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# “*Ah Toucoutou, ye conin vous*”: History and Memory in Creole New Orleans

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IN THE CITY OF NEW ORLEANS, SHORTLY BEFORE THE CIVIL WAR, A WOMAN nicknamed “Toucoutou” sued her neighbor for slander. The neighbor had committed the insufferable offense of calling Toucoutou a woman of color in public. This offense did more than wound Toucoutou’s pride. It also threatened her marriage to a leading white citizen, potentially rendering it null and void according to a Louisiana state law. If she were indeed a woman of color, her liaison with this white man would have been understood at the most as a “*plaçage*,” and Toucoutou would have been not a wife, but a formalized mistress.<sup>1</sup> Actually, her position would have been exactly that of the neighbor who had accused her of being *nègre*. By instituting a slander case, Toucoutou hoped to preempt further damage to her reputation and become marked officially as white. Instead, her case failed miserably. In court, her supporting evidence unraveled bit by bit, until there was no doubt in the court’s mind that she was of African descent. The Toucoutou case was a failed attempt at obtaining a secure social status as a white person, in effect a failed attempt at “passing.” Ironically, this woman who used all of the resources at her disposal to prove her whiteness is remembered now, a century and a half later, only by her Creole nickname “Toucoutou.”<sup>2</sup>

Almost immediately, her case began to spawn cultural commentaries. During the period of the trial, barber and musician Joseph Beaumont, a Creole of color, penned a devastating critique of her actions and set it to music.<sup>3</sup> This song, “Toucoutou,” mocked the woman’s aspirations to whiteness, ensuring that the annoyingly repeti-

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tive and catchy tune would follow her around the city and would live after her death. The story of Toucoutou continued to be pertinent in New Orleans, gaining in popularity throughout the rest of the century. By the time Creole of color activist and writer Rodolphe Desdunes wrote his community memoir *Nos hommes et notre histoire* (1911), he felt a certain obligation to address the legacy of Beaumont and the cultural memory of the “Toucoutou Affair.”<sup>4</sup> A decade or so later, the cultural historian Edward Larocque Tinker picked up on Beaumont’s and Desdunes’s elucidation of the Toucoutou Affair.<sup>5</sup> One could still hear “Toucoutou” sung in the neighborhoods of New Orleans as late as the 1920s, and Tinker deemed it “probably the most cruel” of the Creole songs. In his attempt to rescue Toucoutou from “the malice or hatred of [the song’s] long dead author,” Tinker conducted a long search for the original court record and wrote the historical romance *Toucoutou* (1928). With this novel, Tinker established himself as the protector of Toucoutou’s legacy. After writing the romance, Tinker buried the court records back into obscurity, insuring that those interested in the case would have to take his version of the circumstances surrounding the case as truth.

### *Lieux de Mémoire*

Following Pierre Nora, one can understand the Toucoutou case as a *lieu de mémoire*, a site where “memory crystallizes and secretes itself” into the cultural consciousness of New Orleans. In his historiographical work, Nora distinguishes between two ways of conceiving the past, “history” and “memory.” According to Nora, history can be understood as “an intellectual and secular production” while memory “installs remembrance within the sacred.”<sup>6</sup> Nora describes these categories further: “Memory is by nature multiple and yet specific; collective, plural, and yet individual. History, on the other hand, belongs to everyone and to no one, whence its claim to universal authority.”<sup>7</sup> The historian’s attention to *lieux de mémoire* becomes relevant at a particular historiographical moment—when history becomes conscious of itself as a continually created narrative, as a process which itself has a history, and when memory loses its grounding in specific collectivities and rituals. “The study of *lieux de mémoire*, then, lies at the intersection of two developments . . . one a purely historiographical movement . . . the reflexive turning of history upon itself, the other a moment that is,

properly speaking, historical: the end of a tradition of memory.”<sup>8</sup> While *milieux de mémoire* (real environments of memory) fall away in an increasingly technological and decentered world, *lieux de mémoire* (sites of memory) engage students of the past interested in challenging traditional histories and interrupting seamless narratives. Coinciding with certain figures, events, or objects, *lieux de mémoire* mediate between the totalizing and standardizing stories of a nation or a people and the counterhistories that those narratives violently reject.

Recently, scholars of African American culture have interrogated Nora’s concept of *lieux de mémoire* for what it can offer to African American studies. While taking issue with Nora’s continued emphasis on the archive as the appropriate repository of history and memory, these scholars recognize his potential contribution to African American historiography. Concentrating on sites of memory allows scholars to challenge exclusionary historical practices and to introduce unlikely candidates as objects worthy of the historian’s scrutiny. Moreover, it opens up the process of writing about the past so that scholars may consider performative and material culture alongside and in conjunction with archival materials. Furthermore, an identification of *lieux de mémoire* requires attention to the ebb and flow of meaning over time. These scholars have “noted that certain sites of memory were sometimes constructed by one generation in one way and then reinterpreted by another. . . . *Lieux de mémoire* are constantly evolving new configurations of meaning, and . . . their constant revision makes them part of the dynamism of the historical process.”<sup>9</sup> Thus, Nora’s theoretical apparatus helps African-Americanists to gain access to and develop useful descriptions of the cultural processes that make up African American life. Following Nora’s descriptions of *lieux de mémoire* as always conscious of the “material, symbolic, and functional” relationships between past and present, scholars may attend to the various ways in which historical actors refract knowledge and culture through particular sites. Over time, these sites of memory become prisms, consolidating then dispersing meaning and knowledge.

Reading the “Toucoucou affair” as a *lieu de mémoire* can illuminate interrogations into the cultural history of New Orleans, supplementing the kinds of evidence that historians interested in Creole New Orleans have traditionally invoked. The discrepancy between the legacy of passing among Creoles of color and the legacy of their leadership in the struggles of radical Reconstruction provides a potentially interesting

though rarely addressed dilemma for historians. The reasons for this failure seem quite obvious. Archival material and printed sources offer tangible documentation of the cultural, political, and economic achievements of the Creoles of color and their commitment to civil rights. A quick perusal through the records and the celebrated histories of the Creoles of color would find Madame Bernard Couvent, the widow who bequeathed a substantial portion of her estate to a school for orphaned and indigent children; Victor Séjour, the eminent playwright who spent most of his adult life in Paris and who wrote the first known short story by an "African-American"; and Dr. Louis Charles Roudanez, the successful physician who funded the radical Reconstruction newspapers, *L'Union de la Nouvelle Orleans* and the *New Orleans Tribune/Tribune de la Nouvelle Orleans*.<sup>10</sup> These cultural achievements have served a very useful purpose in African American historiography. Eager to refute stereotypes of black Reconstruction leaders as inept and uneducated, historians have gladly cited the *New Orleans Tribune*, the "first black daily in America." Furthermore, the various desegregation cases that Creoles of color launched in the post Civil War era seemed to historians to foreshadow the Civil Rights era of the 1950s and 1960s.<sup>11</sup> Historians have used this evidence to portray Creoles of color as the vanguard of the black community, natural leaders of the formerly enslaved.<sup>12</sup>

This portrayal rests on the historian's sense of the commitment of Creoles of color to the cause of racial justice, primarily as envisioned by the Civil Rights movement of the 1960s and corresponding articulations of "Black Power."<sup>13</sup> However, underneath accounts that portray Creoles of color as a self-conscious black leadership, not ambivalent about their leadership roles, runs a parallel discourse of distrust between Creoles of color and black Americans. One begins to get the sense that these two groups are defined and maintained in ways that make them distinct from one another. Scratching the surface of the proud history of Creoles of color, historians must confront the group's more ambivalent legacies. For example, in the same document where Mme. Couvent donated her land to the future school for orphans, she bequeathed several slaves to her own children. Likewise, many Creole of color émigrés to Paris financed their travels by slave labor and slave sales. And in the first issues of the *Tribune*, the Creole of color editors insisted that the conquering Yankees must not confuse their population with the population of plantation slaves flooding the city.<sup>14</sup> It has been

difficult for historians to address these less-than-admirable actions and circumstances among Creoles of color without an *a priori* judgement of the Creoles as “elitist” or “sell-outs.”<sup>15</sup> Attention to particular sites of memory could bring the historian into closer communication with particular events and the ways in which communities have evaluated and understood these events over time. This kind of attention to the past is especially important when the event in question contains “anti-social” actions and feelings such as “passing,” “color prejudice,” and slaveholding. Wrestling with the Toucoutou affair as both a historical occurrence and a site of memory would force historians to grapple with the legacy among Creoles of color of the “social transgression” of passing.

