

Dueling Ideas of Honor and Anti-Dueling Networks:  
Moral Reform in Antebellum Charleston and Savannah

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## Introduction

American generals Christopher Gadsden and Robert Howe faced off in a duel in 1778 near Charleston, South Carolina. Both emerged unscathed. Upon hearing of the dispute, a British major, John André, used the story in a satirical song set to the tune of “Yankey Doodle.”<sup>1</sup> His lyrics reflect the hold that duty and honor exerted on gentlemen of that era (emphasis added):

They met, and in the usual way,  
With hat in hand saluted,  
Which was, no doubt, to show how they,  
Like Gentlemen, disputed.

And then they both together made,  
This honest declaration,—  
*That they came there by honor led,  
And not by inclination.*

That is, they fought, ‘twas not because  
Of rancor, spite or passion,  
*But only to obey the laws  
Of Custom and the fashion.*

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For much of the nineteenth century, if a Southern gentleman took offense at another’s remark, he was expected to seek recourse — “satisfaction” — through a duel. By the century’s end, however, virtually no one — of genteel or any social status — considered formal dueling a suitable, let alone required, way to answer an insult. Historians point to impersonal historical forces, such as the mass reaction against the gore of the Civil War, to explain the shift in public mores against dueling.<sup>2</sup> But that is an incomplete assessment. The shift was also due to the

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<sup>1</sup> John André, *Duel between General Howe and General Gadsden*: song, ca. 1851, 43/0657, South Carolina Historical Society, Charleston, SC. Major André, a British spy, was executed by Washington’s Army in 1780. He had been caught aiding Benedict Arnold in the latter’s betrayal of the Patriots at West Point.

<sup>2</sup> Jack K. Williams, *Dueling in the Old South: Vignettes of Social History* (College Station, TX: Texas A&M University Press, 1980), 81-82.

determined efforts of anti-dueling activists, who, decades before the Civil War, worked to suppress dueling in Charleston, South Carolina, and Savannah, Georgia.

Clergymen launched the Charleston Anti-Duelling Association in late 1826 after realizing that their sermons against the immorality of dueling failed to reduce its frequency.<sup>3</sup> They had known for some time that eliminating dueling would require political action beyond the pulpit. To do so, they allied with well-known political figures to encourage reform in Charleston and to export their cause elsewhere. Several months later, like-minded reformers created the Savannah Anti-Duelling Association — reading aloud the constitution of the Charleston Anti-Duelling Association in their first meeting.<sup>4</sup>

Charleston's anti-duelists were dissatisfied with their state's legislative and executive branch suppression efforts. Though South Carolina criminalized dueling in the 1810s, the Charleston authorities rarely interfered in duels. When they did get involved, the disputants saw their intervention as an assault on the code of honor used to resolve disputes. Juries also sometimes saw it that way.<sup>5</sup> The Anti-Duelling Association made no headway in the legal realm during its five years of operation. Its leaders felt frustrated that effective anti-dueling legislation failed to garner support in the state house, and the authorities continued to shirk their enforcement duties in the face of the association's advocacy.

In Savannah, where the authorities administered anti-dueling laws just as poorly as in Charleston, anti-duelists used personal interventions to prevent duels. In these interventions, Savannah's anti-duelists appealed to the code of honor, not to the legal code. Members of the

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<sup>3</sup> "Duelling" is the antiquated spelling of "dueling." I will use the latter except in quotations and when referring to titles like the Savannah Anti-Duelling Association. (This recalls Ogden Nash's "The Lama": "The one-l lama, / He's a priest. / The two-l llama, / He's a beast. / And I will bet / A silk pajama / There isn't any / Three-l llama.")

<sup>4</sup> "Anti-Duelling Association" (broadside), Savannah Anti-Duelling Association Constitution and Minutes, 1827-1838, MS 680, Vol. I, Georgia Historical Society, Savannah, Georgia. Hereafter, SAA Minutes.

<sup>5</sup> See Williams, *Dueling in the Old South*, 9, and Ryan Chamberlain, *Pistols, Politics, and the Press: Dueling in 19th Century American Journalism* (Jefferson, NC: McFarland & Company Inc., 2009), 92.

Savannah Anti-Duelling Association's standing committee contacted potential duelists and offered arbitration services within the *code duello* or dueling code. They discovered early on that personal intervention was more effective than law enforcement in permanently resolving disputes and averting duels. Arrests might have postponed or even prevented a duel, but only while the men were confined. Mediation according to the *code duello* could resolve the question of honor, thereby permanently ending the dispute. Through personal interventions and only occasional collaboration with the authorities, Savannah's anti-duelists worked within the honor culture that governed Southern gentlemen's behavior. They suppressed dueling by incremental and indirect tactics. Their techniques teach us lessons about how moral suasion, laws and personal relationships contributed to moral reform efforts in the antebellum South.

Though historians understand dueling as part of "Southern honor," as Bertram Wyatt-Brown entitled his study, they view anti-dueling work through a different prism.<sup>6</sup> Thomas J. Carmody considers opposition to dueling as an element of the political activity of clergymen.<sup>7</sup> Others write off anti-duelists as entirely ineffective and instead attribute dueling's disappearance to the Civil War.<sup>8</sup> Meanwhile legal thinkers C.A. Harwell Wells and Lawrence Lessig emphasize that laws against dueling influenced social norms.<sup>9</sup> None of these approaches treats Southern culture, moral suasion and public policy as elements of a single discussion of anti-dueling as a moral reform issue within a larger civil society. Elizabeth Fox-Genovese observes that politically influential Southerners viewed reform efforts as a threat to the maintenance of the plantation

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<sup>6</sup> See Bertram Wyatt-Brown, *Southern Honor: Ethics & Behavior in the Old South* (New York: Oxford University Press, 2007), 350-361.

<sup>7</sup> See Thomas J. Carmody, "'Arise and Stand Forth': A Fantasy Theme Analysis of American Clergy and Their Calls for Social Action in the Nineteenth Century Anti-Dueling Movement, 1804-1856" (PhD diss., Regent University, 2004).

<sup>8</sup> See Williams, *Dueling in the Old South*, 81-82.

<sup>9</sup> See C.A. Harwell Wells, "The End of the Affair? Anti-Dueling Laws and Social Norms in Antebellum America," *Vanderbilt Law Review* 54, no. 4 (2001): 1805-1847 and Lawrence Lessig, "The Regulation of Social Meaning," *University of Chicago Law Review* 62, no. 943 (1995): 944-1045.

economy and planters' social and economic power.<sup>10</sup> Anti-duelists nevertheless coalesced into voluntary associations to reform gentlemen's behavior despite the Slave South's mistrust of civil society reformers. This essay examines how those opponents of dueling developed and adapted tactics to achieve their reform goals without undermining the honor culture of the South's dominant class.

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<sup>10</sup> Elizabeth Fox-Genovese, *Within the Plantation Household: Black and White Women of the Old South* (Chapel Hill, NC: The University of North Carolina Press, 1988), 248-249.

## A Picture of Ritual Violence

Dueling was a gentleman's ritual. The 1777 Irish Code of Honor dictated the duel's many steps for most participants on both sides of the Atlantic.<sup>11</sup> South Carolina Governor John Lyde Wilson's more detailed Code of Honor replaced the Irish regulations among Southerners in 1838.<sup>12</sup> The codes standardized the ritual from insult to satisfaction. They required each participant (or principal) to deputize a "second" to take "custody of [his] honor" and represent him in all interactions with the other party.<sup>13</sup> Once the offended party issued a challenge, it was the seconds' prerogative to negotiate a settlement, usually involving an apology for the initial offense and sometimes a public retraction; if they could not come to terms, seconds would agree on behalf of their principals to the time and place of the meeting, the distance from which the duelists would fire, and the choice of weapon — all to ensure "perfect equality." Once on the dueling ground, with principals and surgeons present, the seconds would again attempt to negotiate a resolution. Failing that, they loaded the guns and positioned and armed their principals. At the agreed upon signal, the duelists fired their weapons. Any wound ended the duel and achieved satisfaction. Most of the time, though, neither would be wounded, and the challenger or his second would announce that he had gained satisfaction. Then the principals would shake hands and part, sometimes even as friends. In more heated disputes, the challenger would order the guns reloaded and they would repeat the shooting till he felt satisfied or

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<sup>11</sup> See the complete Irish Code in the Appendix to John Lyde Wilson, *The Code of Honor, or, Rules for the Government of Principals and Seconds in Duelling.*, as printed in Williams, *Dueling in the Old South*, 100-104.

<sup>12</sup> See Wilson, *The Code of Honor*, as printed in Williams, *Dueling in the Old South*, 91-99. Wilson's Code of Honor comprises eight chapters, each with anywhere between two and seventeen instructions to account for the various paths a dispute could take.

Lin-Manuel Miranda provides a concise lyrical tutorial of the Code's key components in his Broadway hit "Ten Duel Commandments," *Hamilton: An American Musical*, Atlantic Records, 2015.

<sup>13</sup> Wilson, *The Code of Honor*, as printed in Williams, *Dueling in the Old South*, 91.

someone was hit. Many minutiae accompanied each of the above steps, but this was the broad outline of the ritual in the antebellum South with only slight variations.<sup>14</sup>

A gentleman would duel only with his social equal, so a man's eligibility to defend his honor in this manner reflected his social standing. Who was eligible was not always clear. Though most common among the upper class, the practice was not only for the planter class, the society's highest level. "The duel was not an aristocratic custom that was learned at 'mother's knee,'" Wyatt-Brown writes. Rather, "dueling was a means to demonstrate status and manliness among those calling themselves gentlemen, whether born of noble blood or not."<sup>15</sup> The dueling class comprised men from a variety of economic, cultural, religious, and professional backgrounds. Jack K. Williams observes that the category of gentlemen included planters (though there were varying degrees of status within the planter community), bankers, military officers, newspaper editors, lawyers, and college professors and students. In rare instances, doctors and preachers dueled, too.<sup>16</sup>

The specter of dueling hovered over politics. The Nullification Crisis in South Carolina precipitated at least one dueling death, and some South Carolinian legislators gained notoriety for challenging their political critics to duels.<sup>17</sup> In 1802, Savannah's recently retired mayor, David B. Mitchell, killed a rival in an "affair of honor."<sup>18</sup> The following year, a Republican state legislator dueled a Federalist alderman.<sup>19</sup> The Republican's second, George Troup, was a sitting member of the Georgia legislature and later a United States congressman, senator, and Georgia

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<sup>14</sup> For more on dueling methods, see Williams, *Dueling in the Old South*, 3-4.

<sup>15</sup> Wyatt-Brown, *Southern Honor*, 355.

<sup>16</sup> Williams, *Dueling in the Old South*, 27-35, 74.

<sup>17</sup> Jack Kenny Williams, "The Code of Honor in Ante-Bellum South Carolina," *The South Carolina Historical Magazine* 54, no. 3 (1953): 114.

<sup>18</sup> Thomas Gamble, *Savannah Duels and Duellists: 1733-1877* (Savannah, GA: Review Publishing & Printing Company, 1923), 111-112.

<sup>19</sup> Gamble, *Savannah Duels and Duellists*, 114-118.

governor.<sup>20</sup> Savannah gentlemen served as seconds in two of the highest profile duels in the United States. For his 1804 duel against Aaron Burr, Alexander Hamilton selected as his second Savannah's Nathaniel Pendleton, a Georgia delegate to the Constitutional Convention (though he did not attend) and George Washington's appointee as Georgia's first federal judge.<sup>21</sup> Two decades later, U.S. congressman Edward Fenwick Tatnall from Savannah accompanied Senator John Randolph as he faced his colleague Henry Clay in a duel in Virginia.<sup>22</sup> Neither was wounded, and the disputants reconciled. "Randolph's pistol had failed to prove that Clay was a 'blackguard' and Clay's pistol had also failed to prove that Randolph was a 'calumniator'; but according to the mysterious process of reasoning which makes the pistol the arbiter of honor, the honor of each was satisfied," wrote a biographer of Clay.<sup>23</sup>

Dueling needed interested publics — in other words, cities — to make social sense. Hence, the practice thrived not on the Southern frontier but along the region's coastal plains, where slaveholders projected what Williams calls a "romanticized aristocracy" for the rest of society.<sup>24</sup> Charleston and Savannah anchored that region economically and socially. Though Charleston's population was triple that of Savannah's, they were the two most populous cities between Louisiana and Virginia and were separated by only one day's travel by steam. (By comparison, it took about a week to go from Savannah to New York.)<sup>25</sup> Men dueled to protect

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<sup>20</sup> Gamble, *Savannah Duels and Duellists*, 115.

<sup>21</sup> Gamble, *Savannah Duels and Duellists*, 124-129.

<sup>22</sup> Gamble, *Savannah Duels and Duellists*, 172-176. Having participated in duels himself, Tatnall was a wise choice for second. Georgia Governor George R. Gilmer commented on Tatnall upon his death: "His spirit was the essence of chivalry. He preferred death to the slightest coloring of dishonor. He risked his life, and was near losing it several times, that he might be considered above wrongdoing," quoted in Gamble, *Savannah Duels and Duellists*, 180-181.

