



NATIONAL ENDOWMENT FOR THE

Humanities

DIVISION OF RESEARCH PROGRAMS

Narrative Section of a Successful Application

The attached document contains the grant narrative and selected portions of a previously funded grant application. It is not intended to serve as a model, but to give you a sense of how a successful application may be crafted. Every successful application is different, and each applicant is urged to prepare a proposal that reflects its unique project and aspirations. Prospective applicants should consult the Research Programs application guidelines at <https://www.neh.gov/grants/research/fellowships> for instructions. Applicants are also strongly encouraged to consult with the NEH Division of Research Programs staff well before a grant deadline.

Note: The attachment only contains the grant narrative and selected portions, not the entire funded application. In addition, certain portions may have been redacted to protect the privacy interests of an individual and/or to protect confidential commercial and financial information and/or to protect copyrighted materials.

Project Title: The Hermione – Mutiny, Martyrdom, and American Nationhood

Institution: Virginia Polytechnic Institute and State University

Project Director: Roger Ekirch

Grant Program: Fellowships

THE HERMIONE
MUTINY, MARTYRDOM, AND AMERICAN NATIONHOOD

This study sets out to examine the most violent mutiny in the history of Britain's Royal Navy and its profound impact upon American political culture during the early years of the Republic. In the waters of the Caribbean, mutineers in September 1797 murdered the captain and nine other officers aboard the frigate *Hermione*. A republican spirit among the crew, manifested in a deep-seated animus toward English authority and, in particular, naval impressment contributed to the bloodletting. Mutineers included foreign as well as English seamen, many of whom had been "pressed" into service. To the British Admiralty's alarm, the uprising erupted during the height of the French Revolutionary wars when France was threatening England with invasion. On surrendering the vessel in the Spanish Main, a majority of the crew – nearly 100 seamen - fled to the far corners of the North Atlantic, including to the United States. Given the numbers who eluded capture, the mutiny was one of the most successful in naval history - not, however, for want of British tenacity. Over the ensuing decade, British agents ran 34 fugitives to ground, resulting in 24 being hanged – a consequence, as well, of shipping and communications networks spanning the Atlantic's ever shrinking world. As for the *Hermione*, a raiding party cut it out beneath the guns of a Spanish fort during a nighttime assault in 1799 without incurring a single British fatality.

Of primary importance to my book will be the uprising's repercussions for both the young American republic and John Adams's presidency, which will comprise three-quarters of the volume. The mutiny thrust upon the administration a set of incendiary issues involving human rights and national sovereignty, owing to the purported presence of impressed American sailors aboard the *Hermione* and the threatened extradition of United States citizens as well as foreign nationals to Britain for their alleged hand in the violence. What rights did American crews possess if impressed on the high seas by a foreign power? If suspected of mutiny, could they be extradited from America? And what of aliens seeking sanctuary in the United States? Did they enjoy such constitutional prerogatives as trial by jury and due process of law?

In February 1799, a reputed fugitive, Jonathan Robbins, was detained in Charleston, South Carolina. With the consent of President Adams, a federal judge ultimately surrendered the seaman to the British that August. Whether or not the defendant was an American citizen was immaterial in the judge's view. Robbins was court-martialed and executed in Port Royal, Jamaica, with his body hung in chains. Almost instantly, within the United States the execution became a cause célèbre. Rumors of the captain's brutality preceding the uprising fueled public notoriety. Notwithstanding the shocking loss of life aboard the *Hermione*, the bulk of American opinion steadily tilted in the mutineers' favor, catching Adams badly off-guard. (Ironically, the extradition called to mind his impassioned defense before the Revolution of an American seaman who, in resisting impressment, had killed a British naval officer.) Worse, many Americans believed that Robbins had hailed from Connecticut, only to be pressed on board the *Hermione* from an American brig out of New York. English officials insisted, instead, that he was an Irish ringleader, Thomas Nash. It would be difficult to exaggerate the intensity of the debate, in the press and state capitals no less than in Congress, between Republicans and Federalists sympathetic to England. "I think no one circumstance since the establishment of our government," Thomas Jefferson observed, "has affected the popular mind more." The *Hermione* crisis ignited a wide-ranging examination of the implications of American nationhood - with special reference to both the rights of citizens and the country's Revolutionary role as an "asylum for mankind" - that had been slowly building for years, especially in the wake of the Jay Treaty of 1794 with England, which Republicans had roundly denounced as pro-British. In fact, Article 27 authorized the surrender of murder suspects between the two countries, and it was this clause that Federalists now invoked in the administration's defense.

