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### O Brave Old World! A Review of Michael O'Brien's 'Conjectures of Order: Intellectual Life and the American South, 1810-1860'

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SCHOOL OF LAW

**O Brave Old World!**

A Review of Michael O'Brien's *Conjectures of Order:  
Intellectual Life and the American South, 1810-1860*  
(Chapel Hill: University of North Carolina Press, 2004)  
Two Volumes. ISBN 0-8012-2800-9

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**O Brave Old World! A Review of Michael O'Brien's *Conjectures of Order: Intellectual Life and the American South, 1810-1860* (Chapel Hill: University of North Carolina Press, 2004). Two Volumes. ISBN 0-8078-2800-9.\***

**Note: This is a revised version of an untitled essay published in *Southern Studies*, XIII (Fall-Winter 2006), 137-150.**

**Part I: Theory**

*Conjectures of Order* does not appear to be cramped for space. Observing its thirteen hundred-odd pages spread over two volumes, no one is likely to mistake it for a fussed-over miniature. In fact, *Conjectures* does not fit (in terms of size or treatment) among even the more voluminous southern histories, though many of the latter devote considerable attention to intellectual history. Compared to Michael O'Brien, several of these authors were mesmerized by a theory of slavery—namely, that it had an isolating, radicalizing effect on regional thought, and that it was productive of a state of closed-mindedness. Though oversimplified, that is a reasonable interpretation of southern culture as set forth by W.J. Cash, Clement Eaton, and a number of their contemporaries.<sup>1</sup>

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\* For many pleasant conversations concerning this book and related topics, the author thanks Al Brophy, David Durham, Tony Freyer, James Leonard, Juliet Pruitt, Mary Ruth Pruitt, and Paul Pruitt, Sr. He thanks Warren Rogers for providing the space (mountainously scenic) in which he read much of it.

<sup>1</sup> For examples of books that argue for southern cultural isolation, see W.J. Cash, *The Mind of the South* (New York, 1941); Charles S. Sydnor, *The Development of Southern Sectionalism, 1819-1848* (Baton Rouge, 1948); Clement Eaton, *The Freedom of Thought Struggle in the Old South* (New York, 1964); Clement Eaton, *A History of the Old South*, 2<sup>nd</sup> edition (New York, 1966); Francis Butler Simpkins, *A History of the South*, 3<sup>rd</sup> edition (New York, 1963); and James Oakes, *The Ruling Race: A History of American Slaveholders* (New York, 1982). See also Thomas Jefferson Wertenbaker, *The Old South: The Founding of American Civilization* (New York, 1942). For a flexibly Marxist slant on slavery and the southern psyche, see any of Eugene D. Genovese's earlier books, but particularly *The World the Slaveholders Made: Two Essays in Interpretation* (New York, 1969); for a brief note on Elizabeth Fox Genovese and Eugene Genovese's *Mind of the Master Class* (2005), a contribution of much the same scope as the O'Brien work herein reviewed, see the "Addendum" below. For intellectual histories that otherwise confront the region's separatism and shortcomings, see Virginius Dabney, *Liberalism in the South* (Chapel Hill, 1932); Rollin G. Osterweis, *Romanticism and Nationalism in the Old South* (New Haven, 1949); Drew Gilpin Faust, *A Sacred Circle: The Dilemma of the Intellectual in the Old South, 1840-1860* (Baltimore, 1977); and Bertram Wyatt-Brown, *Southern Honor: Ethics and Behavior in the Old South* (New York, 1982). For more balanced recent approaches, see John McCardell, *The Idea of a Southern Nation: Southern Nationalists and Southern Nationalism, 1830-1860* (New York, 1979); and John B. Boles, *The South*

Instead of emphasizing the south's isolation, O'Brien takes the world as the stage upon which his dozens of characters act—showing them traveling on nearly every continent for profit, pleasure, diplomacy, or to spread the gospel. Far from being innocents abroad, his travelers were able linguists intent upon mixing business and study. A substantial number, like the “forty or so” southerners who studied at German universities during the period, were serious scholars (*CO* 127, 127 n. 179). O'Brien piles instance upon instance to show that antebellum southern intellectuals were connected culturally and socially to the American north and to Europe. These people were not provincials. Rather, for much of the antebellum period they were postcolonials—whose memories of having defeated a metropolitan power (i.e., England) were still fresh, and who, familiar with the Old World, were able to assimilate its ideas and apply them within the new context of a rapidly expanding American society (*CO* 2-5).