Historians need not lose sight of the civil rights activism of Creoles of color in order to re-examine this participation in the status hierarchies of the antebellum period. The Toucoutou affair exposes the discrepancies between the public history of the Creoles of color and the private convulsions of this social group that produced a number of Reconstruction heroes. It complicates the proud social history of this group with its focus on an obscure but central figure that seems to reject and negate this proud heritage. The Toucoutou affair lies at the nexus of an official history of celebratory achievements and an unofficial but collective memory of painful and problematic episodes. It is generally true that while passing and a kind of phenotypic dissonance have both been dominant themes in American literature, they have not been the subjects of much historical study.<sup>16</sup> One reason for this relative lack of attention stems from the basic methodological premise of traditional historical inquiry, the “documentary model” of knowledge.<sup>17</sup> In this framework, the archive is a sacred space, the original source of historical knowledge. Historians fill the reading rooms of these repositories of the past, obliged to collect and sort through the tangible documents—wills, certificates of birth and death, letters, etc.—that relate to their subjects. The problem of passing frustrates the task of tracking individuals through public and private documents. In order to pass successfully, one must obliterate one’s old identity so that one can assume the new one with minimal fear of being discovered. The act of passing entails intentionally obscuring the public record, destroying or altering these precious documents without regret. These erasures produce gaps in the public history, silences and denial where the historian hopes to find documentation. Furthermore, they undermine

the reliability of historical documents. Ultimately, an interrogation of passing would necessarily involve an admission of the limitations of a key component of the historical method and a discussion about the status of “evidence” in the writing of history.<sup>18</sup> The Toucoutou Affair had a court case at its center; thus it left an archival trace. However, it has also become a legend, one that has resonated with particular force throughout the years. One might say that Toucoutou is a historical figure who strays into the domain of “literature.” An interrogation of this episode may help historians to ask more pertinent questions of the history of Creole New Orleans. How is “race” related to “culture”? How is “color” related to “race”? How are personal or private formulations of identity related to public racial and cultural categories?

### The Toucoutou Affair: A Closed System with Multiple Applications

A discussion of the Toucoutou case cannot proceed without an examination of the evolution of the case in the popular imagination, the ways in which the case has been captured and interpreted at different historical moments. In the passing years, the case continued to have special significance. After the trial, successive generations remembered the “Toucoutou affair” and reconstituted the story. In the accounts of Beaumont, Desdunes, and Tinker primarily, the name “Toucoutou” continues to resonate within the ongoing and evolving predicament of racial identity. Like Nora’s *lieux de mémoire*, the Toucoutou case is “double: a site of excess closed upon itself, concentrated in its own name, but also forever open to the full range of its possible significations.”<sup>19</sup> Indeed, the Toucoutou affair has become “closed upon itself” in a very literal way to researchers. Tinker’s novel, *Toucoutou*, has had the effect of animating the documentary evidence at the same time that he buried and obscured it. While Tinker claimed that his novel was an accurate representation of the “hard facts” of the case, he created a kind of smokescreen around Toucoutou’s official identity, the dates of the case, and other relevant aspects. Armed with a trail of footnotes and citations about the case, the historian interested in finding the case for herself invariably becomes trapped inside a circular system of references leading from Tinker to Beaumont to Desdunes and back again. This particular system has been created and maintained by Tinker’s book itself. In Tinker’s important bibliographic work on Louisiana culture, his entry on Beaumont directs readers to Desdunes’s memoir

and to his novel for further information. Furthermore, his article on the Creole language contains the following footnote on Beaumont and Toucoucou: "For words and story, see: 'Toucoucou' by Edward Larocque Tinker." Subsequent references by others to Beaumont and the Toucoucou affair refer interested readers to Tinker's novel primarily.<sup>20</sup> In an important respect, the story of the Toucoucou affair is also the story of how Tinker corralled the official facts, indeed the "evidence" of the case to his own ends, his presentation of the case as sentimental historical fiction. One could speak of the accounts of Beaumont, Desdunes and Tinker as if they were separate and freestanding; however, they are more like Russian dolls. Tinker's account looms larger, enclosing the other two within it and aligning the features of their interpretations with its own.

### Beaumont's Toucoucou

However, let us proceed in chronological order, beginning not with Tinker's account, but with Beaumont's. Beaumont was a barber by profession, but he gained notoriety and fame among Creoles of color through his songwriting. According to Desdunes, Beaumont was the "Béranger of the Creole people," imparting a "truth" in his catchy Creole songs.<sup>21</sup> If this assertion is accurate and useful, how should one attempt to access Beaumont's "truth"? Desdunes wrote that Beaumont's songs always revealed "a depth of thought" and taught "a moral based on life as it is." In his suggestion as to how to regard these Creole songs, Desdunes makes interesting use of the phrase "life as it is." In one sense, he refers to the songs' situational quality and their universal relevance to those who sang them. In this way, the songs seem transparent and infectious, and one could hope to gain access to the cultural life of the people through studying these songs.<sup>22</sup> However, Desdunes's phrase "life as it is" is also ironic. It reiterates his and Beaumont's shared context of bearing the brunt of social inequalities. He realized that life is not "as it is," not the same under the law, for all New Orleanians. Thus, Desdunes posed an interpretive challenge for readers and listeners of Creole songs. He foregrounded the problem of translation, of decoding the seemingly innocuous satire in these songs. In order to learn anything of value from the Creole songs, one must agree with George Washington Cable: "There is an affluence of bitter meaning hidden under these apparently nonsensical lines."<sup>23</sup>

Of Beaumont's Creole Songs, Desdunes believed that "Toucoutou" reflected "all the irony of his joking nature."<sup>24</sup> The Works' Progress Administration (WPA) collection of Louisiana cultural life, *Gumbo YaYa*, refers to "Toucoutou" as "one of the best known of all Creole songs," and it is reprinted there "because of the incongruity of omitting it from any representative Creole collection."<sup>25</sup> The following is Desdunes's record of the song "Toucoutou"; "the couplets [are] just as they have come down to us":

Toucoutou

Si vous té gagné vous procé  
Oh, négue cé maléré  
Mové dolo qui dans focé  
Cé pas pon méprisé

Refrain:

Ah Toucoutou, ye conin vous  
Vous cé tin Morico  
Na pa savon qui tacé blanc  
Pou blanchi vous lapo

Au Théâtre même quand va prend loge  
Comme tout blanc comme y fot  
Ye va fé vous prend Jacdeloge<sup>26</sup>  
Na pas pacé tantôt

Refrain

Quand blanc loyés va donin bal  
Vous pli capab aller  
Comment va fé, vayante diabol  
Vous qui laimez danser

Refrain

Mo pré fini mo ti chanson  
Pasqui manri dormi;  
Mé mo pensé que la leson  
Longtemps li va servi

Refrain

Toucoutou

If you win your lawsuit,  
Indeed, O Negress, this is bad;  
Bad for those who force it  
And the harm can not be disregarded.

Refrain:

Ah, Toucoutou we know you!  
You are a little Mooress  
Who does not know you?  
No soap will make you white

At the theater, if you go there,  
Like all white people should,  
They will treat you like Jacdeloge,  
Who did not pass so well as white, did he?

Refrain

When these white lawyers give a dance,  
Will you be able to go?  
Will you, O beautiful devil,  
You who love to dance so!

Refrain

I have finished my little song  
Because I want to sleep  
But I think the lesson will serve,  
For a long time to keep you meek.

Refrain<sup>27</sup>

The central relationship of the song reverberates in the character of Toucoutou ("you"), the woman attempting to pass for white; the "we" ("I" in the last stanza) who know her and who instruct her not to pass; and the abstract, hostile, exclusionary category of "white" people. One can describe the relationship among the different entities here as

“triangulated” with Toucoutou referring to two communities, the community she is passing out of and the one that she is passing into.<sup>28</sup> Thus, the act of passing is a negotiation first between the passer (Toucoutou) and the group she passes out of because its members recognize her as one of their own (“Ah! Toucoutou, ye conin vous! Ah, Toucoutou, we know you!”). On one level, passing entails an affirmation of group boundaries and communal knowledge and depends on the existence of another group of people who do not have access to the same knowledge. The group maintains its boundaries by being able to monitor and potentially expose those who have strayed beyond them. Demonstrating his ability to recognize other group members, Beaumont exaggerates Toucoutou’s African ancestry. This ability proves that the group has certain privileged information. The “we,” the ones who can really “know” Toucoutou, are other *gens de couleur libre* not the whites who are being “duped” by her. Throughout the song, Beaumont refers to Toucoutou in racialized terms. She is a “Negress,” a “little Mooress” (*négue, cé tin Morico*). Furthermore, the song refers to her by her Afro-Creole nickname and proceeds to speak to her in Creole rather than standard French. These uses of a language that combine African and French influences betray her attempt to distance herself from Africanisms. The recognition of Toucoutou as a member of the group *gens de couleur libre* produces in Beaumont a complex response to her abandonment of her group.

While Toucoutou’s act of passing affirms a sense of communally based knowledge, it also reproduces to some extent the hierarchical relationship between the *gens de couleur libre* and the “whites,” both nebulous social classes. The very fact that one of their own wished to “pass” demonstrates very tangibly the social inferiority of the free people of color. Thus, Beaumont’s commentary on the case functions foremost as a kind of instruction or warning. He sets his song in the transitional period when her lawsuit is in process and the decision has yet to be made. Beaumont chastises Toucoutou for bringing this lawsuit, one that bestows upon “whiteness” a property value exceeding that of “blackness” or “of color.”<sup>29</sup> Indeed, Beaumont’s spiteful “lesson” was a lesson for the times. As many historians have noted, the decade before the Civil War was a period of “Americanization” in New Orleans and elsewhere. This process included a number of different standardizing practices that served to encourage an explicit cultural conformity to an Anglo-American norm.<sup>30</sup> The 1850s witnessed a

massive attempt at readjusting racial customs and definitions in the Crescent City. Restrictive laws against free people of color that had been merely “on the books” in past decades were being enforced with a new vigilance. To these laws, lawmakers added new caveats further proscribing the mobility and freedoms of the *gens de couleur libre*. These humiliating restrictions forced free people of color to carry passes, limited the right of assembly, and in some instances required that people of color acquire a white sponsor. Many *gens de couleur libre* responded to this increased legislation against them by emigrating to other parts of the United States or abroad. Others, like Toucoutou, attempted to pass into white society in New Orleans or elsewhere.<sup>31</sup> Thus, when Beaumont penned these lyrics, this insular social class was in crisis, furiously trying both to ward off outside attacks and to stem its own attrition. Beaumont takes advantage of the contingency of this case to warn Toucoutou. “*Oh, Négue, cé maléré/ Mové dolo, qui dans focé/ Cé pas pon méprisé.* (O Negress, this is bad; bad for those who force it/ And the harm can not be disregarded.)” Potentially, her case could further harm the fragile social status of the group, *gens de couleur libre*.

