

# The censure of Rashida Tlaib, the *Creole* uprising, and the American Civil War

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Congress' November 7 censure of Rep. Rashida Tlaib for her condemnation of Israel's genocide against the Palestinians of Gaza—in a motion championed by none other than the fascist congresswoman from Georgia, Marjorie Taylor Greene—is a milestone in the decline of American democracy. Twenty-two Democrats joined the entire Republican delegation to denounce Tlaib.

The facts of the genocide are not in dispute. It is being broadcast live, for all the world to see. High-ranking Israeli figures call Palestinians “animals,” demand the nuclear annihilation of Gaza, and invoke a new “Nakba” of forced dispossession for its 2 million residents, among other blood curdling statements. But, of course, Tlaib was not censured because of the facts. Her offense is that she dared to express sympathy for the Palestinians, a sentiment which runs counter to the aims of American imperialism.

As noted in a *World Socialist Web Site* Perspective published November 9, this is the first time in American history that a member of Congress has been censured for political speech. There is, however, a highly revealing historical antecedent, as the Perspective also noted:

While Rashida Tlaib is the first US House member to be censured solely for political speech, there is one other representative who was censured for his political actions. Representative Joshua Giddings of Ohio was censured in 1842 for violation of what was known as the “Gag Rule,” imposed by the pro-slavery Democratic Party majority in 1836, after a flood of anti-slavery petitions and resolutions had been submitted to the House. This rule, in effect until 1844, barred any discussion or proposal in the House on the subject of emancipation.

Giddings introduced a series of resolutions in support of 128 slaves who had rebelled and seized control of the American slave ship *Creole* in 1841. They diverted it from its course, from Virginia to the slave market in New Orleans, and forced the crew to sail them to the Bahamas, then a British territory, where slavery had been abolished. The colonial authorities declared the slaves free, but the US government, under President John Tyler, sued for their return to the slave owners.

To understand the *Creole* affair, and its connection to the censuring of Tlaib, some historical background is necessary.

Britain and the US had joined in abolishing the transatlantic slave trade, in 1807 and 1808, respectively. But in perverse fashion, the banning of the transatlantic trade, coupled with the explosion in cotton production paced by British industrialization, actually increased the value of slaves and

breathed life into an internal American slave trade, which soon became the second most lucrative business in the South, after cotton itself, as the historian Ira Berlin noted.<sup>[1]</sup>

The depletion of the soil in Virginia after two centuries of tobacco production might otherwise have confirmed the Founders' hopes that slavery would wither away as it had done in the North in those years—Washington, for example, switched Mount Vernon away from tobacco to cereal production, while Jefferson, who continued to raise tobacco, died more than \$100,000 in debt at Monticello on July 4, 1826. Though tobacco had indeed declined, this new internal trade in human beings revived slavery in Virginia and linked “the Old Dominion” to the new states of the Black Belt (named so for the rich alluvial soil conducive to cotton production), including Georgia, Alabama, Tennessee, Mississippi, Louisiana, Arkansas and Texas, whose plantations had a seemingly insatiable demand for slave labor.

Many of the slaves caught up in this inhuman traffic were “sold down the river”—a saying applying to transfers carried along the South's many slow, navigable rivers, which then entered American English as a rough synonym for the word “betrayal.” But many others were transported on slave ships, the “coastwise slave trade,” as it was called. Because these slaves transported by the coastwise trade were not brought from Africa or other lands, they did not fall under the ban on the American and British prohibition of the transatlantic slave trade. However, because they were moved on the high seas, the slaves' legal status as chattel might possibly be challenged.

This is the background to the uprising on the *Creole*, which in 1841 was en route from Newport News, Virginia to New Orleans, the country's biggest slave market, when a slave named Madison Washington launched an attack that overcame the crew, killing one. The slaves on the *Creole*, aware that the British Empire had abolished slavery in 1833, demanded that the ship be steered to Nassau, in the West Indies. Arriving on November 9, 1841, British authorities freed 128 slaves aboard the vessel in accordance with the law.<sup>[2]</sup>

The southern oligarchy, and its representatives in Washington, were outraged. Secretary of State Daniel Webster, a northern Whig, led the diplomatic charge against Britain. The clamor threatened even war. Ultimately, an arbiter selected to settle the dispute ruled in favor of the US, requiring Britain to pay \$110,330 in total damages to American claimants who had lost their human property.

The *Creole* affair took place during what came to be called “the sectional crisis” between North and South. The two-party system of Democrats and Whigs was built on the suppression of the slavery issue, much as the Democratic and Republican parties today depend on the suppression of the class question. To head off the growing influence of the antislavery movement, abolitionist literature was banned from the mails of

the South, and a “gag rule” was imposed on the reading of abolitionist petitions in Congress—both measures in obvious contravention of the First Amendment.

