

<sup>19</sup>Coil, *supra* at 95.

Before the passage of the 1850 Fugitive Slave Act, the Fugitive Slave Act of 1793 was the controlling federal law.<sup>20</sup> Under the 1793 act, Northern states had been required to return runaway slaves. Despite this federal requirement to assist in slave recovery, many states had created laws that gave fugitive slaves the right to a trial by jury, the right of habeas corpus, and imposed penalties for the kidnapping of fugitive slaves. Additionally, only federal agents were responsible for returning fugitive slaves to their owners. Many Northern states had found ways around complying with the goal of the fugitive slave law and were, in effect, undermining slavery<sup>21</sup>

However, the stringent new Fugitive Slave Act of 1850 required all citizens, Northerners and Southerners, to assist in the recovery of runaway slaves. The act made every single American citizen responsible for and complicit in slavery. Abolitionists were outraged at being legally compelled to support an institution they felt was a moral evil.<sup>22</sup>

Further, the act denied a runaway slave's right to a trial. In states where laws had been created granting blacks the slaves to right to trial, the right was revoked because of the act's power as a federal law to trump state law. The Fugitive Slave Act gave white slave-owners the right to claim any black, free or slave, as their fugitive slave. The law stripped blacks of all rights by denying them the right to a trial.<sup>23</sup>

The act created special commission to handle the claims of runaway slave's masters. Federal special commissioners were appointed in every state.<sup>24</sup>The commissioners had the job of ensuring that runaway slaves were caught and returned to

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<sup>20</sup>Africans in America, Fugitive Slave Act of 1793, <http://www.pbs.org/wgbh/aia/part2/2h62t.html> (last visited April 3, 2007).

<sup>21</sup>*Id.* at 95.

<sup>22</sup>Stowe, *supra* at viii.

<sup>23</sup>The Compromise of 1850 (Fugitive Slave Law), 31 CONG. CH. 60, *and in* 9 Stat. 462 (1850).

<sup>24</sup>*Id.*

their masters.<sup>25</sup> Under the act, commissioners would have a huge incentive to reunite fugitive slaves to masters. Commissioners would be paid \$5 for every slave they let go free, and were paid \$10 for every slave reunited to their master.<sup>26</sup> The law also made procedural changes to the filing of claims by slave master, the changes made it easier for slave masters to recover runaway slaves.<sup>27</sup>

The Fugitive Slave Act also promised to assign more federal agents to the sole purpose responsible of enforcing the act.<sup>28</sup> The act empowered federal agents to travel to the northern states to track down fugitive slaves to return them to their slave masters. The law commanded that any citizen, federal agent or private citizen, who knowingly and willingly obstructed, hindered, or prevented the capture of a fugitive slave, would be liable for a \$1,000 fine and up to six month imprisonment.<sup>29</sup> The federal agent who apprehended the fugitive slave also received reimbursement of any costs of capturing and returning the slave, such as food and housing fees.<sup>30</sup>

The harsh effects of the act were felt by free blacks, former slaves, and their supporters. Abolitionists, like William Lloyd Garrison, printed accounts in abolitionist newspapers of former slaves who escaped to Northern states and would now be subject to the Fugitive Slave Act. These accounts were printed to show people the tragic consequences the law would have. These accounts would later be used by Harriet Beecher Stowe as a factual basis for her novel.<sup>31</sup>

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<sup>25</sup>Charles Dudley Warner, *THE STORY OF UNCLE TOM'S CABIN* (1995).

<sup>26</sup>The Compromise of 1850, *supra* note 21.

<sup>27</sup>Africans in America, The Compromise of 1850 and the Fugitive Slave Act, <http://www.pbs.org/wgbh/aia/part4/4p2951.html> (last visited April 3, 2007).

<sup>28</sup>*Id.*

<sup>29</sup>The Compromise of 1850, *supra*.

<sup>30</sup>Coil, *supra* at 95.

<sup>31</sup> Harriet Beecher Stowe published a collection of some of the materials she used to write Uncle Tom's Cabin in a book called *The Key to Uncle Tom's Cabin*. Stowe included an account of a mother ripped from

Despite the strong efforts of abolitionist writers to show the effects of the Fugitive Slave Act to the American public their efforts remained only read by abolitionist audiences. Popular contemporary fiction writers of the nineteenth century were the information source for a large part of the American audience. However, these popular writers were largely silent on the issue of slavery before the publication of *Uncle Tom's Cabin*. Many authors wrote in protest of the Mexican-American War, but when it came to slavery, an injustice facing them in their own nation, they were silent. The slave had not been included in novels except as a servant hidden in the background. The slave was nothing more than property, not a person with a heart and soul.<sup>32</sup> Stories about plantations were romantic idealizations of the harmony of the southern way of life. Blacks and Whites lived together as one big family. The American legal institution of slavery was not openly criticized in popular contemporary American fiction before the publication of *Uncle Tom's Cabin*.<sup>33</sup>

## 2. Background on Harriet Beecher Stowe

In the 1850's Harriet Beecher Stowe would change the history of American literature. Harriet would write a story that would change the national perception of slavery by attacking the legal foundation upon which it rested. Stowe's novel would be

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her children. In the supplemental materials Solomon Northup, a former slave, provides a description of a slave auction. In the auction, a mother, aptly named Eliza, is torn from her child, Randal. Eliza cried and begged for the foreman not to sell her son away from her. He replied with brutal threats to beat her until she stifled her cries. The threats were of no use for her tears could not be silenced. Eliza promised to be the faithful and obedient slave; she begged and pleaded to be kept with her son telling the auctioneer and the purchaser of her love for her son. The price of Randal had been agreed to and the purchaser could not afford to buy Eliza in addition to Randal. Eliza ran up to her son and kissed his face and hugged him to her body, she professed her love for him and told him to always remember her. The auctioneer called Eliza cruel names and threatened to beat her into silence. The boy was taken away from his mother and promised to be good and instructed his mother not to cry. Randal was taken away never to be heard from again. Stowe, *supra* at 406-408.

<sup>32</sup>Kenneth S. Lynn, VISIONS OF AMERICA: ELEVEN LITERARY HISTORICAL ESSAYS, 27-28 (1973).

<sup>33</sup>*Id.* at 29-30.

prompted by the passage of the Fugitive Slave Act and would be a direct response to the act.

Harriet Beecher was born June 14, 1811 in Litchfield Connecticut to famed Calvinist preacher Lyman Beecher and his wife Roxanna Beecher.<sup>34</sup> Harriet was a bright child who read and wrote. She studied in a school founded by her older sisters. When she was 21 she was a full-time teacher at her sister's school. In 1832 Harriet's father moved the family to Cincinnati, Ohio to found Lane Theological Seminary. Harriet worked for her sister in a women's school, Western Female Institute. In 1836 she married Calvin Stowe, a professor at Lane Theological Institute.<sup>35</sup>

In 1852, Harriet Beecher Stowe was invited to take a trip with Mary Dutton, a fellow teacher at the Western Female Seminary, down to Dutton's family home in Washington, Kentucky. Stowe visited a rich plantation, growing corn and tobacco. She was able to see first-hand the extreme differences between the opulent master's mansion and the impoverished slave quarters. The slaves seemed to be well treated, but Harriet still saw that these slaves had no rights; they were still property that could be sold away from the only family they ever knew at the master's caprice.<sup>36</sup>

One evening Harriet saw a small slave boy ordered to perform while the men watched and made derogatory comments. She sat quietly and observed the event, Mary Dutton would later remember. Harriet was outwardly stoic but internally she filed away the outrage she felt by the men's conduct and the entire legal institution of slavery.<sup>37</sup>

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<sup>34</sup>Brenda Haugen, *HARRIET BEECHER STOWE: AUTHOR AND ADVOCATE* 15 (2005).

<sup>35</sup>*Id.* at 24.

<sup>36</sup>Coil, *supra* at 52.

<sup>37</sup>*Id.* at 53.