Having introduced the postcolonial thesis in his introduction, O'Brien seeks to prove it by examples. Frequently, these take the form of narrative “set pieces”—little essays or episodes tucked into chapters. To breathe life into postcolonialism, for instance, he tracks the connections of wealthy South Carolinian Ralph Izard, who in 1767 married Alice DeLancey, child of a powerful New York family. Independent-minded and wealthy, the couple lived abroad but kept abreast of events at home. In 1776 they moved from London to Paris; the same year, Ralph was made representative of the Continental Congress to the Court of Tuscany. After three years of diplomacy the Izards returned to South Carolina.

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*Through Time: A History of an American Region, Volume I*, 2<sup>nd</sup> edition (Upper Saddle River, 1999). Finally, see James M. McPherson, “Antebellum Southern Exceptionalism: A New Look at an Old Question,” *Civil War History*, 54:4 (2005), 418-433. It should be noted that early on, O'Brien briefly addresses questions of general and traditional interpretation; see *Conjectures of Order* (hereinafter *CO*) 13, 13 n. 30, 17, 17 n. 36.

Ralph served in Congress and was chosen one of the state's first United States Senators (CO 91-92).

Meanwhile Izard daughters were marrying into Charleston families—but without any notion of giving up the transoceanic life. By the turn of the nineteenth century, the family's connections were a Carolinian Who's Who: Manigaults, Kinlocks, Middletons, Pinckneys, and more. All were familiar with Europe's intellectual realms. O'Brien uses correspondence between Alice Izard and her daughter Margaret Manigault to demonstrate Alice's critical taste, and likewise to show the family's multi-layered acquaintance with Madame de Stael, the famous writer and presider over salons (CO 97-100). Participants of consequence on the Continent and at home, the Izards never “lost their contact with Europe; it just gradually modulated” (CO 96).

If O'Brien lavishes such attention to cultural exchange, the bulk of *Conjectures* should come as no surprise. In fact, he presents substantial discussions of southern writers and literary institutions, history and historians, political theorists, sociologists, philosophers, theologians, and analysts of race and of slavery. That O'Brien is able to write complex essays on such a range of subjects is impressive. But over the course of *Conjectures* he accomplishes more—to take one example, he devotes a chapter (CO 472-525) to booksellers, publishers, librarians, collections, patrons and what they read, mostly in Charleston and Savannah, all with such a deft touch that even his comparative statistics are interesting. That he can perform such feats of resurrection is a tribute his talents, but also to the wealth of primary sources in print or in manuscript collections, and to the diligence of the many scholars who have mined them. In *Conjectures*, O'Brien acts as a

synthesizer, drawing the materials of analysis and narrative from works and collections listed in the ninety pages of his bibliography (*CO* 1203-1292).<sup>2</sup>

Previous reviewers of *Conjectures* have compared O'Brien to Perry Miller, the great mid-twentieth century scholar who rescued New England Puritanism from the Menckenesque image of self-righteous witch-burners in tall black hats.<sup>3</sup> Miller-like, O'Brien suggests a detailed progression of thought, as *Conjectures* moves its topics from a rationalism heavily influenced by the common-sense philosophy of the Scottish Enlightenment, through Romanticism, a phase of thought "which legitimated the indigenous and licensed the will" (*CO* 6), to a late antebellum period of urgent creativity and anxiety. One of Miller's chief contributions was to establish a fresh beginning for the study of American Puritans—recognizing the honesty and rigor of their efforts to understand the world. O'Brien provides a similar boon to antebellum southerners, rescuing them from the imputation of being second-rate, disingenuous, or willfully obtuse.<sup>4</sup>

Instead, and in harmony with yet another celebrated historian, O'Brien maintains that some of the "early realist" thinkers of the Civil War generation were imbued with a sense of tragic irony.<sup>5</sup> His spokesperson for that penultimate time just prior to the launch of a

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<sup>2</sup> Another measure of the book's voluminousness is its index, and *Conjectures* (with 1,200 pages of discursive text) boasts over 3,700 separate entries. This awe-inspiring total is matched only by Simpkins, and only proportionately. Simpkins' *History of the South*, 3<sup>rd</sup> edition, contains more than 1,700 index entries—nearly half of O'Brien's entries in a book half the length of *Conjectures*. Simpkins, however, covers the period from 1607 to the 1960s, or about three times the time that O'Brien stakes out. McCardell's *Idea of a Southern Nation*, with more than 350 pages of discursive text, weighs in respectably at almost 1,100 index entries.