A concern over this class fragility infuses Beaumont’s analysis of the situation with a certain ambiguity. He insists on maintaining the existence of the group “free people of color” and their customs even though these customs flourish in an atmosphere of social inequality. Thus, Beaumont’s commentary seems to display simultaneously a scorn for and a reactionary acceptance of the racial rules traditionally operating in New Orleans culture. The sense of protest and scorn over the injustice of local custom is readily apparent. In his stanzas, Beaumont critiques on a number of different levels the social practices that have constituted the status hierarchies of color and race. His record of life “as it is” dramatizes the absurdities of the well-known and now increasingly stringent racial etiquette. In a sense, the privileges that whites enjoy and that Toucoutou seeks to attain seem ridiculous goals to strive toward, and racial segregation takes on an absurd quality. According to Beaumont, being white is being able to go to the theater, and the consequences of blackness include being forced to sit in a segregated section of the audience. Furthermore, the lawyers are the ones who organize exclusionary dances, demonstrating the complicity of the law in these social manifestations of inequality. “*Quand blanc loyés va donin bal/ Vous pli capab aller?* (When these white lawyers give a dance, will you be able to go?)” Beaumont asks. The very basis

of racial identity seems frivolous. Beaumont expresses the seemingly arbitrary but quickly consolidating nature of racial classification. Toucoutou's "blackness" is fixed, even though it has nothing to do with her actual skin color, which is closer to that of "white" people. "*Na pa savon qui tacé blanc /Pou blanchi vous lapo* (No soap will make you white)," Beaumont reminds Toucoutou.

On the surface, he jokes about an arbitrary exclusion from "whites only" social settings; however, his allusions readily evoke the more serious racial landscape of the "quadroon balls" and "*plaçage*."<sup>32</sup> These veritable institutions in New Orleans call attention to the frequent liaisons between white men and women of color, placing the women in roles that ranged the gamut from the temporary concubine to the life-long common law wife. Many free women of color participated in this status ritual of procuring a white "husband," setting up a household with him, bearing his "natural" children, and in some cases earning an inheritance from him.<sup>33</sup> Indeed, the actions of these women generated an internal debate among Creoles of color. *Plaçage* gave free women of color a unique opportunity to gain social and economic status; however, free *men* of color often felt that this status came at their expense. Beaumont's "Toucoutou" falls into a strong tradition of gendered critique by male Creoles of color of the more general notion of interracial sexual liaisons. Another Creole song describes the consequences of these interlaced gender and color distinctions:

Milatraise courri dans bal,	Yellow girl goes to the ball;
Cocodrie poté fanal,	Nigger lights her to the hall.
Trouloulou!	Fiddler man!
C'est pas zaffaire à tou,	Now, what is that to you?
C'est pas zaffaire à tou,	Say, what is that to you,
Trouloulou!	Fiddler man?

Here, the "yellow girl" is allowed access where the black man is excluded, and the free man of color (fiddler man) is welcome only in the capacity of musician.<sup>34</sup> The scornful tone of Beaumont's song echoes the sentiment of Armand Lanusse whose short story "*Un Mariage de Conscience*" (1843) and poem "*Épigramme*" (1845) aim a biting critique at the young woman who places her hopes with the white Creole and the mother who bends the rules of morality in order to insure that her daughter would be *placée*.<sup>35</sup>

If Toucoutou is a "Negress," a "Mooress" whose skin "no soap will make white," how does Beaumont propose that she conduct herself in

society? His prescription for how people of color should behave betrays a certain reactionary impulse between the lines of his ballad. Indeed, the major lesson of Beaumont's song and his impetus for writing it in the first place is to "keep [Toucoutou] meek." His narrator feels finally that he can sleep well after he has taught Toucoutou this lesson. This concern with gradation among different classes and making sure that Toucoutou knows her place among them echoes other Creole songs and sayings, interested in achieving and maintaining an etiquette for their place in society. While this sentiment may serve to protect Creoles of color from the danger of defying social expectations, it also entails a certain capitulation to the *status quo* and helps to maintain it.

#### Desdunes's Toucoutou

By 1911, when Rodolphe Desdunes published his community memoir *Nos hommes et notre histoire*, the racial terrain had shifted quite a bit. Desdunes's memoir walked a fine line between the desire to affirm the coherence of a Creole of color identity and the need to acknowledge a common social and political agenda with non-French black Americans. A decade earlier, Desdunes and other prominent Creoles of color brought *Plessy v. Ferguson* to trial and lost their challenge to racial segregation in the United States Supreme Court.<sup>36</sup> In that trial, Homer Plessy's skin color was offered as evidence of the absurdity of racial classification. Plessy, a Creole of color who appeared to be white, enacted what Joseph Roach calls "whiteface minstrelsy," performing first the role indicated by his appearance, that of a legitimate traveler in the white section, and then the role indicated by his legal "blood" classification, that of someone who should be ejected from the car.<sup>37</sup> The Citizens' Committee and their lawyers designed the case not merely to challenge racial discrimination but the notion that racial categories could ever really exist. The United States justice system responded in no uncertain terms: "no soap will make you white!"

After the *Plessy* case was defeated, these politically active Creoles of color struggled to find a socially acceptable and politically pertinent voice. In the early twentieth century, Desdunes watched as the cultural premise of a Creole of color "community," separate and distinct from a larger "black American community," receded rapidly into the past. *Nos hommes*, then, served a dual purpose. A hagiography of his community,

it paid homage to those Creoles of color who had distinguished themselves in the arts, business, and politics. However, it also offered these exemplary Creoles as “race men,” a kind of Du Boisian talented tenth, intellectually prepared and industrious enough to lead black America into the twentieth century. Desdunes’s strategy for creating a useful identity for the Afro-Creoles was to try to preserve a sense of the French cultural legacy of the group but ultimately to align it with an emerging African American leadership. Responding to Du Bois’s assumption that “Southern Negroes” lacked the book knowledge required to lead the race, Desdunes, in his 1907 pamphlet “A Few Words to Dr. Du Bois,” offered the extensive literary, political, and professional achievements of Creoles of color for use in the larger black American struggle. In his post-*Plessy* formulation, Desdunes saw Creoles of color as a definite part of a racially defined group. However, he derived their particular status and role within the group from their French cultural legacy. This legacy, according to Desdunes, put them at the intellectual helm of the community:

As little as we may surmise about it, there are two distinct schools of politics among the Negroes. The Latin Negro differs radically from the Anglo-Saxon in aspiration and method. One hopes, the other doubts. Thus we often perceive that one makes every effort to acquire merits, the other to gain advantages. One aspires to equality, the other to identity. One will forget that he is a Negro, in order to think that he is a man; the other will forget that he is a man in order to think that he is a Negro. . . . One is a philosophical Negro, the other practical.<sup>38</sup>

While Desdunes failed to offer as sophisticated a relationship between “man” and “Negro” as Du Bois’s concept of double consciousness, he articulated a potential cultural rift in the black leadership at the turn of the century and sought to bridge it.

In his pamphlet, Desdunes condemned what he called the “amalgamated Negro,” who, like Toucoucou, either passed for white or cultivated and proudly displayed his white features.<sup>39</sup> “We have unfortunately too many colors and too many fads in the black race. These act like parasites on the growth of the race. . . . [The amalgamated Negro] is a fool in his own house and esteems nothing so much as the fairness of his skin and the supple strands of his hair.”<sup>40</sup> This contingent of his group was a thorn in the side of Desdunes’s political project. Its members enacted prejudices that he had to address if he hoped to gain access to the black American world. Desdunes devoted a section of his

1911 memoir, his “tribute to the Creole people of color,” to the “Toucoutou affair” as it existed in the communal memory, a kind of warning tale about the rules and codes of living, literally, on the “color line.” Passing surfaces in his tribute as a potentially divisive issue that needed to be addressed but quickly put aside. His account of the case offers a reading that apologizes for the phenomenon of passing at the same time that it insists that support for passing was not prevalent among Creoles of color. Revealing a degree of sympathy to the plight of Toucoutou, Desdunes summed up the circumstances of the court case: “The person attacked rightfully sought to justify her claim that she was of the Caucasian race, that she was *white*, as the expression was then used. The prosecution proved that she was of African descent, and so she was recognized by the state supreme court.”<sup>41</sup> There is something in Desdunes’s description that is almost mournful of the lost status of the girl. In his post-*Plessy* setting, he struggled to reconcile the tension between the phenotypic absurdity of racial classification, played out so famously by his “people” in the *Plessy* case, and the very real consequences of being “black” in the Jim Crow South. So that when Desdunes claimed that the girl “rightfully brought suit” and explained not quite ironically that “persons who proved their civil status in court passed as white and enjoyed the rights and privileges accorded this standing,” one senses Desdunes’s appreciation of the urgency of Toucoutou’s dilemma.<sup>42</sup>

