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Abaline Miller and the Struggle for Justice against the Employer Police State after Slavery

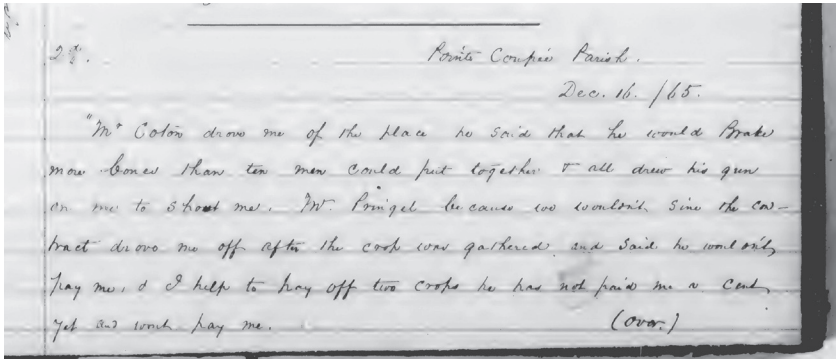
William Horne

Abaline Miller escaped from the plantation where she toiled after a brutal attack by her employer on the night of December 16, 1865, almost a year after Congress passed the Thirteenth Amendment to formally end slavery in the United States and just ten days after its ratification. The formerly enslaved Miller fled her employer, John J. Pringle, in the middle of the night, much as Black southerners had escaped enslavement for generations. She later testified that the overseer, Mr. Cotton, delivered a near-fatal beating and then "drove me of[f] the place he said that he would Brake more bones than ten men could put together and all drew his gun on me to shoot me." The extralegal violence applied to Miller and countless others allowed white elites to suppress Black wages and organizing, to destroy Black schools and undermine Black education, and to eliminate Black political activity. The pattern of the dispute between Miller and her employers replicated a key aspect of slavery—one that planters developed further after emancipation—an alliance between the white owner class in Pringle and the white working class in Cotton. This alliance cemented antebellum enslaver surveillance and policing power, especially in the form of the slave patrol. After emancipation, elites repurposed this alliance in violence, investing heavily in a police state and in new forms of convict leasing, debt peonage, and wage theft to keep Black workers like Miller from *ever becoming fully free*.[1]

Black workers like Miller forced emancipation on enslavers, making its formal recognition all but inevitable by the US state. Miller exemplified this process, having negotiated a verbal contract with Pringle to continue harvesting cotton for wages during the Rebellion, in 1864 and 1865. This agreement, initiated by Miller and her comrades, grew from the contested plantation landscape of Pointe Coupee, which was subject to frequent US Army raids. Enslavers in this region often made verbal agreements with enslaved people to pay them for their work if they agreed to remain on the plantation rather than break for certain freedom

behind Union lines. Black workers Luke Canning and John Johnson, for example, negotiated a contract during the war and before emancipation after their planter "called upon said freedmen and urged them [to] not desert to the plantation and go over to the Yankees, but to remain and take care of it and that all they could raise in the way of crops etc should belong to them." Although enslavers and even the US Army did everything in their power to maintain slavery, enslaved men, women, and children destroyed the institution from within.[2]

Though tension between Pringle and Miller had been building since she had demanded wages during slavery, Pringle turned to violence to resolve a new contract dispute. Like many former enslavers, Pringle tested the limits of early emancipation and refused to pay Miller and her co-workers despite having made a verbal contract. He became incensed when his Black workers "wouldn't sine the [new] contract" to work for him again after he had stolen their wages from the previous year and "drove [Miller] off after the crop was gathered." She testified that, after she refused to sign away another year of her life, Pringle "beat me over the [head] with gun and tied me all night and car[ried] me to the magistrate one cold frosty night." In this respect, Miller's assault echoed those of generations of Black Louisianans who faced mutilation and murder if they dared



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"Mr Colon drove me of the place he said that he would Brake more bones than ten men could put together & all drew his gun on me to shoot me. Mr Pringel because we wouldent sine the Contract drove me off after the corp was gathered and said he wouldn't pay me, & I help to hay off two crops he has not paid me a Cent yet and wount pay me. (over.)