Giddings, a congressman “notorious for endorsing slave rebellion,”<sup>[3]</sup> introduced a series of resolutions defending the freedom of the slaves aboard the *Creole*, in open defiance of the gag rule. He argued that because the *Creole* was on the high seas and sailing under a US flag, “the persons on board cease to be subject to the slave laws” of the southern states. Rather, national law applied, and the slaves, in taking over the ship and sailing it to the British West Indies, had asserted “their natural rights of personal liberties.”

Though Giddings was censured 125-69, with members of his own Whig Party joining the majority, and though he was disallowed from speaking in his own defense, he wound up “doubly vindicated,” as James Oakes puts it.<sup>[4]</sup> First, after resigning, he was sent back to Congress by his Ashtabula, Ohio constituents in a landslide vote just a few months later. Second, his constitutional interpretation of slavery—that it was a state and not a federal institution, and that therefore the national government could legislate against it where state laws did not apply—became the central legal strategy of the antislavery movement that “would run through the politics of the 1850s, be articulated by Abraham Lincoln as a politician and president, and finally be made explicit in the Constitution in post-Civil War amendments to the Constitution,” in the words of William Lee Miller.<sup>[5]</sup>

The gag rule was repealed in 1844, two years after Giddings’ censure. It was a sweet victory for John Quincy Adams, the former president and son of the Founding Father John Adams. Quincy Adams had been the tireless leader of the struggle against the gag rule. Earlier, in 1840, he had served as the victorious attorney for the defense of Africans—illegally taken into slavery—who had mutinied aboard the ship the *Amistad*. Later, he led the fight against the Polk administration’s annexation of Texas and the drive to war with Mexico—a land grab for the expansion of slavery that would cost Mexico more than half its territory. Adams suffered a massive stroke on the floor of Congress on February 21, 1848, dying two days later. The same day Adams collapsed a young congressman from Illinois, Abraham Lincoln, was seated in the House for the first time. Lincoln roomed with Giddings during his one term in Congress.

Giddings’ vindication in the *Creole* affair indicated that sentiment in the population was moving against slavery. Likewise, though Tlaib has been censured, the overwhelming mood on a global scale, growing stronger every day, is that the ongoing mass murder of Palestinians is a crime of historic proportions. On Capitol Hill, opposition to genocide is isolated. But among the working masses of the world, a deep sense of solidarity dominates, as proven by what may well be the largest wave of antiwar demonstrations in world history.

The present members of the 118th Congress, it is safe to assume, know almost nothing about the sectional crisis, much less the Giddings censure carried out by their forbears in the 27th. The greed and venality of these so-called “representatives of the people” is exceeded only by their ignorance of history. If they knew anything at all about the past, they might be aware that history shows, countless times over, that the oppressed rise up against their oppressors.

From the peasant *Jacquerie* against the French nobility in 1358 to Pontiac’s Rebellion of 1763, to China’s Boxer Rebellion of 1899, to Kenya’s Mau Mau uprising against the British in 1955, such bloody uprisings have occurred again and again. The rebels, history also shows, kill not only soldiers but civilians. It is believed, for example, that Pontiac’s Indian forces killed upwards of 500 settlers in western Pennsylvania and other frontier areas, often quite brutally. Yet serious historians do not simply condemn such uprisings. It is generally accepted that the insurgents have struck out against conditions heavily shaped by their oppressors.

Slave uprisings in the American South, such as that aboard the *Creole*,

form part of this long history of rebellion. There are many examples: Bacon’s Rebellion in 1676, the German Coast Uprising of Louisiana in 1811; Denmark Vesey’s conspiracy of 1822; Nat Turner’s uprising of 1831; the *Amistad* mutiny of 1839; and John Brown’s raid on Harpers Ferry in 1859, to name some of the more noted. These slave revolts all failed, much like the periodic eruptions of Europe’s peasants did. To kill a master in the South or a lord in Russia, to sack his plantation or manor house, even to torch those papers that the slaves and peasants somehow knew codified their degradation—none of this could overturn an entire economic system.