<sup>3</sup> See for instance the review by Lacy K. Ford in *The Journal of American History*, 92 (2005: 1), 178-181. For Perry Miller, see especially his *Errand Into the Wilderness* (Cambridge, 1956) and his *The New England Mind* (Cambridge, 1954).

<sup>4</sup> For extended analysis of this accomplishment, see the treatment of Thomas R. Dew, below.

<sup>5</sup> See C. Vann Woodward, *The Burden of Southern History*, rev. ed. (Baton Rouge, 1968). Woodward also served as editor and explicator of Mary Chesnut, cited below. See Woodward, ed., *Mary Chesnut's Civil*

failed nationhood is the coolly analytical Mary Chesnut, the Confederate diarist who “glimpsed a further moment, the world that William Faulkner and Allen Tate would come to inhabit” (CO 12). Intellectually a citizen of the world, Chesnut would have agreed with essayist Louisa McCord (and with the historians cited in note 1, above) that so far as slavery was concerned, “the whole world seems to have joined in a crusade against us” (CO 249). Four-score years after the Declaration of Independence, their post-colonial time at an end, southern thinkers had arrived at their own versions of social, philosophical, political, and economic truth—just in time to doubt that their truths would set them free.

## **Part II: Practice**

O’Brien works mightily and on the whole successfully to banish the stigma of southern inferiority. He does this, as noted above, by placing southerners in post-colonial contexts, by showing the workings of their intellectual machinery, and by shrewd assessments of individuals. Yet *Conjectures* has its own particular momentum beyond matters of content; at its best, the work casts a charm that sets it apart from most academic histories. It is not enough to state what O’Brien does, if how he does it is equally interesting. The second part of this essay attempts to demonstrate how he accomplishes his goals—first by showing how he encompasses one of his many subtopics, then by suggesting that he employs narrative techniques employed by

nineteenth-century writers. In getting down to cases it is appropriate that we make use of O'Brien's ninety-page discussion (CO 591-682) of history and historians.<sup>6</sup>

Beginning with the Federal era, O'Brien shows that many educated southerners took their history from multi-voluminous savants (Gibbon, Hume, Voltaire) who assumed that history was "philosophy teaching by example." Many southern readers had been schooled in the Greek and Roman historians as well, and as classicists they assumed that human nature is essentially static. Still as men of the (post-Revolutionary) Enlightenment, they also displayed a "modest confidence in human progress" (CO 597). Few notable histories were published by southerners of this period, though Jefferson's *Notes on the State of Virginia* (1787) notably presents history folded into natural history. O'Brien's point is that from an early date, "the Southern historical consciousness had a powerful sense of connection with times and places far beyond itself" (CO 596).

In the nineteenth century, this sense of connectedness would be altered by the mode of evaluation known as historicism, a major interpretive shift that built on the works of ancient historian Barthold Niebuhr and medievalist Leopold von Ranke—German scholars who began the "scientific" study of history. Through patient collection of data they and their disciples sought to reconstruct past epochs, acting on the principle that each era was its own environment, governed by rules and values more or less unique to it

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<sup>6</sup> The appropriateness will be increasingly apparent below. It would be more traditional, at this point, to discuss O'Brien's treatment of the defenders of slavery. It is contained in a relatively short chapter (CO 938-992) placed near the center of volume two, between philosophical and political science discussions. He makes no startling assertions, but provides close readings of southern theorists, from St. George Tucker at the end of the eighteenth century, to Thomas R. Dew, William Harper, James Henry Hammond, Henry Hughes, George Fitzhugh, and others in the antebellum decades. In the process we go from a Jeffersonian conviction that slavery was immoral (if momentarily unavoidable) to abstract thinking by which slavery was viewed as nearly universal, marking all human relationships but serving to confer a relative liberty upon white southerners. For elaboration of these themes, see William J. Cooper, *Liberty and Slavery: Southern Politics to 1860* (New York, 1983), and Drew Gilpin Faust, *The Ideology of Slavery: Proslavery Thought in the Antebellum South* (Baton Rouge, 1981).