When the Dutton family attended a church service, Harriet was exposed to the harsh reality of life for a slave woman. There, Harriet saw a quadroon woman for the first time. A quadroon woman is a woman with one-quarter black and three-quarters white blood. Seeing the women's mixed blood heritage, Harriet realized the way slavery denied women protection and all senses of bodily autonomy. Slave women could not resist their master's advances and demands. Harriet learned from the Dutton family that it was common for slave masters to take their slaves as mistresses. This stood in direct opposition to her deep religious and moral beliefs regarding marital fidelity and chastity.<sup>38</sup>

Many of Harriet Beecher Stowe's experiences from her Kentucky trip were pasted directly into *Uncle Tom's Cabin*. After *Uncle Tom's Cabin* was published, Mary Dutton remembered how Harriet spoke little during the trip and always seemed to be lost in thought. Dutton realized the deep impact the trip had had on Stowe when Dutton read the scenes from *Uncle Tom's Cabin* which seemed to depict, in exact detail, the events of the Kentucky trip.<sup>39</sup>

Another influence upon Harriet's perspective on slavery was her father Lyman Beecher. Lyman was the most influential clergyman of his time. His religious passion infused all facets of his life. Lyman fervently opposed slavery on religious morality. However, he also realized that an immediate emancipation of the slaves would economically ravage the South and would leave the slaves to support themselves in a world in which they did not have the education to survive. Additionally, Lyman's religious dedication convinced him that slaves had to first become Christians so that they

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<sup>38</sup>*Id.* at 53.

<sup>39</sup>*Id.* at 54.

could care for themselves. Lyman thought the slave problem would be solved when “southerners awoke to their moral duty, freed their slaves, and arranged for them to be transported to a colony in Africa.”<sup>40</sup>

Lyman spoke at Lane Seminary and other abolitionist venues in Cincinnati where he contended that the solution to slavery lay in gradual emancipation, education, and return to Africa. However, Arthur Tappan, the chief benefactor of Lane Seminary, was a strict abolitionist and wanted immediate emancipation. Tappan encouraged attacks on Lyman’s commitment to abolitionism and supported efforts to force Lyman into a public debate on abolition. Lyman did not want to have the debates over gradual or immediate emancipation because he realized that people in Cincinnati felt it was important to maintain good relations with people who supported slavery.

Tappan was successful in forcing the debates. Lyman’s position within the seminary and among the city would be endangered.<sup>41</sup> Harriet attended Lyman’s debates and sided away from her father’s position and towards the side of immediate emancipation. However, she recognized the power behind her father’s argument of avoiding causing dissention between proslavery and antislavery groups.<sup>42</sup>

Harriet and Calvin continued to work at Lane Seminary as teachers. They had six children together. Their teacher’s salaries and growing family was economically straining. Harriet performed extra bits of work to bring in money to the home. Harriet wrote textbooks, and short stories and articles for magazines. After working for years at

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<sup>40</sup>*Id.* at 55.

<sup>41</sup>*Id.* at 56.

<sup>42</sup>*Id.* at 57.

the Lane Seminary, Calvin Stowe was offered a position at Bowdoin College in Brunswick, Maine, Calvin's Alma Matter.<sup>43</sup>

Harriet was now 39 years old and pregnant with her seventh child. She decided to travel to Brunswick ahead of her husband and two eldest children before her pregnancy made her unable to travel. On her way to Brunswick, she stopped to see her brother Henry Ward Beecher in New York. Henry Ward was a tremendously popular preacher with a substantial salary. Over dinner in New York Henry Ward, Henry's guests, and Harriet would debate the Fugitive Slave Act.<sup>44</sup>

After visiting Henry Ward in New York, Harriet visited her brother Edward Beecher and his wife Isabella in Boston. In Boston, Edward was a successful preacher with a devoted congregation. Harriet was once again able to debate the Fugitive Slave Act, further cementing her opposition to the act.<sup>45</sup>

When Harriet and her youngest children finally arrived in Brunswick, Maine on May 22, 1850 she found that the house her husband had purchased was in extreme disrepair. Harriet had to focus on getting the ramshackled home ready for her family and finding a source of income to support her family. Harriet began writing domestic articles for *The National Era*, a weekly newspaper with an antislavery focus.<sup>46</sup> Her first act in the antislavery movement came in writing a short antislavery article titled "The Freeman's Dream: A Parable" for the *National Era*.<sup>47</sup>

Just as she was getting established in her new home, and shortly after the congressional proposal of the Fugitive Slave Act, Harriet's sister-in-law, Isabella,

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<sup>43</sup>*Id.* at 94.

<sup>44</sup>*Id.* at 95.

<sup>45</sup>*Id.* at 96.

<sup>46</sup>*Id.* at 99.

<sup>47</sup>*Id.* at 99.

informed Harriet about the situation in Boston. There was a fear in black communities that the black residents were not safe. These fears proved to be true. Slave hunters broke into home of blacks, free and fugitive alike, and kidnapped them. Families were ripped apart. People who had long been members of the community went missing, either captured by slave hunters or fled to the Canada or Europe. From Isabella, Harriet learned about a white woman who claimed that a black woman had been her slave over 20 years ago. The black woman was arrested and returned to slavery. The black woman's six children, who had all been born free, were taken into slavery.<sup>48</sup> As the situation in Boston grew worse, Isabella wrote to Harriet pleading her to write something that would show the nation the true and awful nature of slavery. Harriet read her children Isabella's letter and declared that she would write something; if she was alive, she would write.<sup>49</sup>

Isabella's urging combined with Harriet's strong opposition to the Fugitive Slave Act convinced Harriet of the purpose of an antislavery novel. The Fugitive Slave Act was at the center of the novel.<sup>50</sup> Modern legal and literary analysts argue that the express legal purpose of *Uncle Tom's Cabin* was to undermine slaveholder's property rights.<sup>51</sup> Specific scenes are included to show the negative consequences of the law.<sup>52</sup> Eliza is relentlessly chased and forced to cross a deadly ice-capped river while carrying her young son. Eliza is forced to run and risk the death of herself and her son because of the ferocity with which slave hunters pursue her under the legal protection of the Fugitive Slave Act.

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<sup>48</sup>*Id.* at 100.

<sup>49</sup>*Id.* at 101.

<sup>50</sup> Warner, *supra*.

<sup>51</sup>Brophy, *supra* at 468.

<sup>52</sup>Sarah Meer, *UNCLE TOM MANIA: SLAVERY, MINSTRELSY, AND TRANSATLANTIC CULTURE IN THE 1850*, 3 (2005).

Stowe used the basic human plight of maintaining family unity to show the horrors of slavery and to encourage them to join her in the abolitionist fight.<sup>53</sup>

Christian morality and the death of her son Charlie served Stowe as a personal connection to her novel. Stowe wrote in a letter to one of her children about the impetus behind *Uncle Tom's Cabin*: "My heart was bursting with the anguish excited by the cruelty and injustice our nation was showing to the slave, and praying to God to let me do a little and to cause my cry for them to be heard. I remember many a night weeping over you as you lay sleeping beside me, and I thought of the slave mothers whose babies were torn from them."<sup>54</sup> In another letter to an abolitionist fan Stowe wrote: "It was [my son Charlie's] dying bed and at his grave that I learned what a poor slave mother may feel when her child is torn away from her."<sup>55</sup> The image of mothers being separated from their children is included in the novel as Eliza engages in an epic struggle to stay with her son.

Harriet Beecher Stowe had a clear goal when she wrote *Uncle Tom's Cabin*; she included this purpose in the first original printing of the novel. Stowe wanted to turn the hearts of people involved in the American legal institution of slavery.<sup>56</sup> She wanted to use her story to stir up the passions of northerners and unite them in opposition to slavery, and she wanted to show southerners that the legal institution of slavery was the problem not the people involved in it.<sup>57</sup>

Stowe realized that the end of slavery could destroy the union. She wanted the plantation owners to see how slavery was a moral evil, thereby ending the institution

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<sup>53</sup>Stowe, *supra*.

<sup>54</sup>Harriet Beecher Stowe quoted in Elizabeth Ammons Editor's Preface, Harriet Beecher Stowe, *UNCLE TOM'S CABIN*, at viii (Elizabeth Ammons ed., W. W. Norton & Company, Inc. 1994) (1852).

<sup>55</sup>Stowe, *supra* at viii.