Yet the slave uprisings of the South form part of a historical development that ultimately culminated in the Civil War—a revolution led and organized by Lincoln and the Republican Party. This revolution called forth, through the Emancipation Proclamation, an exodus of slaves that grew in conjunction with the movements of the Union forces in the South. Wherever the Grand Army of the Republic ventured, what W.E.B Du Bois called a “general strike” of the slaves followed. Such a generalized slave uprising had been predicted by Frederick Douglass as early as 1853 in a short novel he wrote that was inspired by the *Creole*. “There are more Madison Washingtons in the South,” Douglass wrote of the leader of the slave mutiny. “[A]nd the time may not be distant when the whole South will present again a scene something similar to the deck of the *Creole*.”<sup>[6]</sup>

Trotsky, in his brilliant *Their Morals and Ours*, drew out the connection between the revolutionary violence of the American Civil War and that of the Russian Revolution, and indeed all uprisings of the oppressed. He wrote,

Lincoln’s significance lies in his not hesitating before the most severe means once they were found to be necessary in achieving a great historic aim posed by the development of a young nation. The question lies not even in which of the warring camps caused or itself suffered the greatest number of victims. History has different yardsticks for the cruelty of the Northerners and the cruelty of the Southerners in the Civil War. A slave-owner who through cunning and violence shackles a slave in chains, and a slave who through cunning or violence breaks the chains—let not the contemptible eunuchs tell us that they are equals before a court of morality!

As Trotsky’s insight also suggests, the ruling classes in history—the lords, masters, colonizers and capitalists—always respond with great moral indignation at the uprisings of the oppressed—*How dare they!* John Brown made a similar point when he told the court, during his trial for his abortive attempt at triggering a slave uprising at Harpers Ferry in 1859:

Had I so interfered in behalf of the rich, the powerful, the intelligent, the so-called great, or in behalf of any of their friends ... and suffered and sacrificed what I have in this interference, it would have been all right; and every man in this court would have deemed it an act worthy of reward rather than punishment. ... I believe that to have interfered as I have done—as I have always freely admitted I have done—in behalf of His despised poor was not wrong, but right.

Brown was hanged on December 2, 1859. He left a final, prophetic note in his jail cell: “I John Brown am now quite certain that the crimes of this guilty land will never be purged away, but with Blood.” The Civil War was 16 months away. Union soldiers marched to battle singing the

anthem, “John Brown’s Body”:

*He captured Harper’s Ferry, with his nineteen men so few,  
And frightened “Old Virginny” till she trembled thru and thru;  
They hung him for a traitor, themselves the traitor crew,  
But his soul is marching on.*

The mortal fear of the of the ruling classes—the inner knowledge that a day of reckoning may come—is also revealed by the furious, psychopathic revenge they exact against uprisings, as the Palestinians are now experiencing, and which was so often on display in the vicious reprisals of slave masters.

As Hegel observed in his lord-bondsman dialectic in the *Phenomenology of Spirit* of 1805-1806—a section of his work that was influenced by the great slave uprising of the Haitian Revolution—the very being of the master is secured only by the subjugation of the slave, and vice versa. Frederick Douglass, his biographer David Blight observes, seemed to have been somehow “intuitively aware of Hegel’s famous insight.”<sup>[7]</sup> As the great abolitionist put it in introducing the section of his autobiography describing his own physical rebellion against a brutal overseer, Mr. Covey, “*You have seen how a man is made a slave; you shall see how a slave was made a man.*” Douglass might have been speaking for all slaves, and all the oppressed, when he added, in a comment about his mood in the wake of the beating he gave Covey, that he had resolved “however long I might remain a slave in form, the day had passed forever when I could be a slave in fact.”

Yet history shows that to overturn oppressive social orders, the violent actions of individuals and small groups do not suffice. The organized revolutionary violence of the masses is required. This is what Trotsky had in mind when he wrote of Lincoln “not hesitating before the most severe means” posed by developments. Lincoln would have agreed with Trotsky’s assessment, saying once “I claim not to have controlled events, but confess plainly that events have controlled me.”

In his First Inaugural Address, delivered one month before Fort Sumter, the first battle of the Civil War, Lincoln had offered the South an olive branch, appealing famously “to the better angels of our nature.” In his Second, delivered one month before his assassination, Lincoln offered a searing promise of historical retribution:

Fondly do we hope—fervently do we pray—that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondsman’s two hundred and fifty years of unrequited toil shall be sunk and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago so still it must be said “the judgments of the Lord are true and righteous altogether.”

[5] Miller, 448.

[6] Blight, David W. *Frederick Douglass: Prophet of Freedom*. First Simon & Schuster hardcover edition. New York: Simon & Schuster, 2018: 249.

[7] Blight: 40.



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[1] Berlin, Ira. *Many Thousands Gone: The First Two Centuries of Slavery in North America*. Cambridge, Massachusetts: Belknap Press of Harvard University Press, 1998.

[2] Miller, William Lee. *Arguing about Slavery: John Quincy Adams and the Great Battle in the United States Congress*. First Vintage books edition. New York: Vintage Books, 1998: 444-446.

[3] Sinha, Manisha. *The Slave’s Cause: A History of Abolition*. New Haven: Yale University Press, 2016: 414.

[4] Oakes, James. *The Crooked Path to Abolition: Abraham Lincoln and the Antislavery Constitution*. New York, NY: W.W. Norton & Company, 2022: 47.