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Episode 277: Whose Fourth of July?

Liz Covart: [00:00:00] *Ben Franklin's World* is a production of Omohundro Institute.

Jeff Brown Quoting Declaration of Independence: [00:00:05] When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

Adam McNeil Quoting Frederick Douglass: [00:00:46] Fellow citizens, I am not wanting in respect for the fathers of this Republic. The signers of the Declaration of Independence were brave men. They were great men. Fellow citizens, pardon me, allow me to ask, why am I called upon to speak here today? What have I, or those I represent, to do with your national independence? Are the great principles of political freedom and of national justice embodied in the Declaration of Independence, extended to us? What, to the American slave, is your Fourth of July? I answer: a day that reveals to him, more than all other days in the year, the gross injustice and cruelty to which he is the constant victim. To him your celebration is a sham, your boasted Liberty an unholy license; your national greatness, swelling vanity. There is not a nation on the Earth guilty of practices more shocking and bloody than are the people of the United States at this very hour.

Liz Covart: [00:02:02] On July 5, 1852, Frederick Douglass delivered a speech to an antislavery society and famously asked, "What, to the slave, is the Fourth of July?" In this episode, Episode 277, we're going to explore Douglass's thoughtful question within the context of early America. What did the Fourth of July mean for African Americans who lived in the late eighteenth and early nineteenth centuries?

Christopher Bonner: [00:02:28] The Fourth of July was for African Americans, generally, I think a moment to ask questions.



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Liz Covart: [00:02:34] Joining us for our exploration is Christopher Bonner, an assistant professor of history at the University of Maryland and a specialist in African American history and the history of the United States during the nineteenth century.

Martha S. Jones: [00:02:47] What is the relationship of Black Americans to the nation? Are they inside? Are they outside? Can they ever be inside?

Liz Covart: [00:02:58] Martha Jones will also be joining us for our investigation of how African Americans thought about and commemorated the Fourth of July between the revolutionary and early republic periods. Martha is a Society of Black Alumni Presidential Professor and a professor of history at Johns Hopkins University. She's also an expert on the ways Black Americans have shaped the story of American democracy.

Martha S. Jones: [00:03:19] That series of questions is very pointedly on the table, if you will, on an occasion like the Fourth of July, when Americans look back to a founding moment with reverence, with admiration, with an appreciation for places to which the nation has traveled since its founding. But Douglass, of course, understands that the place of Black Americans in that story is, at best, troubled and, at worst, nonexistent.

Liz Covart: [00:03:57] So how do Black Americans in the early republic experience the Fourth of July? How did their experiences with the Fourth contribute to the larger history of the nation's founding? And why did Frederick Douglass seem to think that the place of Black Americans within the history of the nation's founding was troubled or nonexistent? The Fourth of July was born from the American Revolution. The Fourth is a day when we Americans celebrate the United States' Independence from Great Britain. And the day when we consider the rhetoric and values of the Revolution. We consider questions like: what do liberty, freedom, and equality mean to us today? Have we, the people, come far enough in how we view and apply those ideas in our society? What does it mean to be a citizen of the United States and who can be a citizen of the United States?

These are just some of the questions we ask ourselves and think about on the Fourth of July. Now, if we want to better understand early Black Americans experiences with the Fourth of July and how their commemorations contributed to the larger history of the nation's founding, we should start with the American



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Revolution and investigate the roles African Americans played in the revolution's political and military aspects.

Martha S. Jones: [00:05:09] I think it's historian Gary Nash who—I'm going to paraphrase Nash—but Nash calls the American Revolution, right, the greatest slave uprising in US history. What is he trying to say? Nash is trying to say that enslaved people in the British colonies and the new United States see and seize the disruption, the possibilities, the openings of the revolution to make a revolution of their own.

Liz Covart: [00:05:42] African Americans saw possibilities in the American revolution and like many Americans, they sought to make the revolution their own. And they worked to make the revolution their own, primarily in two ways. First, they found opportunities in the war to help found a new nation and to seek their liberation.

Christopher Bonner: [00:06:00] You know, the earliest Black service that happens in the Revolutionary War is actually Black service on behalf of the British, and a big part of this is in response to British efforts to destabilize slavery as a war tactic. So in 1775, the British colonial governor of Virginia, whose title was Lord Dunmore, issues a proclamation and says, "If enslaved people leave their owners and run to the British lines, they will be freed." And he does this because he hopes that this is going to suppress the revolutionary sentiment that's emerging in Virginia. That he hopes that colonial leaders will be discouraged from their protests and their opposition to British policy, because they'll be so worried about losing their property.

But enslaved people are thinking about their freedom. They're thinking about the opportunity that Dunmore seems to be holding out to them. And so they say, "Okay, I'm going to seek out this opportunity." And so within a few weeks after Dunmore's proclamation, there are already a few hundred Black men who have found their way to the British lines in southeastern Virginia and they are armed and formed into what comes to be called Dunmore's Ethiopian Regiment.

Martha S. Jones: [00:07:12] Women, children, elders will also take advantage of the war and the enticements, in particular of British officials, to come behind army lines. These are fraught scenes. They are not welcomed. They are not treated as honored refugees. They are troubling figures.



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Liz Covart: [00:07:38] Like most wars, the War of American Rebellion or the War for American Independence required lots of manpower. So the British developed a strategy that would help them gain additional manpower and destabilized the American war effort by threatening the institution of slavery. These strategies appealed to the enslaved. Enslaved people liked the idea that they could gain their freedom by taking up arms against their enslavers and against slavery. But where did the American revolutionary stand when it came to Black military service? Did American revolutionaries think about how they might use Black servicemen and counter the British strategy to disrupt slavery?

Christopher Bonner: [00:08:14] One of the things that's really compelling is how colonial leaders and American leaders were so hesitant about enlisting Black men in the war because of fears about what it would mean for the institution of slavery. What happens when Black men are armed? Can we expect that they will remain enslaved? What happens when some Black men are armed? Can we expect that other Black men or Black people would be able to be held in bondage after this? And, so slave owners in general are worried that the institution of slavery is endangered by Black enlistment.