Sympathy was not, however, the sentiment that Desdunes wanted to emphasize. Ultimately, he wished to foreground the Creoles’ rejection of passing. “These circumstances created division among our people. Some approved, others disapproved [of] the idea of wishing to pass into white society. The dissidents were in the majority.”<sup>43</sup> Transcribing the lyrics and incorporating them into his community history, Desdunes, like Beaumont before him, publicized and punished the transgression of the woman. Desdunes used Beaumont’s song to illustrate a commitment to race unity among the Afro-Creoles. He prefaced his presentation of Beaumont’s work, saying “Unfortunately we do not have all the poems that Beaumont composed relative to this occasion, but we trust the following extracts will suffice to prove his genius and to show how our people reacted to the foolish controversy over the color of the skin.”<sup>44</sup> Placing heavy emphasis on the opposition to the case and portraying Beaumont as a “race-man,” Desdunes brought the historical memory of passing into line with his contemporary political cause for

black racial unity. For Desdunes, Beaumont's song spoke to the ramifications of the Supreme Court decision in the *Plessy* case. Toucoutou was a cultural predecessor of Homer Plessy; she embodied the legacy that he set straight. Whereas Toucoutou passed for selfish gain, Plessy passed in the interest of racial equality. Desdunes's description of Toucoutou's transgression of the emerging ethics of racial identity implicitly endorsed and canonized Plessy's heroic efforts to end segregation on the interstate railroads.

### Tinker's Toucoutou

A white New Yorker, Edward Larocque Tinker moved to New Orleans in 1916 upon marrying a native of Louisiana. Although he had been trained as a lawyer, he most likely did not spend much time practicing law. Tinker became fascinated with the unique cultural landscape of the Crescent City and obsessively collected folklore and conducted research on his adopted hometown. His lively *Creole City* outlines the contours of the city's history and lingers on some of the city's most popular events and people. Tinker's bibliographical works prove indispensable to any study of New Orleans culture.<sup>45</sup> In his research, he uncovered a number of "strange true stories," what George Washington Cable has described as "natural crystals," possessing "harmony" and "unity" enough to "warn off all tampering of the fictionist." Surely, stumbling upon the legend of Toucoutou raised Tinker's artistic hopes.<sup>46</sup>

Perhaps it was Beaumont's song that held Tinker's attention and compelled him to uncover its original context. Tinker gleaned most of his information on writers of African descent from Desdunes's *Nos hommes* and almost certainly recognized Beaumont's song as one of the Creole songs he heard sung regularly in the streets. He had a longstanding interest in the Creole language, what he called "Gombo, the Creole dialect," as an indication of cultural mixture.<sup>47</sup> One of the central preoccupations of most of his work on Louisiana was to ascertain the results of "mixture" of all kinds. In a sense, his interest in mixture informed his motive for pursuing Toucoutou through the court records and rewriting the "Toucoutou affair." For Tinker, mixture was a curious notion. On the one hand, Tinker was convinced that "race," "nationality," and "civilization" were solid, static concepts. Each classification, "African," "Anglo-Saxon," "Latin," and so forth implied

a host of physical and temperamental characteristics. Language, according to Tinker was one of the most reliable keys to a culture. “*Cé langue crapaud qui trahi crapaud,*” he quotes.<sup>48</sup> On the other hand, Tinker was fascinated with the possibility of mutability and change. Explaining the evolution of the Creole language, he wrote “French, which had taken centuries to develop into a most subtle, intricate form—the height of sophistication—was far too complex for these simple savages to learn. So they did their poor, primitive best and contrived a queer, simplified ‘pidgin’ French dialect of their own.”<sup>49</sup> For Tinker, the development of Gombo, “this weird jargon” was the natural result of the “efforts . . . of an inferior race to learn the language of a superior.”<sup>50</sup> In his musings on the language, one senses Tinker’s internal conflict over cultural mixture. While he devalued the “Gombo dialect” in favor of the “French language,” Tinker did hear a certain beauty in “this soft suave tongue, saturated with the exotic lure of the tropics.”<sup>51</sup>

According to Tinker, these moments of cultural contact and mutability could be best studied in the Creole songs; these were where the “Creole Negro best found vent for his moods.”<sup>52</sup> When Tinker first came across “Toucoutou,” one of the things that perhaps shocked him most was its “mood.” He deemed it “probably the most cruel” of the Creole taunt songs. In an effort to vindicate Toucoutou, finally, and to reimagine the story from her point of view, Tinker undertook the writing of his novel. In his typical fashion, Tinker began this process by rummaging through court documents and other records in an attempt to arrive at the objective facts of the case. “It was not until after a long search,” he wrote, “that I found the records of the lawsuit and was able to reconstruct the tale.”<sup>53</sup>

Tinker did not compose his novel in a cultural vacuum. Having done so much research on New Orleans, he undoubtedly had a heightened awareness of the historiographical trends of his time and the stakes involved in writing a historical novel about race. By 1928, when Tinker published *Toucoutou*, New Orleans writers and historians had fought valiantly for strict social segregation and a definition of the word “Creole” that applied to “whites” only.<sup>54</sup> Seven years before Tinker’s novel appeared, Grace King chronicled the genealogies of the leading families of New Orleans, carefully extracting those of African descent from the leading white Creole families.<sup>55</sup> Like her friend and mentor, the late historian of Louisiana Charles Gayarré, King sought to

preserve the memories and legacies of a newly “lily white” old colonial population.<sup>56</sup> In previous years, Cable had drawn the ire of King, Gayarré, and other New Orleanians by suggesting a racial mixture at the very basic level of the New Orleans pedigree in his stories and particularly in his novel *The Grandissimes*.<sup>57</sup> Lending his voice to widespread Southern opposition to Cable’s views on interracialism and defending his own image of Creole society, Gayarré responded to Cable with his own series of articles in the *New Orleans Times Democrat*.<sup>58</sup> “Such Creoles as Mr. Cable has described are creations of his own imagination,” he wrote of the *Grandissimes*. They have “never had the manners, the feelings, and the language attributed to them, and an educated gentleman of the depicted epoch never addressed his wife or daughter in the jargon of the negro.” Having established the linguistic purity of his people, he continued to argue for its past, present, and future racial purity. He warned against “hybridity” and the idea that the “basest of races” should be “ingrafted on the trunk of a much nobler race,” for “this process of propagation by incision” is “fit only for plants and trees, not for human beings.”<sup>59</sup>

It is interesting to note that even as they maintained that their group was racially and linguistically pure, these writers of the late nineteenth and early twentieth century used some of the same cultural material that Cable used to arrive at a very different position. The mixed race character became a kind of cultural battlefield in New Orleans literature.<sup>60</sup> For example, racist social critics used what Gayarré calls the “jargon of the negro” to lampoon attempts at interracial cooperation.<sup>61</sup> Moreover, much of Grace King’s short fiction takes race as its central focus, dwelling on the tenuous positions of racially ambiguous characters.<sup>62</sup> King and others of her political leanings demonstrated that one need not take as progressive a stance on race and social equality as Cable or his friend Mark Twain in order to write “local color.”<sup>63</sup> Thus, when Tinker set out to tell his own story of race in Louisiana, in particular a story about interracial sex and marriage, he realized he was treading on volatile ground.<sup>64</sup> In order to avoid the treatment given Cable, Tinker offered a number of introductory remarks to his novel. First, he clarified for his readers the definition of the word Creole, emphatically denying that the word implies a mixture of “white and negro blood.” While the adjective creole could apply to anything “produced in Louisiana” including mules, eggs, and Negroes, the proper noun “Creole . . . can mean only one thing and that is a pure

white person born of European parents in Spanish or French colonies.” Furthermore, he warned his readers not to take some of the uncouth characters in his novel as representatives of the Creole population: “Indeed the Creoles themselves have coined a word to describe such people, and call them ‘*creolasse*.’”<sup>65</sup>

Given the literary and historiographical context of Tinker’s effort, it is significant that he did not take Cable’s advice on how to write a “strange true story”: “to add no fact and trim naught of value away.”<sup>66</sup> The instruction could not have been too difficult to follow. Cable’s “Salome Müller, The White Slave[,] 1818–1845” is also based on a Louisiana Supreme Court case, *Miller v. Belmonti*.<sup>67</sup> In this story, Cable’s reporter-like style created a sensory impression of the “reality” of the case and his research. He set up the narrative in such a way that the reader enjoys a suspenseful story and appreciates the impact of the uncanny coincidences. However, he gave the appearance of presenting the bare facts. In the introduction to the volume of stories, the reader has already accompanied Cable to locate the court documents. “When my friend the former chief justice kindly took down from his shelves and beat free of dust the right volume of supreme court decisions, there was the terse, cold record, No. 5623.”<sup>68</sup> The chief characters are people that anyone with a familiarity with New Orleans history would recognize: Chief Justice François Xavier Martin, the lawyers Christian Roselius and John R. Grymes, and Dr. Armand Mercier. In the text of the story itself, he inserted evidence and testimony in handwritten script, further authenticating his story. During the course of his narration, the reader witnesses Cable interviewing parties to the suit, and musing on the current (in 1889) whereabouts of Salome herself. The formal qualities of this text cleverly reinforce the subject matter. In a legal proceeding that calls phenotypic evidence and the possibility of ascertaining racial status into question, one needed active strategies and multiple forms of documentation to “prove” one’s right to be considered white. Cable responded with a hyperrealism, appeared as investigative narrator, and quoted from primary sources.

