Peace-making after the New York 'Anti-Rent War': Governance through mercy in the 1840s

Wednesday 30 May 2012 4:15-5:30pm

School of History Seminar Series
Dr Carolyn Strange, School of History, ANU

McDonald Room Menzies Library, ANU

When disgruntled New York renters presented their demands for freehold tenure in the early 1840s, they got nowhere, other than frustrated. When groups of 'anti-renters' disguised themselves as Indians in 1845, agitating communities along the Hudson Valley and killing a sheriff, they got the Governor's attention. Martial law was declared, rebels were convicted, and order restored. Historians have studied this incident to explore the legacy of democratic and agrarian revolts, the anachronistic nature of the Dutch manorial land grants, and the machinations of antebellum party politics. In other words, the event has been framed through economic and political historiography.

The challenges anti-renters presented for state governance hold equal interest for criminal justice historians, particularly historians of mercy. To question how mercy has operated as a governing tactic requires, in this case, applying it to the specific political, legal, social, economic and cultural currents that converged in New York State in the 1840s. Because anti-rent sympathy was widespread, championed by prominent Whigs, as well as newspapers editors, such as Horace Greeley, and novelist Herman Melville, imposing the full force of the law demanded theatricality, but it did not, and could not, entail finality. Mass clemency in the aftermath of martial law, including death sentence commutations, extended a centuries-long tradition of governing through mercy. Yet these gubernatorial acts of clemency also occurred in light of debates that had preceded anti-rent agitation, over the role of human sympathy in law, and about the uneasy place of executive discretion in a republic.