(CO 598-599, 603-606).<sup>7</sup> O'Brien demonstrates historicism's impact (and his own mastery of the pamphlet literature) by discussing an 1843 paper, "Discourse on the Qualifications and Duties of an Historian," delivered by the wealthy Charleston lawyer Mitchell King. Though a Presbyterian influenced by the Scottish Enlightenment, King defined history as a "science of experience" and urged historians to create evidentiary chains, the better to achieve an imaginative understanding of customs, pursuits, and laws (CO 63, 599-604).<sup>8</sup>

Yet King, for all his piety and wit, does not represent the type of first-rank intellectual that O'Brien (in Perry Miller mode) requires. For that he turns to Thomas Roderick Dew, professor (1827-1836) and president (1836-1846) of the College of William and Mary and author of a critique of abolitionism "often characterized as the most influential proslavery tract in American history."<sup>9</sup> O'Brien, however, is even more interested in Dew's posthumous *Digest of the Laws, Customs, Manners, and Institutions of the Ancient and Modern Nations* (1852), which he describes as the "best sustained" general history written by an antebellum southerner (CO 606). Certainly Dew's *Digest* makes no effort to disguise its origin; it began as a collection of lecture notes. But it gives its readers, to this

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<sup>7</sup> See G.P. Gooch, *History and Historians in the Nineteenth-Century*, 2<sup>nd</sup> edition (London, 1952), 14-23, 72-121.

<sup>8</sup> With 32 references in the index of *Conjectures*, King is one of O'Brien's many resuscitation jobs. Clearly an interesting figure, he is not mentioned in the survey histories (Eaton, Simpkins, Boles) and only once in Walter B. Edgar, *South Carolina: A History* (Columbia, 1998). One of the few treatments of the man is Alexia Jones Helsley, "Mitchell King Builds His Dream House: A Chapter in the Life of Mitchell King," *Proceedings of the South Carolina Historical Association*, 2004: 13-26.

<sup>9</sup> Alfred Laurence Brophy, "The Intersection of Property and Slavery in Southern Legal Thought: From Missouri Compromise Through Civil War" (Ph.D. dissertation, Harvard University, 2001), 158-169, quoted passage on 159. The book in question is Dew's innocuously titled *Review of the Debates in the Virginia Legislature, 1831-1832* (Richmond, 1832); like the debates, it was a product of Nat Turner's revolt. See CO 942-946; see also Eugene D. Genovese, *Western Civilization Through Slaveholding Eyes: The Social and Historical Thought of Thomas Roderick Dew* (New Orleans, 1986).

day, the pleasure of looking over a well-prepared historian's shoulder; and it reflects a cosmopolitan mental agility that clearly appeals to O'Brien.<sup>10</sup>

In tackling world history before a hall full of undergraduates, Dew drew upon a lifetime of conversations with books. O'Brien notes that his sources included linguistic treatises, by means of which he "quietly" refuted the polygenetic theory of race,<sup>11</sup> and an array of Enlightenment and Romantic works on the classical Greeks (CO 607-610). Dew paid much attention to the development of Athenian society, with its relative freedom, decentralization, and inevitable turbulence (CO 608-611). Add to this the image of slaveholding Athens as the center of a vibrant intellectual culture, and it must have been easy for his students to find an analogy to the plantation south. On the other hand, the centralizing power of Rome features in the *Digest* chiefly as a "despotism," though important as the medium by which Christianity spread to Europe (CO 613-614).<sup>12</sup>

If the past really is another country, then the historicist's "trick," as O'Brien puts it, is "to find a middle ground between the ancient and the modern" (CO 612). Dew met the challenge deftly with regard to matters large or small. His eclectic discussion of ancient rhetorical practices, for instance, was bound to be of interest in the oratory-drenched south (CO 610).<sup>13</sup> Similarly, writing at a time of much debate on the rights of women,

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<sup>10</sup> Dew is one of the authors excerpted by O'Brien in the latter's *All Clever Men Who Make Their Way: Critical Discourse in the Old South* (Fayetteville, 1982).

<sup>11</sup> For a discussion of the antebellum debate over racial polygenesis, a theory advanced by the Alabama physician Josiah Nott, see CO 237-247.

<sup>12</sup> For the relevant passages of Dew's *A Digest of the Laws, Customs, Manners, and Institutions of the Ancient and Modern Nations* (New York, 1852, 1854) [hereinafter *Digest*], see 38-211 (Greece, generally), especially 77-78, 81 (slavery), 210-211 (Greek-American analogy), 211-320 (Rome, generally).

<sup>13</sup> For O'Brien's longer discussion of rhetoric, oratory, and criticism (merging with discussions of German Romanticism) see CO 683-706. For Dew's insightful coverage of the subject, see *Digest*, 132-160, especially 141-143, 147-148, in which he compares classical and modern legal "pleadings" and speculates upon the "effect of the printing press on the mass and [the] consequent influence on eloquence." For an interesting view of the place of rhetoric in the lives of public men in the region, see William E. Wiethoff, *A Peculiar Humanism: The Judicial Advocacy of Slavery in High Courts of the Old South, 1820-1850* (Athens, 1996), 14-34 ("Humanists and Advocates").