This was Cable’s narrative strategy; not so with Tinker. He padded his story with all the trappings of romance. Where Cable’s short story runs a sleek forty-five pages, Tinker’s novel is three hundred twelve pages long. With one woman’s envy towards another’s possibly forbidden marriage at its center, the story proved to Tinker to be ripe ground for a historical romance. His characters are best understood as racial

and ethnic types. A swashbuckling swordsman and duelist, the husband “Placide Taquin” was “a Creole[,] and the deeply passionate blood of Spain mingled in his veins with the more volatile but equally ardent blood of his French ancestors.”<sup>69</sup> Tinker rendered the wife, “Anastasié Taquin,” formerly “Anastasié Jasmin,” as the typical *sang-melé*, with a richly wrought host of features and a kind of “softness” betraying otherwise hidden African characteristics. Her speech was, according to Tinker, a true marker of her racial and cultural origin. “Due to the liquid quality of her voice and accent, she spoke a French that was far more melodious than that spoken by the French themselves.”<sup>70</sup> Early in the novel, Tinker moved the action to Congo Square, that great meeting ground in the back of the city where slaves and free people of color congregated during prescribed hours on Sunday to sell their wares and sing and dance.<sup>71</sup> This setting provides the context for his musings on the African type. “Fat Arada mothers, notorious for their elephantine hips and fleshy bustles, danced with the best of them, every part of their ungainly bodies quivering like huge blobs of jelly.”<sup>72</sup> Of course, Toucouitou is present in the scene, at first merely an onlooker. However the “maddening rhythm” ultimately riles the African spirit that lives deep within her for “Toucouitou standing on the outskirts of the circle began to dance without knowing it. Her whole soul went into the synchronized sway of her muscles as her body moved to the music.”<sup>73</sup>

Tinker’s construction of these types is far from neutral. He coded his descriptions of the characters with African blood in negative terms or, at the very least, in terms that would provoke fear and suspicion in his readers. Born on the island of Santo Domingo, “Claircine Sevrisol,” Anastasié’s quadroon mother, continues to feel the influence of her own mother, Comba Nea, voodoo priestess and chief instigator of the Haitian Revolution, long after she has relocated to New Orleans. In times of crisis, for example, Claircine instinctively resorts to the rituals she saw as a child. When appeals to the Virgin Mary do not cure her lover and Anastasié’s father “Bazile Bujac” of yellow fever, Claircine enacts a secret ritual that frightens the young Toucouitou as she watches through a keyhole. “Crouching beside the cross, [Claircine] began to intone quietly strange muttering words. . . . ‘Heru mande, heru mande, heru mande, Tigi li papa.’”<sup>74</sup> Here, as again later in the Congo Square scene, the “monotonous maddening beat of the ancestral tam-tam” and the “rhythmic reflection of the thudding big drum” resound.<sup>75</sup> Tinker’s characters of color are primitively and dangerously sensuous, but they

also function for Tinker as a collective villain. “Eglantine Ferchaud,” although an industrious and shrewd businesswoman, becomes Anastasie’s rival and defendant in the case. Harboring a “mean envy” of Anastasie’s whiteness, she engages in gossip that propels her into the arena of the courtroom. Tinker based another of his characters, “Sans Façon,” on Beaumont himself. Instead of Desdunes’s virtuous “spirit of the people,” Sans Façon has a slippery, spiteful quality. With the song “Toucoutou,” he gives the free people of color “a scapegoat upon which they could vent all the bitterness of their position.”<sup>76</sup> In their characterizations and portrayals of Creole of color culture, Beaumont and Desdunes had suggested that “whiteness” was the identity to be shunned; however, Tinker constructed “blackness” as the dangerous chaos that one must avoid. Thus, when the reader finally gets to the court proceedings wedged into the latter part of the novel, she has been prepared to sympathize fully with Anastasie’s plight. In this liminal space of insecure racial identity, Anastasie teetered on the brink of both social and existential ruin. During the trial, the reader is taken through Anastasie’s mind as she blushes deeply, writhes in her seat, or squeezes Placide’s hand in a moment of panic.

Tinker recounted what seems to be a word-for-word transcription of the trial, citing long passages of testimony and presenting different pieces of evidence. It is this suddenly very realistic account of the courtroom action that convinces the reader that the story is indeed based on a true one, that Tinker did not make it up. However, he never directly cited the case nor indicated to the reader how to go about finding it for herself—either in the novel or in the numerous references he made to the Toucoutou Affair in other work. Furthermore, Tinker has changed all of the names of the primary characters. The aliases he used are charming (“Taquin”/“tease,” “Ferchaud”/“hot iron,” etc.), yet these names are also frustrating. If one combed through the Louisiana Annual Reports using them, one would come up empty-handed. Tinker left some hints about the trial. For instance, the lawyers involved in the case are immediately recognizable.<sup>77</sup> “Christian Keppel,” with his loud and harsh voice that “boomed and rumbled until the windows rattled,” was most likely modeled on Christian Roselius, incidentally the same lawyer who argues for the plaintiff in the Salome Müller trial. And opposing counsel “Phanor Lanusse” was obviously Pierre Soulé: Eglantine brags to Anastasie, “My lawyer, he a fran’ to the *President* o’ the United States. Didn’t he sen’ him to be ambassador at Europe,

no?"<sup>78</sup> Yet, while the identity of the lawyers is apparent, Tinker obscured other aspects of the trial. If one were to estimate the dates of the trial from the events in the book, one would arrive at the year 1848 or 1849, not as "shortly before the Civil War" as Desdunes and Tinker, elsewhere, claimed.<sup>79</sup>

This lack of precise documentation seems uncharacteristic of Tinker who, in other work, had meticulously compiled, sorted, and filed a storehouse of information regarding Creole Louisiana.<sup>80</sup> His failure here to give a formal citation denies future scholars access to the details of one of the most fertile legends of Creole of color folklore. Tinker mired Toucoutou's story within a racist historiography and literary tradition, leaving those interested in asking different questions of the event stranded to some extent in this unfortunate context. In fact, the imperatives set forth by the historiographical trends of white New Orleans at the time had profound and tangible implications for historical research. In the decade after Tinker's novel made its appearance, Marcus Christian, a black poet and head of the Negro Writers project of the WPA in Louisiana, launched a parallel project to Tinker's. Christian wanted to delve into the history of race in Louisiana and attempted to compile sources and documents pertinent to the experiences of Louisianians of African descent. Unlike Tinker, for whom the archives and repositories were wide open, Christian faced repeated episodes of discrimination from archivists and librarians. Denied access to the most fruitful source materials, Christian and his staff of "negro" researchers resorted to the city newspapers.<sup>81</sup> They meticulously copied every mention of black life in these papers onto index cards, eventually filling hundreds of shoeboxes. Ultimately, the WPA funding ran dry, and Christian spent the remaining decades of his life composing and attempting to publish his "Black History of Louisiana" from these note cards.<sup>82</sup> It is difficult to determine the extent of Christian's interest in the Toucoutou affair. He made mention of it, discussing it in the context of the turmoil of the 1850s and similar cases. His frustration over not being able to get closer to the case itself is apparent in the condition of his personal copy of Tinker's novel. Dog-eared and frayed, the leaves of his text have almost torn away from the spine.

Thus, the Toucoutou affair resonates on a number of different levels. Unraveling the tellings and retellings of this woman's story reveals a complex of cultural memories and historiographical contexts layered across race, class, gender, and time. For Desdunes and Beaumont,

Toucoutou, the scheming woman, had become a focal point for a communal debate over what kinds of action would be permissible. For Tinker, the figure of Toucoutou, the latest in a long line of tragic mulattos, mediated the fears and anxieties of white New Orleans over issues of racial purity and mixture. As I encountered these various versions of the case, my interest in the Toucoutou affair deepened. Furthermore, the obvious discrimination against Christian and the difficulties he encountered in trying to do the historian's work further problematized for me the historical context of Tinker's romance. I became compelled to search for the court case at the center of the Toucoutou affair. Archivists at both the lower court archives and at the Louisiana Supreme Court archives suspected the "Toucoutou affair" to be merely an urban legend. Nevertheless, after a "long search" of my own, I finally located the unreported court record: "Anastasia Desarzent vs. Pierre Le Blanc and Eglantine Le Maizzilier, his wife."<sup>83</sup> Ironically, it was on three of Christian's thousands of note cards, water stained and faded from a 1965 hurricane, that I found the citation for the case, a column of two and a half inches taken from the *New Orleans Daily Picayune*, 18 May 1858.

*Desarzent v. LeBlanc: The Case Itself*

The woman who emerges from the court record seems to be an altogether different person than the heroine of Tinker's novel. One of the most striking differences between *Desarzent v. LeBlanc* and Tinker's Toucoutou affair is the degree of control that the protagonist seems to have over her actions. In Tinker's account, Anastasia Taquin is particularly passive in her act of passing. Tinker portrayed her as a very young woman at the time of the case (born in 1830 not 1824 as Desarzent was) and the trial as having occurred around 1849 instead of 1858–1859. Even after the birth of her son, her "little Zozo," Taquin continues to have "nascent breasts" and "narrow hips." Furthermore, Claircine has done all of the work for her, and it is not until late in the action that Anastasia begins to realize her "status" and has the obligatory scene in front of the mirror: "Staring hard into the mirror, so close her little nose almost touched its reflected image, she decided she looked white,—but was she? She must know."<sup>84</sup> It would have been unthinkable for Tinker's heroine in the context of King's genealogy and Gayarré's historiography to deceive her white husband consciously,

infiltrate the ranks of the white Creole society, and continue to draw sympathy from the reader. By placing her revelation late in the text and exaggerating her youth, Tinker shifts the blame for the social transgression from Anastasie to Clarcine.