There are also a lot of leading figures and white Americans across the colonies and then the states, who have these racist fears that Black men are not prepared to fight in a war. There is a general prejudice, a feeling that Black men, whether they were free or enslaved, wouldn't be brave enough to fight in a war. There was a question about whether Black men would be loyal, especially if you armed a formerly enslaved person. How could you expect them to fight alongside someone who might have been their owner, without endangering that person? And so there are a lot of ideas that limited the embrace of Black enlistment on the part of the United States.

Liz Covart: [00:09:38] Many Black Americans picked up arms and served in both the British and American armies, even if their commanders did not always welcome their service or seem happy to have them. Then there was Black service on the home front.

Martha S. Jones: [00:09:50] You have many others who are what we might call, the workers on the home front, right? That in order to sustain a war effort, there's a great deal of labor that is required far beyond battlefields. And African Americans continued to labor on farms and on plantations and produced the foodstuff and the staple goods that keep particularly the revolutionary army



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afloat in these years. And so there is a great deal of oftentimes uncredited labor done by Black Americans in these years.

Liz Covart: [00:10:29] So Black Americans, men, women, and children, served the war effort, both along the front lines of the war and along the home front. And it turns out many thousands of them served.

Christopher Bonner: [00:10:40] From what I've seen, it's really tough to get specific numbers here, but several thousand Black men served in the Continental army during the revolutionary period. There are estimates that up to hundreds of thousands of African Americans—men, women, and children—fled to the British during the war or that hundreds of thousands of African Americans fled slavery during the war. And so there are really significant numbers. I think that there are suggestions that somewhere around 20% of the people who took part in the war on the side of the Continental army were people of African descent. So I think that for a population that was a significant minority in the country, there is a significant contribution on their part for, you know, the war effort.

Liz Covart: [00:11:29] Hundreds of thousands of African Americans served in the military during the American Revolution. And they made significant contributions to both the British and the American war efforts. Now, when we talk about Black military service during the revolution, we need to talk about choice. Because fighting in a war is inherently dangerous and risky work and not all African Americans enjoyed the freedom of choice. In fact, some states, like South Carolina and Georgia, enacted laws that permitted local militia and Continental army officers to requisition the labor of local enslaved people. So what choice did Black Americans really have in their service? Was military service something they wanted to do? Or did a state or local government, or possibly even a slave owner, force them to serve in an army?

Christopher Bonner: [00:12:18] Choice is actually really important here and it's a really interesting way to examine Black people's experience. I think that for a lot of free African Americans, there was a lot of choice. There was a lot of thoughts about whether they would want to sort of take part in the war or which side they would join. From what I've seen, there's not a lot of evidence that Black folks were compelled to pick up a musket and go march into battle. A lot of the choices Black people made during the revolutionary period were not about whether they supported the British or the colonists. They were choices about whether they were willing to take the risks of seeking their freedom in a



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time of war. And there are a couple of ways to think about these risks. One way to think about that is the risk, the danger, of running away. Another way to think about this risk is the danger of a person who is trying to win their freedom through war.

So, as I said, Black men are offered freedom after successfully serving and surviving, essentially, right? And so these men would often get a certificate that would say something, like after enlisting and enduring the period of enlistment, or fulfilling the period of enlistment, a person would be granted his freedom. And so there's this implicit aspect of that, which is like, if you survive the war, you will be able to be free. It's profoundly risky to seek freedom through war. But I think that when we think about that risk, we have to recognize that the Black folks who did this understood that it was so dangerous. But they chose to take on that danger in pursuit of their own freedom.

Liz Covart: [00:14:01] Many Black Americans had a choice when it came to serving in the American Revolution. A driving force behind their decisions to serve was often the opportunity to try and claim one's freedom through war. As Chris Bonner just noted, this is an inherently risky and dangerous choice. And yet, many thousands of Black Americans made that choice by choosing to serve in either the American or British armies. Now, as I said several minutes ago, many African Americans saw possibilities in the American Revolution and they worked to make the Revolution their own. As we've heard, many did this by finding opportunities in the war to seek their freedom. But another way Black Americans could make the Revolution their own was by participating in the political side of the Revolution.

Martha S. Jones: [00:14:45] There's no question that among Black Americans are those who are part of the currents of the time. That is to say, political thinkers who have a position with respect to the British crown, the relative autonomy of the colonies, and much more. I'm thinking about Lemuel Haynes, who is a Black New Englander, who in response to the declaration, in essence, pens his own addendum to that document. And in it, tries to play out the logic of the declaration and argues, right, that if those principles are true, then slavery must be illegal and the declaration is an antislavery document. That is an argument that will carry Black Americans all the way through to the Civil War. So you have among Black Americans, those who are part of the very important work of working out ideas and what the principles are that undergird this revolution.



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Liz Covart: [00:15:49] Black Americans participated in both the military and ideological aspects of the American Revolution. And as Martha Jones just related, African American men like Lemuel Haynes tried to interpret and add to the ideas embodied in the Declaration of Independence. Now, the Declaration of Independence is an important document for us to consider. The reason we celebrate and commemorate the Fourth of July as Independence Day is because the declaration bears the date, July 4, 1776. That's the date that Timothy Matlack of Philadelphia engrossed the document that Thomas Jefferson and the Committee of Five drafted and Congress approved. The Declaration of Independence embodies the heart and soul of the United States' founding principles. So, what did African Americans make of the Declaration? And what did they think about its language and ideas?

Martha S. Jones: [00:16:40] "We hold these truths to be self-evident that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are Life, Liberty, and the pursuit of Happiness." What's remarkable to me about those words that, I think, perhaps with the exception of the term "unalienable," it's a pretty plain language pronouncement. That one need not be a political philosopher or statesman or highly read or educated to understand what might appear to be the plain meaning of these terms. And so Black Americans hear them, some of them read them, they hear them read aloud, they overhear them. And it shouldn't surprise us that while there's a great deal more in the declaration that will go on to chronicle the grievances that white Americans have vis-à-vis, the crown, it's almost too late to put the genie back in the bottle for Black Americans who hear in these words an eloquent expression of their own longstanding claims against slavery and for liberty.