<sup>56</sup>*Id.*

<sup>57</sup>Coil, *supra* at 103.

without having to resort to war.<sup>58</sup> Harriet hoped that the balanced picture of slavery she presented in her story could help end it peacefully. She thought that all people, North and South, would be morally roused to end slavery peacefully if they knew the cruelty it imposed upon slaves and the degradation it worked upon the soul of a freeman who supported slavery.<sup>59</sup>

Harriet was not an inexperienced writer when she finally sat down to write *Uncle Tom's Cabin*. She was already 40 years old and had been writing professionally for magazines for decades.<sup>60</sup> However, Stowe was typically accustomed to writing quickly to submit articles to newspapers and magazines. However, she worked slowly on this story. She stole away moments in the evenings after putting her children to sleep to write.<sup>61</sup>

While in the writing process, Harriet received a visit from her brother Henry Ward, who warned her of the dangers of publicly declaring her support of abolitionism. However, as an ardent abolitionist he still strongly encouraged her to write her story. After months of struggling to come to up with a central idea to tell her story a vision popped into Harriet's mind during a Sunday sermon. She envisioned a scene where a kindly old black man was being beatem by two young black men while an evil-looking white man stood by watching. The old black man looked up and forgave the men torturing him and died. This scene would become the climax of her story.<sup>62</sup>

Harriet Beecher Stowe decided to write her story in installments in the *National Era*. She sent the first installment to the paper and was paid \$300 on the promise that the next installment would be ready in about two to three weeks and the full story would run

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<sup>58</sup> Stowe, *supra*.

<sup>59</sup>Coil, *supra* at 111.

<sup>60</sup>Warner, *supra*.

<sup>61</sup>Coil, *supra* at 103-105.

<sup>62</sup>*Id.* at 103-105.

about three or four installments. The first installment was published as “*Uncle Tom’s Cabin; or, the Man That Was a Thing*” in the May 1851 issue of the paper.<sup>63</sup>

Harriet worked endlessly on her story. She read everything on slavery that she could get her hands onto, and the story easily passed the fourth installment with no end in sight. At first the editor of the *National Era* worried that the long story would bore readers, but he quickly realized the public support of the novel and encouraged Harriet to take her time and put as much effort into her story as it needed.<sup>64</sup>

Despite her desire to finish her story quickly and reach as many people as she could, Harriet’s commitment to her husband and family came first. While writing, she still kept her house and cared for her six children who constantly demanded her attention. When she did find time to write she would often need to stop and move to the kitchen table because her husband needed to use the desk to write sermons. In the summer of 1851, as she continued to write installments of her story, Harriet’s father Lyman Beecher came to visit for full month. Again she was forced to move, this time to the back steps, as her father needed to use the kitchen table to assemble his sermons to form into a book.<sup>65</sup>

Another distraction came when Harriet Beecher Stowe’s sister Catherine wrote an article degrading the women’s suffrage movement and declaring that women belonged in the kitchen, the nursery, and the school. Harriet’s brother, Henry Ward, was enraged by Catherine’s article and told his father Lyman that Catherine was mentally unstable. Harriet had to step in a mediate between her family members.<sup>66</sup>

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<sup>63</sup>*Id.* at 106-108.

<sup>64</sup>*Id.* at 108.

<sup>65</sup>*Id.* at 108.

<sup>66</sup>*Id.* at 109.

In the March 1852 issue of the *National Era* the last installment of *Uncle Tom's Cabin* was published. The story had taken forty installments to tell. With each installment Harriet Beecher Stowe name and story grew in popularity and notoriety.<sup>67</sup>

Harriet Beecher Stowe achieved her goal with *Uncle Tom's Cabin*. She represented white slave owners as generally kind natured but restricted by the legal institution of slavery. The novel focused on the legal institution of slavery as the instrument of evil. Characters like Master St. Clare and Master Shelby were kind and treated their slaves as people. It was not the slave-owner but the legal institution of slavery perpetuated evil, like separating mothers from children and justifying treating people as property.<sup>68</sup> Harriet also used her novel to show the blame was not alone held by southerners. Northerners had supported the Compromise of 1850 and the Fugitive Slave Act, and northern factories benefited from cheap raw materials produced with slave labor. Several northern characters, like Ophelia St. Claire were more racially discriminatory than the southerners.<sup>69</sup>

*Uncle Tom's Cabin* spanned the national debate on slavery; it was not just an antislavery tirade. It was fuel for both sides of the debate. This is clearly seen in the many adaptations of the book. These adaptations ran the full spectrum of the debate, from a complete condemnation of slavery, to a complete exaltation of slavery, and every shade in between. These adaptations of Stowe's novel took the original plot line, characters, or themes and typically just inserted the authors' political views.<sup>70</sup>

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<sup>67</sup>*Id.* at 109.

<sup>68</sup>*Id.* at 111.

<sup>69</sup>*Id.* at 111.

<sup>70</sup>Meer, *supra* at 5.

### 3. Synopsis of *Uncle Tom's Cabin*

*Uncle Tom's Cabin* is the story of slavery in America. The novel focuses on two slaves, Uncle Tom and Eliza, and their families. Uncle Tom is an old, Christian slave. Eliza is his niece. Tom's master, Mr. Shelby, is kind but has a debt to a man who is now demanding repayment. Mr. Shelby is forced to sell Uncle Tom and Eliza's son, Harry. Eliza overhears the discussion and goes to Uncle Tom's Cabin to warn Uncle Tom of Shelby's plan. Uncle Tom refuses to leave the plantation on the realization that if he runs away, Mr. Shelby will be forced to sell another slave. Eliza, out of fear of losing her only child, decides to run away with her son. Eliza heads to the river and finds it too thickly covered with ice for boats to cross. She is noticed by some fugitive slave catchers. She flees from the slave catchers by jumping across the ice flows carrying her son. She narrowly gets to the other side.<sup>71</sup>

Uncle Tom is sold down river to Augustine St. Clare after Tom saves St. Claire's daughter, Little Eva, after she had fallen from the deck of a riverboat. Eliza meets up with her husband George Harris, who had run away earlier, and together they flee towards Canada. Before they can reach Canada, Eliza, George, and Harry are cornered by a slave hunter. George shoots the slave hunter; however, Eliza convinces George to take the slave hunter to a Quaker Village for treatment.<sup>72</sup>

St. Claire is a kind master to Tom and is not prejudiced against black people. His cousin from the north, Ophelia, opposes slavery on moral grounds. However, she is very prejudiced against black people. In an attempt to show his cousin the error of her prejudices, St. Claire buys a young slave girl named Topsy. Topsy is a free-spirit who will

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<sup>71</sup>Stowe, *supra* at 109.

<sup>72</sup>*Id.*

not bend to Ophelia's attempts to teach her. Eva befriends Topsy and shows her kindness. Uncle Tom becomes friends with Little Eva, who Eva helps him read his Bible.<sup>73</sup>

Little Eva falls gravely ill. As she lies on her deathbed, each character experiences a change of heart. St. Claire decides to free Uncle Tom, Ophelia decides to let go of her prejudices, Uncle Tom decides to continue to help comfort the people around him, and Topsy sees the error of her mischief and decides to be better. Little Eva dies. St. Claire is stabbed in a fight and dies before he can sign Uncle Tom's freedom papers. St. Claire's wife decides not to give Uncle Tom his freedom.<sup>74</sup>

Uncle Tom is sold to Simon Legree. Legree is originally from the north, but has moved to rural Louisiana and owns a cotton plantation. He orders Uncle Tom to whip another slave but Uncle Tom refuses. Legree whips Tom violently, but Tom does not become angry or turn his back on his faith in God.<sup>75</sup>

Eliza, George, and Harry make it to Canada. Uncle Tom's faith is tested by the difficulty of life on Legree's plantation. He has visions of Jesus and Little Eva and his faith is renewed. He encourages two female slaves, Cassy and Emmeline, living on the Legree plantation, to run away. When Legree demands Uncle Tom tell him where the girls are, Tom remains silent. Legree orders his two overseers to kill Uncle Tom. After he is whipped to near-death, he looks upon the overseers and forgives them. Uncle Tom dies. Just after he dies, Mr. Shelby's son, George, arrives to buy Uncle Tom. However, George is too late and Uncle Tom is dead.<sup>76</sup>

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<sup>73</sup>*Id.*

<sup>74</sup>*Id.*

<sup>75</sup>*Id.*

<sup>76</sup>*Id.*

The two slave girls Uncle Tom convinced to run away, Cassy and Emmeline, meet George Harris' sister on a boat north. Cassy and Emmeline travel to France and then Liberia in Africa. George Shelby returns to his plantation and frees all his slaves in the memory of Uncle Tom.<sup>77</sup>

*Uncle Tom's Cabin* succeeded in Harriet Beecher Stowe's goal of creating a direct attack on the American legal institution of slavery. Stowe infused her novel with a strong sense of moral duty, implied a duty to oppose the Fugitive Slave Act, and fostered an awareness of the immorality and injustice of slavery. The harsh depictions of the reality of slavery presented in the novel gave the story its strength as a tool against slavery.