Figure 1. The opening lines from the Statement of Abaline Miller, recorded by another planter, Thomas Boyd, and sent to the local agent of the Freedmen's Bureau on Miller's behalf. Although Boyd appears to be a sympathetic character, helping Miller to file her complaint, he stole her wages for the following year, 1866. Between them, Pringle and Boyd stole three years of wages from Miller and her family. (Statement of Abaline Miller, December 16, 1865, Complaints, March 1866–August 1868, Roll 97, Records of the Field Offices for the State of Louisiana, Bureau of Refugees, Freedmen, and Abandoned Lands, 1863–1872, Record Group 105, National Archives, Washington, D.C.)

to challenge the system of racial capitalism constructed by white elites to their exclusive benefit.[3]

What Miller and tens of thousands of Black Louisianans experienced after slavery had almost nothing to do with freedom. Before emancipation, white enslaving elites set up a system of policing based on the surveillance and torture of Black people to enrich themselves. They found a variety of ways to profit from the lives and labor of Black Louisianans, from setting strict curfews and slave patrols to beatings, rape, and murder. Each of these were staples of white enslaver power designed to produce elite wealth in Black work and flesh. After emancipation, white elites resurrected this torture-for-profit regime, which Pringle used on Miller, through their control of policing and the courts, which remain central to white power to this day.[4]

White planters like Pringle used violence to coerce labor and to avoid paying wages because they controlled every aspect of the legal system. This had been a staple of white supremacy under slavery—white elites created a "carceral landscape" in which enslavers deputized the entire white population into a makeshift network of surveillance and policing. White elites repurposed this system after emancipation to replicate the conditions of slavery, helping planters steal Black labor, monitor Black movement, and police Black behavior. Thus, when Pringle hauled Miller to the magistrate, he brought her to a powerful ally who would not only ignore the assault charges but threaten her with imprisonment if she refused to drop the issue of unpaid wages. Authorities returned Miller to the plantation, after which she made her escape and notified the justice of the peace, William Burton, who "said he could not do anything about it." She theorized that "these men that I have mentioned," the local officials from whom she sought redress, were "bribed not to pay any attention" to her case. From slavery through emancipation, local officials and courts reinforced white power at the expense of Black residents like Miller.[5]

The cops and courts that covered up the attack on Miller and the theft of her wages gave birth to the carceral landscape that binds Black Americans to this day. Even with clear video evidence, local officials cover up and dismiss the murders of Black Americans by law enforcement and white vigilantes. Police and white vigilantes who murdered George Floyd, Trayvon Martin, Tamir Rice, Eric Garner, Ahmaud Arbery, Breonna Taylor, and countless others receive ample opportunity to cover up their crimes and, in the case of Arbery's vigilante murderers, were arrested only after damning video of the murder emerged. These cases bear the legacy of a legal system designed to treat Black bodies as objects of plunder—

one continued through *practice and precedent*—into our present-day complex of mass incarceration. This system feeds disproportionately poor and marginalized folks into an ever-expanding network of prisons, in the process employing an ever-expanding police, judicial, and prison workforce.[6]

The 2020 murders of George Floyd and Ahmaud Arbery—which helped inspire the nationwide Black Lives Matter protests later that summer—revolve around issues of race, place, and property, illuminating the policing and enforcement of racial capitalism that played a central role in the post-emancipation assault on Miller. White vigilantes shot Arbery, who was out jogging in a predominantly white Georgia suburb on February 23. His killers claimed their actions a justifiable defense of white property owners, whose belongings were presumably at risk in the presence of a Black jogger. Police likewise murdered George Floyd on May 25 in Minneapolis for allegedly trying to spend a counterfeit twenty-dollar bill. Together they show how police and armed white vigilantes have long been tasked with enforcing the racial boundaries of ownership central to American capitalism. Indeed, even the police raid and shooting of Breonna Taylor in Louisville, Kentucky, fits this mold, as the cops who raided her home wrongly believed her to be involved in an illicit drug enterprise, which, in their telling, justified her shooting. As with the 1865 attack on Miller, one way to understand the murders of Arbery, Floyd, and even Taylor, then, is as products of an alliance between the white owner class and the white working class in the police and their white vigilante auxiliaries. This alliance between elite and working-class white Americans represents a mutual investment in the patrolling of Black economic activity to (re)produce white wealth at the expense of criminalized and plundered Black communities.[7]