Whereas Anastasie Taquin seems ignorant of her ancestry, and therefore to a large extent, helpless, Desarzant comes across as having made an active choice to pass for white. This sense of consciousness is significant because it gets historians away from the romantic portrayal of free people of color as “tragic mulattos” who listlessly endure their inevitable fate.<sup>85</sup> Moreover, it allows historians to more honestly address the awkward legacies of skin color privilege among people “of color.” In “Gombo,” Tinker gives two popular Creole expressions for passing: “*passe-à blanc*” and “*blanc fo’cé*.”<sup>86</sup> While the first term seems to depend mainly on the perceptions of others, the second, *blanc fo’cé*, gives the impression of one actively “forcing” or “falsifying” a perception of “whiteness.” And this is the role that the court record suggests that Desarzant played in her act of passing. Ostensibly, Desarzant always knew that she was the daughter of Justine Bacquié, a free woman of color. According to one “colored” witness, Desarzant attended balls for people of color when she was very young, “too young to dance.” Moreover, Desarzant grew up in the same household as her brothers and sisters, some of whom were clearly identified in the public record as “free people of color.” One brother, whom Tinker carefully excised from his story, became somewhat prominent among free people of color, applying to and gaining acceptance in the “*Société d’Economie et d’assistance Mutuelle Frères*,” a club “composed exclusively of colored persons.”<sup>87</sup> And, of course, there was the question of “associations,” as if whom one visited was an indication of one’s status. As one witness testified, “Before the cholera, Toucoutou used to frequent colored people exclusively.”

Thus, the setting for the case suggests that Desarzant was aware of her social status as a free person of color and consciously decided to pass for white. She used the venue of the courtroom to construct the narrative of her white racial identity. She enacted a kind of double performance. In her attempt to perform the role of a white person, she had to perform the function of the historian. She amassed an arsenal of evidence, documents and testimony that she deployed strategically to prove her point. A narrative of Desarzant’s white parentage emerged, complete with a baptismal record listing her as white and a notice of her

birth on the white registry of births and deaths in the Catholic Church. A sworn statement by Bacquié attesting to Desarzant's white parentage corroborated this documentary evidence. This statement had been used in a previous challenge to her racial identity, an action to recover rent money from one of Desarzant's boarders. Instead of hailing from the racially suspect climate of Haiti, ship records from 1809 suggest that her "parents" arrived in New Orleans as Swiss immigrants, almost certainly white in the public mind by identification with Europe.<sup>88</sup> A number of witnesses, friends of Desarzant's "white mother" were positioned to vouch for her identity as a white child orphaned by yellow fever. With the right documentation and associations, Desarzant hoped, in the trial, to "prove" beyond all evidence that she was white. In fact, the case itself can be seen as an attempt to add more legal, official documentation to her arsenal. Her winning a slander case would dissuade others from perpetuating rumors of her African ancestry.

Thus, Desarzant's problem became one of managing her potentially unruly evidence. One of her chief difficulties entailed what Soulé called in his brief to the high court a "duplicity of names," a kind of slippery series of personae ultimately referring to the same person. Several of the key figures in the case had a number of names, each referring to a specific racial and social status. In her white incarnation, Desarzant was "Madame Maurice Antoine Abat." However, to those who attested to her African ancestry, she was "Toucoutou." The woman on trial, the woman in transition called herself "Anastasié Desarzant." Justine Bacquié's identity also slipped back and forth over the course of the trial. Françoise Martin, the woman from Switzerland whom Desarzant claimed as her mother, appeared as "Justine Martin" on Desarzant's birth certificate. The next step from "Justine Martin" to "Justine Bacquié" was logical, given the number of witnesses that testified to Bacquié's frequent and seemingly random use of her names in differing combinations. This evolving series of names of several of the key figures in her repertoire of white relatives ultimately convinced the court that she had fabricated this white persona, Mme. Maurice Abat, and that she was indeed Anastasié Desarzant, a free woman of color, nicknamed Toucoutou.

The identity of Desarzant's father presents the most interesting case of obscurantism and perhaps has the most far-reaching implications for the study of race relations in Creole Louisiana and the extra-legal and/or unofficial methods by which white fathers and their free families of

color sustained their relationships. According to Jean Laizer's legitimate white child, Eugenie Laizer, "Anasatsie Desarzant always said she was the daughter of Jean David Laizer," and that Eugenie's mother told her of her "colored" relations, even though the father "tried to conceal that fact." Jean Laizer appears as a shadow figure in the records of his children of color. Anastasie's father is listed in her baptismal record as "Jean Desarzant," Desarzant being the maiden name of Jean Laizer's Swiss mother. In the baptismal proceedings for some of his children with Bacquié, he appears a second time, as "Jean Laizer, *faisant pour le père*," as a kind of godfather standing in for the "true" father. Jean Laizer died in 1850, long before his daughter's trial, but his "duplicity of names" echoed through the courtroom.<sup>89</sup> Testifying in the trial, a friend of the late Laizer's and a fellow member of the prestigious Polar Star Lodge No. 1, explained Laizer's relationship to his family of color and ultimately the law. Apparently, Laizer privately referred to the Desarzant children as "the holes eventually cut into the contract."<sup>90</sup>

Just as Desarzant attempted in her trial to manage the identities of a number of people, she also tried to control and affirm the validity of certain documents and monopolize on the "holes in the contract." Documentation that seemed sound at first glance could be altered to correspond to rumor and hearsay. Thus, Soulé, in order to prove Anastasie's African ancestry, constantly questioned witnesses if they had heard rumors to that effect. The legitimacy of Bacquié's sworn statement of Desarzant's whiteness dwindled under hearsay testimony from those who claimed to have met Bacquié on the street, in tears, regretting her oath. Some of the most astonishing testimony, especially for historians who would like to depend on the seemingly straightforward nature of certain documents, came from Aimé Willoz, the keeper of the official baptismal registers Cathedral of Saint Louis. He weakened his own document's authority in determining race, saying that it was "quite common to find colored persons registered on the registry of white persons. It is very seldom that white persons are inscribed on the registry of colored persons. . . . When such a case occurs, there is a marginal note made correcting the error." Thus, even in the official record, racial identity was a potentially changeable quality, and one's identity could evolve over time. While Anastasie Desarzant seemed especially aware of the changeable quality of racial identity, she lost her gamble because of the contestable nature of the documentary and testimonial evidence. Her attempt to line up the evidence in her favor was in vain.

## Our Toucoutou

It is tempting for the historian, holding a stack of fragile yellowed papers in her hands, to reiterate and solidify the distinction between “actual history”—what really happened—and “mere memory”—the stuff of legend. It is tempting to discount the ulterior motives of Beaumont, Tinker, and Desdunes and attempt to vindicate Toucoutou once again, turning her into another kind of heroine: the “real person” behind the “myth.” However, it may be more fruitful to consider both the legend and the event together and to accept Nora’s challenge to honor the episode’s multi-valence. On one level, the Toucoutou affair speaks to theoretical concerns about the nature of evidence and the process of historical inquiry.<sup>91</sup> The case can help historians to assess the kinds of permutations that seemingly sound evidence often undergoes in the hands of conscious and active people, trying to secure viable identities in their changing contexts. Furthermore, a meditation on the Toucoutou affair and its portrayal at select historical moments is a lesson in the intersection of historical events and literary and cultural material. Thus, a search through legend of Toucoutou to the historical figure Anastasie Desarzant reveals not so much a coherent self or a unified set of experiences but an identity consciously and purposefully in flux. As a seemingly overwhelming process of Americanization devalued the status of free people of color in New Orleans, Desarzant tried desperately against the backdrop of a hardening public opinion to obtain the legal and physical appearance of “whiteness.” In a very salient respect, Desarzant embarked on her own process of writing history, the reconstruction of her genealogy and personal narrative in socially acceptable terms. Her appeal to an extremely critical audience, then, tempered her “agency,” and the genealogical and circumstantial evidence that both sides offered in court built competing and contradictory narratives. The problems that historians face when confronted with conflicting and questionable historical evidence mirror, though hardly ever so urgently, Desarzant’s own problems with the pitfalls of legal evidence.

If a scrutiny of the “case itself” reveals the contested nature of any analysis of historical events and figures, then the historian of the Toucoutou affair is compelled to admit the preoccupations that drive her towards this episode. Scholarly involvement in the Toucoutou affair entails participating in the elaboration of this site of memory. Indeed,

just as Beaumont, Desdunes, and Tinker brought their cultural contexts to their portrayals of the case, my own interest in the case is grounded in the academic and social issues of the year 2000. Why should one take an interest in the Toucoutou affair, or more generally, the issue of “passing,” now? How can this episode in mid-nineteenth-century New Orleans speak to the issues of race and culture facing United States today? Desarzant chose to become American by becoming “white”; America incorporated her narrative into its own by understanding her to be “black.” If Desarzant’s crisis of identity and status occurred against a backdrop of Americanization, the triumph of a black/white binary over a multi-ethnic, multi-racial framework, my recovery of Desarzant’s story exists within the reevaluation of that process. Recent Americanist scholarship has exposed categories previously understood as essential to be dependent upon social constructions. Critical race studies and “whiteness” studies detail the socializing processes that create racialized identities and maintain and enforce the inequalities among those identities.<sup>92</sup> Cases such as *Desarzant v. LeBlanc* can help historians understand the details of the constructed-ness of race and status.