<sup>23</sup> Carl Schurz, as quoted in Gamble, *Savannah Duels and Duellists*, 176.

<sup>24</sup> Williams, *Dueling in the Old South*, 7.

<sup>25</sup> The implications of the difference between Charleston's population (25,000) and Savannah's (7,500) will be discussed below; see "Table 5. Population of the 61 Urban Places: 1820," Census.gov, June 15, 1998, <https://www.census.gov/population/www/documentation/twps0027/tab05.txt>; newspapers announced ship arrivals and departures daily.

their reputations as honorable gentlemen, something only necessary in a place where they cared about — and depended on — how others perceived them.

Gentlemen believed that personal and familial honor could not be resolved through the judicial system. That is why personal insults often precipitated duels. Wyatt-Brown calls the dueling ground a “repository of self-pity.”<sup>26</sup> Being deemed a wretch, coward, poltroon or liar aggravated gentlemen’s insecurity about their manliness.<sup>27</sup> Such insults could be remedied only through gentlemanly behavior, which called not for bringing libel suits in court but for physically defending one’s honor on the “field of honor.” According to Wells, libel laws were an ineffective substitute for duels as a gentleman’s recourse against defamation. In Virginia, expanded libel laws did not reduce the incidence of dueling, and when juries faced defamation suits, they agreed “with the general view that a gentleman should defend his honor outside of the courtroom.”<sup>28</sup> Georgia, too, sought to substitute libel suits for duels, though to unknown effect. The state’s 1816 penal code defined libel and its punishments immediately following the sections criminalizing dueling.<sup>29</sup> In rejecting the notion of prosecuting duelists, the local chapter of the Society of the Cincinnati — comprising the officers of the American Revolution and their descendants, including notable Savannah residents — bridged the divide between the honor and law codes, stating, “All the decisions in the courts of justice [should turn] wholly on the fairness with which the duel was conducted.”<sup>30</sup> In other words, participants should be protected from prosecution so long as they abided by the duel’s ritual demands.

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<sup>26</sup> Wyatt-Brown, *Southern Honor*, 360.

<sup>27</sup> Wyatt-Brown, *Southern Honor*, 358-361.

<sup>28</sup> Wells, “The End of the Affair?”, 1829. Note 208 adds that after dueling disappeared in the 1880s, the number of libel suits rose.

<sup>29</sup> “Acts of the General Assembly of the State of Georgia, Passed in November and December, 1816,” 090 § 4-11 Ninth Division (1816), <http://metis.galib.uga.edu/ssp/cgi-bin/legis-idx.pl?sessionid=836745db-260b16d391-1063&type=law&byte=3778540&lawcnt=90&filt=doc>. Hereafter General Assembly Acts.

<sup>30</sup> As quoted in Gamble, *Savannah Duels and Duellists*, 135.

The grip of the *code duello* on political debate restricted newspaper editors' freedom to express their beliefs. Editors exposed themselves daily to accusations of defamation and libel that could only be resolved by a duel.<sup>31</sup> Sometimes they lobbed insults at one another or at political figures; other times they published offensive remarks made by others. Clement Eaton argues that Southerners' proclivity towards violence — ritual or otherwise — contributed to near unanimity on slavery in newspapers, though not many editors opposed slavery to start with.<sup>32</sup>

Duelling took place within a widespread culture of Southern violence. A common Northern taunt at the time was that society was lawless below the Mason-Dixon line, and not just because of slavery. As the winner of the Savannah Anti-Duelling Association's 1829 essay competition, William Jay of New York, argued, "If ... we compare the state of society in New-England, with that in some other sections of the Union, we shall be disposed to doubt whether duelling does really exert that soothing influence over human passions, that has been ascribed to it."<sup>33</sup> That observation was not confined to Northerners. Upper-class white Southerners were trained "from youth to the unrestrained exercise of will," an Englishman visiting the South in 1857 reported. "When justice is so lamely administered ... men naturally take the law into their own hands. This wild justice easily degenerates into lawless violence, and a bloodthirsty ferocity is developed among the ruder members of the community."<sup>34</sup> Dickson D. Bruce, Jr., argues that many Southerners considered violence unavoidable and therefore something to regulate rather

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<sup>31</sup> Clement Eaton, *Freedom of Thought in the Old South* (New York: Duke University Press, 1940), 163.

<sup>32</sup> Eaton, *Freedom of Thought in the Old South*, 162-195.

<sup>33</sup> William Jay, "A Prize Essay on Duelling. To Which Was Awarded a Gold Medal, By The Savannah Anti-Duelling Association," *The New World; a Weekly Family Journal of Popular Literature, Science, Art and News (1840-1845)*; New York, December 17, 1842.

<sup>34</sup> As quoted in Stephen West, "From Yeoman to Redneck in Upstate South Carolina, 1850-1915" (PhD dissertation, Columbia University, 1998), 99. The Englishman, James Stirling, was commenting not just on dueling, but also on the practice of brawling among the lower classes.

than eradicate.<sup>35</sup> Such debate as occurred challenged not the morality of violence, but its proper application in a class-based social order, he notes.<sup>36</sup> Though white Southerners overlooked it, violence was ubiquitous wherever they exploited slaves — on plantations, in domestic labor, and in the cities.

Advocates and opponents of dueling viewed “passion” as a moral danger. Many held the Enlightenment belief in the need for a social order that restrained passion, an inherent component of human nature.<sup>37</sup> Defenders of dueling claimed that the *code duello* curbed gentlemen’s natural inclination to offend or insult.<sup>38</sup> When someone failed to suppress that inclination, Bruce argues, it was often while criticizing another gentleman for indulging his passionate nature by putting himself over the public good.<sup>39</sup> And when a gentleman suffered offense, the honor code forbade him to act on it right away. Adherence to the *code duello* required the restraint of passion. The code “attempted to reduce the level of spontaneity” and called for gentlemen to reflect on the consequences of their words before taking steps towards a duel.<sup>40</sup> Hence the instruction in Governor Wilson’s Code to “be silent on the subject” when “you believe yourself aggrieved.”<sup>41</sup>

Opponents similarly emphasized the importance of restraint, condemning, as the prize-winner Jay did, “the passions indulged by the duellist.” According to Jay, the violence of the antediluvian world was one of the reasons for the flood.<sup>42</sup> While dueling may have been more respectable than whipping, caning, or stabbing a rival upon receiving an insult (as Southern men of the lower classes tended to do, and as gentlemen did only to adversaries considered beneath

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<sup>35</sup> Dickson D. Bruce, Jr., *Violence and Culture in the Antebellum South* (Austin, TX: University of Texas Press, 1979), 7.

<sup>36</sup> Bruce, Jr., *Violence and Culture in the Antebellum South*, 6.

<sup>37</sup> Bruce, Jr., *Violence and Culture in the Antebellum South*, 8-12.

<sup>38</sup> Bruce, Jr., *Violence and Culture in the Antebellum South*, 29.

<sup>39</sup> Bruce, Jr., *Violence and Culture in the Antebellum South*, 31.

<sup>40</sup> Bruce, Jr., *Violence and Culture in the Antebellum South*, 32.

<sup>41</sup> Wilson, The Code of Honor, as printed in Williams, *Dueling in the Old South*, 91.

<sup>42</sup> Jay, “A Prize Essay on Duelling.”

them), it still reflected the gentleman's capitulation to his passion for honor derived from a display of physical courage. Anti-dueling clergymen beseeched the public, and especially women, to urge restraint among their pugnacious men and to reject physical courage as a source of honor.

There are no reliable statistics on dueling. Most duelists met in seclusion. The lack of will to prosecute duelists — a topic further discussed below — means there are few police and court records. Newspapers did not report on all duels, instead highlighting those that ended with wounds or death. (Most ended without injury.)<sup>43</sup> One nineteenth-century writer identified nearly fifty duels by citizens of Charleston between 1800 and 1860.<sup>44</sup> Thomas Gamble, a journalist and historian who served as Savannah's mayor in the mid-twentieth century, argues that “no picture of the Savannah of the past can be complete without including the *code duello* within its scope.”<sup>45</sup> Williams reports non-Southerners' surprise at meeting numerous men who boasted about their dueling triumphs and the visitors' shock at the general public's apathy towards — and in some cases support for — the whole enterprise.<sup>46</sup>

### *The Tactics of Reform*

Convening in autumn 1826 at the home of a local state senator with a number of political leaders, Charleston's clergy announced the intention of the newly-founded Charleston Anti-Duelling Association: “the suppression to the utmost that may be effected, of the practice of

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<sup>43</sup> Williams, “The Code of Honor in Ante-Bellum South Carolina,” 121.

<sup>44</sup> William L. King, *The Newspaper Press of Charleston, S.C.: A Chronological and Biographical History, Embracing a Period of One Hundred and Forty Years* (Lucas & Richardson, 1882), 164-167. Williams cited this source, albeit incompletely, in “The Code of Honor in Ante-Bellum South Carolina,” 113-114.

<sup>45</sup> Gamble, *Savannah Duels and Duellists*, 302. For Gamble's professional background, see Biographical/Historical Note, “Live Oak Public Libraries Collection of Thomas Gamble Scrapbooks,” Georgia Historical Society, accessed February 9, 2018, <http://ghs.galileo.usg.edu/ghs/view?docId=ead/MS%201740-ead.xml;query=:brand=default>.

<sup>46</sup> Williams, “The Code of Honor in Ante-Bellum South Carolina,” 114.

duelling.”<sup>47</sup> Its founders directed members of the standing committee to intervene in disputes with or without support from the local authorities; disseminate anti-dueling literature; and “adopt all prudent, honourable, and legal measures, for lessening as much as possible the frequency of the practice in this Community; and gradually effecting its entire suppression.” Its leadership reflected the association’s political strength: General Thomas Pinckney, former governor of South Carolina and hero of two wars, sat as President; of the three vice-presidents, one was the state senator who hosted the gathering, and another was a federal judge.<sup>48</sup>

Thanks to encouragement from the Charleston Anti-Duelling Association, Savannah had an anti-dueling society with similar goals by January 1827. Its president, George Jones, was a long-time public servant, former mayor and, for just a few months, U.S. senator. Its two vice-presidents had also been mayors; one served a brief stint in the U.S. Senate, and the other had been a federal judge.<sup>49</sup> The Savannah Anti-Duelling Association also included prominent local merchants and future jurists. James Moore Wayne, an early recruit, served six years in the U.S. Congress before his appointment to the U.S. Supreme Court in 1835 (where he served till his death in 1867).<sup>50</sup>

Charleston and Savannah’s anti-duelists employed incremental and indirect tactics to discourage dueling and change public opinion. Rather than frontally assault citizens’ belief that physical courage was a crucial element of a gentleman’s honor, they worked within the existing honor system to dissuade men from dueling. Their aim as stated in their constitutions was modest

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<sup>47</sup> *United States Catholic Miscellany* (1822-1835): Charleston, Oct. 7, 1826, p. 94. Hereafter *USCM*.

<sup>48</sup> See *USCM*, Oct. 7, 1826, p. 94.

<sup>49</sup> *Savannah Georgian*, Jan. 17, 1827, p. 2. For more on George Jones, see Gamble, *Savannah Duels and Duellists*, 186-187; for more on Vice-President William B. Bulloch, see Gamble, *Savannah Duels and Duellists*, 85, and “Bulloch Family Papers, 1784-1929,” The Southern Historical Collection, accessed February 9, 2018, <http://finding-aids.lib.unc.edu/02750/>; for more on Vice-President William Davies, see “Davies, William,” Federal Judicial Center, accessed February 9, 2018, <https://www.fjc.gov/node/1379801>.

<sup>50</sup> For a biography of James Moore Wayne by a successor of his on the Court, see Sandra Day O’Connor, “Supreme Court Justices from Georgia,” *Georgia Journal of Southern Legal History* 1, no. 2 Fall/Winter (1991): 395–406.

and limited: suppressing the frequency of duels in their cities. When they did take far-reaching initiatives, they suffered public rebukes. They were most effective when volunteering arbitration services to reconcile disputants within the framework of the *code duello*. The Savannah Anti-Duelling Association employed arbitration better than its Charleston counterpart, though the latter's scanty historical record precludes a thorough assessment of its effectiveness. William Jay captured the Savannah organization's approach to public relations: "Public opinion in a free country must ever be omnipotent, and when rightly directed, will prove more efficacious in correcting erroneous practices and opinions, than all the penalties that law can inflict."<sup>51</sup> To show the public that there were in fact honorable people proud to oppose dueling, the associations relied on the influence of their well-known and well-respected leaders.

Before the associations' founding, principled opposition to dueling came mainly from the pulpit. Citing Scripture and deploying moralistic arguments, preachers condemned the bloody ritual, implored male congregants to avoid it and asked female congregants to shun men who embraced it. By the mid-1820s, the direct "Thou shall not duel" instruction had proven ineffective, and Charleston's clergymen turned to political leaders for a different approach. Coming from within the dueling class, such leaders wielded more clout in the eyes of members of that class than did the clergymen, who were considered exempt from the code of honor.

