THIRTEENTH AMENDMENT SYMPOSIUM

ARTICLES

Freedom to Integrate: A Desegregationist Perspective on the Thirteenth Amendment
Alexander Ress

Why Is James Ashley Not in the History Books?
Abdul Alkalimat

James M. Ashley, Toledo Politics, and the Thirteenth Amendment
Les Benediat

The Toledo Auto-Lite Strike of 1934 and the Fight Against “Wage Slavery”
Rebecca E. Zietlow and James Gray Pope

The Thirteenth Amendment of Our Aspirations
Lea VanderVelde

Race, Labor, and the Thirteenth Amendment in the 1940s Department of Justice
Risa L. Goluboff

Marriages of Convenience: International Marriage Brokers, “Mail-Order Brides,” and Domestic Servitude
Suzanne H. Jackson

Noncitizen Immigrant Labor and the Thirteenth Amendment: Challenging Guest Worker Programs
Maria L. Ontiveros

Kathleen Kim

Judicial Review of Thirteenth Amendment Legislation: “Congruence and Proportionality” or “Necessary and Proper”? 
William M. Carter, Jr.

Looking Beneath the Surface: Illinois’ Response to Human Trafficking and Modern-Day Slavery
Vanessa B. M. Vergara

The Stain of Slavery: Notes toward an Attainder Theory of the Thirteenth Amendment
Darrell A. H. Miller

NOTES

Should There Be a Public Duty to Respond to Private Violence? The Effect of Town of Castle Rock v. Gonzales on Restraining Orders
Sara Metusalem

K.M. v. F.G., My Two Moms: California Courts Hold That a Child Can Have Two Natural Mothers
Courtney Trinaco
WHY IS JAMES ASHLEY NOT IN THE HISTORY BOOKS?

Abdul Alkilimat*

I. INTRODUCTION

One can distort and use his memory to confuse or to reinterpret what actually happened in the past. However, our memory of shared experiences in this country can often be an unused asset. In terms of an unused asset, one must consider James Ashley. Ashley was a great servant of this country who stood for democracy and a higher standard of morality than is usual in the American political system. The discovery that there was a silence in our history about James Ashley became almost an obsession for me as I continued to ask people, “Do you know anything about James Ashley?” People would come up with a blank expression on their face; when told who he was, they would seem shocked and surprised. However, most of all, they would feel good about him. If you live in a town, people like to hear good things about their town to share; therefore, to recover a lost historical asset is a positive thing.

However, while recovering memories is important, we interpret these memories. They frequently reflect the conditions of our lives today and the questions we are raising as a generation trying to make our way into the future. So the present is the mechanism through which we appropriate the past and use it. So why should we care about James Ashley? What relevance does he have in our modern society? To understand his relevance, we must ask why James Ashley is absent in the history books.

II. JAMES ASHLEY

James Ashley was born the son of a minister in Pennsylvania; he moved to Ohio at the age of two.1 In Portsmouth, he was home educated by his parents and later went on to great achievements without any formal education. In southeastern Ohio, he became involved with a strong abolitionist movement and became an activist on the Underground Railroad.2

In his late twenties, he moved to Toledo, Ohio.3 He carried his radical antislavery passion into the Republican Party of Abraham Lincoln and William

* Professor of Sociology and Director of the Africana Studies program at the University of Toledo.
2. Id. at 5-8, 10.
3. Id. at 11.
Lloyd Garrison. After his campaigning failed to win the presidential election for abolitionist John Fremont in 1856, Ashley won election to the U.S. House of Representatives in 1858. He was in Congress for ten years where he was integral in drafting the Thirteenth Amendment. He then spent his remaining years building railroad lines from Toledo to Ann Arbor toward the Michigan Upper Peninsula where he passed into obscurity.

III. ABSENT FROM HISTORY

Why did a man so integral in abolishing slavery fall from the pages of history? The fundamental reason why James Ashley is not in the history books is that he represented a counter narrative. Critical questions that Congress debated to interpret the meaning of the war and the meaning of the future of the United States focused on two dichotomous views. One view reflected a compromise that would subordinate the African American and return political power to the former slave owners. In contrast, the other view involved a radical, thoroughgoing abolition that would have eliminated any strong legacy from slavery. James Ashley represented the latter. When the first view prevailed, Ashley faded from history. In other words, the main narrative of the United States includes a great deal of space for the legitimacy of the Confederacy in which history teaches us to honor and respect the leaders of the Confederate rebellion and states rights. Thus, this struggle severed the Civil War from slavery.