Christopher Bonner: [00:18:02] One of the things that I think is interesting about the declaration is that the ideas that are expressed in the declaration. This idea that there is a natural right to liberty. This is an idea that develops and emerges in the minds and in the writings of white Americans, long after it must have permeated the thought of enslaved people. Black people had long understood that it was absurd that certain human beings should be owned by other human beings. So, I think in some ways the Declaration of Independence was compelling and important for African Americans. In other ways I think it must have struck them as obvious. It's like, of course you have come to this realization that we are entitled to freedom. And so I don't think African Americans needed to be persuaded or convinced of the significance of the



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declaration. They didn't need to be persuaded that the underlying principles of the declaration were true.

Liz Covart: [00:18:55] “We hold these truths to be self-evident,” just as the Declaration spoke to white Americans, it spoke to Black Americans, too. Black Americans believed in freedom and equality, and they didn't need to be convinced by the declarations' rhetoric. But what did they make of the fact that the declaration's words that “all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are Life, Liberty, and the pursuit of Happiness.” What did Black Americans make of the fact that these ideas were expressed and largely written by a slaveholder named Thomas Jefferson?

Martha S. Jones: [00:19:30] Black Americans certainly know that Jefferson and many of the other founders are slaveholders. That is, I think it's fair to say in pretty ordinary understanding in the revolutionary era.

Christopher Bonner: [00:19:44] So, I don't know that I've seen a lot of explicit references in the revolutionary period to criticizing Jefferson as a slave owner because of the fact that he wrote the declaration. I think that some of the direct criticism of Jefferson and Washington as slave owners emerges in the earlier nineteenth century. But I think one of the things that you see in the late eighteenth century is a kind of, like a more delicate questioning of the practices of colonial leaders. So, there's a petition from Connecticut from 1779 from a group of enslaved people who were seeking their freedom. And one of the things they say in this petition, “We beg leave to submit to your honors serious consideration, whether it is consistent with the present claims of the United States to hold so many thousands in perpetual slavery. Can human nature endure the shocking idea?”

And so there's this question, are you sure you're willing to be so inconsistent in your principles? Don't you want to reconsider your position on slavery? And so I think that implicitly in that petition, there is this statement that it is wrong for people to profess an investment in liberty and at the same time to own slaves. But I don't see in that kind of document a direct attack on someone like Jefferson for violating his own principles.

Martha S. Jones: [00:21:06] It's tough, isn't it? To hold up Jefferson's words as meaning one thing and to wholly undermine his legitimacy on the other by underscoring his slaveholding.



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Liz Covart: [00:21:21] African Americans knew Jefferson was a slaveholder, but they also believed in the ideas he set forth in the Declaration of Independence. They thought about those ideas, interrogated them, and then, after the revolution, they took those ideas and used them to obtain citizenship rights and freedom. Now, before we explore how African Americans used the rhetoric and ideas of the declaration to fight for liberty, there's one more interesting thought I'd like us to investigate. Black writers have been drawing attention to the experiences of African Americans in the revolution since the early nineteenth century. But in 1961, a professor at Morgan State University named Benjamin Quarles published a path breaking work called *The Negro in the American Revolution*. Now, *The Negro in the American Revolution* has served as a foundational text for many twentieth- and twenty-first-century books and articles about African American service in the revolution, including an essay Quarles himself wrote for the bicentennial called "The Revolutionary War as a Black Declaration of Independence." Is it possible that African Americans had two declarations of independence? One, an ideological document and another composed by their actions in the revolution.

Martha S. Jones: [00:22:34] What Quarles means, as I understand it, is that with the declaration, with the revolution, we learn what Black Americans, enslaved people in particular, had been thinking all along. And they tell us that with their feet. They tell us that by their actions, which is to say that as opportunities present themselves to escape, to flee, to claim freedom, to be of service in the hopes of winning membership in the body politic, Black Americans, enslaved people, tell us what they think by what they do.

Christopher Bonner: [00:23:15] And one of the other things that I think is critical about what Quarles is getting at is that, so, one way to think about this is that the Declaration of Independence, the written version, needed victory in the Revolutionary War to be solidified. And so the declaration was just this first little step that required more work in order to realize the freedom that it had laid out. In the same way, the Revolutionary War created these opportunities for Black people to do work toward their own freedom. But there was a long, decades-long, centuries-long process of African Americans struggling against the government, struggling against the people of the United States to try to realize the freedom and equality that had been laid out there. And so I think that there's a way of thinking about the Revolutionary War as a declaration of



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independence, because it is essentially just planting a seed for a more solid or stable freedom that needed to be struggled toward for a long time.

Liz Covart: [00:24:18] As both Martha Jones and Christopher Bonner have revealed, African Americans took the ideas of the declaration to heart because they already had those ideas in their minds. And after the publication of the declaration, Black Americans engaged in a decades-long, centuries-long process of working toward and struggling for the freedom and equality the founders had promised in the Declaration of Independence. And that's where our journey is going next. Before we can develop a better understanding of why Frederick Douglass asked, "What to Black Americans was the Fourth of July?" we need to investigate how African Americans use the Declaration of Independence to push for liberty and equality and for their inclusion in the United States as citizens.

But before we explore that story, we need to take a moment to talk about this podcast and how it could use your support. Did you know that it takes roughly one hour of work to produce each minute of this podcast? And in the case of this episode, it actually took a lot more time than that. It takes a lot of time and resources to produce this show and Omohundro Institute and I could really use your help to keep it going. Which is why we're asking you to support *Ben Franklin's World* by joining our new subscription program: benfranklinworld.com/subscribe. For less than you would typically pay to visit your favorite museum each month, you can help us deliver several thought-provoking conversations with today's top historians. Plus subscribers to our new subscription program will not only receive a bonus episode each month, they'll also never have to hear another midroll ad again. Yes, you heard me right. Starting with today's episode, subscribers to the new *Ben Franklin's World* subscription program will get a monthly bonus episode and ad-free content as a thank you for their support. So become a subscriber. Join our subscription program, benfranklinworld.com/subscribe and help us continue to bring exciting new historical scholarship right to your ears. Join us at benfranklinworld.com/subscribe.