It helped that opponents of dueling socialized in the same circles as men who dueled. Anti-duelists were in the upper class and most were born and reared in Georgia and South Carolina. By contrast, the temperance movement, which blossomed in the North in the same years as the Charleston and Savannah anti-dueling societies, struggled to gain steam in the South,

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<sup>51</sup> Jay, "A Prize Essay on Duelling."

partly owing to the lack of upper-class support.<sup>52</sup> In addition to the lack of interest in, and resistance to, temperance among the Southern upper class, the teetotalers' movement in the South suffered from its New England origins and its coalescence into a single national organization dominated by Northerners with antislavery views.<sup>53</sup> Anti-duelists, in contrast, had little need for a national organization — the practice had disappeared from the North soon after the Hamilton-Burr affair. Sectional politics and concerns appeared in some anti-dueling rhetoric, but the Northern anti-dueling movement's irrelevance to its Southern successor served the latter well.

Though no national anti-dueling organization emerged from the South, both duels and anti-dueling associations attracted national attention in the press.<sup>54</sup> William Jay, the winner of the Savannah Anti-Duelling Association's anti-dueling essay competition, hailed from Bedford, New York.<sup>55</sup> New York had its own anti-dueling group, dating back to 1809, which developed out of anti-dueling sentiment that swelled after the Hamilton-Burr duel.<sup>56</sup> While duels virtually disappeared north of the Mason-Dixon line, their frequency increased in the South, and in Charleston especially in the 1830s (though reasons for that spike are unknown).<sup>57</sup>

Already for some time, gentlemen had shown unease about dueling's main source of drama — death. Duelists had been known to fire in the air or otherwise throw away their shot.

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<sup>52</sup> The American Temperance Society formed in Boston within months of the anti-dueling associations. See Eugene O. Porter, "An Outline of the Temperance Movement," *The Historian* 7, no. 1 (1944): 55-56; Ian R. Tyrrell explains the class divide in the Southern temperance debate in "Drink and Temperance in the Antebellum South: An Overview and Interpretation," *The Journal of Southern History* 48, no. 4 (1982): 509, <https://doi.org/10.2307/2207850>.

<sup>53</sup> Tyrrell, "Drink and Temperance in the Antebellum South," 487.

<sup>54</sup> For some examples of anti-dueling news reaching beyond the South, see "Domestic Summary: Duelling in Georgia," *Christian Register* (Boston), Jan. 17, 1829, p. 11; *Western Recorder* (Utica, NY), Feb. 3, 1829, p. 19; *Saturday Evening Post* (Philadelphia), Feb. 7, 1829, p. 2; "Anti-Duelling Association," *Religious Intelligencer* (New Haven), Feb. 21, 1829, p. 618.

<sup>55</sup> Minutes, January 8, 1829, SAA Minutes, MS 680, Vol. I.

<sup>56</sup> William S. Cossen, "Blood, Honor, Reform, and God: Anti-Dueling Associations and Moral Reform in the Old South," *American Nineteenth Century History*, Dec. 4, 2017, 3-4, <https://doi.org/10.1080/14664658.2017.1405522>.

<sup>57</sup> Williams, "The Code of Honor in Ante-Bellum South Carolina," 122.

Common enough in previous generations to be banned by the 1777 Irish Code of Honor, dumb-shooting (known also as deloping) was a practice among duelists who did not want to injure, let alone kill, their opponents.<sup>58</sup> It reflected a moral qualm. Like British Major John André, many believed that it was honorable enough to show up to the dueling ground and face down one's opponent, even without trying to "win" the duel. Plenty of men were content to miss the opponent; a gentleman's honor and reputation did not depend on killing the adversary, but rather on facing him in the ritual as his equal. André praised General Christopher Gadsden for deloping:

Then, G[adsden]., to show he meant no harm,  
But hated jars and jangles,  
His pistol fired across his arm,  
From H[owe]., almost at angles. ....

Such honor did they both display,  
They highly were commended,  
And thus, in short, this gallant fray,  
Without mischance was ended.

André did not ridicule Gadsden for missing his opponent. Rather, he mocked the ritual while acknowledging the participants' honorable behavior in the otherwise foolish exercise.

Anti-duelists appeared to recognize duelists' moral insecurity — a step in the right direction, as they saw it. The next step was to strengthen Southern gentlemen's faith in arbitration, in the law, and, more generally, in the chances of reconciliation. Their sermons and editorials acknowledged many duelists' reluctance to kill and concluded that they might as well not let themselves get to the point where they had to decide whether to shoot at their opponent or the sky. The anti-dueling associations sought to make obsolete the practice of deloping by

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<sup>58</sup> See Rule 13 of the Irish Code of Honor in Williams, *Dueling in the Old South*, 102.

cultivating an honor-based environment in which no one headed to the dueling ground in the first place.

Many Charlestonians valued dueling, however, as a show of physical courage, and this trumped the anti-duelists' efforts. The Charleston Anti-Duelling Association appears to have ceased its activities within five years of its founding.<sup>59</sup> On the other hand, Savannah's organization worked for over a decade, during which time the number of local duels declined — a fact celebrated in the association's minutes and cautiously attributed to its deterrence and arbitration efforts.<sup>60</sup> Though members of the Savannah Anti-Duelling Association last gathered in 1838 (possibly because that year its president, George Jones, died), its legacy lived on despite the endurance of dueling.

Six years after the group's dissolution, a veteran of the anti-dueling association helped avert a duel between Savannah's two most prominent newspaper editors. In their battling editorials over the merits of presidential candidates Henry Clay and James K. Polk, the editors had flung "charges of lying and cowardice" at one another.<sup>61</sup> To prevent the duel, the editors' seconds approached George Schley and the Anti-Duelling Association veteran Robert Habersham. In a subsequent newspaper column, Schley and Habersham reviewed each editor's perceived offenses. They concluded, with little supplementary explanation, that the offenses did not necessitate a duel because "the peculiar expressions which we have designated, and all others personal in character, shall be deemed by the parties as recalled, and all personal unkindness as remitted."<sup>62</sup> Habersham probably planned all along to advise against a duel. After all, his rationale that the insults were inflicted without consideration is unconvincing, considering that

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<sup>59</sup> Cossen, "Blood, Honor, Reform, and God," 8.

<sup>60</sup> See SAA Minutes, MS 680, Vols. I and II.

<sup>61</sup> *Savannah Republican*, Oct. 24, 1844, p. 2.

<sup>62</sup> *Savannah Republican*, Oct. 24, 1844, p. 2.

they were written down and published, not shouted across a room in a fit of passion. But like the Association's arbiters before him, Habersham knew that he needed to operate within the *code duello* to be effective. There was no duel in Savannah that autumn.

Habersham and Schley's success was the outcome of two decades of anti-dueling agitation in Savannah. Southern anti-dueling efforts had reached a turning point twenty years earlier, when a collection of clergymen disturbed by the increase in dueling in and around Charleston determined to approach the city's political and social elites to suppress the practice. Those ministers took an obscure topic of moral suasion and turned it into a political reform issue. Over the next decade, the Charleston Anti-Duelling Association and its successor in Savannah experimented with various legislative, judicial, and extra-judicial means to rid society of dueling.

## Preachers of Honor

The Charleston Anti-Duelling Association had operated for over a year by 1828, when its members gathered in the small “dwelling house” that served as the cathedral of the local Roman Catholic diocese.<sup>63</sup> There they listened to Bishop John England, the Irishman who had founded the diocese upon his arrival in America eight years before.<sup>64</sup> After delivering a discourse on the history of duels in Europe and America, the bishop tried to allay his audience’s apprehensions. “It has been said that our society has done mischief, since no period has been more marked in this city for quarrels than that year which has witnessed our union,” he acknowledged. “[O]f course it is assumed that since they have occurred at this time they must have been produced by the formation of our body,” he continued, though he denied that the Association had been the cause of the increase. He reassured his listeners as to the efficacy of their efforts: “The year just elapsed has presented in this city a novel feature” — that is, “unusual attention was paid” to events that otherwise “would have been unnoticed or disregarded.”<sup>65</sup>

Bishop England was probably alluding to the public debate kindled the previous summer, when the Charleston Anti-Duelling Association announced its intent to prosecute newspaper editors who published “the private disputes of individuals.”<sup>66</sup> In late July, the *Charleston Courier* and *City Gazette and Commercial Daily Advertiser* printed a call for satisfaction issued by G.P. Cohen against the “bigot and coward” Dr. Edward Chisolm.<sup>67</sup> Four days later, the anti-dueling society’s standing committee (composed of no clergy and almost exclusively of lawyers) turned to those same papers to condemn not Cohen and Chisolm, but the newspapers’ bosses. “[B]y

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<sup>63</sup> “Cathedral of St. John the Baptist | History,” accessed Jan. 21, 2018, <https://charlestoncathedral.com/history/>.

<sup>64</sup> Bishop England named the chapel St. Finbar, after the patron saint of his native Cork, Ireland. See “Cathedral of St. John the Baptist | History,” and “History | Scatholic.org,” accessed Jan. 21, 2018, <https://scatholic.org/history>.

<sup>65</sup> John England, *The Works of the Right Reverend John England, First Bishop of Charleston*, ed. Ignatius Aloysius Reynolds, vol. V (Baltimore: John Murphy & Company, 1849), 77. Hereafter England, *Works*.

<sup>66</sup> *City Gazette and Commercial Daily Advertiser*, July 31, 1827, p. 2; *Charleston Courier*, July 31, 1827, p. 2.

<sup>67</sup> *City Gazette*, July 26, 1827, p. 3; *Charleston Courier*, July 26, 1827, p. 3. Emphasis in the original text.

making the private disputes of individuals the subjects of public discussion and public interest,” the newspapers were increasing the likelihood of a duel, the anti-duelists argued.<sup>68</sup> In doing so, the papers impeded the Association’s goal of relegating duels to the status of a shameful activity that would have to be done covertly or not at all.

The standing committee also attacked the editors’ legal rights. They asserted that “the right to insert such publications has no more to do with the liberty of the press, than the right to violate the security or happiness of individuals in any other mode, has with the enjoyment of civil liberty.” That is why they would “institute a prosecution for the offence against the Editor of the Paper” that publishes any future call for satisfaction.

Though it does not appear that the anti-duelists ever successfully brought such a case, the anger at the threat cost them potential allies in the press and among the general public. The *City Gazette*’s editors acknowledged that it had been unwise to publish Cohen’s challenge and clarified that they were “anxious for the suppression of duelling, a practice as absurd as it barbarous.”<sup>69</sup> At the same time, however, they refused to submit to an “angry menace or injudicious interference. Such a course can do nothing but provoke our indignation and resentment.” After Bishop England used his diocese’s *United States Catholic Miscellany* to further criticize the newspapers for complicity in duels, the *City Gazette*’s editors reiterated their “contempt and defiance” of the Anti-Duelling Association’s “injudicious and insulting implication of our professional character, and invasion of our professional independence.”<sup>70</sup> The editors’ vitriol might have increased as a result of England’s Roman Catholic background,

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<sup>68</sup> *City Gazette*, July 31, 1827, p. 2; *Charleston Courier*, July 31, 1827, p. 2.

<sup>69</sup> *City Gazette*, Aug. 1, 1827, p. 2.

<sup>70</sup> *City Gazette*, Aug. 6, 1827, p. 2. Emphasis in the original text.

though England appears to have maintained a positive reputation among members of all denominations and faiths throughout his two decades in Charleston.<sup>71</sup>

That same week, anonymous author M. wrote in the *City Gazette* that “Duelling would be seldom heard of but for defect in the laws against injuries inflicted on private character.” Pointing to a gentleman’s right to protect himself against defamation, he blamed the need for dueling on the lack of “healing balm in our courts of justice for wounded honor.” Society would descend into anarchy with neither a strong judiciary nor the ritual of dueling, and “assassination will triumph here, as in the Havana or Venice.”<sup>72</sup> Bishop England had this theory in mind when he addressed the Anti-Duelling Association’s annual gathering. The bishop countered that, unlike dueling, assassination was not celebrated by the public. “[T]hat which excites more detestation will be more seldom engaged in, and more speedily suppressed,” he said. “The assassin is not received into society; — he who has slain his adversary in a duel too frequently is.”<sup>73</sup> England was alerting his audience to the essential function of public opinion in their moral suasion campaign. The challenge lay not in convincing the public of dueling’s immorality, but “in destroying the fatal delusion, that honor sometimes made this crime necessary.”<sup>74</sup>

Bishop England and the other clergymen organized the Anti-Duelling Association but did not serve as its officers. After two decades of advocating against dueling from the pulpit, the clergymen combined in 1826 to “procure the aid of men of influence and virtue” — lay political and social leaders — in establishing the association.<sup>75</sup> In a climate of public support for dueling

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<sup>71</sup> For Catholic-Protestant relations in Charleston, see Andrew Stern, “Southern Harmony: Catholic-Protestant Relations in the Antebellum South,” *Religion and American Culture: A Journal of Interpretation* 17, no. 2 (2007): 165–90, <https://doi.org/10.1525/rac.2007.17.2.165>, and Joseph Kelly, “Charleston’s Bishop John England and American Slavery,” *New Hibernia Review* 5, no. 4 (Winter 2001): 48–56, <https://doi.org/10.1353/nhr.2001.0063>.