Abaline Miller's case, when viewed from the present, emphasizes the ways that state violence remains embedded in racial capitalism as it was in the weeks following emancipation. This is no accident. In its current form, "criminal justice" means pumping cash into police departments to prey upon Black communities made poor by decades of discriminatory education, housing, and hiring practices. It involves slathering courts, jails, and prisons with revenue to fund the imprisonment of Black Americans for being disproportionately poor and having statistically little access to representation. It means allocating resources to communities that need them the least, the very communities built upon wealth and opportunities stolen from Black, Brown, and Indigenous communities for generations. It also means—in the cases of Floyd, Arbery, and Taylor—refusing to charge or even meaningfully investigate those who kill Black Americans absent

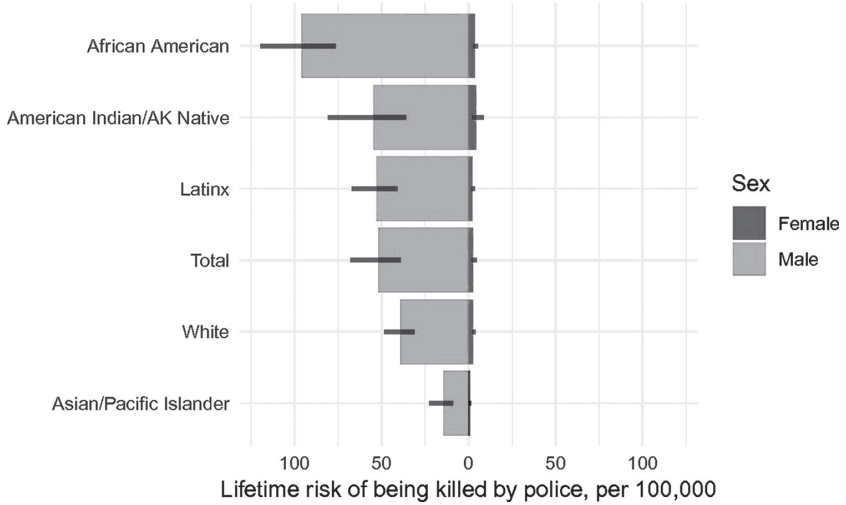

Figure 2. Today's policing—which kills Black Americans at double the rate of their white neighbors—grew from the alliance in violence that ensnared Miller, preserving the surveillance and coercion slavery to accrue new forms of plunder to the white elite. (Frank Edwards, Hedwig Lee, and Michael Esposito, "Risk of being killed by police use of force in the United States by age, race-ethnicity, and sex," *Proceedings of the National Academy of Sciences* 116, 34 [August 20, 2019]: 16793–98, https://www.pnas.org/content/116/34/16793.)

massive public outcry and protests. Whether by active participation or centripetal force, this system continues to operate, propelled by those "bribed not to pay any attention" to the plight of today's Millers.[8]

As her co-workers testified, Miller fell victim to a system that ensnared many of her neighbors and friends—a system of extortion designed by white elites like Pringle. When Miller filed a complaint with the Freedmen's Bureau agent tasked with supporting emancipation, Major Thomas Hopwood, the agent recorded several additional complaints that had somehow eluded local officials. Shepard Grant, for example, explained that he had "worked two years, and [Pringle] has not payed me any yet." Lemuel Miles testified that Pringle refused to pay for his work, adding that he "also cut 1500 lbs. of hay—he promised to pay me for it." Instead, Miles reported, he "never gave me anything for it, and when I went for the money, he drove me away." Their complaints were ignored by Burton, and even Hopwood merely dismissed them as a "misrepresentation." Miller, Miles, and Grant were left at the mercy of an employer who beat them as if they were enslaved and threat-

ened their lives. Despite their years of labor, they were not paid by Pringle for their work from 1864 through December 1865, when they registered their complaints.[9]

