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# **John Brown, Slavery, and the Legacies of Revolutionary Violence in Our Own Time: A Conference Commemorating the 150<sup>th</sup> Anniversary of the Harpers Ferry Raid**

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## *John Brown, Justice, and the Public Sphere*

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Available online at <http://www.yale.edu/glc/john-brown/smith-abstract.pdf>  
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### **Abstract**

My work on John Brown is part of a larger work-in-progress, "The Oracle and the Curse: A Poetics of Justice, 1765-1865." The book explores the rhetoric and reception of documents such as Brown's "Address" to the Virginia Court, in which speakers invoke a higher law as the origin of their authority. Against conventional accounts of the public sphere, I argue that such oracular speech, transcribed and circulated in print, enacted a new way of summoning the sanction of "the people" under regimes of popular sovereignty. Commentators have tended to remember Brown as a man of action, not words, or to consider the cultural afterlives of his martyred body "a-mouldrin' in the grave." But Brown was also a revered orator. W.E.B. DuBois called his prison writings "the mightiest abolition document that American has ever known." In his "Address" and in his letters, Brown acknowledged that he had broken Virginia's laws, but he aligned his deeds with the "law of God." Echoing the jeremiads of earlier centuries, he made a violent prophesy: "the crimes of this guilty land will never be purged away but with blood." Brown mimicked the voice of his judge, pronouncing a verdict and a sentence. One admirer,

Henry Thoreau, observed that two circles of readers took shape around Brown's words. The first sided with the court in condemning Brown's prototerrorist crimes. The second, assenting to Brown's "law of God," felt that the power of the courts had been severed from the will of the people. Part rhetorical criticism, part sociological analysis, Thoreau's study suggested that an invocation of higher law, circulating in print, could exploit the contradictions between the rule of law and widely held ideals such as natural justice and popular sovereignty. If the trial had been a ritual of the law's legitimacy, allowing one public to see its sovereign will enacted, Brown's published words called together a counterpublic in opposition to the law.