<sup>72</sup> *City Gazette*, Aug. 2, 1827, p. 2.

<sup>73</sup> England, *Works*, 76.

<sup>74</sup> *USCM*, Oct. 7, 1826, p. 94.

<sup>75</sup> *USCM*, Oct. 7, 1826, p. 94.

in the first quarter of the century — or at least a lack of opposition — men of God were among the few who could speak out against it without fear of retribution, being immune to challenges.<sup>76</sup> Thomas J. Carmody ties preachers' anti-dueling rhetoric to the Second Great Awakening of Protestantism. During the late-eighteenth and early-nineteenth centuries, preachers “began to incorporate egalitarian and constitutional principles into their sermonic rhetoric when they addressed social issues from their pulpits,” Carmody explains. God’s law needed to be the foundation of human law, but clergymen employed an argumentative style “based on the need to persuade individuals to use their democratic influence to shape society.”<sup>77</sup> Clergy repeatedly called on their congregations to change public opinion. The founding of the Charleston Anti-Duelling Association took the impulse Carmody identified a step further, towards clerical activism. The association’s story reveals the Charleston clergy’s evolution from deliverers of limited-audience anti-dueling sermons, based in religious and moralistic language, to organizers of a moral reform society with strategic aims and creative political techniques.

Unsurprisingly, preachers tended to deliver anti-dueling sermons following fatal duels. Alexander Hamilton’s 1804 dueling death precipitated a series of denunciations of the practice in Northern states.<sup>78</sup> A few years later in Charleston, Episcopalian bishop Nathaniel D. Bowen used his pulpit at the influential St. Michael’s Church to denounce the scourge after three men from prominent families died in duels.<sup>79</sup> The Lutheran John Bachman condemned the practice in St. John’s Church in an undated speech most likely delivered between 1813 and the mid-1820s following “occurrences which have recently harrowed up our own feelings.”<sup>80</sup> And when a well-

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<sup>76</sup> Carmody, ““Arise and Stand Forth,”” 58.

<sup>77</sup> Carmody, ““Arise and Stand Forth,”” 148.

<sup>78</sup> Carmody, ““Arise and Stand Forth,”” 71.

<sup>79</sup> Walter J. Fraser, Jr., *Charleston! Charleston!: The History of a Southern City* (University of South Carolina Press, 1989), 191.

<sup>80</sup> See John Bachman, Sermon on Duelling / by John Bachman, date unknown, CR 4585.B32 Rare Pamphlet Collection, Georgia Historical Society, Savannah, Georgia, 3. Hereafter Bachman, Duelling.

known young lawyer and state senator died in 1823, the Charleston Bar Association published a eulogy by the Unitarian minister Samuel Gilman, alongside his appendix expounding on the need — and means — to eradicate dueling.<sup>81</sup>

Most of the activities of the Charleston and Savannah anti-dueling organizations fell within the existing honor framework. The organizations did not seek to “supplant” the grasp of honor on society, according to the historian William S. Cossen, but rather to realign it to a noble, Christian calling.<sup>82</sup> The anti-duelists did not challenge the manhood of Southern duelists, as Cossen maintains.<sup>83</sup> They had nothing against manhood. They celebrated “highminded honour,” “manly fortitude,” and the virtue of “genuine courage” not in the context of self-serving physical sacrifice like dueling but in that of military service and the preservation of Christian principles.<sup>84</sup> Nor did the anti-duelists oppose the “honor-mastery paradigm” prevalent among slaveholders — the associations’ lay leaders owned slaves.<sup>85</sup> Among the clergy, only the Catholic bishop John England opposed slavery, though he relented in his opposition to protect Charleston’s Catholic community from pro-slavery Protestant rioting in 1835.<sup>86</sup> Notwithstanding their position on dueling, the other clergymen were complicit in or supportive of slavery. Episcopalian bishop Bowen advocated a system in which masters and clergy collaborated to teach slaves the Gospel;

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<sup>81</sup> Samuel Gilman, Funeral address, delivered at the Second Independent Church, Charleston, (South-Carolina) at the interment of Edward Peter Simons. ... Published at the request of the Charleston Bar. Accompanied with other testimonials of respect, 1823, SCHS Pamphlet 920 Simons 1823, South Carolina Historical Society, Charleston, SC. Hereafter Gilman, Funeral address.

<sup>82</sup> Cossen, “Blood, Honor, Reform, and God,” 2.

<sup>83</sup> Cossen, “Blood, Honor, Reform, and God,” 3.

<sup>84</sup> Gilman, Funeral address, 17.

<sup>85</sup> See Cossen, “Blood, Honor, Reform, and God,” 3, which notes that the “honor-mastery paradigm” originates in Craig Thompson Friend and Lorri Glover’s “Rethinking Southern Masculinity.”

<sup>86</sup> Kelly describes England’s education initiative for free black youth and poor white girls, which he shut down in exchange for government recognition of a different Catholic school, in “Charleston’s Bishop John England and American Slavery,” 53–56.

the Massachusetts-born Gilman used slaves for domestic labor; while Bachman, originally a New Yorker, was the era's leading Lutheran proponent of slavery.<sup>87</sup>

The clergy believed that the ostensible necessity to duel was a perversion of the otherwise admirable pursuit of honor. As they saw it, honor was derived from obedience to God. It produced dignity and social order (notions meant to benefit the slaveholding master class).<sup>88</sup> By 1826, those ministers' inability to influence public opinion to any significant degree led to their reaching out to "men of influence" to form the Charleston Anti-Duelling Association. Thus their religious moralism gave way to pragmatic steps that shaped the tactics of the anti-dueling association they founded.

### *Smashing the Modern Moloch*<sup>89</sup>

Clerical arguments against dueling had not changed substantially in the decades before the Charleston Anti-Duelling Association's founding in 1826. In 1807, Episcopalian bishop Nathaniel D. Bowen pleaded with fathers to warn their sons about the temptations of dueling. "Let them hear from you, no other language on it, than that of abhorrence; let them witness no

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<sup>87</sup> For Bowen's advocacy of Christian instruction for slaves, see Christa Dierksheide, *Amelioration and Empire: Progress and Slavery in the Plantation Americas* (University of Virginia Press, 2014), <https://muse.jhu.edu/book/35067>, 145-146; for Gilman's relationship to slavery, see Daniel Walker Howe, "A Massachusetts Yankee in Senator Calhoun's Court: Samuel Gilman in South Carolina," *The New England Quarterly* 44, no. 2 (1971): 205, <https://doi.org/10.2307/364526>; on Bachman's promulgation of pro-slavery ideology, see Randall M. Miller and John David Smith, *Dictionary of Afro-American Slavery* (Greenwood Publishing Group, 1997), 426.

Bowen and Bachman believed it was in the slaveholders' interest to teach slaves Christianity and to maintain what Eugene Genovese calls a "paternalistic" attitude towards their slaves, a topic beyond this essay's scope. See Eugene D. Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York: Pantheon Books, 1972).

<sup>88</sup> South Carolina Governor James Henry Hammond presents a pro-slavery view of the slaveholder's responsibility to God, his community, and the law in *Gov. Hammond's Letters on Southern Slavery: Addressed to Thomas Clarkson, the English Abolitionist* (Charleston, SC: Walker & Burke, Printers, 1845), <http://archive.org/details/govhammondslette00hamm>, 11.

<sup>89</sup> "But is there not now, in the very heart of civilization and refinement ... a *modern Moloch*, worshipped as a god, and, by rites as barbarous and bloody as any that characterized the ancient idolatry?" W. C. Dana, *The Sense of Honor: A Discourse Delivered in the Central Presbyterian Church, Charleston, S.C., January 25, 1857* (Charleston, SC: Walker, Evans & Co., 1857), 8. Emphasis in the original text.

other conduct with respect to it, than that of aversion,” he admonished. Parents should teach their children “to despise the folly, abhor the guilt, and deplore the wretchedness of the duelist.”<sup>90</sup>

John Bachman, a Lutheran minister, instructed: “*Christian parents*, let the duelist be made to know that he is not the associate you would select for the society of your innocent and virtuous families.”<sup>91</sup>

Bachman added an appeal to women to pressure their beloved men. “Females are more deeply interested in the results than men,” he explained. “The actors in these bloody scenes are their fathers, their husbands, their brothers, or their lovers. In either case their happiness is in danger of being wrecked on the bloody code of false honour.”<sup>92</sup> The Catholic bishop John England concluded his remarks to the 1828 gathering of the Charleston Anti-Duelling Association, “May we not hope for powerful aid from the daughters of Carolina in the cause of virtue and of honour?” He continued:

In the day of trial, then, mothers were found faithful to their country and its rights; they encouraged their husbands, their brothers, and their sons to exhibit their prowess, not in disgraceful domestic feuds, but in deeds of valour for the defence of their homes and the vindication of their freedom; they were proud to see them marshalled under the command of Washington, who was too intrepid to accept a challenge [to a duel]. . . . Daughters of such mothers! are our arguments founded upon true principles and glaring facts? Are you satisfied that the practice of duelling is one of the worst remnants of pagan barbarity? Do you believe it to be unnecessary for preserving the refinement of our southern society? Then be you our leaders in the sacred effort to identify law and honour, reason and the deportment of the gentleman, and to establish a wide distinction between the assertion of dignity and the indulgence of passion.<sup>93</sup>

By appealing to women, Bachman and England cut to the core of the honor culture that pervaded the South. As Elizabeth Fox-Genovese and Eugene Genovese observe, “Edward Gibbon’s *Decline and Fall of the Roman Empire*, widely read in the South, included a word of apt advice:

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<sup>90</sup> As quoted in Carmody, “‘Arise and Stand Forth,’” 170.

<sup>91</sup> Bachman, *Duelling*, 12. Emphasis in the original text.

<sup>92</sup> Bachman, *Duelling*, 12.

<sup>93</sup> England, *Works*, 77.

The first qualification of a rebel is to despise life. That message came from Southern women: ‘Better dead than a coward.’ Sarah Morgan wrote from Baton Rouge, ‘Courage is what women admire above all things.’ ... ‘Ladies are natural hero worshippers.’<sup>94</sup> Women composed the majority of church-goers in the antebellum South and would have heard anti-dueling sermons.<sup>95</sup> Though there is no record of women as dues-paying members of the anti-dueling groups in Charleston and Savannah, they did attend some annual meetings.<sup>96</sup>

The most significant trope of anti-dueling sermons was an attempt to rectify “the notion of honor, by adjusting it to the standard of eternal truth,” in the words of the Presbyterian minister W.C. Dana.<sup>97</sup> The clergy wanted to use their congregants’ dedication to honor to redirect them away from the path that led to dueling. Reverend Dana observed that it would be a mistake to do away with honor completely just because duelists had corrupted it. “Instead of lessening the value, impairing the dignity, limiting the sphere of honor, as a principle of action, what the moralist has to do is to guard the sentiment of honor from perversion,” he told his flock at Charleston’s Central Presbyterian Church.<sup>98</sup> “[I]t may have seemed a badge of dignity, a *brave* and *chivalrous* thing, in honor of [the idol] Moloch, to run the risk of being burned,” Dana warned, using the pagan Ammonites as an allegory for duelists who worship a false god. “But what fascination these cruel rites of idolatrous worship could have for an Israelite, acquainted with the true God, familiar with the laws distinguished by the value which they set on human life ... — what there was to be said in favor of *his* joining in these barbarous rites to a fictitious

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<sup>94</sup> Elizabeth Fox-Genovese and Eugene D. Genovese, *The Mind of the Master Class: History and Faith in the Southern Slaveholders’ Worldview* (Cambridge University Press, 2005), 101.

<sup>95</sup> For women’s church attendance, see Stephanie McCurry, *Confederate Reckoning: Power and Politics in the Civil War South* (Cambridge, MA: Harvard University Press, 2010), 171.

<sup>96</sup> Minutes, Jan. 15, 1835, SAA Minutes, MS 680, Vol. II, and Cossen, “Blood, Honor, Reform, and God,” 8.

<sup>97</sup> Dana, *The Sense of Honor*, 19.

<sup>98</sup> Dana, *The Sense of Honor*, 10.

deity, is not so easily imagined.”<sup>99</sup> Bachman similarly ascribed “false principles of honour” to a recent duel.<sup>100</sup> Bowen identified “the business of life, and the various service of their country,” as true sources for honor.<sup>101</sup>

England said that “the man of honour abides by the law of God, reveres the statutes of his country, and is respectful and amenable to its authorities.”<sup>102</sup> Conscious of the Charleston Anti-Duelling Association’s legal and political efforts, the bishop wove constitutional and legal principles into his religious thinking:

Is not the pride of the American the predominance of the law? Is not law itself the emanation of the public will, and is not submission to the public will the first principle of genuine republicanism? ... Shall we proclaim to the world, that we in South Carolina are brought back to that state of dereliction as that our public tribunals, the institutions of the country, the government itself cannot protect us from insult, and that we are thus reduced to the necessity of trusting to ourselves?