Dew traced the subject back to Greece. O'Brien pictures Dew's students leaning forward in their seats (CO 610-611) as he spoke of the *hetaera*, the educated courtesans who were collectively a "melancholy memorial" to degradation—a subordination that, he felt, had diminished Greek culture.<sup>14</sup> To take one more example, Dew followed up his lessons on feudalism and the Middle Ages (CO 614-616) with an entertaining chapter on chivalry, borrowing from Chaucer and other authorities and finishing with a quote from Sir Walter Scott—this to readers who had most likely cut their intellectual teeth on *Ivanhoe*.<sup>15</sup>

At intervals, O'Brien approvingly describes Dew as having been Whiggish, tolerantly Episcopalian, a scholarly cousin of Macaulay, Tocqueville, and other apostles of judiciousness—judgments that may reveal as much about O'Brien as they do of Dew.<sup>16</sup> Whatever else it may be, O'Brien's tone is not that of ideological history. It is rather that of a fascinated narrator, very much in the nineteenth-century manner; and if *Conjectures* lacks the epigrammatic brilliance of the much-quoted Frenchman's work, it lives up to Macaulay's prescription that the "perfect historian is he in whose work the character and spirit of an age is exhibited in miniature."<sup>17</sup> As if to prove his willingness to embrace all history, no matter how miniature, O'Brien inserts discussions of state historical institutions and state historians (CO 623-653).

The latter, O'Brien says, were typically "sons of the Southern governing classes, usually too wealthy to need a job, too retiring to venture into politics" (CO 631). Such men were busy correspondents, great seekers after documents, anxious to interview surviving pioneers—in brief, practitioners of an art midway between archival science and

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<sup>14</sup> See the *Digest*, 160-166, quoted passage on 165.

<sup>15</sup> *Digest*, 321-341, 341-355.

<sup>16</sup> See variously CO 612, 615, 618-620.

<sup>17</sup> Lucius Hudson Holt, ed., *Selections from the Prose of Macaulay* (Boston, 1916), 62.

filio-pietism. Among the brightest of these lesser lights was Hugh Blair Grigsby (1806-1881), historian of Virginia constitutional conventions and delegate to that of 1829-1830. Bred to be a Tidewater lawyer and politician, Grigsby was forced by deafness to limit his public life. Nonetheless he pursued books and papers with a lore-master's passion, collecting such materials on a grand scale.<sup>18</sup> Corresponding with interested parties North and South, he was in O'Brien's words "a mine of willing information, which he dispensed with firm discrimination and technical skill" (CO 638).

To be sure, by the time the reader comes upon O'Brien's set piece on Grigsby, the Virginian is already a familiar presence. First introduced as a child of the Romantic generation and a scholar previously neglected, Grigsby lives, moves, and displays his being—attending Yale, traveling and commenting on New York, shopping for books and art, browsing through John Randolph's library, expounding historical or literary matters, listening to debates, adding to his diary. These glimpses serve to further various discussions, but one can't help feeling that O'Brien is presenting a diffused character study. In fact Grigsby, with forty-five index entries, is more than a well-realized resurrection. He is a character in O'Brien's evolving story.<sup>19</sup>

As any close reader of *Conjectures* can attest, Grigsby is one of several such characters who appear and reappear in changing context, for all the world like the personnel of a nineteenth-century novel—like the traveling companions of Dickens'

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<sup>18</sup> For all his Tidewater manners, Grigsby was a Jacksonian Democrat whose approach to Virginia's post-Revolutionary generation was not uncritical. O'Brien observes that his writings were "notable . . . for quietly observing the clay at gentlemen's feet." Nor did Grigsby's disability prevent him from editing the *Norfolk American Beacon* from 1834 to 1840 (CO 636-640, quoted passage 640). For an interesting treatment of another deaf nineteenth century historian, see Peter A. Brannon, *My Memories of John Witherspoon DuBose* (Montgomery, 1966).

<sup>19</sup> For these and other activities, see CO 11, 16, 29-31, 36-38, 129, 147, 307, 319-322, 332, 350-351, 354, 388, 397-398, 400-401, 424, 442, 449, 464, 485-488, 491, 493, 556, 595-596, 603, 649-651; for his index entries, see 1318.