### III. *Uncle Tom's Cabin* Made the Issue of Slavery Real for Millions of People

*Uncle Tom's Cabin*, as a story, connected with audiences whose vastness no one could have predicted. The story and characters became incredibly popular. Elements, characters, and scenes from Stowe's novel found their way into countless mediums including novels, plays, china figurines, cards, paintings, board games, bronze ornaments, plates, puzzles, spoons, dolls, and wallpaper.<sup>78</sup> The wide saturation of the novel into American popular culture through merchandizing and adaptations of the story further empowered the story's strength in bringing the issue of slavery to the height of awareness of American society.

#### 1. Who the Story Reached

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<sup>77</sup>*Id.* at 109.

<sup>78</sup>Meer, *supra* at 2.

The novel originally had a limited target audience. Stowe's novel fell into the sentimental fiction genre. Sentimental novels traditionally played to a target audience of middle-class, white women.<sup>79</sup> A large percentage of sentimental novels presented idyllic depictions of southern plantation life. However, Stowe's story was not an idyllic depiction. Far from idyllic, *Uncle Tom's Cabin* was conceived as an attack on slavery and by necessity the southern plantation life. Yet, Stowe chose to present her attack in a format that traditionally catered to an audience that would not take warmly to an attack on their idealized picture of southern plantation life and captured power through the juxtaposition of the slavery theme and the sentimental format.

The immediate and exponentially growing popularity of *Uncle Tom's Cabin* was not something that could have been guessed at before publication. The novel was the first American novel to sell more than 1 million copies.<sup>80</sup> This was surprising since the subject matter, slavery, was a widely thought to be a tough sale. Additionally, the story was written by a woman. Women authors of the time were just beginning to be published. They were relegated to pleasant, domestic stories told in a traditional sentimental format.<sup>81</sup> However, the popularity of Stowe's novel is hard to deny. The only other contemporary book to outsell it was the Bible.<sup>82</sup>

Before the final installment of Stowe's story was even published in *The National Era*, the popularity of the story was clear. A book publisher from Boston named John P. Jewett approached the Stowes and offered to publish the novel. Jewett offered fifty percent of the profits if the Stowes paid half of the publishing costs. However, the Stowes

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<sup>79</sup>*Id.* at 11.

<sup>80</sup>Jordan-Lake, *supra* at xv.

<sup>81</sup>Meer, *supra* at 3.

<sup>82</sup>Stowe, *supra* at viii.

simply did not have the money to pay the printing costs upfront. On March 13, 1852 they settled for an agreement that Jewett would cover the full costs of printing and the Stowes would receive ten percent of the profits.<sup>83</sup>

The first official printing *Uncle Tom's Cabin* came on March 20, 1852. The first edition was printed in a two volume set and sold for \$1.50. If all five thousand sets sold, the Stowes would receive a royalty payment of \$750. Harriet Beecher Stowe hoped that if the sales went well she could use her profits to buy a new silk dress.<sup>84</sup> In retrospect Harriet Beecher Stowe's expectations seem so unbelievably low, however, when Harriet's constant struggle to find means of keeping her family above poverty is considered, her low expectations are reasonable. Her expectations were immeasurably exceeded when, in April 1852, Calvin went to pick up the first royalty check and was amazed to receive one for \$10,000.<sup>85</sup>

The first edition of *Uncle Tom's Cabin* had sold out in two days, the second edition was printed the following week, and a third edition was printed April 1, 1852, the same day the final installment was published in the *National Era*.<sup>86</sup> By the end of 1852 over 300,000 copies of the novel had been printed and sold in the United States. More astonishingly, over 1.5 million copies of the book had been sold in England. By 1854 the novel had been translated into thirty-seven languages.<sup>87</sup>

As a result of the popularity of her novel, Harriet Beecher Stowe was invited to speak at antislavery rallies across the nation where she was the center of attention.<sup>88</sup>

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<sup>83</sup>Coil, *supra* at 112.

<sup>84</sup>*Id.* at 113.

<sup>85</sup>*Id.* at 113.

<sup>86</sup>*Id.* 113.

<sup>87</sup>*Id.* at 113.

<sup>88</sup>*Id.* at 117.

Stowe and *Uncle Tom's Cabin* reached across the ocean to Europe, and she became quite popular in Europe. England had strong connection to the American legal institution of slavery. The slave trade created cross Atlantic shipping routes existed from the founding o the new world. These shipping lanes were later used to transport Stowe's slavery-themed novel across the seas to European audiences. These European audiences welcomed the novel with a surprising fervor considering that the story is uniquely American and the American authors' prior inability of to transfer their domestic success to international acclaim.<sup>89</sup>

*Uncle Tom's Cabin* was especially well-received and popular in England. Many English writers, like Barbara Bodichon and Frances Hodgson Burnett, would later comment on the effect the novel had on their writing and their perspective on America.<sup>90</sup> However, some Americans saw the warm British reception to the book as proof that Britain did not support the southern slavery system.<sup>91</sup> This stood as a potentially large rift between England and America. The two nations were mutually interdependent when it came to slavery and cotton. America used slave labor to produce cotton. The cotton was sent to English mills to be turned into fabric. England had abolished slavery in 1832, but it still profited greatly from the products grown by slave hands. English criticism of American slavery was seen as potential damaging to the interdependent relationship between the two nations.

In 1853 Harriet Beecher Stowe was invited to make a speaking tour Scotland and England, all expenses paid, by the Glasgow Anti-Slavery Society. She met national

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<sup>89</sup>Meer, *supra* at 2.

<sup>90</sup>*Id.* at 3.

<sup>91</sup>*Id.* at 3.

political leaders and literary giants.<sup>92</sup> Calvin Stowe spoke on behalf of his wife on the speaking tour. He was upset by the way that the English audiences criticized the American legal institution of slavery. In London, Calvin publicly chided Londoners for attacking the American failure to abolish slavery. Calvin told the audience that the American national economy was entrenched in slavery and that England itself was the main beneficiary of the products of slave labor since England bought and processed three-fourths of all cotton grown in the United States.<sup>93</sup>

English women showed great support for Harriett's fight. The women of the Anti-Slavery Society presented her with a set of 26 leather-pound notebooks filled with over half a million signatures from British women. The women came from all social classes, from noble women to peasants.<sup>94</sup>

Dramatic interpretations of *Uncle Tom's Cabin* presented the story to an even wider audience than the novel. The target audiences of dramatic interpretations of *Uncle Tom's Cabin* varied widely. Audiences of the theatrical interpretations came from a wide range of social backgrounds because so many different types of theaters and companies that were performing the story. Theatrical references to *Uncle Tom's Cabin* were broadly presented to audiences, the references ranging from puns on the title, to songs about the novel, to short sketches of the story, to Uncle Tom burlesques, to Uncle Tom tableaux vivant, to complete musical productions with animals and the latest stage technology.<sup>95</sup>

Target audiences for theatrical interpretations of *Uncle Tom's Cabin* initially fell largely into two categories. Conventional theatre and burlesque melodrama catered to two

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<sup>92</sup>Coil, *supra* at 119.

<sup>93</sup>*Id.* at 120.

<sup>94</sup>*Id.* at 121.