Though Burton appears to have been a negligent justice of the peace regarding Pringle, his judicial neglect far exceeded Pringle's abuse of and refusal to pay his workers. In the summer of 1866, word spread that Burton had helped to cover up a murder. The first reports came in July from planters complaining that their Black workers caused a "disturbance" by protesting local officials' attempt to cover up the crime. Local authorities and Bureau officials dragged their feet, and it was only at the end of August that the Bureau agent, Major H. F. Wallace, bothered to investigate. He found that white planter Henry W. Coyle had beaten one of his Black workers and had the coroner declare "that he came to his death by disease of the heart." Frustratingly, Wallace never bothered to record the murdered man's name and, although Coyle confessed to the crime, local officials apparently took no further action. Even this small thing—the cursory investigation and admission of guilt—would never have happened absent the mass Black activism that led white planters to complain to Bureau officials. Generations of Black activists demanded protection from white elites, who were at once plunderer, judge, jury, and executioner as they plundered Black workers like Miller, Miles, and Grant of their meager wages.[10]

The Black activists whose agitation led Wallace to investigate Coyle's murder of his Black employee protested the very systems of inequality and violence that reflect the very concerns voiced by today's Black Lives Matter protesters. Today's protesters draw attention to longstanding systemic abuses by police and white vigilantes that are central to the system of racial capitalism designed to benefit and empower white elites and their auxiliaries. Just as they did after slavery, Black protestors reject the "medical incident"—the original statement of the Minneapolis Police Department on their murder of George Floyd—explanations for police violence as obvious cover-ups designed to cloak the enforcement arm of racial capitalism. BLM protesters build upon the work of the Black Louisianans who overturned slavery, protested the Coyle murder and Miller's abuse, and expressed a vision of equality that continues to inspire Black visionaries. They explain the disproportionate poverty and deprivation in Black America as rooted in America's longstanding and ongoing racist policies and practices, demanding instead a country that lives up to its ideals of democracy and equality.[11]

After emancipation, as now, Black Americans demanded fair wages for their work and basic legal protections that would allow them to live as truly free and equal members of society. Rather than accept these demands, enslavers and white supremacist successor regimes created and maintained systems of power

designed to enrich themselves at the expense of everyone else. Although white Americans often complain, in response to Black Americans' protest of racial oppression, that slavery ended a long time ago, this would have been news to Abaline Miller, who suffered its effects well after its legal demise. The claim would doubtless have surprised George Floyd, Trayvon Martin, Tamir Rice, Eric Garner, Ahmaud Arbery, and Breonna Taylor, surveilled and slaughtered at the hands of the same system of oppression white elites erected generations ago as a torture-for-profit scheme. In recognizing this fundamental force in American history, we have a collective opportunity to join the freedom struggle so long suppressed by white elites and demand the just and equitable society sought by Miller as a birthright of a free society. It is long past time that we do so.

Notes

1. Statement of Abaline Miller, December 16, 1865, Complaints, March 1866–August 1868, Roll 97, Records of the Field Offices for the State of Louisiana, Bureau of Refugees, Freedmen, and Abandoned Lands, 1863–1872, Record Group 105, National Archives, Washington, D.C. (LBRFAL); Abiline Miller, 1870 Census, Ward 4, Pointe Coupee Parish, LA, dwelling 515, household 485.

2. Statement of Abaline Miller; Capt. A. H. Nickerson to Messrs Jed Smith and Edward Converse, Executors Carmena Estate, February 12, 1866, Letters Sent Vol. 1, January 1866–May 1867, Roll 64, LBRFAL. For more on the ways enslaved people destroyed the Rebellion from within, see W. E. B. Du Bois, *Black Reconstruction in America, 1860–1880* (New York: Harcourt, Brace & Co., 1935); Tera Hunter, *To 'joy My Freedom: Southern Black Women's Lives and Labors after the Civil War* (Cambridge: Harvard University Press, 1997); Thavolia Glymph, *Out of the House of Bondage: The Transformation of the Plantation Household* (New York: Cambridge University Press, 2008); Stephanie McCurry, *Confederate Reckoning: Power and Politics in the Civil War South* (Cambridge: Harvard University Press, 2012).