Martha S. Jones: [00:26:18] How do you go about testing the meaning and the force of political document like the declaration or later, right, the Constitution? courts are charged with arbitrating and interpreting those kinds of texts, giving them lived meaning in the lives of individuals.

Liz Covart: [00:26:40] Before the end of the American Revolution, many Black Americans sought to test whether the American people were ready to stand



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behind the powerful and plain ideas that Thomas Jefferson and the Continental Congress set forth in the Declaration of Independence. They tested these ideas in numerous ways. Through the courts, in the press, and through their political activism during the early republic. And many of their first tests came in the form of freedom suits.

Martha S. Jones: [00:27:06] So freedom suits have a long history, many freedom suits are based upon individual claims of promise or self-purchase or malfeasance. But here, with this rhetoric of the revolution, now there is the possibility to move beyond individual claims to freedom, to collective claims for freedom. I'm thinking of the example of an enslaved woman in Massachusetts named Elizabeth Freeman, who lives in Sheffield, Massachusetts, right at the heart of some of the early revolution's most, sort of, fervent and pointed thinking. She is a silent witness to that and is among the people in her town who hears—not the declaration, though she certainly may have heard the declaration—she also hears the words of the Sheffield Declaration, which includes this language and becomes part of, ultimately, the new Massachusetts State Constitution. Freeman is enslaved. She, like Phyllis Wheatley and so many other Black Americans in this period, carries with her the striving for liberty. And she hears her own cause articulated in this political rhetoric and will find herself a lawyer, bring her claim before the state courts in Massachusetts, and will be part of a wave of cases that will ultimately result in slavery's abolition in that state.

Liz Covart: [00:28:49] Freedom suits allowed enslaved people to sue for their freedom. As Martha Jones just mentioned, these legal cases have a long history. Before the revolution, some enslaved people sued for their freedom on the grounds of infirmity or genealogy. In British American society conditions of servitude followed maternal lines. If your mother was enslaved, you were enslaved. So there were many freedom suit cases in which we can see enslaved people claiming that their mothers were not enslaved African Americans, but free Native Americans, free African Americans, or free women of some other race. But during and after the revolution, we see more freedom suits being brought on the grounds that slavery was illegal based on the founding principles of the United States. Principles the American people laid out in the Declaration of Independence. Now, Elizabeth Freeman's 1781 freedom suit help bring an end to slavery in Massachusetts during the 1780s and 1790s. So I think we should ask, did freedom suits meet with success everywhere? Or was there just something peculiar about Massachusetts?



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Martha S. Jones: [00:29:55] Freedom suits are happening everywhere, I venture to say, and they are an important facet of the overall legal structures and apparatus that govern the institution of slavery. They do meet with success everywhere. And that is because every system, whether it's the British or the Spanish or the Portuguese or the French, every system and scheme of slavery anticipates freedom, anticipates liberty, anticipates a set of negotiations. And lawmakers and courts set themselves up to be the kind of "fair," if you will, I'm putting "fair" in quotes, but sort of "fair" arbitrators of a deeply illicit and unfair system. It legitimizes the institution, when the institution itself confesses that sometimes people have claims and they are indeed not slaves at all.

Liz Covart: [00:30:53] Not long after Elizabeth Freeman's case, the language and ideas African Americans used to claim their freedom expanded. In addition to using the ideas set forth in the Declaration of Independence, some black Americans also made use of two other founding documents: the Articles of Confederation and the United States Constitution. And as the ideas and documents African Americans made use of expanded, so too did their claims. Many Black Americans argued not only for their freedom, but also for equality and citizenship rights. They made the case for their inclusion in the United States as fellow Americans and as full citizens.

Christopher Bonner: [00:31:29] The way that I describe Black politics from this period when I'm teaching my students, is that it's really omnivorous. That African Americans are looking for whatever they think might be useful or helpful to them. And so, as surprising thing is it might be to see Black people make references to the Declaration of Independence and say that this is, you know, a legally binding document that requires states to realize principles of equality, I think it's even more surprising to see references to the Articles of Confederation, which was an explicitly defunct form of government. But, you know, in the 1820s and in the 1830s in particular, you see African Americans pull from the Articles of Confederation this narrow idea about who could be excluded from the status of citizen.

So under the Articles of Confederation, the only people who were excluded from the protections of citizenship, and this is a quotation from the document, were "paupers, vagabonds, and fugitives from justice." And so there's this reference that you see, or there are these references that you see in the sources, to that piece of the articles, which Black people are using to say, we are not explicitly barred from legal protections. We are not explicitly barred



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from equality. And to them, that statement is just as important as any statement in the Constitution or any statement in the declaration because it is a piece of the legal foundations of the country. And because it is a piece of that, it is for them something that they can use as a powerful weapon to help them combat the problems of prejudice and legal exclusion that are emerging, particularly in the northern states.

Liz Covart: [\[00:33:18\]](#) So African Americans who argued for rights, use the ideas of the Declaration of Independence, and intertwine them with ideas from the United States' first and failed constitution, the Articles of Confederation, all to make the case that they should be seen and protected as citizens of the United States. But what about their use of the Constitution? How did African Americans living in the early to mid-nineteenth century use the United States Constitution to claim the rights expressed in the nation's founding documents and the rights they fought and bled for during the revolution?

Christopher Bonner: [\[00:33:50\]](#) Nowhere in the Constitution does it say African Americans are citizens. Nowhere in the Constitution does it say African Americans are entitled to rights or privileges or immunities. What black folks were doing with the Constitution is in a lot of ways, the same thing that they were doing with the Declaration of Independence. The documents didn't say that African Americans were excluded. And so because of that, they were using, they were sort of presuming that they were included in the "all men who are created equal." They were presuming that they were included in the citizens of a state who were entitled to privileges and immunities. And so they're making these arguments that the foundations of the nation's law actually do, and must, integrate a broad array of American people under their protections.

Liz Covart: [\[00:34:44\]](#) So how did this work in practice? How did African Americans use the Constitution to make arguments that the foundations of the nation's law must include a wide array of different people?