<sup>95</sup>Meer, *supra* at 60.

very distinct social classes of patrons.<sup>96</sup> Conventional theatre played to middle-class audiences. Burlesque melodrama theatre played to lower class audiences. Then minstrelsy came in and was able to unify these groups. Minstrelsy did not focus on class; it focused on race. Both middle and low class theatre patrons shared whiteness and both middle and low class theatre patrons could enjoy minstrelsy together.<sup>97</sup>

*Uncle Tom's Cabin*, as a sentimental novel, catered to a middle class audience. This reliance on sentimentality meant that the story could easily transition into moral drama. Both sentimental fiction and moral drama focused on stories with heavy emotion and moral lessons. Moral Drama played to the same middle class audience sentimental novels served. *Uncle Tom's Cabin*, as a novel, targeted a middle-class audience. However, the novel used minstrel imagery and elements to tell the story. Minstrel producers picked up on these elements and used them in new productions featuring Stowe's story.<sup>98</sup> As the novel had borrowed elements from minstrelsy, minstrelsy took back those elements and easily incorporated them into stage productions.<sup>99</sup>

Minstrel shows had existed for a long time before *Uncle Tom's Cabin*. These shows presented representations of black men who were not much more than buffoons and comic relief. The black man was not presented as a serious character. Uncle Tom changed this representation of the black man. Uncle Tom, as a theatrical character, was not just a dancer who would parade across the stage singing and skipping. Uncle Tom had depth and created strong feelings of empathy.<sup>100</sup>

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<sup>96</sup>Alan R. Havig, *American Historians and the Study of Popular Culture*, 11 THE J. OF POPULAR CULTURE 180, (1977).

<sup>97</sup>*Id.*

<sup>98</sup>Meer, *supra* at 11.

<sup>99</sup>*Id.* at 59.

<sup>100</sup>Stowe, *supra* at 455.

Minstrelsy, Blackface, laid the foundation for *Uncle Tom's Cabin's* success and the popularity of the genre.<sup>101</sup> Minstrelsy became popular in the 1840's. "Although minstrelsy was born and reached maturity in New York and other large northeastern cities, it became a national institution soon after its emergence in the 1840's."<sup>102</sup> The minstrel show of the 1840's featured jokes, songs, dances, speeches in a 'black' accent, and short 1-act skits.<sup>103</sup> By the time *Uncle Tom's Cabin* was being adapted to the stage there were already minstrel troupes, minstrel halls, and entire shows performed in blackface.<sup>104</sup>

Blackface was ambivalent to racial politics and could theoretically have gone either way: either supporting the slave' struggle in empathy or creating clear racial caricatures degrading the entire people.<sup>105</sup> Blackface had a strong "racist contempt and proslavery sympathy", but the genre could, and had been used at times to, reach beyond portraying Blacks as clowns and create a possible alliance between the two downtrodden groups.<sup>106</sup> It could be used to both raise up and exalt black characters. Yet, it could also degrade black characters with racial stereotypes conveyed through thick dialects.<sup>107</sup>

The minstrel audience was composed largely of young, working-class men in northeastern cities. Many of these men were white, recent immigrants.<sup>108</sup> The minstrelsy used in *Uncle Tom's Cabin* helped white audiences to connect with black characters.<sup>109</sup>

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<sup>101</sup>Meer, *supra* at 9.

<sup>102</sup>Havig, *supra* at 11.

<sup>103</sup>Meer, *supra* at 10.

<sup>104</sup>*Id.* at 9.

<sup>105</sup>*Id.* at 9.

<sup>106</sup>*Id.* at 11.

<sup>107</sup>*Id.* 54.

<sup>108</sup>*Id.* at 10.

<sup>109</sup>The gentrification of minstrel shows and the acceptance of *Uncle Tom's Cabin* by large swaths of society helped to fade the distinction between minstrel halls and conventional theatres. Actors who had typically been relegated to minstrel halls now flowed between halls and theatres. Conventional theatre actors were

However, as the minstrel aspects simultaneously opened racial connections, it demeaned the black characters and painted them as inferior.<sup>110</sup>

In addition to minstrelsy, a second form of theatre popular in 1850 was Moral Drama. Moral Drama catered almost exclusively to middle and higher class audiences who turned their nose up to the bawdy and coarse entertainment of minstrelsy. The Moral drama inserted in theatrical adaptations of *Uncle Tom's Cabin* combined with minstrelsy and facilitated the transition of melodrama into a more genteel art form. It was acceptable for middle and higher class patrons to go to theatres and watch blackface Tom shows because of the moral foundations of the show which counterbalanced the entertaining minstrelsy.<sup>111</sup> It was the combination of moral drama and minstrelsy that substantiated the broad mass appeal of *Uncle Tom's Cabin*.<sup>112</sup>

The theatre is a business. Producers create shows that they believe will sell tickets. Theatre reflects the popular culture. However, theatre also impacts the popular culture.<sup>113</sup> In the colonial period, theatre reflected the strong puritan religious values. Theatre was legally banned by the Continental Congress in 1774 on the justification that it was expensive and resources were better allocated to less frivolous activities.<sup>114</sup> The beginning of the nineteenth century found American society bifurcated between social

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not considered demoted when they played minstrel halls to perform Uncle Tom's Cabin' roles. T.D. Rice, the original 'Jim Crow' played in Uncle Tom as the lead role at the Bowery Theatre in 1854. The transferring between minstrel halls and conventional theatres included more than just actors. Elements from minstrelsy were brought to conventional theatres. During slave auctions, each slave would have to show their talents, this became a kind of variety show with minstrel singing and dancing. Meer, *supra* at 105.

<sup>110</sup>Meer, *supra* at 53.

<sup>111</sup>Havig, *supra* at 184.

<sup>112</sup> Lower class adaptations of Stowe's novel which catered exclusively to lower class audiences relied more on satire and strict adherence to traditional minstrel traditions. Havig, *supra* at 184.

<sup>113</sup>Loren Kruger, *Our Theater? Stages in an American Cultural History*, 8 AM. LITERARY HIST. 699 (1996).

<sup>114</sup>*Id.*

classes, the rich and the poor. American theatre reflected this division; the burlesque theatre of the poor and the high conventional, Shakespearean theatre of the rich.<sup>115</sup>

As the middle class began to grow theatre reflected this change and become more genteel. Theatrical producers developed the Moral Drama genre. This genre utilized the sentimental, emotionally driven stories found in popular literature. Moral Drama inadvertently attempted to bridge the gap between higher conventional theatre and the lower burlesque and minstrel halls. Moral Drama used melodrama to tell sentimental stories, but employed the newly developed techniques of Moral Drama to emphasize Christian morality.

Not all patrons were happy with this shift, many opposed the gentrification and imposition of morality upon of lower class melodrama. Melodrama, as a genre, began in France after the French Revolution as a reflection of the progressive social ideals of the revolution. It was designed for ‘large mass audiences ignorant of artistic tradition and indiscriminating in matters of culture.’<sup>116</sup> Melodrama and the United States began at the same time. Melodrama was a direct reflection of the American national character. Melodrama is crude, lively, and morally simplistic. It shaped the American popular imagination, it formed the way the country saw itself.<sup>117</sup> Melodrama did not require special knowledge of literature. Popular novels would be simply transferred into a play quickly. Many melodramatic plays could be mounted in only a week’s time.<sup>118</sup>

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<sup>115</sup>*Id.*

<sup>116</sup>Daniel C. Gerould, *AMERICAN MELODRAMA*, 8 (1983).

<sup>117</sup>*Id.* at 7.

<sup>118</sup>*Id.* at 8.

Correspondingly, minstrelsy would also take popular elements of the culture and interpret them into a parody.<sup>119</sup>

In melodrama, where battles between good and evil are central, *Uncle Tom's Cabin* created an epic villain, Simon Legree. This slave driver victimized everyone around him. The American theatre-going public could unite and use their shared hatred of this character as fuel for their fight to end slavery.<sup>120</sup> The simplistic morality of melodrama took easily to Stowe's story. The play took Stowe's characters and connected them to melodrama archetypes, then used the same social criticism of the novel to impeach the American legal institution of slavery.<sup>121</sup>

Melodrama was a simple eye-catching spectacle. It was kind of like candy for the eyes. However, despite the flimsy dramatic quality to the scripts, Melodrama had a strong and innovative use of special effects: "the special effects of melodrama were sophisticated products of the latest advances in applied sciences."<sup>122</sup>

The shift in melodrama into a more genteel form actually resulted in a riot at the Astor's Place Theatre. Supporters of the lower bombastic, melodramatic style of acting rioted when the most popular melodramatic actor of the day, Edwin Forrest, was replaced with a more refined English actor, William Macready.<sup>123</sup> Although it did not set out to raise such passionate class issues, in the end, *Uncle Tom's Cabin* did assist in bridging the gap between the two theatrical styles. Moral Drama did not replace the higher and lower styles, rather it became a socially acceptable way of allowing high and low class audiences to mix in a social setting.