By early 1800, Adams had grown deeply unpopular, in no small measure for allegedly sending an American to his death by a foreign tribunal. The president was also said to have trampled on the doctrine of separation of powers by interfering in proceedings reserved for the courts. Criticism from Republican newspapers magnified the outcry. In March, Adams faced the possibility of censure by Congress, perhaps impeachment, for sanctioning Robbins's extradition. Leading the assault was a New York congressman,

Edward Livingston, one of a rising generation of Republican officeholders. In the Federalist-dominated House, Adams escaped condemnation following John Marshall's full-throated defense that the president was the "sole organ" of the country in foreign affairs. The reprieve, however, was temporary, for the Robbins crisis played a role of unheralded magnitude in the momentous presidential election of 1800. Historians have seriously understated the impact of the controversy by crediting Marshall with muting political opposition. Quite the contrary. Within days of the House's failure to censure Adams, Federalists were forced to withdraw a motion of "approbation" of the President's conduct. Moreover, newspaper accounts of critical state elections for presidential electors confirm the crisis's importance. In New York, for example, a Federalist lamented in early May that the issues of Robbins and impressment "effectively turned the election." They were, observed a newspaper in June, "subjects which have sunk deep in the American mind, and will no doubt have great effect in the Presidential election." Did fresh memories of Robbins's execution doom Adams's re-election? Clearly, it played a dominant role in pivotal states. At a minimum, the extradition of Robbins strengthened perceptions of the president as a cold-blooded "monarchist" indifferent to the wellbeing of the common man, particularly when British interests were at stake. For years afterward, in fact, Republicans would continue to "conjure up" Robbins's ghost in electoral contests in order "to bear witness against federalism."

Apart from its consequences for the "Revolution of 1800," the ramifications of the *Hermione* mutiny were immense. Notwithstanding Marshall's eloquence, a growing consensus favored restricting extradition to the courts. More important, the rendition of foreign nationals, much less U.S. citizens, directly threatened America's Revolutionary role as an "asylum for mankind." Already in the wake of the French Revolution, this venerated source of national identity had aroused skepticism among Federalists, climaxing in the Alien Acts of 1798, including a provision extending residence for naturalization from five to fourteen years. Ironically, however, "the very ambiguity of Robbins's citizenship," as a legal scholar has speculated, invited a broader conception of republicanism, capable of transforming, in American eyes, aliens devoted to liberty into de facto citizens. In late 1799, a Federalist newspaper even opined that Republicans had known of Robbins's Irish origins "and for that reason gave him their pity and friendship," as they had the United Irishmen during Ireland's 1798 Rebellion. "They have ever talked more of the rights of Aliens than of the rights of native Citizens," it claimed. In truth, they talked about both. But given the power of republican ideals, it became less relevant whether the executed sailor had been Jonathan Robbins or, instead, an Irish republican. Whatever his ancestry, insisted a Pennsylvanian, "Should [the Irish] be press'd, beat & abused by a set of rascals and not endeavour to gain their liberty? Or when they have done it, be delivered up to be slaughtered!" Virginia in 1800 prohibited the rendition of both aliens and citizens on penalty of capital punishment should either be executed.

To a dramatic degree, the Robbins affair widened America's open door to political refugees. "Shall oppressed humanity find no asylum upon this globe," demanded Jefferson in 1802 in urging the liberalization of naturalization laws. During his second term, Congress allowed Article 27 of the Jay Treaty to lapse. For forty-three years after Robbins's extradition, not one person, citizen or alien, was surrendered by the United States, despite requests from foreign governments. (It bears emphasizing that this policy applied to crewmembers from the *Hermione* who, like Robbins, had fled to the United States and who, as a consequence of his fate, would remain forever outside Britain's grasp). Extradition had been suspended with Britain, explained Secretary of State Daniel Webster in 1842, owing to the "political notoriety" of "the great case of Jonathan Robbins." And when extradition did resume, beginning in the 1840s, memories of the "martyred seaman" ensured that political fugitives, including mutineers and deserters, would be exempted, thereby establishing the "political offense exception." This doctrine extended to foreign treaties and in 1848 to Congress's first extradition law, the point at which political asylum became the express policy of the United States. Public debates in and out of Congress beginning in 1799 had laid the political and constitutional foundations of this historic juncture, with the result that refugees, ever since, have benefited from the ramifications of the Robbins affair. Moreover, extradition proceedings would henceforth be conducted by the courts, affording "basic rules of evidence and due process of law" – a measure of constitutional protection – to non-citizens. Crediting "the eventful history of the Robbins case," Supreme Court Justice John Catron reflected in 1852 that "extradition without an

unbiased hearing before an independent judiciary” was “highly dangerous to liberty.” (Notably, abolitionists would link to the martyred sailor the injustice of returning fugitive slaves. The affair also figured in the defense of rebellious slaves aboard the *Amistad* in 1839 and the *Creole* two years later.)