Christopher Bonner: [\[00:34:56\]](#) One of the things that I'm thinking about here is a document, or it's really a pamphlet, that was written by James Forten, and it's called "Letters from a Man of Color". It's published in 1813. And in 1813, Forten was responding to a proposal from the Pennsylvania Legislature that would prevent free Black people from moving into the state. And so Pennsylvania lawmakers had been proposing this measure and debating it for years and shutting it down. And Forten—who was a Black man, a prominent and



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wealthy Black Philadelphian, also a veteran of Revolutionary War—Forten decided to write an argument against this proposal. And basically, the opening lines of his pamphlet are playing on the Declaration of Independence. Forten wrote “We hold this truth to be self-evident that God created all men equal.” And what he says is that this idea is one of the most prominent features in the Declaration of Independence.

And then he rolls that into the Constitution. He says that in that glorious fabric of our collected wisdom, those ideas are woven into our noble Constitution. And so Forten is basically saying that the declaration has profound legal power. He’s giving legal weight to a document that I think technically had none. But he was using it to support his claim that the nation’s laws had to align with the principle of equality that was laid out in the preamble to the declaration. So basically, in Forten telling anything that opposed the ideas of natural equality that were laid out in the declaration, anything that would oppose those ideas was unconstitutional. And so he’s really, sort of, using the declaration to make the Constitution broader, more egalitarian than it actually was. The declaration became a foundation for his interpretation of the nation’s laws.

Liz Covart: [00:36:53] Many African Americans in the early republic embraced the founding documents for two reasons. First, they used the language and ideas in those documents to push for the end of slavery. They argued that slavery was unconstitutional because it was incompatible with the ideas of freedom, liberty, and equality that the documents set forth as a nation’s founding principles. Secondly, using the principles set forth in the Declaration of Independence, the Articles of Confederation and the Constitution, many Black Americans argued for their citizenship. To be an American citizen, meant to enjoy the liberties and protections the United States afforded its people. And early-republic Black Americans had to make the case for their inclusion as citizens because all the nation’s founding documents remain quiet on the issue of who was an American.

Martha S. Jones: [00:37:39] The status of Black Americans in the US beginning, certainly, by the 1820s is really the first time that the nation concerted, in a sustained way, in a deep and probing way, is forced to reckon with who is a citizen and who is not, and what rights might attend to citizenship. Prior to that, there really had been no wholesale thought on the question. White Americans were by and large, if they were born in the United States, assumed to be citizens of the United States. Those not born in the United States were subject to immigration and naturalization provisions in the



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Constitution and regulation. Many became citizens of the United States by way of naturalization. But this was not a terribly troubled or frequently visited question until Black Americans begin to themselves assert their status as citizen of the United States. And we have launched by the 1820s, a debate that will continue all the way through to the Fourteenth Amendment, certainly, when birthright citizenship will be constitutionalized, Black Americans, their allies, legislatures, constitutional conventions, Congress, high courts, trial courts, really everywhere, newspapers, commentary, everywhere you might look, you will find evidence of a vexed and roiling debate about whether Black people are citizens. It's not a question that will get settled until the Fourteenth Amendment.

Liz Covart: [\[00:39:21\]](#) Ratified in the wake of the United States' Civil War, the Fourteenth Amendment did largely settle the question of who could be an American citizen. The amendment stipulates that, quote: "All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside." But before the ratification of the Fourteenth Amendment in 1868, there was a lot of debate over the question of who could be a citizen. And while some of this debate took place in courtrooms, much of it also took place in newspapers.

Christopher Bonner: [\[00:39:56\]](#) Black newspapers, I think is one of the really critical pieces of organizing that Black folks are working with publishers and coming together as news editors to establish organs like *Freedom's Journal* in 1827, *The Colored American* in the 1830s. Publications that would express their concerns and their ideas about what the United States should look like, what Black life in the United States should look like, and urging a realization of some of their, sort of, their particular visions of the country. And part of the way that I think about things like newspapers as a product of organizing, is because, one, they depended on the support of subscribers and Black newspapers often had large numbers of Black subscribers. They also often had large numbers of white abolitionist subscribers. Another way to think about these papers as a facet of Black organizing is that they became vehicles for communication, for conversation, for disagreement, for, you know, letters to the editor. These were spaces for conversation among Black people in print.

Liz Covart: [\[00:41:09\]](#) Hosting and keeping debates about citizenship through newspapers represented just one aspect of Black political activism during the



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nineteenth century. African Americans in the early republic also fought for their political rights and to better their communities through collective organization.

Christopher Bonner: [00:41:24] The fundamental concern of African Americans when they're forming their political organizations is doing things that will be beneficial to Black people, free and enslaved. And I think that, if we think about it that way we can understand, you know, the broad range of concerns that would encompass. So one of the fundamental things that Black people are concerned about is things like equal rights to vote. In 1827, New York enacts a new constitution that requires Black men to own \$250 worth of property before they can vote in that state. And New York's restriction on suffrage precedes restrictions that are imposed across other northern states. And so trying to get the right to vote is one of the main concerns of free African Americans and it is, like, deeply important to free Black northerners. At the same time, they are constantly decrying and denouncing the evil of slavery in the South.

They are always attuned to not only the concerns of the free Black minority in the North, but the Black majority who are living in bondage across the United States. And I think, you know, probably the most striking version of Black organizing that emerges in, you know, the long early republic is the Black convention movement, which crops up in the 1830s, is these, essentially, state-level and national-level meetings of dozens of Black people, typically Black men, coming together to discuss the issues of the day, to write speeches and deliver them to Congress and to state legislators and to the public, to the voting public, and to the Black people, who were often excluded from voting. And essentially, grouping themselves in a way that would allow them to talk together, to debate, to sort of throw out ideas that would help them figure out how to best confront the inequalities, the injustices that they faced on a daily level.

Liz Covart: [00:43:28] Black or colored conventions proved to be vital for African Americans in the nineteenth century. The movement began in Ohio in 1830 and continued its work through the 1890s. Conveners of Black conventions, worked to provide African Americans with spaces where they could think, debate and organize collective statements and collective actions that address the most pressing problems facing African Americans throughout the young United States, as well as in local states and communities. Plus, participating in Black conventions also allowed Black Americans to demonstrate their readiness to participate in the wider worlds of state and national politics.