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<sup>119</sup>Meer, *supra* at 59.

<sup>120</sup>*Id.* at 109.

<sup>121</sup>Gerould, *supra* at 15.

<sup>122</sup>*Id.* at 9.

<sup>123</sup>Kruger, *supra*.

Overall, the theatrical reception of *Uncle Tom's Cabin* was extraordinarily strong. *Uncle Tom's Cabin* was a huge economic success for the theatrical world, the “greatest success in the history of the American theatre”.<sup>124</sup> However, modern copyright laws did not exist in the 1850 and Harriet Beecher Stowe never received any payments for any of the theatrical uses of her story.<sup>125</sup>

By the 1900's over 500 theatre companies were solely devoted to performing *Uncle Tom's Cabin*. These theatre troupes were called Tom Companies, signaling their specialization in a single show. In fact, many actors would spend their entire professional careers playing a single role in a Tom company.<sup>126</sup>

## 2. How *Uncle Tom's Cabin* Reached it's Audience

The ways the novel and theatrical interpretations used the story of *Uncle Tom's Cabin* to reach audiences began with showing how slavery was an attack on family values and then showing slavery to be intrinsically immoral, not a creation of evil people. However, the story did not turn audiences from slavery by declaring the races equal.

Harriet Beecher Stowe's story depicted slavery as a weapon destroying the integrity of the family with children being snatched away from their mothers and husbands forcibly separated from their wives.<sup>127</sup> Stowe used the traditional romantic vision of the family found in sentimental novels as fuel for her fire. She juxtaposed the

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<sup>124</sup> Gerould, *supra* at 14.

<sup>125</sup> *Id.* at 14.

<sup>126</sup> *Id.* at 14.

<sup>127</sup> *Id.* at 15.

family ideal to demonstrate the way that slavery actually destroyed the family structure by separating mothers from their children.<sup>128</sup>

Stowe attacked the laws and legal institutions protecting slavery, not the people supporting the law. She held that the law itself was bad and therefore the results it produced were bad. The inherent badness of the law is what justified her in advocating not following the law.<sup>129</sup> Stowe tied slavery directly to the law and thereby detached the people involved in slavery from blame, for even kind masters could not be kind to slaves under a legal institution that allowed slavery because of the strict codes of conduct slavery instituted. A kind master could not teach a slave to read for the master would be breaking the law.<sup>130</sup> A kind master could not give his slave a present because the law did not allow slaves to hold any property.<sup>131</sup> The law allowed a kind slave master like Shelby to break up Eliza's slave family. In each instance it is the law that blocked the application of the Christian value of kindness.<sup>132</sup>

The legal institution protecting slavery imposed itself on people. It was the law that threatened to break Eliza's family apart. The law as an institution of slavery was devoid of humanity and in fact served to destroy the bonds of humanity created in the family.<sup>133</sup> The law did not serve to protect the slaves. Uncle Tom was sold to the evil Simon Legree after St. Claire died before being able to sign Tom's emancipation papers.

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<sup>128</sup>Lynn, *supra* at 29-30.

<sup>129</sup>Brophy, *supra* at 468.

<sup>130</sup>The Georgia Slave Codes state that "If any slave, Negro, or free person of color, or any white person, shall teach any other slave, Negro, or free person of color, to read or write either written or printed characters, the said free person of color or slave shall be punished by fine and whipping, or fine or whipping, at the discretion of the court." Georgia Slave Code, <http://academic.udayton.edu/race/02rights/slavelaw.htm#23> (last visited April 3, 2007).

<sup>131</sup>A slave was, by definition, property. Property itself could not hold more property. A gift to a slave was a legal tautology

<sup>132</sup>*Id.* at 468-470.

<sup>133</sup>*Id.* at 470.

The law did not protect Tom from Legree; in fact it facilitated Tom's transfer into Legree's hands by preventing any claims over Tom by Ophelia.<sup>134</sup>

Stowe focused on the 'horrors of the legal system' rather than on the people involved in the system. The law's strict reliance on logic prevented it from recognizing the inhumane treatment of slaves. *Uncle Tom's Cabin* was an attempt to overcome the cold logical law and touch the sentiments of the nation to show them the true evils of slavery.<sup>135</sup>

In a scene from the novel, but not present in the most popular play adaptation of novel, Eliza, having recently escaped, stops at the house of Senator and Mrs. Byrd. The senator and his wife are arguing about the fugitive slave law as Eliza approaches. Harriet Beecher Stowe used this dialogue to show the debate between the 'cold law' and 'religious passion'. The wife rejects the senator's reliance on logic as unfeeling and cold. The senator advocates following the law and refusing to assist the runaway slave, the wife advocated following a higher law and helping another human as her Christian values command. Stowe was presenting the debate between the heart and the head, and in her story Stowe uses sentimentalism to make the heart the winner.<sup>136</sup>

While slavery was attacked in *Uncle Tom's Cabin* as a source immorality stemming from the law it was not a declaration of racial equality. Stowe's story was not a condemnation of racial inequality. Her story was ambivalent on the issue of racial equality.<sup>137</sup> Stowe wrote a book that condemned slavery, but she did not write a book that

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<sup>134</sup>*Id.* at 472.

<sup>135</sup>*Id.* at 473.

<sup>136</sup>*Id.* at 474.

<sup>137</sup>Stowe herself did not seem to personally support racial equality. While a teacher at Lane Seminary in Cincinnati, Stowe believed that the white students should not mixed together with black students because of the public anger it was brought up. Coil, *supra*.

required whites and black to be considered and treated equally. In *Uncle Tom's Cabin*, blacks were often treated as inferior to white characters.<sup>138</sup> There are clear racial stereotypes in Stowe's novel. However, most of the black characters are real people. They are individuals with distinct personalities and goals.<sup>139</sup>

#### IV. The Novel and Plays Bolstered Antislavery Forces in the North and Angered Unyielding Southerners

*Uncle Tom's Cabin* was not well received in the South. The reception was quite hostile, except for the states that bordered the north and did not depend so strongly on slavery for their economies, states such as Kentucky, Tennessee, and North Carolina. The book was burned at universities, and one small bookseller was even run out of town after he displayed the book in his store window.<sup>140</sup> A free black man named Samuel Green was caught in Maryland with a copy of *Uncle Tom's Cabin* and some other abolitionist material and was sentenced to ten years in jail. His sentence was commuted after two years on his promise that he would leave the states and never return to the South again.<sup>141</sup>

Proslavery advocates feared that the descriptive imagery used by Harriett Beecher Stowe in *Uncle Tom's Cabin* and in later adaptations was one of the strongest tools in the antislavery arsenal because of its far reaching influence.<sup>142</sup> Critics of the novel claimed that Harriett Beecher Stowe presented an overly-harsh representation of slavery that did not mirror reality.<sup>143</sup> Critics were aware of the novel's potential to destroy slavery and the surrounding legal system protecting the economy supported by slave labor.<sup>144</sup> Proslavery

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<sup>138</sup>Meer, *supra* at 53.

<sup>139</sup>Lynn, *supra*.

<sup>140</sup>Jordan-Lake, *supra* at xvi.

<sup>141</sup>*Id.* at xvii.

<sup>142</sup>Brophy, *supra* at 457.

<sup>143</sup>*Id.* at 457.