In 1861, James Ashley expressed this severance in a speech that he delivered in Toledo. Ashley contested the idea that the Civil War had nothing to do with slavery. Ashley used the vice president of the rebel government, Alexander H. Stephens’ words to elicit the immoral view that slavery had nothing to do with the Civil War:

Mr. Stephens I suppose you all know to be one of the fairest and most conservative men in the entire South, and a man of the first order of talents. In speaking of the principles on which the Southern Confederacy was formed this summer, he said:

That its foundations were laid—that its cornerstone rested on the great truth that slavery, subordination to the superior race—was the Negro’s natural condition; that the confederacy was founded on these principles, and that this stone, which was rejected by the first builders, had, in their new edifice, become the chief stone of the corner.

The foundation stone upon which Washington and the patriots of the Revolution built is rejected by the leaders in this rebellion, and if Mr. Stephens speaks truly, the foundation upon which the conspirators build, is slavery. Yet in the face of such statements, and all the facts I have enumerated, politicians and newspaper editors

4. Id. at 37.
attempt to deceive and mislead the people by declaring that slavery has nothing whatever to do with this rebellion.\(^5\)

Ashley was clearly no coward in expressing this view. Further, he was no coward in expressing his view through his actions. For example, he went to the hanging of John Brown to bear witness, to show his unity with this secular saint who paid so dearly to defend the moral fiber of the country. He wrote the following in a long account published in the *Blade*:

Thousands all over the country will ask, and be unable to answer the question, “Why has there been so much excitement and so much fear exhibited by the Southern people at this Harper’s Ferry affair?” I answer, it is inseparable from the system of slavery. A servile insurrection is always to be feared, because it is the most terrible of all evils that can befall a people who claim to own their laborers. Men may talk as they will, but I tell you there is a smoldering volcano beneath the crust, ready to burst forth at any moment; and an enemy to the peace of almost every hearth-stone, is lurking in the heart of the apparently submissively lashed slave, and only those who have passed thorough an outbreak like this or the Southampton insurrection, can comprehend the danger and know for a certainty that it exists. Today, as the old chief was brought from the prison to be put into the wagon and taken to the lace of execution, a slave woman, having perhaps heard me spoken of as an Abolitionist, said in my hearing, and I suppose that I should hear it, just as the old man seated himself on his coffin: “God bless you, old man; if I could help you, I would; but I can’t.” The countenances of all the Slaves told too plainly of their sympathy.

Although the military display may have been, as claimed by many, too large, and has increased the excitement, a military force of some kind was not only necessary, but it was absolutely indispensable to keep the Slave masters at hand, to watch their “property,” not from fear of the Northern “Abolitionist,” but simply from the fear of the “property” itself.\(^6\)

Ashley was mindful of the need to end slavery, to heal the wounds of blacks and whites. It is critical to note that he was candid and clear in keeping true to the historical record in regard to his ideas. For example, here is a dramatic moment in his words of the rebirth of the nation:

You all remember how Mr. Lincoln entered Richmond, on foot, unheralded and practically unattended. He thus entered the capital of the late Confederate government to teach the South and the nation a needed lesson—the lessons of mercy and forgiveness.

\(^5\) James M. Ashley, *Address at College Hall (Nov. 26, 1861)*, in *Souvenir from the Afro-American League of Tennessee to Hon. James M. Ashley of Ohio* 171, 197 (Benjamin W. Arnett ed., 1894) [hereinafter Hon. James M. Ashley Souvenir].

IV. CONCLUSION

The reason we research James Ashley is because we need James Ashley today. The most important thing about James Ashley is that he did not subordinate morality to politics on the great issues that his generation faced. This was a clear message. He was a lighthouse in the storm of ambiguity and political opportunism. Ashley was essentially arguing for the democratic emancipation of African-American labor to enter into the industrial system and, thereby, providing a tremendous labor force for the development of the country while at the same time, maintaining that which was necessitated by a consistent application of human democratic values. Today in the transition from the industrial society to the informational society, there is an unlinking of increasingly large sections of labor into a social network in which mechanisms of crisis and degeneration construct a virtual prison, a form of neo-slavery. Today we need the clarity that James Ashley brought to his time: moral clarity within political decisiveness.

James Ashley understood something very basic about society—the last has to be first if we wish to solve our social crisis once and for all. It is critical for us to remember James Ashley as it helps us affirm the best in ourselves. Toledo has much of which to be proud; near the top of any list should come the name of James Ashley.