Though a Catholic, England conformed to Carmody’s characterization of the Protestant Second Great Awakening, in which preachers appealed to “egalitarian and constitutional principles” when addressing social issues.<sup>103</sup> In those few lines, the immigrant bishop invoked the individual’s thirst for honor; a broad American reverence for the general will and rule of law; and a particularistic concern for how fellow Americans perceived South Carolina.

As with honor, the clerics sought to realign society’s conception of bravery away from physical courage and towards the moral courage necessary to avert duels. Bachman argued that “the man who conscientiously refuses a challenge in the face of public opinion, exhibits more real courage than all the duellists in the land. He shows that he fears God, but he fears nothing else. He has the courage to look public opinion in the face and proclaim, ‘I am not your

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<sup>99</sup> Dana, *The Sense of Honor*, 6. Emphasis in the original text.

<sup>100</sup> Bachman, *Duelling*, 3.

<sup>101</sup> As quoted in Carmody, “‘Arise and Stand Forth,’” 170.

<sup>102</sup> England, *Works*, 75.

<sup>103</sup> Carmody, “‘Arise and Stand Forth,’” 148.

slave.”<sup>104</sup> Bishop England and the Unitarian clergyman Samuel Gilman combined courage and honor. Gilman beseeched God to “enforce the conviction that

highminded honour, and manly fortitude, and genuine courage, are perfectly compatible with the bloodless triumphs of the gospel, and that every thing gallant, public-spirited, and godlike in the human character, would not necessarily be abolished from the world, although the wife could still embrace her husband, and the child its father, and the friend his friend, and although talent, usefulness, and promise should be allowed to descend to the grave with the fresh, though venerable honours of old age[.]”<sup>105</sup>

The Catholic bishop reiterated his friend’s sentiment five years later. “No species of moral courage exceeds that of a man who follows the dictates of his judgment or conscience, amidst the taunts and reproaches of the world,” England said. “[T]he principles of his Gospel are the foundation of the most heroic fortitude, the purest honour, and the most unbending courage.”<sup>106</sup>

Bachman and Gilman understood that their fundamental limitation was their inadequate reach from the pulpit. It was not enough to instruct male congregants to “exhibit . . . real courage” and reject “a challenge in the face of public opinion,” as Bachman advised. Accordingly, he laid out in his sermon several remedies for “the evil of duelling.” He told his congregants that “public sentiment must be enlightened and reformed.”<sup>107</sup> Or as Gilman put it, society needed to “rectify this perverted tone of public opinion.”<sup>108</sup> The two also suggested encouraging the public to pressure the legislature to strengthen anti-dueling laws and their enforcement. In the appendix to his published funeral address, Gilman called for an “external apparatus” to contribute to correcting public opinion by way of “*a tribunal of honor—social combinations—and legislative*

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<sup>104</sup> Bachman, *Duelling*, 10.

<sup>105</sup> Gilman, *Funeral address*, 17-18.

<sup>106</sup> England, *Works*, 71.

<sup>107</sup> Bachman, *Duelling*, 10-11.

<sup>108</sup> Gilman, *Funeral address*, 20.

*interference.*”<sup>109</sup> Those principles formed the groundwork of the Charleston Anti-Duelling Association and, by extension, the Savannah Anti-Duelling Association.

### *Organizing for Reform*

Years of ineffective preaching and a spate of dueling violence in the 1820s spurred the clergymen into political action. Fourteen churchmen signed a letter asking Charleston’s leading figures to convene a meeting on the topic. At the gathering in a state senator’s Charleston home, Bishop Bowen moved the first resolution: “That there be now formed an association, having for its objects to lessen the frequency of dueling, in this community, and the gradual suppression of the practice.”<sup>110</sup> With unanimous consent, the chairman appointed nine men to draft a constitution, which they did that very day. A similar scene would play out two months later in the Long Room of Savannah’s City Exchange, with the Constitution of the Charleston Anti-Duelling Association serving as the model mission statement for Savannah’s anti-duelists.<sup>111</sup>

Despite confronting what they believed to be an “evil” that “flagrantly violates the express law of God,” Bowen and his fellow parsons did not set a grandiose goal.<sup>112</sup> Rather, they sought “gradual suppression.” Nor did they pursue widespread change; the constitution’s preamble limited their mission to “this community” of Charleston. The Savannah constitution incorporated the same narrow language.<sup>113</sup> The founders’ local vision may have originated in the belief that they could be effective only where they could exercise their personal influence. One needed to be trustworthy to be invited to arbitrate among disputants or to be heeded in calls for a

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<sup>109</sup> Gilman, Funeral address, 21. Emphasis in the original text.

<sup>110</sup> *USCM*, Oct. 7, 1826, p. 94.

<sup>111</sup> Gamble, *Savannah Duels and Duellists*, 183; *Savannah Republican*, Jan. 19, 1827.

<sup>112</sup> *USCM*, Oct. 7, 1826, p. 94.

<sup>113</sup> See *Savannah Georgian*, Jan. 17, 1827, p. 2.

revised moral system. The societies' success depended on their members maintaining good reputations and social standing. They also needed to be viewed as moderate — the most effective persuasion came from within the dueling classes in conversations and editorials, not from pulpits.

For that reason the clergy designed an association for others to lead. The Charleston Anti-Duelling Association maintained a divide between its clerical and lay members. Four of the nine drafters of the constitution of the Charleston Anti-Duelling Association were ordained ministers. None served as officers. Instead, the clergymen formed their own committee that reported to the society's elected officers, all of whom were lawyers and military officers. The absence of clergymen among the officers lent the Association the appearance — consistent with its actual character — of a group of moderates, not one that would demand an overhaul in social mores. Men of the cloth were expected to be moralistic, sermonizing about Good and Evil and not tolerating any form of the latter. They could influence congregations and perhaps lobby legislators, but their moral opposition to dueling under any condition precluded them from mediating disputes — the main task of the standing committee — because arbiters were expected to abide by the *code duello*, which permitted a duel when the disputants exhausted all alternatives.<sup>114</sup> In the limited number of arbitrations recorded in Savannah and Charleston, I have not come across any carried out by a clergyman (they were probably excluded for the same reason that they were not subject to challenges, a tacit acknowledgment that their dedication to God was moral and respectable and that dueling was not).

Another explanation for the religious leaders' circumscribed place in the new association can be found in the clergy's desire to form a political, rather than religious, organization. The

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<sup>114</sup> See *USCM*, Oct. 7, 1826, p. 94. The standing committee worked “to endeavour by seasonable interposition, with the aid of the civil magistracy, or otherwise, as may seem to them most expedient, to prevent the occurrence of any contemplated or appointed duel.”

political leaders with whom they teamed up had contacts in the state legislature and the U.S. Congress. They also provided social and political clout that the clergymen probably lacked. At least one, secretary and treasurer Colonel Matthew Irvine Keith, had dueled previously — a fact that may have increased the Charleston Anti-Duelling Association’s credibility.<sup>115</sup> The laity led the formal anti-dueling groups in Charleston and Savannah for the rest of their existence.

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<sup>115</sup> This was reported in the *Savannah Georgian*, Nov. 11, 1826, p. 2. John Belton O’Neill confirms the rumor, recalling Keith telling him, “Duelling is now deliberate murder. ... I will have no more to do with it’ — *and he never did*” (his emphasis), *Biographical Sketches of the Bench and Bar of South Carolina: To Which Is Added the Original Fee Bill of 1791 ... the Rolls of Attorneys Admitted to Practice from the Records at Charleston and Columbia, Etc., Etc* (S.G. Courtenay & Company, 1859), 320.

## Arbiters of Honor<sup>116</sup>

With lay political leaders in charge, the Charleston Anti-Duelling Association began its social and political work. As suggested in the constitution, ministers “of all denominations” sent letters to clergymen throughout North Carolina and Georgia to encourage the establishment of similar anti-dueling societies.<sup>117</sup> Meanwhile General Thomas Pinckney, a veteran of the War of 1812 and the American Revolution, and president of the Association, collaborated with a standing committee member to solicit the state senate’s support for stronger anti-dueling legislation.

Pinckney and the Charleston anti-duelists prioritized legislative efforts and editorial-writing. By contrast, the Savannah Anti-Duelling Association did not lobby for new laws, choosing instead to intervene personally in private disputes. Savannah had only a third of the population of Charleston. The relatively small community of gentlemen in Savannah probably contributed to its anti-duelists’ successes in averting duels through personal intercessions. The manpower necessary to do the same in a bigger city may be why Charleston’s anti-duelists first looked to strengthen state law.

Pinckney’s letter to state legislators repeated the themes common to anti-dueling arguments, though with more emphasis on the ritual’s costliness to a tranquil society and rule of law than on its immorality. “Have we not had to commiserate wives and children who grieve for the loss of husbands and fathers, upon whose industry and talents they materially depended for maintenance, education, and advancement?” he asked. He blamed editors for publishing the

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<sup>116</sup> See Gamble, *Savannah Duels and Duellists*, 176. Carl Schurz, in his biography of Henry Clay, recalled a duel between the Kentucky senator and Senator John Randolph of Virginia: “Randolph’s pistol had failed to prove that Clay was a ‘blackguard’ and Clay’s pistol had also failed to prove that Randolph was a ‘calumniator’; but according to the mysterious process of reasoning which makes the pistol the arbiter of honor, the honor of each was satisfied.”

<sup>117</sup> *USCM*, Oct. 7, 1826, p. 94.

details of disagreements and lamented citizens' lack of "common humanity" to report the disputants to the authorities. He then observed that members of the press ("the palladium of freedom") felt compelled to censor themselves "especially when questions of great public interest excite more than proportionate zeal."<sup>118</sup> Citing the Bill of Rights, Pinckney raised the threat that dueling posed to speech. He alluded to members of Congress and other legislatures who had been challenged by colleagues for matters brought up in their official capacities. Earlier that same year, Senator John Randolph of Virginia dueled Kentucky's Henry Clay after Clay took offense at some of Randolph's comments on the Senate floor.<sup>119</sup> After refuting traditional pro-dueling arguments — that spontaneous assassination would replace the ritual practice, and that the duel made citizens behave cordially to one another — Pinckney arrived at the legislators' opportunity, and duty, to help his cause.

Pinckney told the legislators that laws appealing specifically to Southern gentlemen's sense of honor would help deter them from dueling. The Charleston Anti-Duelling Association would then have more to work with when seeking recourse in the "civil magistracy." Pinckney wrote to the state senators that "our most strenuous and persevering exertions will [not] be efficacious . . . unless the legislature shall in its wisdom pass a law more suitable to the nature of the offence, and more certain of execution, than any now existing." He raised duelists' motivations, explaining why France's capital punishment for duelists was shoddy law. Considering the "quality" of the type of persons who dueled, "the fear of death would be less efficacious than degradation or disgrace, or even than a pretty high fine or forfeiture."<sup>120</sup> After

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<sup>118</sup> *USCM*, Dec. 2, 1826, p. 155.

<sup>119</sup> See *Bowen's Boston News – Letter, and City Record*, Jan.-July 1826, p. 155. Reflecting on the event, the senators' colleague Thomas Hart Benton revealed how some in the upper class thought about the law and its loopholes: "There was a statute of Virginia against duelling within her limits, but, as he merely went out to receive a fire without returning it, Randolph deemed that no fighting, and consequently no breach of her statute," as quoted in Gamble, *Savannah Duels and Duellists*, 173.

<sup>120</sup> *USCM*, Dec. 9, 1826, p. 162.

all, someone ready to duel had proven a willingness to die for honor. Embarrassment would be a more effective deterrent than the threat of death.

Asserting that logic, the Association requested two laws. The first would ban dueling and place violators “in a state of degradation, and infamy, particularly by disqualifying and rendering them incapable of having or holding any office of trust, honor or emolument.” Disqualification from public office was meant to give the challenged party the opportunity to invoke his duty to public service as an honorable way to decline a duel (employing a legislative tactic, discussed further below, called “ambiguation”). The second law would “afford more suitable and sufficient redress or reparation, than may now be obtained in our courts for insults and injuries, that affect the honour and reputation of men of nice sensibility and high spirit” — in other words, a stronger libel law that would encourage men to sue rather than “resort to the sword or pistol.”<sup>121</sup> Pinckney did not mention South Carolina’s 1812 law that ordered all duelists fined, jailed, and banned from holding public office and jobs in medicine and law and that considered dueling deaths murder.<sup>122</sup> The government enforced that law for a brief period and convicted two men under its authority.<sup>123</sup> The law lost its effectiveness, however, when a judge ruled in 1819 that seconds were excused from testifying as witnesses because they were protected from self-incrimination. No witnesses meant no prosecution. That ruling held until the state passed a law in 1823 to give participants immunity in exchange for testimony, a fact unmentioned in Pinckney’s 1826 correspondence.<sup>124</sup>

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<sup>121</sup> *USCM*, Dec. 9, 1826, p. 163.

<sup>122</sup> Thomas Cooper, ed., *The Statutes at Large of South Carolina*, vol. V, 9 vols. (Columbia, S.C.: A.S. Johnston, 1839), <http://hdl.handle.net/2027/nyp.33433007185253>.

<sup>123</sup> Williams, “The Code of Honor in Ante-Bellum South Carolina,” 123-124.