*Pickwick Papers*. The members of O'Brien's company include the universal man of letters William Gilmore Simms (74 index entries), South Carolina educator-philosophers Thomas Cooper (74 entries) and Franz Lieber (55 entries), the Charleston critic, linguist, and historian Hugh S. Legare (77 entries), Virginia novelist John Pendleton Kennedy (63 entries), South Carolina theologian James Henley Thornwell (59 entries), South Carolina writers Louisa McCord (28 entries) and Mary Chesnut (21 entries), anthropological iconoclast Josiah Nott of Mobile (25 entries), and best-selling novelist Augusta Jane Evans (23 entries), also of Mobile. O'Brien sets his people in motion, reserving to himself the power to command their commentary, darting with them across space and time as though he were a member of the Izard-Manigault clan.<sup>20</sup>

O'Brien presents these scenes with such fluidity and wit (the latter often taking the form of smoothly appropriated quotations<sup>21</sup>) that one is tempted to compare him, again, to the nineteenth-century epic masters. If he shares Macaulay's penchant for smoothly connected detail, he displays George Bancroft's narrative mobility and penchant for combining action and character analysis.<sup>22</sup> Yet one does not have to gaze into the historical past in order to site O'Brien. His approach and style bear comparison with those of such recent intellectual historians as Louis Menand, master of the metaphysics of nineteenth-century Cambridge, Massachusetts, and Jenny Uglow, high priestess of lunar

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<sup>20</sup> O'Brien has published separate works (or chapters within larger studies) on several of these characters. See *CO* 1278 for relevant bibliographical entries.

<sup>21</sup> Consider *CO* 662, containing amusingly appropriated quotations from Woodrow Wilson ("to make Jefferson safe for democracy"), William Blake ("saw a fearful symmetry"), and Lewis Carroll ("men much of a muchness"). Readers can make their own collections of O'Brien's Familiar Quotations.

<sup>22</sup> For examples, see George Bancroft, *History of the United States from the Discovery of the American Continent*, 10 volumes (Boston, 1846-1874), II: 170-184 (discussing the settlement of South Carolina, slavery, Scots, Irish, Dutch, and Huguenot settlers, with assessments of Calvin, Louis XIV, and William of Orange), V: 98-102 (discussing character and influence of George Grenville), and X: 181-203 (discussing the Count de Vergennes, France in the war of the American Revolution, Franco-Spanish relations circa 1779, and George Rogers Clark).

Enlightenment. All seem to be collaborating in a re-invention of large-scale narrative history. All present meaningful sequences of ideas within the contexts (world-spanning or domestic) of particular lives.<sup>23</sup>

### **Part III: Reservations**

The style discussed above works best when based on manageable groups of connected thinkers, such as the men profiled by Menand or Uglow, or those discussed by Drew Faust in her 1977 *Sacred Circle*.<sup>24</sup> This type of narrative community is what O'Brien strives to create, with much success—except that he is supposed to be writing about the whole south, and not just about Charleston, Richmond, and their collegiate appendages. He does trace the intellectual filaments of the Atlantic home states, which were deep-rooted throughout the region.<sup>25</sup> Yet this approach means that (New Orleans excepted) few old-southwestern centers are discussed within their own contexts. Tuscaloosa emerges as a university town with an interesting president (Basil Manly) and a gossip poet-historian (Alexander B. Meek). Nothing is said of the cultural conflicts between Manley and his star professor, the polymath F.A.P. Barnard.<sup>26</sup> Absolutely nothing is said of the middle-

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<sup>23</sup> See Louis Menand, *The Metaphysical Club* (New York, 2001); and Jenny Uglow, *The Lunar Men: Five Friends Whose Curiosity Changed the World* (New York, 2002). For an earlier example of the same type of narrative, see Phyllis Rose, *Parallel Lives: Five Victorian Marriages* (New York, 1983). And for the master of critical complexity—for interpenetrated stories that range from micro to macro contexts, to the edge of comprehension and beyond, see F.O. Matthiessen, *American Renaissance: Art and Expression in the Age of Emerson and Whitman* (New York, 1941, 1968).

<sup>24</sup> Cited in note 1, above. Faust's style is much less expansive than O'Brien's, and thereby more typical of modernist history.

<sup>25</sup> O'Brien admits that he is in effect establishing a canon, and that "elitism" is one of the problems of such endeavors (CO 16). One problem with this approach is that intellectual and "applied" pursuits were difficult to distinguish in lands that were close (in space or time) to the frontier. The fire-eating politician William Lowndes Yancey does not make an appearance in *Conjectures*, for instance. Yet Yancey was also a formidable interpreter of the U.S. Constitution and a notable disciple of John C. Calhoun. Was Yancey an intellectual?