Furthermore, the act of passing depends on the construction, maintenance, and transgression of boundaries. Thus, an extended inquiry into the act of passing can illuminate the dynamics of America’s and Americanists’ understanding and experience of these boundaries. What is the nature of the social boundary between “black” and “white”? How should one articulate the tensions within the concept of race in America: as an “either/or” problem or one which requires a more fluid concept such as “neither/nor, both, and in-between”?<sup>93</sup> Moreover, how should one understand both the places of intersection and the points of resistance between “race” and “culture”/“ethnicity”?<sup>94</sup> A consideration of the “Toucoutou affair”—an episode of one’s becoming culturally American through racial identification—during this revisionist moment may help clarify some of the boundaries within American studies itself. What is the relationship between African American studies, a field with “race” as its organizing concept, and ethnic studies, a field which foregrounds language and culture? In her 1997 presidential address to the American Studies Association, Mary Helen Washington suggested that it would “disturb the peace” if one were to “put African American studies at the center” of American studies.<sup>95</sup> Placing ethnic studies there as well disturbs it even more, provoking a debate between race and culture. How would the interaction of these two fields at the center

challenge and reconfigure American studies and the narratives of nationality that it encompasses? Constituted and recast at various historical moments, the “Toucoutou affair” offers a glimpse into the processes by which the writers and subjects of history create new racial, ethnic, and academic categories and relationships from old and familiar material. What began as one woman’s attempt to evade the rallying forces of inspection and to construct and maintain a more desirable social status has implications for the study of race and culture far beyond the limits of antebellum Creole New Orleans.

### NOTES

1. For a description of *plaçage*, see John Blassingame, *Black New Orleans: 1860–1880* (Chicago: Univ. of Chicago Press, 1973), 17–19. Also see Monique Guillory, “Under One Roof: The Sins and Sanctity of the New Orleans Quadroon Balls,” in *Race Consciousness*, ed. Judith Jackson Fossett and Jeffrey A. Tucker (New York: New York Univ. Press, 1997), 80–89.

2. “Creole” is a chameleon of a term. Deriving from the Spanish *criollo* it refers to a person of Old World parentage (European or African) born in the New World. In the context of antebellum New Orleans, the term retained its connotation of “place” and named people who could trace their ancestry in the state to its colonial period. As English speakers began to outnumber French speakers, the category “Creole” expanded to include those Creoles of other places in the French colonial world living in New Orleans, including those from Saint Domingue (Haiti) who had flooded Louisiana in the first decade of the nineteenth century. After the Civil War and into the twentieth century, writers and historians of New Orleans racialized the term, claiming that only “pure whites” could be called “Creoles.” I use the term, “Creole of color” to refer to Creoles of African descent except in some instances when the reference to them as a group is clear from the context. I will use the term “white Creoles” to refer to those claiming to be of European descent only. In some cases, when the word “Creole” appears, it will refer to the Creole language as it was spoken in New Orleans. Such is the case in the text here. For more on the word “Creole” see Joseph Tregle, “Creoles and Americans” in *Creole New Orleans: Race and Americanization*, ed. Arnold R. Hirsch and Joseph Logsdon (Baton Rouge, La.: Louisiana State Univ. Press, 1992), 131–41.

3. See Henry Edward Khrebiel, *Afro-American Folk-Songs* (Portland, Me.: Longwood Press, 1974, 1914), 140–55 for a discussion of the “satirical songs of the Creoles.” Joseph Beaumont (1820–1872) was the first president of *Les Francs Amis*, an association of men of color started in February of 1860. See Edward Larocque Tinker, *Les écrits des langue française en Louisiane*, (Paris: Librairie Ancienne Honoré Champion, 1931), 31–32.

4. Rodolphe Desdunes (1849–1928) was one of the organizers of the *Comité des Citoyens* that brought the *Plessy v. Ferguson* case to trial. See Charles O’Neill, “Foreward” to the translation of *Nos hommes et notre histoire, Our People and Our*

*History*, trans. Dorothea McCants, (Baton Rouge, La.: Louisiana State Univ. Press, 1973).

5. Edward Larocque Tinker (1881–1968) was a bibliophile, collector, and historian of Louisiana. A New Yorker, he became interested in New Orleans when he moved there in 1916. His most popular work is *Creole City: Its Past and Its People* (New York: Longmans, 1953).

6. Pierre Nora, “Between Memory and History: *Les lieux de mémoire*” in Geneviève Fabre and Robert O’Meally, eds., *History and Memory in African American Culture* (New York: Oxford Univ. Press, 1994), 286.

Ibid.

7. Ibid.

8. Ibid., 288.

9. Fabre and O’Meally, intro., *History and Memory*, 8–9.

10. See Charles Roussève, *The Negro in Louisiana: Aspects of History and Literature* (New Orleans, La.: Xavier Univ. Press, 1937), 43 for an account of Mme. Couvent’s charity. Desdunes, *Our People*, 97–109; 28–32; 131–39.

11. These cases include *Decuir v. Benson* (1874), *Trevigne v. School Board*, et al. (1879), and *State Ex Rel. Ursin Dellande v. New Orleans School Board* (1879), all filed in the Louisiana Supreme Court.

12. Accounts which fall under this rubric are John Blassingame, *Black New Orleans*; Louis Fischer, *The Segregation Struggle in Louisiana* (Urbana, Ill.: Univ. of Illinois Press, 1974); and Charles Vincent, *Black Legislators in Louisiana* (Baton Rouge, La.: Louisiana State Univ. Press, 1976). These accounts tend to downplay the francophone culture of Creole of color leaders. Newer work, especially Logsdon and Hirsch, eds., *Creole New Orleans* (Baton rouge, La., Louisiana Univ. Press, 1997); and Caryn Cossé Bell *Revolution, Romanticism, and the Afro-Creole Protest Tradition, 1718–1868* (Baton Rouge, La.: Louisiana State Univ. Press, 1997) have stressed the reality of racial and linguistic “mixture”; however, their accounts also tend to champion the Creoles of color as progressive crusaders.

13. For a discussion of this frame of judgement, see Diana Williams, “Race in the Age of *Plessy*” (A.B. thesis, Harvard Univ., 1994). Also see Werner Sollors, *Beyond Ethnicity: Consent and Descent in American Culture* (New York: Oxford Univ. Press, 1986), 179–91, for his discussion of the “Ethics of Wholesome Provincialism,” the tendency of historians and critics to judge black cultural expression according to narrow perceptions of what is good or valid.

14. Will of Veuve Bernard Couvent, 12 Nov. 1832 before L.P. Caire, filed 10 July 1837; New Orleans Probate Records, New Orleans Public Library, Louisiana Division; Charles O’Neill, *Séjour: Parisian Playwright for Louisiana*, (Lafayette, La.: Center for Louisiana Studies, 1995), 111–18; Patricia Brady, “Black Artists in Antebellum New Orleans,” *Louisiana History* 32 (winter, 1991): 5–28; *La Tribune de la Nouvelle Orleans*, 4 Aug. 1864.

15. Here I am thinking primarily of the work of David Rankin: “The Forgotten People: Free People of Color in New Orleans, 1850–1870” (Ph.D. diss. Johns Hopkins Univ., 1976), “The Impact of the Civil War on the Free Colored Community of New Orleans,” *Perspectives in American History* 11 (1977–1978): 379–418, and “The Origins of Black Leadership in New Orleans during Reconstruction,” *Journal of Southern History* 40 (Aug. 1974): 417–40.

16. Many authors, foreign and American, including Gustave de Beaumont (*Marie*, 1835), Lydia Maria Child (*A Romance of the Republic*, 1867), Mark Twain (*Pudd’n’head Wilson*, 1894), James Weldon Johnson (*Autobiography of and Ex-Colored Man*, 1912), Nella Larsen (*Passing*, 1929), and William Faulkner (*Absalom, Absalom!*, 1936 and

*Light in August*, 1932) have used this theme to explore the concept of race. See also Elaine K. Ginsberg, *Passing and the Fictions of Identity* (Durham, N.C.: Duke Univ. Press, 1996); and Werner Sollors, *Neither Black Nor White Yet Both* (New York: Oxford Univ. Press, 1997). Sollors's Appendix A contains a comprehensive list of interracial literature. The sociologist, Gunnar Myrdal also discusses the phenomenon of passing as it was practiced in the 1930s and 1940s in *An American Dilemma* (New York: Harper and Brothers, 1944), 683–86. An interesting exception to my claim that historians tend not to fully explore the implications of “passing” arises when their subjects pass temporarily or for noble reasons. An example of this is the recent work on Ellen and William Craft. See Ellen Weinauer “A Most Respectable Looking Gentleman” in Ginsberg, *Passing*, 37–56. Cheryl Harris, “Whiteness as Property,” *Harvard Law Review* (June 1993) touches on the phenomenon of passing. However, in making her argument about the evolution of “whiteness” as a kind of “property” in American law, I believe that she exaggerates the extent to which people were compelled to pass. “The decision to pass as white was not a choice, if by that word one means voluntariness or lack of compulsion. The fact of race subordination was coercive and circumscribed the liberty to self-define.”