<sup>124</sup> Williams, “The Code of Honor in Ante-Bellum South Carolina,” 124; David J. McCord, ed., *The Statutes at Large of South Carolina*, vol. VI, 9 vols. (Columbia, S.C.: A.S. Johnston, 1839), <http://hdl.handle.net/2027/nyp.33433007185253>.

Pinckney and his colleagues did not get their wish. A bill drafted in accordance with their request failed to garner the requisite votes.<sup>125</sup> With that disappointment, the association shifted its attention away from the political sphere and towards the newspaper industry. That effort also failed: many editors reasserted their right to print challenges and to cover duels after casting the association's criticisms of the *Courier* and *City Gazette* as affronts to the free press.

The Charleston Anti-Duelling Association ceased functioning at the start of the 1830s.<sup>126</sup> The demise of the Charleston association coincided with the rise of the Savannah Anti-Duelling Association, which, unlike its predecessor, turned its back on both the legislative and judicial branches, choosing instead to capitalize on the social status of many of its members and the relatively small city in which it operated.

At the time of the Savannah Anti-Duelling Association's founding, dueling had been against the law in Georgia for over a decade. In 1809, Governor David B. Mitchell signed a law prohibiting anyone who had participated in a duel — either as a principal or a second — from holding “any office of honor, trust, or profit” in the state.<sup>127</sup> Fortunately for the governor, the law did not apply retroactively. “What a strange sequel, the scene in the Governor's office in Milledgeville on that winter day when Mitchell appended his name to this act,” Thomas Gamble writes in his history of dueling in Savannah, “to the picture presented that mid-summer day seven years before” when Mitchell looked down at the body of a dueling opponent he had just struck down in Savannah's old Jewish cemetery.<sup>128</sup> As in South Carolina, dueling did not subside with a stroke of the governor's pen. The legislature strengthened the law in 1816, assessing a fine and imposing between three and twelve months of prison time for issuing, accepting, or carrying

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<sup>125</sup> Cossen, “Blood, Honor, Reform, and God,” 5.

<sup>126</sup> Cossen, “Blood, Honor, Reform, and God,” 8.

<sup>127</sup> *Savannah Republican and Savannah Evening Ledger*, Jan. 4, 1810, p. 3.

<sup>128</sup> Gamble, *Savannah Duels and Duellists*, 113.

a “challenge by word or writing . . . to fight at sword, pistol, or other deadly weapon.”<sup>129</sup> With Mitchell serving his third term, the same hand that had killed his political rival in a duel once more signed anti-dueling legislation into law.

It was a dead letter from the start. As duelists saw it, the duel was not subject to the judicial system. Rather, it was a part of the unwritten moral code that was in no way inferior to the body of state statutes. Charles S. Sydnor observes four sets of governing laws in the antebellum South: the U.S. Constitution and federal statutes; divine law as stated in the Bible; state laws meant to maintain social order; and the “unwritten laws of society.”<sup>130</sup> Southerners — especially the planter class — engaged from a young age with those four sets of law. They internalized the relationship between the unwritten and codified laws in a way that would look strange to any outsider, all the while rejecting “higher law” arguments when espoused by abolitionists.<sup>131</sup> When it came to dueling, Sydnor writes, Southerners “professed to see no contradiction between their code of honor, with its appeal to extralegal personal force, and a respect for the law itself.”<sup>132</sup> By their logic, unwritten laws stood on equal footing with legislation, and it was the job of gentlemen to discern when and how each applied to daily life. Having adopted the same views on divine law as the clergy, the anti-duelists contemplated the relationship between the last two categories: state law and the unwritten law.

The Savannah Anti-Duelling Association maneuvered between the tacitly understood honor code and the written law by respecting the former and using the latter only when necessary. Aside from the infrequent lament of a jury foreman that the law was not being

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<sup>129</sup> General Assembly Acts, 090 § 4 Ninth Division (1816).

<sup>130</sup> Charles S. Sydnor, “The Southerner and the Laws,” *The Journal of Southern History* 6, no. 1 (1940): 4.

<sup>131</sup> Neil Brody Miller, “Higher Law and Antislavery,” ed. Peter P. Hinks and John McKivigan, *Encyclopedia of Antislavery and Abolition* (Westport, CT: Greenwood Press, 2007), 327-330.

<sup>132</sup> As quoted in Eugene D. Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York: Pantheon Books, 1972), 44.

enforced, few people cared about prosecuting duelists.<sup>133</sup> In their first attempt at arbitration, members of the Anti-Duelling Association recognized that appealing to legal authority was not just ineffective but potentially detrimental to their cause. Unleashing officers of the law against potential duelists was not just an affront to those who engaged in dueling; it risked violating the unwritten obligation to balance law and honor.

The standing committee's first arbitration tested its willingness to compromise its legal positions in order to preserve the honor of the disputants. When it came to press coverage, no news was good news for the Association — its successful interventions usually went unreported. Such was the case when, in May 1827, the standing committee caught wind of discord between a Savannah tax collector (and later sheriff), George Millen, and Robert W. Pooler, a clerk for Chatham County's Superior and Inferior Courts and a member of a powerful Savannah family.<sup>134</sup> The substance of the disagreement is unknown, but the organization's secretary, Charles W. Rockwell, recorded the details of the intervention in the Association's minutes.<sup>135</sup> The committee drafted letters to the disputants. "It has been intimated that there exists a difference between yourself and Mr. George Millen, which it is apprehended may lead to serious results," its members wrote to Pooler. "As members of that committee, Joseph Cumming, Anthony Barclay and Alexander Telfair, Esqs., beg leave to propose to you that any differences which may exist

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<sup>133</sup> Gamble, *Savannah Duels and Duellists*, 132. Gamble quotes an unusual statement by an 1819 Grand Jury: "The frequent violations of the law to prevent duelling have made the practice fashionable and almost meritorious among its chivalrous advocates. We will express it as our opinion that the law has been violated in repeated instances with impunity, when a knowledge of the cases were, or have been, known to its constituted guardians, and in the next instance the character of our city was wantonly disregarded, the laws of social order and of the state unblushingly set at defiance. Viewing the subject, as we do, of such magnitude, we deem it our duty to present the negligence and indifference of the officers whose duty it is to take cognizance of such matters as proper subjects of which to make examples," *Savannah Duels and Duellists*, 135.

<sup>134</sup> *Savannah Georgian*, Jan. 8, 1828, p. 2.

<sup>135</sup> Gamble, *Savannah Duels and Duellists*, 190.

be submitted to an amicable reference.” In the language of the time, any resolution short of violence was deemed “amicable.”

The committee then offered two paths forward. Pooler and Millen might choose “gentlemen either in or out” of the Anti-Duelling Association to mediate between them. Not overlooking the importance of reputation, the committee reassured Pooler that he could have “entire confidence” in the “integrity and honor” of the members of the organization. In consideration of the *code duello*, which dictates the fair treatment of both parties in any attempt at arbitration, the committee members added that they would not open Pooler’s response unless Millen sent one, as well. Pooler’s reputation (and, therefore, honor) would thus be preserved if he acceded to the Anti-Duelling Association’s request while Millen ignored it. They left ambiguous what they would do if one accepted their mediation offer and the other demurred. “We believe you will receive this in the spirit which dictates it, and not as an officious interference,” the committee members added, in a display of deference to the disputants that would disappear from future letters as they grew accustomed to, and more confident in, sending such notes.<sup>136</sup>

Pooler and Millen complied with the organization, but on the condition that the anti-duelists promise not to take legal action against them.<sup>137</sup> That caveat indicates that Pooler and Millen knew of Georgia’s anti-dueling laws. It was reasonable for Pooler and Millen to fear that the Savannah Anti-Duelling Association might invite the courts into the dispute. After all, the Association’s constitution, published just five months prior in the local *Republican*, warned that the standing committee would try to stop any potential duel “with or without the aid of civil magistracy.” The committee accepted the conditions and contacted Pooler and Millen’s seconds.

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<sup>136</sup> Minutes, May 5, 1827, SAA Minutes, MS 680, Vol. II.

<sup>137</sup> Minutes, May 5, 1827, SAA Minutes, MS 680, Vol. II.

It appears that they preferred arbiters from outside the Anti-Duelling Association, so W.C. Daniell and William Bee were credited with reaching the “amicable settlement.”<sup>138</sup> Both later joined the Savannah Anti-Duelling Association, and Bee succeeded Rockwell as secretary and treasurer in June 1831.<sup>139</sup>

The successful end to the Pooler-Millen affair boded well for the future of the Savannah Anti-Duelling Association. The standing committee wrote in its first annual report that no duels had been fought since its founding the year before. “The committee has reason to believe that this is partly owing to the influence of the association.” Its members also reported a fair amount of public receptiveness to the anti-duelists: “No opposition has been manifested in any quarter and the Committee entertain the belief that by judicious management great good will be accomplished.”<sup>140</sup> The committee’s optimism contrasted with Bishop England’s measured tone when addressing the Charleston Anti-Duelling Association the same year. They then resolved to offer fifty dollars for the best essay on the topic of dueling. A special review committee selected the winner, William Jay, in time for the next annual meeting, in 1829.

The Association probably gleaned valuable lessons from the Pooler-Millen dispute. Although the law was rarely enforced, people feared prosecution, and therefore had reason to doubt the Association’s intentions. A cozy relationship with the authorities would hurt the group’s primary goal, the “restraining, and if possible the suppressing by all lawful and honorable means, the practice of duelling.”<sup>141</sup> Its members instead relied on their social connections and on direct mediation. In doing so, they mobilized against an important

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<sup>138</sup> Minutes, May 5, 1827, SAA Minutes, MS 680, Vol. II.

<sup>139</sup> Minutes, June 3, 1831, SAA Minutes, MS 680, Vol. I.

<sup>140</sup> Minutes, Jan. 7, 1828, SAA Minutes, MS 680, Vol. II.

<sup>141</sup> “Anti-Duelling Association” (broadside), SAA Minutes, MS 680, Vol. I.

component of Savannah's culture — the duel to defend personal honor — while still employing “honorable means” and operating within the same framework as their fellow citizens.

### *Anti-Dueling Legislation in the South's Dual Legal System*

Several realities affected how upper-class citizens in Savannah applied law to their everyday practices. According to Sydnor, the unwritten law pervaded plantation life as much as it shaped relationships among free Southerners. It “operated ... to restrict the power of ordinary law and to enlarge the area of life in which man acts without reference to legal guidance.” The strength of the unwritten law in the plantation regions of the Carolina low country (and by extension, Georgia's coastal plain) rested on the nature of the plantation system, which comprised a network of semi-autonomous estates far from town centers and law enforcement officials. “This is to say that the segment of life that was controlled by law was reduced in these dominant regions of the Old South; it is not equivalent to saying that law, within its restricted zone, was held in disrespect,” Sydnor writes. Yet, a Northerner “could fall into the error of thinking that law was held in disrespect because its jurisdiction was not as large as he was accustomed to in his own community.”<sup>142</sup>

A gentleman's status as household head and slave master instilled in him a sense of authority and autonomy. Sydnor argues that slavery “must have” had an impact on the planter's outlook on the law. He had the ultimate say over all features of his slaves' lives, and he was a substitute for the state when it came to “slander, assault and battery, larceny, and burglary.”<sup>143</sup> Imbued with that power, the planter felt free to exercise the same legal authority beyond his

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<sup>142</sup> Sydnor, “The Southerner and the Laws,” 8.

<sup>143</sup> Sydnor, “The Southerner and the Laws,” 10.

plantation. When the written and unwritten codes conflicted, as they did in any potential duel, the plantation culture allowed — and perhaps encouraged — the planter to choose which prevailed.

It is logical that the non-planter upper class — professionals in law and medicine, newspaper editors, and military officers — would share the planter's approach to the law. Not all slave-owners were planters, and even those who were not would have shared the sense of legal autonomy that accompanied participation in the slave system. With the planters' control of the state legislature and city council came influence over culture. Their behavior was not insulated from the rest of society, and a practice that in Europe was strictly for nobility broadened as it developed in the American South. As Williams observes, members of the upper class who were not planters regarded themselves — and were regarded by planters — as gentlemen.<sup>144</sup> As with honor, a person's status as a gentleman depended largely on how others perceived him.

Anti-dueling legislation failed to override the unwritten laws of the gentlemen's class. Why then did Georgia and South Carolina legislators make numerous attempts to ban dueling? Their lack of will to enforce anti-dueling laws suggests a half-heartedness induced by a lack of popular support for the acts. On the other hand, the presence of laws on the books might have reflected the office holders' vague desire to urge the public towards a certain end. Modern legal thinkers discuss the power of laws to affect social norms.<sup>145</sup> C.A. Harwell Wells defines a “norm” not merely as a social regularity, which is what is commonly practiced in society, but as “what society holds that people *should* do” — and if not all of “society,” then the government, one may add.<sup>146</sup> Wells and Lawrence Lessig look to anti-dueling legislation as a case study for how government can influence social norms — in other words, how laws condition behavior and

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<sup>144</sup> Williams, *Dueling in the Old South*, 27-29.

<sup>145</sup> See Wells, “The End of the Affair?” and Lessig, “The Regulation of Social Meaning.”