<sup>26</sup> For a view of Manly and Barnard's rivalry see G. Ward Hubbs, "'Dissipating the Clouds of Ignorance': The First University of Alabama Library, 1831-1865," *Libraries and Culture*, 27 (Winter 1992), 26-30.

class reformism, embracing temperance, Sunday schools, even anti-slavery, that permeated the social air of Tuscaloosa and other recently settled towns, and that must have left its mark on intellectual life as well.<sup>27</sup>

O'Brien's semi-detached sensibilities are equally discernable in his coverage of southwestern humor, that little-known movement "which began with Augustus Baldwin Longstreet and eventuated in Mark Twain." The genre, O'Brien correctly observes, often features educated narrators commenting on the antics of ignorant frontiersmen—representatives of order reporting on chaos. He is also quite right that these stories have their origins in English sporting tales and in the works of various novelists, including Sir Walter Scott (*CO* 755-759, quoted passage 755).<sup>28</sup> O'Brien's critical judgment is in line with his larger project of legitimizing southern thought within the European tradition, an approach that minimizes local influences. But even within these limits O'Brien should have paid more attention to the literary impact of southern lawyers. He neglects to note that most southwestern humor was written by lawyers (including Longstreet, Joseph Glover Baldwin, and Johnson Jones Hooper) who laid their scenes during court days, militia musters, legislative sessions—legal or quasi-legal settings.<sup>29</sup>

That these writers were lawyers is not surprising. They lived in a hinterland where literacy was a scarce commodity, and in which lawyers inevitably did a disproportionate share of writing for publication. As his index entry for "lawyers" (*CO* 1326) shows,

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<sup>27</sup> See John W. Quist, *Restless Visionaries: The Social Roots of Antebellum Reform in Alabama and Michigan* (Baton Rouge, 1998).

<sup>28</sup> Arguably, southwestern humor also owed something to Shakespeare, Cervantes, and even the "picaresque" tales of early modern Spain.

<sup>29</sup> See (among other editions) Augustus Baldwin Longstreet, *Georgia Scenes: Characters, Incidents, Etc., in the First Half-Century of the Republic* (New York, 1840); Joseph Glover Baldwin, *The Flush Times of Alabama and Mississippi: A Series of Sketches* (New York, 1853); and Johnson Jones Hooper, *The Adventures of Captain Simon Suggs, Late of the Tallapoosa Volunteers* (Philadelphia, 1845). And see G. Ward Hubbs, ed., *Rowdy Tales from Early Alabama: The Humor of John Gorman Barr* (University, Alabama, 1981).

O'Brien is well aware that lawyers functioned variously as belletrists, philosophers, historians, editors, and arbiters of culture. He quotes Mitchell King on the benefits of studying laws, those "recorded opinions and judgments of the people," which "give more insight into their moral and intellectual condition than any other source of information" (CO 600). O'Brien just doesn't connect the dots with regard to southwestern humor—apparently because he has not fully considered the place and achievements of the legal profession.

If so that is a pity, since the antebellum bar was the sort of braided institution that O'Brien loves. The profession was postcolonial, transatlantic and transregional, its principles derived from English Common Law but tweaked (in this country) by French and Spanish variations on Civil Law.<sup>30</sup> At the higher levels of practice, southern lawyers and judges shared a professional culture that embraced both logic and experience,<sup>31</sup> one that cherished procedural fairness for all parties, including women and slaves. The "reports" of antebellum courts are themselves a vast literature; yet a number of legal historians have begun to separate strands of philosophy, ethics, and politics from elements of technicality.<sup>32</sup> Here is an intellectual universe of multiple contexts, one in which connections between ideas and actions, beliefs and consequences, are still discernible. It is worthy of O'Brien's conjectural glance.

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<sup>30</sup> See the southern entries in Michael G. Chiorazzi and Marguerite Most, eds., *Prestatehood Legal Materials: A Fifty State Research Guide* (New York, 2006) for the diversity of influences on state laws.

<sup>31</sup> The Jacobean Edward Coke famously stated that law is the province of reason; three centuries later the American Oliver Wendell Holmes responded that law is the product of experience. For nineteenth century transformations in legal thinking, see William P. LaPiana, *Logic and Experience: The Origin of Modern American Legal Education* (New York, 1994).

<sup>32</sup> Among several possible examples are Wiethoff's *Peculiar Humanism*, Brophy's "Intersection of Property and Slavery in Southern Legal Thought," and Timothy S. Huebner's *The Southern Judicial Tradition: State Judges and Sectional Distinctiveness, 1790-1890* (Athens, 1999).