<sup>144</sup>*Id.* at 458.

advocates argued that ending slavery would help a few slaves but would harm many more freemen to a much greater extent, in this argument it greatest good for the greatest number would best be served through slavery.<sup>145</sup>

Harriett Beecher Stowe received a large amount of hate mail. Newspapers called her a liar, who distorted the reality of slavery. A collection of anti-Tom books and articles appeared portraying slavery a venerable and beneficial institution.<sup>146</sup> In proslavery literary adaptations activists used Stowe's tool of the novel.<sup>147</sup> There were over 3 dozen proslavery novels written in response to *Uncle Tom's Cabin*.<sup>148</sup>

In most proslavery literature the main character is a benign and patriarchal slavemaster. Slaves were portrayed as protected by the kindness of their masters. Characters are unable to even remember the sound of a lashing of having seen a scar on the body of a slave. Whippings are rarely portrayed; when they are they are used to create a sense of inferiority in the black race, the occurrence is used a means of highlighting the compassion of the slavemaster, who has to use whipping as a last resort to save an impudent slave. Punishments are portrayed as tools to protect slaves just as the entire legal system of slavery is one to protect slaves.<sup>149</sup>

However, modern experts on proslavery literature, like Elizabeth Ammons, poignantly question, how such kind master could have dealt with behavioral problems that would have inevitable arisen?<sup>150</sup> Soon after proslavery literature appeared,

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<sup>145</sup>*Id.* at 458.

<sup>146</sup>Coil, *supra* at 118.

<sup>147</sup>One proslavery literary technique was to compare southern slavery to northern poverty and show how slavery was more desirable than the poverty that strangled the north. Many antislavery novels inadvertently employed this technique when then created the impression that slavery was a paternalistic type of system that was preferable to poverty. Jordan-Lake, *supra* at xix.

<sup>148</sup>Jordan-Lake, *supra* at xvii.

<sup>149</sup>Stowe, *supra* at 442-443.

<sup>150</sup>*Id.* at 442.

antislavery literature appeared. Harriett Beecher Stowe also wrote more on slavery; in 1853 she wrote *The Key to Uncle Tom's Cabin* and *Dred* in 1856 as additional attacks on the legal institution of slavery.

In addition to the varied literary interpretations, theatrical interpretations bolstered antislavery forces in the North and angered unyielding Southerners. The theatrical adaptations reached audiences in mass numbers through widespread saturation of varied interpretations. By the late 1850's performances of *Uncle Tom's Cabin* had become so common that they conditioned the way people interpreted the novel.<sup>151</sup>

The varied abundance of conflicting theatrical adaptations of *Uncle Tom's Cabin* reflect the popular culture's abundance of conflicting views on slavery. The content and political bent of the specific production was dependant upon when, where, and by whom the show was created. Each different adaptation reflected the differences in American society.<sup>152</sup> All adaptations of the novel, regardless of political stance, could be called Tom Shows. Tom Shows were presented in a wide array of venues. A subset of these Tom Shows catered to higher class audiences more willing to pay higher ticket prices and played in Conventional Theatres. Another subset were often produced in barn houses on shoe-string budgets and catered to lower class audiences.

Tom Shows had a strong impact on how people viewed slavery and race issues.<sup>153</sup> Tom Shows relied on minstrelsy. Minstrel shows came into national popularity in the 1840's, a time when the nation was debating slavery, a time when people who did not have experience with slavery were looking for evidence on what it was really like.<sup>154</sup>

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<sup>151</sup>Meer, *supra* at 105.

<sup>152</sup>Kruger, *supra*.

<sup>153</sup>Meer, *supra* at 9.

<sup>154</sup>Havig, *supra* at 186.

Tom shows opened a view onto Southern plantation slave life that Northerners had no experience of: “stage presentations helped to resolve Northern doubts and ambiguity about the nature of Black people and the character of plantation society”.<sup>155</sup>

Tom Shows could fall into three categories: sentimental shows with strong antislavery messages, shows that seemed to lack a message altogether, and shows with a clear proslavery bent. All Tom shows appear to have incorporated some elements of melodrama and of blackface minstrelsy.

Antislavery Tom Shows, such as Ordway’s *Aeolians*, presented a clear message about the suffering inflicted by slavery. Ordway presented a set of 10 tableaux that depicted the main events of the novel and aimed to present the reality of slavery to audiences who were uninformed on its true nature. Ordway went further to argue for colonization of Africa, as supported by the American Colonization Society and opposed by Harriett Beecher Stowe.<sup>156</sup>

Tom shows without a clear message “successfully neutralized the effect of the novel with popular and often vicious parodies”<sup>157</sup> Many of the Tom Shows’ only connection to the novel was the use of the title. These Tom Shows presented an Uncle Tom with none of Harriett Beecher Stowe’s original characteristics. The characters would be doing things that had nothing to do with anything in the novel. In one of these Tom Shows Uncle Tom is goading a friend into buying a snapping turtle that bites the friend on the behind.<sup>158</sup> Some Tom Shows did not even have a single character from the novel. Some Tom Shows took characters from the novel but transformed them into completely

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<sup>155</sup>*Id.* at 188.

<sup>156</sup>Meer, *supra* at 86.

<sup>157</sup>Havig, *supra* at 182.

<sup>158</sup>Meer, *supra* at 61.

new persons; Dinah was made into Aunt Dinah, who formed a minstrel story with an Uncle Breve and an Orchestra Leader.<sup>159</sup>

While it seems that these Tom Shows, which did not even indirectly deal with the issue of slavery, were a-political they were actually very political. Their ignoring the slavery issues was a way of stating the unimportance of the issue. The silence on slavery was a way of rewriting *Uncle Tom's Cabin* to be completely free from the original comments on the evils of slavery.<sup>160</sup>

Proslavery Tom Shows tried to present slave life in the south as idyllic and mutually beneficial for both slave and master. These proslavery shows would take the major events in *Uncle Tom's Cabin* and reverse them to show the benefits of slavery.<sup>161</sup> "Happy Uncle Tom; or, Life among the Happy" was written by Sam Sanford in 1853. Sanford's version of Stowe's novel focuses on dancing and singing. Music is used to celebrate the wedding between George and Eliza, and Uncle Tom's return to his wife. Uncle Tom and Eva do not die, but celebrate slavery together. The show finished with a song that celebrates the fugitive slave act.<sup>162</sup>

These proslavery Tom Shows presented slaves who could not be persuaded to run away because of the deep affection they felt for the slavery system. This created behavior was then used to defend slavery as an institution.<sup>163</sup> Fugitive slaves were either tricked by abolitionists who had lied about the conditions of freedom or kidnapped by abolitionists and couldn't have been happier to return to the safety of the plantation.<sup>164</sup>

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<sup>159</sup>*Id.* at 62.

<sup>160</sup>*Id.* at 62.

<sup>161</sup>*Id.* at 62.

<sup>162</sup>*Id.* at 63.

<sup>163</sup>*Id.* at 64.

<sup>164</sup>*Id.* at 65.

The impact of the proslavery Tom Show was wide: “In the absence of precise knowledge of who consumed and was influenced by what, it is reasonable to assume that the negative stage image of Negroes had an impact on the white public at least as great as the more benign literary image.”<sup>165</sup>

The proslavery Tom Shows used an actual aspect of the novel in their defense of slavery, Uncle Tom’s refusal to escape. In the novel Eliza overhears her master deciding to sell both her son and Uncle Tom to another slave owner. Eliza runs to *Uncle Tom’s Cabin* to warn him and invite him to turn fugitive with her and her son. Uncle Tom realizes that if he were to run away his master would just have to sell other slaves to make up the debt he owes to this second master. Tom martyrs himself and decides to stay so that the other slaves will not suffer the cruel fate of being ripped from their families. Uncle Tom scarifies himself to save his friends and family. However, proslavery playwrights’ took Uncle Tom’s refusal to leave as proof of the benefits of slavery.<sup>166</sup>

Tom Shows presented exclusively in Conventional Theatres reflect the same competition over content, message, and purpose. The two most popular versions of *Uncle Tom’s Cabin* in conventional theatre were produced by George Aiken and H.J. Conway. Conway’s production originated in Boston and Aiken’s production originated in Troy, New York. Both productions moved to New York City and competed for audiences. Aiken’s production had more success than Conway’s.<sup>167</sup> The two productions of the same play had two very different political views. Conway’s production was openly

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<sup>165</sup>Havig, *supra* at 182.

<sup>166</sup>Meer, *supra* at 65.