Not since the publication in 1964 of Dudley Pope’s *The Black Ship* has a comprehensive narrative been written of the mutiny. Pope’s account all but ignored the controversy’s impact on American politics, as does a recent article by the maritime historian Niklas Frykman. Studies by Delbert Cress, Ruth Wedgwood and Christopher Pyle have addressed several of the controversy’s domestic implications, giving less attention, however, to the mutiny and its republican origins or a full account of its political ramifications. Perhaps as a consequence, neither recent studies of the election of 1800 nor biographies of John Adams have explored the controversy, despite his embarrassing failure to win a vote of confidence in the House on the very eve of the election. Nor has the Robbins affair been accorded adequate importance in laying the essential groundwork for America’s adoption of political asylum for foreign refugees, thereby fulfilling the country’s Revolutionary promise.

Sources are voluminous, including massive collections at the British National Archives and the National Archives in Washington, D.C. Among British documents are Admiralty dispatches, logs, journals, and muster books. Court martial records detail events aboard the *Hermione* before, during, and after the mutiny. I am currently organizing more than three thousand pages of documents photographed and downloaded in London. Access to the papers of the Founders has improved thanks to the digital collection, “America’s Founding Era.” Other manuscripts are ample (not least the papers of Secretary of State Timothy Pickering and Edward Livingston, which I have consulted); whereas electronic databases offer unparalleled opportunities for probing newspapers and periodicals, an invaluable portal onto public opinion and national politics as well as such issues as impressment and immigration. My expectation is to write a broadly-conceived narrative, comprising eight chapters, that is as fertile in detail as it is central to our understanding of the evolution of American nationhood and such seminal issues as citizenship, political asylum, and extradition during the early years of the republic – all set against a backdrop of maritime violence, court hearings, newspaper wars, congressional jockeying, and election campaigns. More specifically, enriching the narrative will be contextual analysis of such matters as impressment, naval discipline, the Atlantic world in the late 1700s, the logistics as well as the politics of immigration, party strife, the role of newspapers, Anglo-American relations, and republicanism.

Following a prologue and introduction, I anticipate two chapters devoted to the mutiny, its causes and immediate aftermath, including British efforts to recover both the ship and its crew (ca. 1796-1798). The third chapter will recount the flight of sundry mutineers to the United States and early arrests in Delaware and New Jersey, leading in the succeeding chapter to the detention and extradition of Jonathan Robbins (1798-1799). Chapters five and six explore ramifications in Congress and the public arena, climaxing in efforts to censure Adams and the election of 1800 (1799-1801). The penultimate chapter, grounded in Jefferson’s presidency, explores persistent aftershocks from the Robbins’s affair, from the liberalization of immigration and naturalization laws to the termination of extradition. Covering the years 1801 to 1809, this chapter will also address lingering consequences of the mutiny itself, including the fate of fugitives who escaped to the United States, reforms adopted by the Royal Navy, and the breaking up of the *Hermione* in 1805 after being rechristened the *Retribution*. An epilogue explores the re-adoption of extradition in the 1840s, with provisions for political asylum, followed by other legacies of Robbins’s martyrdom, from its application to fugitive slaves to its relevance today. In the wake of 9/11, many of the issues hotly debated more than two hundred years ago resonate with renewed intensity, from the constitutional rights of foreign nationals and the liberalization of immigration to the prerogatives of executive authority and the trial of civilians by military tribunals.

Should I receive a fellowship for twelve months (2013-2014), coupled with leave at half-pay from Virginia Tech, I will devote the year to completing at my home a manuscript due to be delivered to my editor by December 2014. With my research virtually complete, I expect to spend the remainder of 2012 organizing photocopied documents, private manuscripts, and newspaper articles. If not sooner, I will begin writing the first several chapters by January 2013. A fellowship from the National Endowment for the Humanities will provide a critical opportunity to complete the main body of my book.

SELECTED SOURCES PERTAINING DIRECTLY TO THE TOPIC

PRIMARY

- American newspapers and periodicals (Historical Newspapers from the Library of Congress; America's Historical Newspapers; Access Newspaper Archive; Nineteenth-Century U.S. Newspapers; American Periodical Series)
- America's Founding Era (Adams, Hamilton, Jefferson, Madison, and Washington Papers)
- Annals of Congress*
- British newspapers and periodicals (Burney Collection Newspapers; Nineteenth-Century British Library Newspapers; British Periodicals Collection)
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- National Archives, Kew, England: Admiralty dispatches, journals, logs, muster books, and court martial records
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- U.S. Congressional Serial Set

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