Having registered these objections, we still should read, mark, and inwardly digest O'Brien's many useful and beautifully written passages, conceding that he undertook a harder task than that which Perry Miller faced. Though both Puritans and antebellum southerners have been objects of dislike and misunderstanding, the seventeenth-century approach to truth was straightforward—conditioned by logic and hardened by religious wars. The Romantic mind, on the other hand, was muddled by an uncertainty about questions of certainty. When O'Brien, late in *Conjectures*, attempts to sum up what southerners understood (about mind, society, freedom, and God) he is reduced to partial contradictions and to the assertion that, for the younger generation, “choice was the burden of survival” (CO 1161). Since their choice was to glorify slavery and their society did not survive, it is harder to admire the workings of their minds.

So it turns out that *Conjectures* may be cramped for space, after all. In spite of its impressive pagination, one wishes for more—on the subjects discussed in the paragraphs above, and generally more on the extended moment when Romanticism lost its optimism, philosophy slid into ideology, and the region moved from postcolonialism to a nation-building state of mind. Perhaps O'Brien can expand his work in future editions, with more material on the connection between southern Romanticism, its death and transfiguration, and the choices made by the Mary Chesnut generation.

While we pine for a third volume, we can be grateful for the work as it is. O'Brien has brought off a remarkable accomplishment—writing a work of such scale with a determinedly non-ideological approach, allowing his many characters to reveal the degrees of their interconnectedness, mostly without distraction from the drumbeat of an

approaching Civil War. In the process he has honored his role model Perry Miller and the great narrative historians. He has presented us with a refurbished and habitable world.

#### **Part IV: Addendum Written in 2008:**

Approximately a year after the publication of O'Brien's *Conjectures of Order*, the historians Elizabeth Fox-Genovese and Eugene Genovese published *The Mind of the Master Class*, their own considered interpretation of antebellum southern intellectual life.<sup>33</sup> It is not the purpose of this post-script to discuss the Genoveses' work in the detail it deserves. On this occasion it is enough to point out that their book likewise places southern thought in transatlantic context, and that it likewise rescues the south's historians, philosophers, novelists, and theologians from the old presumption that their products were second-rate—or worse, that they were representative of a people motivated only by racism and a brute will to dominate. As to general differences between the two books, the Genoveses concentrate more attention on Classical and Christian influences on regional thought; indeed, more than a third of their seven hundred-plus pages are devoted to exploring devotional or theological-philosophical questions (MMC, vii-viii).

On these themes their work is superb and encyclopedic. But where O'Brien's work is relatively free of an ideological agenda, the Genoveses explain from the beginning (from their title onward) that they consider slave owners (the “master class”) to have been a “hegemonic” class, a self-consciously dominant group whose goal was to promote their interests, in the process infusing society with their beliefs and ideals. The Genoveses do not claim that southerners—a people so geographically, economically, even culturally

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<sup>33</sup> Elizabeth Fox-Genovese and Eugene D. Genovese, *The Mind of the Master Class: History and Faith in the Southern Slaveholders' Worldview* (New York, 2005), hereinafter MMC.

diverse—were unthinkingly united. But they do argue that the antebellum south constituted “a genuine slave society,” in which “the master-slave relation permeated the lives and thoughts of all who lived in the society it dominated” (MMC, 1-8, quoted passages on 1, 5). It is probably an overgeneralization to say that the Genoveses’ work devotes comparatively more time to the inward-turning characteristics of southern culture, while O’Brien keeps his focus more on southerners’ engagement (however angst-ridden) with the outside world. Certainly we see the Genoveses working to emphasize the cohesiveness aspects of southern society—to take one example, their argument that religious conservatism worked as a unifier of classes and social groups across the south (MMC, 440-443).

In the course of making such points, *Mind of the Master Class* utilizes, analyzes and quotes impressive array of American, English, and European contemporaries.

*Conjectures of Order*, formerly sui generis in its mastery of published sources, must now make room for a competitor. The only drawback to the Genoveses’ use of these materials is that they fire off intriguing and relevant quotations in too much profusion, almost too quickly. It seems churlish to complain of it, especially after wishing for a third volume of O’Brien, but the Genoveses should have followed his lead and produced their work in two volumes. Then they could have written with more appearance of leisure, and their patented tone—blended of human empathy, respect, and Marxist insight—could have conveyed even more.<sup>34</sup>

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<sup>34</sup> How can one not love a work that argues, concerning the uses of Medieval history, that “Southerners, above all, saw a disastrous rupture between the Middle Ages and the bourgeois world of the North”? MMC, 307. The Genoveses cite seven works (six authors) in support of the paragraph that concludes with the passage quoted.