
‘You are not a slave here’: Anglo-American Free Soil in *A Romance of the Republic*

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Abstract

Previous scholarship on Child’s *A Romance of the Republic* (including my own) emphasizes racial border crossings: interracial liaisons drive the plot, and the novel explores intermarriage as the key to the nation’s future. What has been overlooked are the novel’s geographic border crossings in which enslaved people are transported to free jurisdictions by their owners. These episodes fictionalize major legal rulings about the status of slaves in free jurisdictions, such as *Somerset’s Case* and *Commonwealth v. Aves*. While the courts focused narrowly on the question of wrongful detainment, the popular interpretation held that the free soil of England (and New England) was transformative, freeing all who crossed its borders. Child explains and celebrates the free soil principle throughout the novel. In one example, the sisters Rosa and Flora are said to be free based on their brief sojourn on British free soil. Following their father’s death, Edward Fitzgerald helps them escape the auction block by sailing from New Orleans to Nassau in the British West Indies. Little do they know that Fitzgerald has purchased them himself, so they are not fugitives but slaves in transit. This is an essential legal point, as a lawyer later advises Flora’s adoptive mother Mrs. Delano: “British soil has the enviable distinction of making free whosoever touches it” (156). Massachusetts shares this transformative power: the sisters’ former servant Tulee is advised that she became free the moment her owners brought her from the Carolinas to Massachusetts (373). The legal distinction between slaves in transit and fugitive slaves may seem like a moot point for postbellum readers, but this historical legal education is part of Child’s fight to win the peace by preserving the war’s antislavery legacy and by documenting abolitionist activism.

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