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Martha S. Jones: [00:44:05] African Americans are attentive to and understand the consequences of how the rise of political parties and the dynamics of political parties are shaping law and policy, including the law and policy that affects their civil rights and affects the question of slavery. And they are excluded, by and large, from membership or participation in political parties. They are in too many jurisdictions, not voters at all. And even in states like New York and Pennsylvania, where they had once voted, by the time we get to the 1820s and 1830s, that vote is being compromised and taken away. So, what to do when one appreciates the power of political parties for determining law and policy, but one can't have a seat at the table? African Americans create, if you will, their own political system. We today refer to it as the Colored convention movement.

And in that movement Black men and some women come together, much in the ways that the political parties did to deliberate questions, select leadership, establish platforms, and develop strategies for change. In some ways, I think the colored convention is sort of like a shadow political movement. But at the same time, it is political theater. And it is intended to demonstrate that African Americans understand and can work by and be effective in the kinds of configurations that political parties use to render their own decision making. So they're one part substance, and they're another part a kind of performance of political capacity.

Liz Covart: [00:45:59] Prior to 1865 and the end of the Civil War, the colored convention movement held meetings and conventions in cities and states from Baltimore north, and in western free states. We also heard from Chris Bonner that newspapers and voting rights were particularly important to Black northerners because Black northerners viewed those places as spaces where they could work out ideas and be politically active. So what about those who live south and west of Baltimore, in states with slavery? Did Black southerners have opportunities to develop political rhetoric and participate in activism that made the case for Black freedom and inclusion in the United States?

Christopher Bonner: [00:46:37] I think that one of the major reasons why so much of what we talk about, in terms of Black politics in the early republic is emerging in the northern states is just because of the particular context of life and racial structures in the North versus the South. So, in the aftermath of the Revolutionary War, or really during and after the Revolutionary War, northern states from Massachusetts to New York to Pennsylvania enact measures to



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gradually abolish slavery. And those laws create, gradually, a free African American population. At the same time, southern lawmakers are digging in and really ensuring that the institution of slavery would become more deeply and firmly entrenched in the southern states. And so there is an emerging free Black population in the South. There is much less opportunity for formal collective political organization in the southern states than there is in the North.

Martha S. Jones: [00:47:43] We can point to important examples in the South, which is a big and diverse region. But particularly in urban centers, cities like New Orleans, Charleston, Baltimore, Norfolk are places where there also grow up after the revolution, small but important and vibrant communities of free African Americans. And these are communities that share many of the questions that are being asked full-throatedly in cities like Philadelphia, New York, and Boston, but are living by way of legal and political constraints that mean to voice those concern too loudly, too pronouncedly, too publicly is to be accused of sedition. So here, Black activists, to the degree that they remain in those cities, must practice politics of a much more muted and oftentimes clandestine style. We meet many refugees, migrants from those cities, in places like Philadelphia and New York and Boston, who flee precisely so that they can participate more openly and more robustly in political culture.

Frederick Douglass being perhaps the best remembered, right? The refugee from Maryland to Massachusetts and later New York is someone who could not have practiced the kind of politics that he does in the North, in his home state of Maryland, even if he had won his freedom there. And think of a figure like Harriet Tubman. Tubman returns to the Eastern Shore of Maryland, again and again and again, with some important, if you will, abstract ideals, right, underneath her about slavery, freedom, liberty, those things that the declaration bequeathed. But Tubman returns to the community out of which she came to rescue and free family and friends and those folks. So there are real and material ways in which the North and South remain linked in the lives and the communities of Black Americans.

Liz Covart: [00:50:15] Black political activism took place nearly everywhere in the nation during the nineteenth century. As Chris Bonner noted, there were more opportunities for African Americans to engage in political debates and actions in the free states of the North than in the slave states of the South. But as Martha Jones just added, Black Americans did engage in politics in some southern urban centers. It's just that in slave states, Black political action and debate took on a more muted and secretive form than it did in free states. And



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this is why some southern Blacks like Frederick Douglass, the man who wondered “what to the slave was the Fourth of July,” fled slavery and ran away to the North. Being in the North not only gave these runaways their freedom. It also provided them with opportunities to participate in a more robust and forceful style of Black politics. And in fleeing north, these southern women and men tied the regions of the United States together, so that southern ideas, southern communities and calls to end slavery were heard and thought about everywhere.

Now, on July 5, 1852, Frederick Douglass, the escaped slave from Maryland Martha Jones just mentioned, addressed the Rochester, New York Ladies’ Anti-Slavery Society by giving a speech that discussed and famously questioned, the meaning of the Fourth of July for African Americans. Now, in order to better understand the context of Douglass’s question and why he posed it, we’ve investigated Black Americans’ military and political service during the American Revolution, how they viewed and interpreted the ideas and words of the Declaration of Independence, and how they used the words and ideas of the declaration, the Articles of Confederation and the Constitution to make the case for their freedom and inclusion as citizens of the United States and to put forward ideas for how all Americans could bring the practices and ideas of the United States more in line with the nation’s founding principles. Additionally, we should also know that Douglass posed his question about the meaning of the Fourth of July while the nation was under the shadow of the Fugitive Slave Act of 1850.

This Fugitive Slave Act required all American citizens, regardless of whether they lived in free states or slave states, to cooperate in the capture and return of fugitive slaves to their owners. This law made it much harder for enslaved people to seek freedom and shelter in free states. And it put many free African Americans at risk of being mistakenly identified as a fugitive slave and sold into a life of slavery. So now we have it, the context we need to consider Douglass’s question of what the Fourth of July, that celebration of the United States’ founding, meant to African Americans between the late eighteenth and mid-nineteenth centuries.