<sup>146</sup> Wells, “The End of the Affair?”, 1809. Emphasis added.

determine not just what people do, but what they should do. As Wells and Lessig present it, the government influences, or conditions, its constituents by passing laws to bring them in line with a desired practice.

Though outright bans on dueling were usually ineffective, Lessig observes that a benefit of such laws was to tie the ritual to illegality. That is, laws were a first step in the formation of a stigma against such behavior. When Pooler and Millen, both holders of public office, agreed to arbitration by the Savannah Anti-Duelling Association, they did so on the condition that the committee pledge not to pursue legal consequences. Under the 1809 law, they could have been expelled from their public work and, under the 1816 law, they could have been fined and imprisoned.<sup>147</sup> Those statutes gave the standing committee a strong hand when offering arbitration to Pooler and Millen — implicit in the offer was the threat to go to the authorities if the disputants refused arbitration.

The fear of prosecution, coupled with the duelist's desire to comply with the law to some extent, led to numerous duels fought in one state by citizens of another. William Bee logged a letter sent to the standing committee by “a highly respectable gentleman in Charleston, South Carolina,” who warned of two colonels heading off to duel in Savannah (perhaps on Tybee Island, a common dueling ground that straddled the border — and therefore the jurisdictions — of Georgia and South Carolina) after all attempts at reconciliation failed. On that man's advice, the committee alerted the Savannah authorities, who in turn issued warrants to the sheriff. The principals hid, and the following day “a number of gentlemen interfer'd, the warrants were dispended, and a friendly settlement ended the matter.”<sup>148</sup> The threat of arrest and

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<sup>147</sup> Bond Almand, “Code Duello in Georgia 1740-1889,” *Georgia Bar Journal (Macon)* 13 (1950): 160.

<sup>148</sup> Minutes, Sept. 4, 1833, SAA Minutes, MS 680, Vol. I.

prosecution sufficed to reconcile the disputants. Law enforcement, however, was not always successful in stopping duels, as will be discussed below.

Lessig terms another legislative technique “ambiguation,” a tactic at play in Georgia and South Carolina’s 1809 and 1812 laws banning duelists from holding public office, which was a duty of the elite.<sup>149</sup> Lawmakers intended to give a potential combatant a respectable, honorable reason to refuse a duel — what Wells calls “a way to defect from the prevailing norm.”<sup>150</sup> Clergy and markedly religious laypeople could cite their piety in refusing a duel, but most planters and professionals who did so risked a public imputation of cowardice.<sup>151</sup> What was a gentleman to do when defending his reputation endangered his ability to honorably serve the public? The law relied on the consideration of public service as a higher calling than the defense of personal honor. Lessig argues that lawmakers meant for the statute to redefine “the social meaning of dueling” and to force gentlemen to consider it an impediment to necessary public service.<sup>152</sup>

American general James Screven employed a form of ambiguation long before any prohibitions on dueling entered the Georgia penal code. On the eve of the British capture of Savannah in 1778, Screven adhered to what Lessig calls the “elite’s rhetorical structure,” appealing to the officers’ sense of service to their nascent nation. “If you cannot extend to each other the hand of confidence and friendship, for your country’s sake do not destroy each other’s lives,” Screven told his men.<sup>153</sup> Putting their duty to the nation above personal honor, the officers reconciled.

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<sup>149</sup> Lessig, “The Regulation of Social Meaning,” 971.

<sup>150</sup> Wells, “The End of the Affair?,” 1811.

<sup>151</sup> Wells, “The End of the Affair?,” 1824.

<sup>152</sup> Lessig, “The Regulation of Social Meaning,” 972.

<sup>153</sup> Gamble, *Savannah Duels and Duellists*, 18.

South Carolina's legislators abandoned "ambiguation" as an anti-dueling tactic in 1834. That year, the state repealed the 1812 provision that banned participants in duels from public office.<sup>154</sup> However, it does not seem that the legislature found a better deterrent than "ambiguation." Williams understands that what remained of the original law — the sentence of twelve months in prison and a large fine for dueling or issuing or carrying a challenge — represented a merely symbolic concession to dueling's opponents. Dueling did not receive legislative attention in South Carolina again till 1868.<sup>155</sup>

### *The Law Courts and the Court of Public Opinion*

Unlike the era's more prominent reform movements, anti-dueling work consisted of local campaigns. Anti-duelists in both Charleston and Savannah limited the scope of their work to their own cities, choosing to reform morals in their immediate vicinity and avoiding mention of a broader campaign.

For that reason, the Savannah Anti-Duelling Association did not consider it a setback when, a week after its 1828 annual meeting, Georgia's attorney general, George W. Crawford, shot and killed Thomas E. Burnside, a member of a rival political faction in the state house. The duel took place in Creek Indian territory and developed out of a dispute that originated far from Savannah. Burnside had claimed credit for a series of editorials and statements that defamed Crawford's father, state senator Peter Crawford.<sup>156</sup> The senior Crawford denounced the claims as "shameful garbling, misrepresentations, and falsehoods," that made their author "liable to a prosecution for libel" — a threat he never followed through on, perhaps because of his son's

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<sup>154</sup> McCord, *The Statutes at Large of South Carolina*, 515.

<sup>155</sup> Williams, "The Code of Honor in Ante-Bellum South Carolina," 124.

<sup>156</sup> Len G. Cleveland, "The Crawford-Burnside Affair and the Movement to Abolish Dueling in Georgia," *Research Studies (Washington State University)* 44, no. 4 (December 1976): 242-44.

actions.<sup>157</sup> Crawford *fills* sought satisfaction on the field of honor. Burnside refused to apologize and recant after the first and second rounds of firing ended with no injuries. In the third, Crawford's bullet pierced his heart.<sup>158</sup> Burnside died in front of the white and Creek spectators — the duelists' seconds having agreed to fight in Creek Indian territory to avoid breaking the laws of Georgia and Alabama.<sup>159</sup> The widespread press coverage of the duel spread George Crawford's name through the state. Len G. Cleveland speculates that Crawford's reputation for courage contributed to his November election to a full term as attorney general, six election victories in the state legislature, part of a term in the U.S. House, and two terms as governor of Georgia from 1843-1847. He became secretary of war in 1849 before returning to chair Georgia's secession convention in 1861.<sup>160</sup> According to Cleveland, the duel had proven a political asset despite laws across the country that aimed to discredit the practice.

Starting in Georgia's capital, Milledgeville, and ending in the Creek territory, the dispute was entirely outside the association's jurisdiction. Cleveland erroneously argues that the Crawford-Burnside duel "sparked a new effort in Georgia to abolish" the practice.<sup>161</sup> He cites the Association's essay competition as evidence of a new push in its public awareness campaign — but according to the Association's minutes, the competition had been arranged on January 7, a week before the Crawford-Burnside event.<sup>162</sup> The anti-duelists had been operating and successfully intervening in disputes for a year already. The duel was far enough removed from Savannah that the standing committee's next annual report said that it was "enabled to repeat that 'no duel has been fought in this vicinity since the formation of the society' and that they found

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<sup>157</sup> As quoted in Cleveland, "The Crawford-Burnside Affair," 243. Emphasis in the original text.

<sup>158</sup> Cleveland, "The Crawford-Burnside Affair," 244.

<sup>159</sup> Cleveland, "The Crawford-Burnside Affair," 243.

<sup>160</sup> Cleveland, "The Crawford-Burnside Affair," 245.

<sup>161</sup> Cleveland, "The Crawford-Burnside Affair," 245.

<sup>162</sup> Minutes, Jan. 7, 1828, SAA Minutes, MS 680, Vol. II.

their duties [sic] gradually diminishing.”<sup>163</sup> The Association was sticking to a limited mission — to stop duels in Savannah and its immediate surroundings.

Few duels occurred in Savannah during the following years, possibly owing to the Savannah Anti-Duelling Association’s successes, though causation is impossible to prove. It is unclear what role the organization played in Georgia’s 1828 law requiring all future government officers to swear that they had not been principals nor seconds in any duel since January 1, 1829.<sup>164</sup> That may have also contributed to the local absence of duels. In August 1832, however, two disputes found their way to the standing committee. The first was resolved soon after the secretary contacted one of the seconds.<sup>165</sup> Four days later, he learned of a more bellicose duo, state legislator James Jones Stark and Dr. Philip Minis.

The Stark-Minis affair reveals the limits of the personal intervention strategy that had previously been successful for the Savannah Anti-Duelling Association. According to the diary of Minis’s friend, newspaper editor Richard D. Arnold (who later, as mayor, surrendered Savannah to William Tecumseh Sherman), the dispute dragged on for months before its fatal end.<sup>166</sup> In a bar in the spring of 1832, Stark, with Minis not present and without any provocation “cursed Minis for a ‘damned Jew’ or ‘damned Israelite,’” adding, “he ‘ought to be pissed upon,’ ‘he was not worth the powder & lead it would take to kill him’ & abuse of a similar character.” When alerted to these insults, Minis entered the bar to confront Stark, who said nothing about him to his face. Arnold’s diary then cast light on how many Southerners viewed affronts to honor: “When Minis asked me what Stark had said about him I refused to tell him, observing that

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<sup>163</sup> Minutes, Jan. 8, 1829, SAA Minutes, MS 680, Vol. II.

<sup>164</sup> Cleveland, “The Crawford-Burnside Affair,” 246.

<sup>165</sup> Minutes, Aug. 6, 1832, SAA Minutes, MS 680, Vol. I.

<sup>166</sup> “Richard D. Arnold Papers, 1849-1876 (bulk 1875-1876).,” accessed December 3, 2017, <http://finding-aids.lib.unc.edu/01261/>.

he, Stark, had had an opportunity of saying it that night before his face and as he had not done it I thought that what he had said ought to be a matter of indifference.” A friend of Minis then spoke with Stark and received an explanation that the friend considered satisfactory. Minis took it as an apology and seemed to move on. In July, however, one of Stark’s friends denied that Stark had begged pardon, saying, according to Arnold, “that Stark had told him that what he had said was in justice to himself but not as an apology to Minis.” Word spread that, when Stark refused to apologize, Minis dishonorably dropped his grievance without demanding satisfaction. Arnold records as follows: Stark confirmed in writing that “he had done an unnecessary injustice” to Minis, “but still did not mean it as an apology to him.” Minis “wrote to Stark saying that as he S[tark] had admitted to doing an unnecessary injustice to him, M[inis], he demanded an apology or that satisfaction wich [sic] one gentlemen [sic] should afford another.”<sup>167</sup> In response, Stark said he would grant Minis satisfaction.

The seconds could not agree on a time and place to duel, but Stark and his second went to Scriven’s Ferry, a common dueling site, made a show of their opponents’ absence, and spread the word that Stark and Minis agreed to fight but the latter forgot the meeting time. This further embarrassed Minis. Later, as he was walking down the street, Stark taunted him and threatened to attack him right there. Arnold heard Stark shout, “Let me go whip the damned rascal,” implying that Minis was not even a gentleman who qualified for a duel and instead deserved to be whipped like a member of a lower class. Arnold added, “I have heard it said that Minis was openly laughed at as a coward by Stark’s bodyguards.”

The affair reached its climax on August 10, the same day that the anti-dueling association’s William Bee learned about the quarrel. “Information was given to the Secretary this

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<sup>167</sup> August 10, 10 P.M., Excerpts from "Colligere," a diary of Dr. Arnold, 1832-1838, MS 27, Item 3, Richard Dennis Arnold Papers, Georgia Historical Society, Savannah, Georgia. Hereafter RDA Diary Excerpts.

day, at about 11, O'Clock that an affair of Honour, existed between Mr. James Jones Stark, and Dr. Philip Minis," Bee recorded in his organization's minutes (it appears from Arnold's diary that William Law, a superior court judge and member of the Anti-Duelling Association, transmitted Arnold's news of the dispute to Bee).<sup>168</sup> With insufficient time to summon the entire standing committee, Bee acted on his own, addressing letters to both men's seconds, to no avail.<sup>169</sup> That morning, Minis entered the City Hotel, where Stark was present with several companions, and according to Arnold, declared, "I pronounce James Jones Stark a coward." At this point the details are murky. Arnold reports that Stark rose from his seat and approached Minis with his hand in his pocket, and that Minis fired only after seeing Stark withdraw what Minis assumed was a pistol. Any gun on Stark was lost in the scramble immediately following Minis's shot. Stark's second, Thomas Wayne, reported in his affidavit that Stark in fact was reaching for a pistol when Minis fired. But Wayne told another person that he had been facing Minis, not Stark, so he could not determine who drew first.<sup>170</sup>

Whatever the details, the Minis shooting itself was not a duel. It lacked the formalities designed to give each party a fair chance at self-defense. The events leading up to the City Hotel shooting, however, followed the path that traditionally led to a duel. It therefore fell within the Savannah Anti-Duelling Association's jurisdiction. By arriving to the City Hotel armed and prepared to shoot, Minis breached the honor code — though his supporters might argue that Stark's threat to whip him was the first breach and that Minis could not be expected to do nothing while at risk of being jumped in the street and lashed.

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<sup>168</sup> Minutes, Aug. 10, 1832, SAA Minutes, MS 680, Vol. I, and August 14, RDA Diary Excerpts, MS 27, Item 3. Emphasis in the original text.