3. Statement of Abaline Miller. Robin Kelley gives a short articulation of racial capitalism, a term pioneered by Cedric Robinson, in "What Did Cedric Robinson Mean by Racial Capitalism?," *Boston Review*, January 12, 2017, http://bostonreview.net/race/robin-d-g-kelley-what-did-cedric-robinson-mean-racial-capitalism. For more, see Cedric Robinson, *Black Marxism: The Making of the Black Radical Tradition* (Chapel Hill: University of North Carolina Press, 2000); Destin Jenkins and Justin Leroy, *Histories of Racial Capitalism* (New York: Columbia University Press, 2021).

4. Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863–1877* (New York: Harper & Row, 1988); Douglas Blackmon, *Slavery by Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II* (New York: Anchor Books, 2009); Edward Baptist, *The Half Has Never Been Told: Slavery and the Making of American Capitalism* (New York: Basic Books, 2014).

5. Statement of Abaline Miller; William Burton, 1860 Census, Pointe Coupee Parish, LA, dwelling 779, household 854; J. J. Pringle, 1860 Census, Pointe Coupee Parish, LA, dwelling 781, household 856; Douglas Blackmon, *Slavery by Another Name*.

6. For more on mass incarceration and the prison industrial complex, see Angela Davis, *Are Prisons Obsolete?* (New York: Seven Stories Press, 2003); Ruth Wilson Gilmore, *The Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California* (Chapel Hill: University of North Carolina Press, 2007); Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press, 2010); Keeanga-Yamahtta Taylor, *From #Blacklivesmatter to Black Liberation* (Chicago: Haymarket, 2016).

7. "How George Floyd Died, and What Happened Next," May 25, 2021, *New York Times*, https://www.nytimes.com/article/george-floyd.html; Richard Fausset, What We Know About the Shooting Death of Ahmaud Arbery," *New York Times*, April 29, 2021, https://www.nytimes.com/article/ahmaud-arbery-shooting-georgia.html; Richard A. Oppel Jr., Derrick Bryson Taylor, and Nicholas Bogel-Burroughs, "What to Know About Breonna Taylor's Death," *New York Times*, April 26, 2021, https://www.nytimes.com/article/breonna-taylor-police.html.

8. Khalil Gibran Muhammad, *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America* (Cambridge: Harvard University Press, 2010); Richard Rothstein, *The Color of Law: A Forgotten History of How Our Government Segregated America* (New York: Liveright Publishing, 2017); Keeanga-Yamahtta Taylor, *Race for Profit: How Banks and the Real Estate Industry Undermined Black Homeownership* (Chapel Hill: University of North Carolina Press, 2019).

9. Complaint of Shepard Grant and Abaline Miller against J. J. Pringle, March 14, 1866; Complaint of Lemuel Miles against J. J. Pringle, Undated [March or April 1866], Complaints, March 1866–August 1868, Roll 97, LBRFAL.

10. W. D. Smith, Chairman of Committee, to Maj. Wallace, July 23, 1866, Roll 97; Henry W. Coyle, 1870 Census, Pointe Coupee, LA, dwelling 557, household 525. Wallace appears to have copied the name incorrectly here as "R. W. Coyle," who appears elsewhere as "H. W. Coyle," which coincides with the census. H. F. Wallace to J. H. Malinken, August 31, 1866, Trimonthly and Special Reports, Volume 1, April 1866–May 1868, Roll 97, LBRFAL.

11. Eric Levenson, "How Minneapolis Police First Described the Murder of George Floyd, and What We Know Now," CNN, April 21, 2021, https://www.cnn.com/2021/04/21/us/minneapolis-police-george-floyd-death/index.html. Black visionaries, radicals, and reformers argued that America had yet to embrace the fullest vision of equality and freedom since the country's founding. This argument, popularized by Nikole Hannah-Jones's 1619 Project, illustrates the continuum of Black agitation for equality that Cedric Robinson termed the "Black radical tradition" and helps explain the persistence of racism as a literal investment in white power. Nikole Hannah-Jones, "Our Democracy's Founding Ideals Were False When They Were Written. Black Americans Have Fought to Make Them True," *New York Times Magazine*, August 14, 2019, https://www.nytimes.com/interactive/2019/08/14/magazine/black-history-american-democracy.html.