Christopher Bonner: [00:52:55] I think that the Fourth of July was an occasion for reflection for African Americans. And this is part of what Douglass was getting at in his 1852 speech. The point of the Fourth of July was not to, you know, have a bonfire and have a barbecue and celebrate. It was a time to think really critically about the extent to which the US had succeeded and failed in its mission to realize the ideals that were embedded in the Declaration of



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Independence. The Fourth of July was a moment to really think critically about what the declaration had theoretically promised and how effective it had been in fulfilling those promises. And so, there are a lot of alternatives that emerged for African Americans as they think about celebrations and as they think about the Fourth of July.

Martha S. Jones: [00:53:50] African Americans have a grand tradition of celebrations in the decades before the Civil War. We can point back to the years just after, for example, the abolition of international slave trade, 1808, when Congress abolishes the slave trade. African Americans inaugurate a new holiday and it is one that each year brings people together in public ceremonies. African Americans are gathering to celebrate what is often called Emancipation Day of the first of August, which marks the abolition of slavery in the British empire. And in both instances, it's worthwhile to appreciate the purpose of those celebrations. It's not simply to have a good time, if you will, and come together. It is to, in a visible and legible way for the nation as a whole, try to reset and define the best ideals of the country, right?

So by celebrating, by parades, by public gatherings, by speeches and pamphlets, which accompanied both of these occasions over many, many years before the Civil War, the purpose is to persuade the nation that these are the highest ideals. These are political gatherings, as much as they are celebrations, intended to further the antislavery cause in the United States by holding up examples of how polities have come together to at least compromise, if not wholly abolish, slavery.

Liz Covart: [00:55:38] Prior to the Civil War in 1861, many African Americans thought about and commemorated the founding principles of the United States. They held parades and speeches, published pamphlets, and gathered together to think about and discuss how they might move the United States to abolish slavery and include Black Americans as citizens. With all the freedoms, protections and liberties proclaimed in the Declaration of Independence and the other founding documents. Now, it was interesting to hear both Christopher Bonner and Martha Jones note that many African Americans chose to commemorate the United States' founding principles on days other than the Fourth of July.

We heard them note celebrations on January 1, a commemoration of when the United States abolished its transatlantic slave trade in 1808 and on August 1 from 1834 on, when Great Britain emancipated all of the slaves within its empire. Commemorating and celebrating these days instead of the Fourth of July



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was an act of protest. By highlighting these days of antislavery action, African Americans called attention to the contradictions between slavery and freedom in the United States. And that brings us to a new question. Did African Americans ever join with white Americans to celebrate the nation's founding principles on the Fourth?

Christopher Bonner: [00:56:53] July Fourth comes to be important, particularly for Black New Yorkers, because July 4, 1827 becomes the date when the gradual abolition law of the state really culminates. So, the final enslaved people who are held in bondage New York are freed on July 4, 1827. And that particular July Fourth becomes a moment of celebration. And I think that there's some interesting pieces in the sources on this that say that Black New Yorkers were celebrating the Fourth of July, 1827, and they were explicitly interested in celebrating New York's abolition of slavery. But one of the things that happens in, especially by the 1820s, is that there was a growing fear, particularly, in the urban North among free African Americans—there was a growing fear that the Fourth of July could be a moment for race riots and really for violent attacks of Black people by white people in their, you know, drunken revelry on the Fourth. And also there's this feeling by the 1820s—especially as Black people are increasingly organizing their own political groups and political activities—there was this feeling that it would be more sensible to commemorate the Fourth of July by celebrating on the fifth, by getting together on the fifth and using it as a way to raise the kinds of questions that they were raising about how effectively the United States had actually fulfilled its promises of independence. But also as a, you know, a sort of implicit statement that, like, the Fourth of July is not as important as many white Americans claim it is. And so, you know, there are interesting ways in which you see sort of dual celebrations, where Black people will have a bit of a gathering or a celebration of Independence Day on the Fourth, but also a broader event with speeches and particularly abolitionist speeches that they would give on the fifth. And so, they might celebrate both days, but the fifth was more important to them because it was the day for them to really dig into their political claims, to their political arguments.

Liz Covart: [00:59:16] Many African Americans commemorated the Fourth of July, but they also commemorated the fifth of July and other meaningful dates as a matter of protest. They chose to get together on the fifth of July and other dates like January 1 and August 1, because those dates celebrated freedom through emancipation. And because they feared that gathering together on the



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Fourth to collectively question the United States' founding principles and what they could do to further those principles might be met with white violence. So like most Americans, African Americans in the early republic commemorated and thought about the nation's founding values. But unlike white Americans, they often chose to do so on other meaningful dates. Now we've heard that African Americans who commemorated the nation's founding principles generally did so with speeches, pamphlets, and parades. But how did they specifically celebrate? What would a commemoration look like? And would men and women participate equally and together?

Martha S. Jones: [01:00:14] One of my favorite stories about early African-American celebrations is about the very first year that Black Americans celebrate the first of August. It's 1834 and in Philadelphia, which is home to a very active and well-established free African-American community. There is, among leading men, a celebration of the first of August planned. And that plan does include women, but it includes women in a very limited set of roles. Women are there to attend to the needs of the celebrants, that is to say, to serve meals and refreshments. The women even present a banner in honor of the occasion. But as best we can tell, they're never invited to speak. This is pretty typical of Black political conventions in these early years. However, there is an important and pretty savvy community of activist women in that city. Among them, a woman named Sarah Mapps Douglass, who will go on to renown as a teacher and lecturer and antislavery activist.

But Sarah Mapps Douglass is a young woman, and she has a different idea about how to mark the first of August. But she knows that she can't take the floor in the men's celebration. So what does she do? She decides the women will celebrate on the second and she convenes another meeting. And we can, from the pages of William Lloyd Garrison's *The Liberator* recover this extraordinary sort of countercelebration, which women are in charge. They run the agenda. They invite a few men to speak, especially ministers, who do the benediction. But it is a great example of the kind of negotiations that are going on in this period between Black men and women. Compatible on the one hand, and on the other hand, a firm if gentle reordering of things, as women begin to hold their own independent celebrations as well.

Liz Covart: [01:02:28] African American men and women celebrated and commemorated the nation's founding principles in many of the same ways that white American men and women celebrated and commemorated them. They hosted community gatherings with parades, political speeches, and special



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pamphlets. They also sometimes held two events, one for men and one for women. But what, to African Americans, was the Fourth of July? How did women and men, like Frederick Douglass, and those who came after them think about and answer this question?