<sup>167</sup>*Id.* at 106.

stereotypical and even used its racism as a marketing tool. Conway presented black characters as ignorant, clearly below whites, and extolled the benefits of slavery.<sup>168</sup>

The competition between Aiken's production and Conway's production resulted in a small scale theatre war involving fights in the streets and the destruction of Black homes and property.<sup>169</sup> The fervor felt over these stage productions of Harriet Beecher Stowe's story reflects the power of theatre to represent and shape the societal perception of slavery.<sup>170</sup>

The most popular adaptation of *Uncle Tom's Cabin* presented in a conventional theatre was George Aiken's adaptation. Aiken was paid forty dollars and a gold watch by his cousin, George C. Howard, for the translation. This version of the play was very true to Stowe's novel, it drew on the strength of the dialogue and included all the scenes with the most dramatic weight and tension. Aiken cut out all the Black comedic characters from the novel, except for Topsy, and created White character to play the comedic roles. Further, Aiken took out all the domestic scenes between the Black characters creating a sense in the play that "isolates characters like George and Eliza Harris and renders their situation extreme".<sup>171</sup>

George C. Howard's theatrical company performed Aiken's adaptation as a melodrama in the Troy museum, a museum similar to P.T. Barnum's American Museum. Howard had a 4 year old daughter he wanted to showcase. *Uncle Tom's Cabin* provided that role with Little Eva.<sup>172</sup> After over 100 performances at the Troy Museum, Howard

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<sup>168</sup>*Id.* at 106.

<sup>169</sup>Kruger, *supra*.

<sup>170</sup>*Id.*

<sup>171</sup>Gerould, *supra* at 16.

<sup>172</sup>Stowe, *supra* at 454.

took the show to New York where it was a huge success. Howard and his family continued to perform the show for the next 35 years.<sup>173</sup>

Aiken's production was reported to be viewed by the most respectable people in the town; people dressed in fashion of the wealthy, and also some of the lowliest, working-class men in the pit wearing dirty woolen shirts.<sup>174</sup>

Akien's antislavery message was not as strong as Harriett Beecher Stowe's in *Uncle Tom's Cabin*. However his production still employed a clear antislavery message.<sup>175</sup> In Aiken's play Eva says that she wishes that all slaves were free. Tom agrees that the master had given him nicer clothes than he could have earned on his own, but Tom would rather have poor clothes that were his own than nice clothes that belonged to someone else. A slave girl tells Tom that no one would know if Simon Legree killed them and no law existed that could save them from this fate.<sup>176</sup>

H.J. Conway's adaptation of *Uncle Tom's Cabin* had a clear Proslavery bent. Conway's auditorium had the house lights bright enough throughout the show so that audience members could look at each other as well as the stage. The play then became more than just a solitary experience of reading a story. It was a shared communal experience.<sup>177</sup> A person in the audience could look back during a dramatic scene to see tears falling from another audience member.<sup>178</sup>

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<sup>173</sup>*Id.* at 454.

<sup>174</sup>Meer, *supra* at 108.

<sup>175</sup>*Id.* at 111.

<sup>176</sup>*Id.* at 112.

<sup>177</sup>*Id.* at 107.

<sup>178</sup>*Id.* at 108.

## 1. Balkanization

The effect of the increased awareness of slavery facilitated by *Uncle Tom's Cabin* was the increased balkanization of the United States based on slavery lines. In the two short years after the publication of *Uncle Tom's Cabin* the United States fell deeper into social turmoil generated by divergence of opinion over slavery. When Harriet Beecher Stowe returned to the United States after her European tour, antislavery passions were breaking out in violence.<sup>179</sup>

In 1854 the Kansas-Nebraska Bill was introduced in Congress by Illinois senator Stephen Douglas. The act would in effect repeal the Missouri Compromise of 1820. The open territory would be divided into Kansas and Nebraska territories, both of which were above the 36<sup>th</sup> parallel designated as the dividing line between slavery and freedom in the Missouri Compromise. The act would allow settlers in Nebraska and Kansas territories to vote as to whether they would be free or slave.<sup>180</sup>

The purpose of the act, as argued by Douglas, was to take the question of slavery out of national politics and make it a decision of the populous.<sup>181</sup> The bill passed in May 1854 with the actual effects of the bill of causing tidal waves of antislavery and proslavery settlers to rush to Kansas to settle the land in favor of their side.<sup>182</sup>

Harriet Beecher Stowe's brother, Henry Ward, collected donations from his congregation to buy rifles and send them to the antislavery settlers in Kansas. The rifles

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<sup>179</sup>Coil, *supra* at 122.

<sup>180</sup>The Kansas-Nebraska Act, 33 Cong. Ch. 59, and in 10 Stat. 277 (1854), available at <http://www.ourdocuments.gov/doc.php?doc=22&page=transcript> (last visited April 3, 2007).

<sup>181</sup>*Id.*

<sup>182</sup>Coil, *supra* at 122.

were sent in barrels marked 'Bibles'. Word of the story spread and the rifles came to be called 'Beecher's Bibles'.<sup>183</sup>

As time progressed, tensions continued to mount. On May 22, 1856 antislavery Senator Charles Sumner was attacked by proslavery Senator Preston Brooks on the floor of the Congress with a wood walking cane.<sup>184</sup> Proslavery activists attacked Lawrence, the capitol of Kansas. John Brown, a wildly passionate abolitionist, led a raid on a proslavery settlement in response to the Lawrence Massacre.<sup>185</sup>

The Supreme Court decided the case of *Dred Scott v. Sandford* on March 5, 1857. In this case the Supreme Court held that the court lacked jurisdiction over Dred Scott because as a slave he was not a citizen and could not file suit in federal courts, also no state had the power to grant him citizenship. The Court further held that Dred Scott did not gain his freedom by traveling to a territory where slavery was not allowed because congress didn't have the power to make laws over territory not annexed into the United States. The court finally held that Dred Scott did not gain his freedom when he traveled to Illinois, a state not allowing slavery, because the property laws of Illinois could not grant freedom to slaves.<sup>186</sup>

In October 1857 John Brown led another raid. This time he attacked Harpers Ferry, Virginia. Brown aimed to incite a slave rebellion. He and his supporters took hostages, captured a federal arsenal, and stood on a bridge awaiting a slave rebellion. The slaves did not rebel, and John Brown and his supporters were captured, however the raid scarred southerners deeply and raised their long held fears of a massive slave rebellion. A

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<sup>183</sup>*Id.* at 125.

<sup>184</sup>Biographical Directory of the United States Congress, Charles Sumner, <http://bioguide.congress.gov/scripts/biodisplay.pl?index=S001068> (last visited April 3, 2007).

<sup>185</sup>Coil, *supra* at 123.

<sup>186</sup>*Scott v. Sandford*, 60 U.S. 393, (1857).

southern court condemned John Brown and he was hanged. Northerners like Ralph Waldo Emerson and Harriet Beecher Stowe called him a hero.<sup>187</sup> After the John Brown raid of Harper's Ferry the nation was only becoming further and further divided.<sup>188</sup>

On November 6, 1860 Abraham Lincoln was elected President of the United States. By February 1, 1861 Alabama, Florida, Georgia, Louisiana, Mississippi, and Texas had seceded from the Union. On February 18, 1861 the union of succeeded nations, the Confederate States of America, elected Jefferson Davis president. On April 12, 1861 fighting broke out at Fort Sumter in South Carolina. The war had begun.<sup>189</sup>

## V. Conclusion

*Uncle Tom's Cabin* furthered the destruction of the legal institution of slavery by raising the issue of slavery to national discussion. It was a direct attack on the American legal institution of slavery written out of moral opposition to the Fugitive Slave Act. Stowe's story presented the harsh realities of slavery to bring down the American legal institution of slavery by changing people's hearts away from slavery. *Uncle Tom's Cabin* made the issue of slavery real for millions of people through innumerable adaptations in literature and theatre. The varied adaptations reached millions of people domestically and internationally from a wide spectrum of social backgrounds. *Uncle Tom's Cabin* bolstered antislavery forces in the North and angered unyielding Southerners which resulted in a balkanization of the United States and contributed to the initiation of the Civil War and helped to destroy the legal institution of slavery.

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<sup>187</sup>Coil, *supra* at 129.

<sup>188</sup>*Id.* at 130.

<sup>189</sup>*Id.* at 130.

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