<sup>169</sup> Minutes, Aug. 10, 1832, SAA Minutes, MS 680, Vol. I.

<sup>170</sup> August 10, 10 P.M., RDA Diary Excerpts, MS 27, Item 3.

William Bee reported that Stark was preparing a reply to his letter when he fell victim to Minis's pistol.<sup>171</sup> As with previous incidents, Bee and the Anti-Duelling Association wanted to resolve the Stark-Minis dispute by mediation rather than law enforcement. Bee lamented his failure to stop the murder: "This record is made lest it should ever be enquired; where was the Anti-Duelling Association and its standing committee on this occasion?"<sup>172</sup>

That did not end the Anti-Duelling Association's involvement in this affair. Its members served on both sides of the trial. Police arrested Minis forty-five minutes after the shooting.<sup>173</sup> He was indicted on charges of murder. Courts rarely tried people for violating the anti-dueling laws, and Minis's crime would not have fallen under that rubric anyway, because of the non-ritual nature of the showdown in the City Hotel. Solicitor General Colonel Joseph W. Jackson, who oversaw the prosecution, had joined the Savannah Anti-Duelling Association five years prior, in 1827. One of Minis's defense attorneys, Robert M. Charlton, would go on to deliver an "impressive and eloquent" oration at the Association's eighth anniversary meeting in 1835.<sup>174</sup> Judge William Law recused himself from the case, probably because he was related by marriage to Stark.<sup>175</sup> Gamble does not mention Law's relation to Stark, but speculates that the disqualification was due to Law's membership in the Savannah Anti-Duelling Association, whose constitution he had helped to draft.<sup>176</sup> Minis finally stood trial four months after the

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<sup>171</sup> Minutes, Aug. 10, 1832, SAA Minutes, MS 680, Vol. I.

<sup>172</sup> Minutes, Aug. 10, 1832, SAA Minutes, MS 680, Vol. I.

<sup>173</sup> August 10, 10 P.M., RDA Diary Excerpts, MS 27, Item 3.

<sup>174</sup> Gamble lists the other prosecutors and the defense attorneys in *Savannah Duels and Duellists*, 194-195; Jackson's dues payments to the Savannah Anti-Duelling Association are recorded in Subscribers Names Savh. Anti-Duelling Association, SAA Minutes, MS 680, Vol. III; a brief account of Charlton's remarks is in Minutes, Jan. 15, 1835, SAA Minutes, MS 680, Vol. I.

<sup>175</sup> August 14, RDA Diary Excerpts, MS 27, Item 3.

<sup>176</sup> Gamble, *Savannah Duels and Duellists*, 195.

shooting. After just two hours of deliberation, the jury acquitted him, perhaps because of the possibility that Stark had drawn his pistol first, making Minis fire in self-defense.<sup>177</sup>

The Savannah Anti-Duelling Association operated for six years before it resorted to the “aid of the civil magistracy,” as it did when two unnamed duelists traveled to Georgia from Charleston in September 1833. The association’s minutes provide no other information about that duel, nor any discussion of the costs and benefits of having sought help from the sheriff and his constables. Still, that decision proved the Savannah Anti-Duelling Association’s adaptable policies towards the law. When involving the authorities would have impeded its arbitration work, as with Pooler and Millen, the association acted without them. And when the association did involve the authorities, it appears to have done so effectively but only as a last resort.

Considering the different tactics employed by the Savannah Anti-Duelling Association, one can assume that the Charlestonians’ unsuccessful techniques influenced the work of the Savannahians. Though each group worked only in its own city, the Charleston association adopted a long-term strategy, while Savannah’s association preferred incremental, gradual tactics. Charleston’s anti-duelists attempted to pass legislation that, unlike past laws, aimed to stop dueling forever. That measure died in the legislature for lack of political support. Furthermore, past anti-dueling laws had gone unenforced, making the government look impotent in the face of dueling. (Williams speculates that South Carolina repealed the law that banned duelists from public office in 1834 because it was exclusively “honored in the breach.”)<sup>178</sup> At the same time, the Charleston anti-duelists’ assaults on the press backfired when newspaper editors and contributors perceived them as illiberal and unreasonable.

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<sup>177</sup> Gamble, *Savannah Duels and Duellists*, 195.

<sup>178</sup> Williams, “The Code of Honor in Ante-bellum South Carolina,” 124.

Savannah's anti-duelists recognized the government's inability to enforce anti-dueling laws. Rather than address that weakness by advocating sweeping legislation, they intervened directly to prevent duels. Consciously choosing a limited approach, Savannah's anti-duelists suppressed dueling through private arbitration rather than government intervention. In doing so, they worked within the *code duello*. The result in Savannah was that potential duelists maintained their sense of honor but did not actually duel.

## Conclusion

The Savannah Anti-Duelling Association held its final meeting in January 1838.<sup>179</sup> Attendance had dwindled in recent years despite, or perhaps because of, the association's repeated successes. Secretary William Bee counted just one duel (with no injuries) within the Association's jurisdiction in 1834, which was "so silently conducted" that the committee did not learn of it till after the fact.<sup>180</sup> The next year, on the Fourth of July, Bee had two disputants arrested for preparing to duel. As the "deluded young men" sat in jail, representatives of the Anti-Duelling Association implored the seconds to reconcile. In Bee's judgment, the anti-duelists acted in line with the *code duello* while one of the seconds shirked his duty under the code by being "unwilling to be approached on the subject" and "repulsive & impolite." The principals dueled soon after their release from jail — demonstrating that arrests merely postponed, rather than prevented, duels. Noting that one had died at the first fire, Bee lamented the "false notions of honour," "bad passions," and "disregard of all laws whether human or divine" that drove the young men across the Savannah River and onto the dueling ground in South Carolina.<sup>181</sup>

That was the last duel in or around Savannah while the Anti-Duelling Association operated. The standing committee's decision to involve the authorities did not damage its credibility in future arbitrations. Within months of that fatal affair, the association's vice president and a former Savannah mayor deterred two men from dueling.<sup>182</sup> The next year, the standing committee returned to the practice of using non-members of the association as arbiters to "prevent a *fashionable murder*," as it had done in the Pooler-Millen affair in its first year of

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<sup>179</sup> Minutes, Jan. 8, 1838, SAA Minutes, MS 680, Vol. I.

<sup>180</sup> Minutes, Dec. 31, 1834, SAA Minutes, MS 680, Vol. I.

<sup>181</sup> Minutes, July 4, 1835, SAA Minutes, MS 680, Vol. I.

<sup>182</sup> Minutes, [undated] 1835, SAA Minutes, MS 680, Vol. I.

work.<sup>183</sup> Bee celebrated that nobody fought a duel in 1836 and 1837 while also regretting the lack of attendance at the association's annual meetings.<sup>184</sup> He triumphantly recorded his last entry to the Savannah Anti-Duelling Association's minutes book: "This degrading relic of barbarism has fallen into disrepute and almost into disuse."<sup>185</sup>

Bee was only somewhat correct. While his association had successfully reduced dueling's incidence over ten years, its effects were temporary. The practice revived in the 1840s, soon after the Savannah Anti-Duelling Association faded into memory.<sup>186</sup> As much as he may have intended to prevent duels, South Carolina Governor John Lyde Wilson's Code of Honor, printed in 1838, interested enough readers to earn a reprinting two decades later.<sup>187</sup> Dueling continued to trouble clergymen, who carried on preaching against that moral crime without the backing of a community body like the Charleston or Savannah anti-dueling societies.<sup>188</sup>

Dueling persisted in Savannah until the late 1870s; South Carolina's final recorded duel occurred in 1880. In neither Georgia nor South Carolina did dueling end because of a piece of legislation or a substantial increase in enforcement. Historians, however, overlook the deliberate actions of anti-duelists in the half-century before the practice disappeared from society. Dickson D. Bruce, Jr., argues that dueling faded in the postbellum South because the Civil War had destroyed the hierarchical order that revered honor by fire.<sup>189</sup> Jack K. Williams attributes the demise of dueling to the yeomanry's opposition to the privileged status of gentlemen (especially

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<sup>183</sup> Minutes, Oct. 1, 1836, SAA Minutes, MS 680, Vol. I. Emphasis in the original text.

<sup>184</sup> Minutes, Dec. 31, 1836 and Jan. 8, 1838, SAA Minutes, 680, Vol. I.

<sup>185</sup> Minutes, Jan. 8, 1838, SAA Minutes, MS 680, Vol. I.

<sup>186</sup> Gamble, *Savannah Duels and Duelists*, 188.

<sup>187</sup> Williams, "The Code of Honor in Ante-bellum South Carolina," 118; Wilson's granddaughter Lillie K. Yates wrote that he published his Code of Honor to instruct seconds how best to resolve disputes. See Letter: Mt. Pleasant, S.C., to Mrs. Waveland S. FitzSimons, Myrtle Beach, S.C., 1934 Jan. 30. (43/585) South Carolina Historical Society, Charleston, South Carolina.

<sup>188</sup> Dana preached *The Sense of Honor* in 1857.

<sup>189</sup> Bruce, Jr., *Violence and Culture in the Antebellum South*, 42.

slaveholding planters), to the carnage of the Civil War, and to postwar democratization and economic modernization.<sup>190</sup> Though largely correct, those analyses do not consider the end of dueling in a moral reform context, one which accounts for anti-duelists' various techniques of changing society's perception of honor and establishing new social norms.

Examining anti-duelists' tactics and methods informs our understanding of moral reform activism in the nineteenth century and since. Having pre-dated Southern temperance groups, the anti-dueling associations became the vanguard of civil society organization in Charleston and Savannah. Their incrementalism, indirectness, and limited scope deserve consideration in light of other movements in that era, including the temperance and antislavery efforts. Proponents of each influenced public opinion and worked with legislatures and law enforcement to varying degrees. For example, while the Charleston anti-duelists lobbied the state legislature for anti-dueling laws as one of their first actions, the temperance movement organized for decades at the level of churches before pursuing prohibition legislation. Both anti-dueling clergy and Southern antislavery activists identified and amplified the incongruity of their Christian faith and the practices they sought to eliminate.<sup>191</sup> The social consequences of antislavery and anti-dueling activity may also inform an analysis of the tactics each movement used. Both faced a slave culture hostile to civil society organizations, but opponents of slavery paid a larger social cost for championing their cause than did anti-duelists. While opponents of dueling took advantage of being part of the same social classes as most duelists, antislavery evangelicals within and without the slaveholding class grappled with estrangement from others in Southern society, a reality that influenced the techniques they used in their reform campaigns.<sup>192</sup>

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<sup>190</sup> Williams, *Dueling in the Old South*, 80-82.

<sup>191</sup> James Brewer Stewart, "Evangelicalism and the Radical Strain in Southern Antislavery Thought During the 1820s," *The Journal of Southern History* 39, no. 3 (1973): 381, <https://doi.org/10.2307/2206257>.

<sup>192</sup> Stewart, "Evangelicalism and the Radical Strain in Southern Antislavery," 392.

The same considerations of moral suasion, public policy and honor are relevant to more recent campaigns to alter ritual, honor-based practices outside the United States. In the early twentieth century, judges, lawyers, criminologists and medical professionals with a “moral mission” founded the Brazilian Council of Social Hygiene to end their society’s “sympathy” and “benevolence” towards men who killed their disloyal wives in fits of passion.<sup>193</sup> In 1999, Jordanians organized the Campaign to Eliminate So-called Crimes of Honor to punish men who murdered female relatives “in defense of their honor.”<sup>194</sup> Though the nature of politics and civil society in 1930s Brazil and present-day Jordan differ, of course, from each other and from that of the Old South, there may be useful lessons to learn about how each effort used peer-pressure (also known as social networking), indirect techniques, incrementalism and legislation to shape public opinion and change general views about honor.

In antebellum Charleston and Savannah, anti-duelists developed vehicles for reform that transformed the honor culture from within. The existing anti-dueling laws failed to discredit the unwritten honor code that Southerners often respected just as strongly as they did most official statutes. Charleston’s anti-duelists discovered that, though strong laws were difficult to enact, their group’s public opposition to dueling produced useful debates in the city’s newspapers about the morality of dueling. Learning from the flaws of the Charleston Anti-Duelling Association’s tactics, anti-duelists in Savannah fought their campaign largely outside the halls of government. They directed their efforts at duelists, and in the court of public opinion. Clergymen sought to shift public opinion by preaching about the value of life and the sin of murder. But more influential were political figures who could capitalize on their social status to stop duels by

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<sup>193</sup> Susan K. Besse, “Crimes of Passion: The Campaign against Wife Killing in Brazil, 1910-1940,” *Journal of Social History* 22, no. 4 (1989): 654.

<sup>194</sup> Stefanie Eileen Nanes, “Fighting Honor Crimes: Evidence of Civil Society in Jordan,” *Middle East Journal* 57, no. 1 (2003): 117.

personal intervention. By highlighting the weaknesses of legislation and personally intervening in private disputes, anti-duelists changed the way that a substantial portion of their society's ruling class conducted their lives, enlightening common perceptions among Southern gentlemen of honor, justice and the legitimate uses of violence.

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