Christopher Bonner: [01:02:58] I think that the Fourth of July, across the sort of late eighteenth and early nineteenth century, it evolved into a holiday that could be celebrated for particular reasons in particular contexts. So, particularly at the start of the Civil War or during the Civil War, people like Frederick Douglass are advocating for and promoting a particular vision of Black celebration of independence because of the opportunities that were, across the war, increasingly available to African Americans through their involvement with the Union army, with the United States government. But one of the things that I think is interesting, is that across this period, even as there are these moments when Black people feel like they can celebrate the Fourth during the Civil War, the history of the Fourth of July for African Americans is also a history of sort of evolving alternative celebrations. And so, you know, in the 1820s you have, and throughout the period, you have people celebrating the fifth of July or observing the fifth of July. After 1838, you have African Americans celebrating August 1, celebrating this date that commemorates the abolition of slavery in the British colonies.

And so there is a different Independence Day that they are observing or that they are celebrating, for much of the 1830s and '40s and into the 1850s. And then even during and after the Civil War, Black folks really start celebrating Memorial Day in some important ways. And they start commemorating all of the men, black and white, who died in a war that was fought against the actual institution of slavery. And so in this sort of evolution of alternative holidays, you can see a continuous critique of the Fourth of July and of the limits of the Declaration of Independence, a continuous questioning. Should we actually be celebrating that holiday? And I think that they're offering other moments to suggest, obviously that we shouldn't, that these are other moments where we can see real freedom being made and created by and for Black people.

Martha S. Jones: [01:05:18] In some way, I think Douglass had it more right than he ever could have imagined. Which is to say, I think even today, the meaning of the Fourth of July for Black Americans is vexed. You know, W. E. B. Du Bois would characterize that as Black Americans' two-ness, double consciousness, right? Being an American and being black at the same time, two



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warring minds as Du Bois put it. Very recently, Nikole Hannah-Jones, in her beautiful essay in the *1619 Project* begins with a vignette about her father, the flag, national holidays, the patriot, who simultaneously lived a life and was of a community and a people whom the nation did not love back, right? Didn't love back enough.

And so here we are in the twenty-first century and I think certainly Black Americans must participate in barbecues and we head to the beach and we take the holiday and we shop the sales of whatever it is that goes on in a secularized Fourth of July in the twenty-first century. But when probed, I think that question persists, the question that Douglass posed, right? What is this day to Black Americans? And it is a day that highlights and underscores and points to that two-ness and the ways in which we still live with important and deep-seated questions about who Black Americans are with respect to the nation, even in the twenty-first century.

Liz Covart: [01:07:08] For many African Americans, the history of the Fourth of July is one of meaningful celebrations and commemorations. As Christopher Bonner and Martha Jones have just shown us, celebrating the nation's founding principles of freedom and equality on the Fourth of July often felt disingenuous to many African Americans living in the early republic. So instead of commemorating those principles on the Fourth of July, they gathered together on the fifth of July to think about and debate those principles. As well as how they might push the United States to abolish slavery and grant Black Americans full citizenship rights. Now, in the early republic, African Americans used the Fourth and fifth of July as days of reflection. And often chose to highlight other days that they felt were more worthy of celebration. Days like January 1 in honor of the United States' abolition of the Atlantic slave trade in 1808. Or August 1, the anniversary of when Great Britain abolished slavery within its empire in 1838.

And while many African American men and women celebrated the Fourth of July in the Union during the Civil War, after the war, they chose to commemorate the fallen on Memorial Day by thinking about how far the United States had come in its definitions of freedom and equality, and also how much further it still had to go. Today, most African Americans recognize and celebrate the traditions of a secularized Fourth of July. They attend barbecues, shop the sales, and take in displays of fireworks. But as Martha Jones noted, if we dig a bit deeper, we can still find many Black Americans who wrestle with Frederick Douglass's 1852 question. What to African Americans is the Fourth of July? Even in our twenty-first century, the Fourth seems to be a day that



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highlights and underscores the two-ness of being American and African American. The fact that Black Americans are citizens of the nation and yet still not fully accepted as equal citizens of the United States.

Today's guests were Christopher Bonner and Martha Jones. Christopher Bonner is an assistant professor of history at the University of Maryland and the author of the book, *Remaking the Republic: Black Politics and the Creation of American Citizenship*. Martha Jones is the Black Alumni Presidential Professor and a professor of history at John's Hopkins University. She's the author of several books, including one you heard about in Episode 255, *Birthright Citizens: A History of Race and Rights in Antebellum America*. Plus, Martha has a new book coming out in September 2020. It's called *Vanguard: How Black Women Broke Barriers, Won the Vote, and Insisted on Equality for All*. Now, you'll find more information about Christopher Bonner, Martha Jones, and the respected books on the show notes page: benfranklinworld.com/277.

Also, on the show notes page, you'll find a link to a special blog post that Joseph Adelman commissioned to compliment this episode. The post is titled, "Dreams of a Revolution Deferred." It's by Derrick Spires, an associate professor of English at Cornell University.

And speaking of additional resources, the Omohundro Institute has prepared a list of readings on the subject of slavery in the American Revolution. I've put a link to those readings, as well as to Episode 245: Celebrating the Fourth, on the show notes page. Now, at the start of this episode, you heard Jeff Brown read the Declaration of Independence and Adam McNeil play the part of Frederick Douglass. Both Jeff and Adam host podcasts that I think you'll really enjoy listening to. Jeff hosts *the Read to Lead Podcast*, and Adam hosts a lot of episodes of the *New Books in African American Studies* podcast from the New Books Network. I post the link to both of their podcasts in the show notes.

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Cylinder composed our custom theme music. Finally, what does Fourth of July mean to you and your family? Do you take time to think about the nation's founding principles on Independence Day? I'd love to hear about your experiences and how you commemorate or celebrate, liz@benfranklinworld.com. *Ben Franklin's World* is a production of Omohundro Institute.