17. Dominick LaCapra, *History and Criticism* (Ithaca, N.Y.: Cornell Univ. Press, 1985), 18. LaCapra's first chapter, “Rhetoric and History,” lays out the historiographical issues surrounding the grounding of historical knowledge.

18. See LaCapra, *History and Criticism*, 141. My notion of evidence also proceeds from Carlo Ginzburg, *History, Rhetoric, and Proof* (Hanover, N.H.: Univ. Press of New England, 1999), intro.

19. Nora, “Between Memory,” 300.

20. See for example the English translation of Desdunes. Desdunes, *Our People*. Also Violet Harrington Bryan, *The Myth of New Orleans in Literature* (Knoxville, Tenn.: Univ. of Tennessee Press, 1993) refers to the case and Toucouitou herself as if they are primarily figments of Tinker's imagination.

21. Desdunes, *Our People*, 64.

22. In the late nineteenth and into the twentieth century, folklorists and linguists gleaned Beaumont's songs and other songs in the genre for evidence of the folk life of Creoles of color. See Khrebiel, *Afro-American Folk Songs*; and Alice Fortier, *Louisiana Studies: Literature, Customs, and Dialects, History and Education* (New Orleans: F.F. Hansell & Bro., 1894). George Washington Cable, “Creole Slave Songs” *Century Magazine* 31 (Nov. 1885–Apr. 1886), 807–28.

23. Cable, “Creole,” 808. On this notion of “double meaning,” see Gavin Jones, “Signifying Songs: The Double Meaning of Black Dialect in the Work of George Washington Cable,” *American Literary History* 9 (summer 1992): 244–67.

24. Desdunes, *Our People*, 61, 63.

25. See Lyle Saxon, et al., *Gumbo Ya-Ya: A Collection of Louisiana Folktales*, (Cambridge, Mass.: Riverside Press, 1945), 428.

26. Another version of this song records not the line “Yé va fé vous prend Jacdologe,” but instead “Yé va fé vous jist délogé (They will just put you out).” “Jacdologe” may refer to a character that has been ejected from a box at the theater. See Saxon, *Gumbo Ya-Ya*, 428.

27. The Creole version of the song can be found in Desdunes, *Nos hommes et notre histoire* (Montreal: Arbour & Dupont, 1911), while the English translation is provided in Desdunes, *Our People and Our History* (Baton Rouge, La.: Louisiana State Univ. Press, 1973).

28. Amy Robinson, “It Takes One to Know One,” *Critical Inquiry* 20 (summer 1994): 715–36, describes “passing” as a “triangulated” act.

29. See Harris, "Whiteness as Property"; and Ian F. Haney López, *White By Law: The Legal Construction of Race* (New York: New York Univ. Press, 1996).

30. Logsdon and Hirsch, *Creole New Orleans* uses "Americanization" as its organizing framework. See also an older work by Robert Reinders, *The End of an Era: New Orleans 1850–1860* (New Orleans: Pelican, 1964) for a description of the eclipse of the Louisiana Creole population by Anglo-Americans and immigrants. Mary Ryan, *Civic Wars: Democracy and Public Life in the American City during the Nineteenth Century* (Berkeley, Calif.: Univ. of California Press, 1997) focuses its attention on New Orleans, New York, and San Francisco. She is concerned with the ways in which spatial configurations in these cities limit democratic practices and compelled immigrants to accept a racist American context. She marks the 1850s and its nativist activity as the crucial turning point, 35–180.

31. See David Rankin, "The Forgotten People." Also see *Register of Free People of Color Allowed to Remain in the City, 1840–1863*, Records of the Mayor's Office, New Orleans Public Library, Louisiana Division. At first, only those free people born outside of the city or recently emancipated were required to register. However, new legislation during the 1850s required the older population of free people to register and carry passes. See *Documens relatifs à la colonie d'Eureka dans l'Etat de Veracruz* (New Orleans, 1857), Howard-Tilton Memorial Library, Tulane Univ., Archives and Special Collections, for an account of a plan to settle free families of color in Mexico. Nelson Fouché, a free colored cigar maker, orchestrated this plan.

32. Guillory, "Under One Roof," places this practice alongside the traffic of slaves on the auction block. She discusses the "quadroon ball" and the slave auction under the rubric of the commercial.

33. "Natural" was a status category between "legitimate" and "illegitimate." White fathers of free people of color could claim their children to be "natural" children. See Virginia R. Dominguez, *White By Definition: Social Classification in Creole Louisiana* (New Brunswick, N.J.: Rutgers Univ. Press, 1986), 62–89.

34. Quote taken from Cable, "Creole Slave Songs," 808. He also interprets the meanings of "cocodrie" and "trouloulou."

35. "*Un Mariage de Conscience*" was published in *L'Album Littéraire*, 1843, a copy of which can be found at Amistad Research Center, Tulane Univ.. His "*Epigramme*" can be found in Régine Latortue and Gleason R. W. Adams, trans. and eds., *Les Canelles: A Collection of Poems by Creole Writers of the Early Nineteenth Century* (Boston: G.K. Hall, 1979) 94–5.

36. As a member of the *Comité des citoyens*, Desdunes was very involved in the planning of the *Plessy v. Ferguson* case. His son, Daniel Desdunes, was involved in a test case for that suit. See Desdunes *Our People and Our History*, 143.

37. See Joseph Roach, *Cities of the Dead: Circum-Atlantic Performance*, (New York: Columbia Univ. Press, 1996), 233–37.

38. See Desdunes, "A Few Words to Dr. Du Bois," (1907), a copy of which can be found at A. P. Turead Collection, Amistad Research Center, Tulane Univ.

39. The term "amalgamated" as Desdunes used it does not speak precisely of "miscegenation" but rather of the cultural preference for physical traits linked to the notion of "whiteness."

40. Desdunes, "A Few Words."

41. Desdunes, *Our People*, 61.

42. *Ibid.*, 61–62.

43. *Ibid.*

44. *Ibid.*

45. See Tinker *Les Écrits* and his *Bibliography of the French Newspapers and Periodicals of Louisiana*, (Worcester, Mass.: American Antiquarian Society, 1933).

46. George Washington Cable, *Strange True Stories of Louisiana* (1888; Gretna, La.: Pelican Books, 1994) 1. Tinker wrote a number of “strange true stories” himself. See Tinker, *The Machiavellian Madam of Basin Street* (Austin, Tex.: Encino Press, 1969), and *Pens, Pills, Pistols* (New York: American Antiquarian Society of the French Legion of Honor, 1934).

47. Many scholars of the late nineteenth and early twentieth centuries took an interest in the Creole language. Alcée Fortier collected folktales from the rural parishes of the state about “Compair Lapin” or (in English), Brer Rabbit. Fortier also wrote, “The French Language in Louisiana and the Negro-French Dialect” in vol. 2: 1884–1885, *Transactions of the Modern Language Association of America*, 96–111. Also see Fortier, “Louisiana Studies.” Lafcadio Hearn wrote a number of sketches for the New Orleans *Item* in Creole. See also, Hearn, “A Sketch of the Creole Patois” in *The American Miscellany* (New York: Dodd, Mead, and Co, 1924), 154–58.

48. Edward Larocque Tinker, “Gombo: The Creole Dialect of Louisiana,” *Proceedings of the American Antiquarian Society* 45 (Apr. 1935): 101. “It’s the language (or speech) of the frog that gives him away.”

49. *Ibid.*, 104.

50. *Ibid.*

51. *Ibid.*, 102.

52. *Ibid.*, 112.

53. *Ibid.*, 116–17.

54. Christopher Benfey, *Degas in New Orleans: Encounters in the Creole World of Kate Chopin and George Washington Cable* (Berkeley, Calif.: Univ. of California Press, 1997) gives a good account of what was at stake in these culture wars during the 1870s from the perspective of the De Gas/Musson family, key leaders in both the Unification Movement (summer 1873), which attempted a reconciliation across the color line with the former *gens de couleur libre* and the White League which staged a violent coup of the Kellogg government in September 1874. Also see Joseph Tregle, “Creoles and Americans” in Hirsch and Logsdon, eds., *Creole New Orleans*, 131–85.

55. See Grace King, *Creole Families of New Orleans*, (New York: Macmillan, 1921). Also King, *New Orleans: The Place and the People*, (New York: Macmillan, 1895).

56. Gayarré spent decades writing and revising his multivolume history. See Charles Gayarré, *History of Louisiana* (New York: Redfield, 1854–1866). The four volumes of this work were originally published between 1848 and 1866 in English and French.

57. To make matters worse in their eyes, he also openly supported black rights in a series of articles for *Century* magazine, “The Freedmen’s Case in Equity” and other writings. See Cable, *The Negro Question: A Collection of Writings on Civil Rights in the South*, ed. Arlin Turner (New York: Norton, 1958). Cable’s views provoked reaction from all over the South. The *Century* also published a rebuttal from the Atlantan Henry Grady, “In Plain Black and White” (Apr. 1885).

58. Charles Gayarré, “Mr. Cable’s Freedmen’s Case in Equity,” *New Orleans Times Democrat* (Jan.– Feb. 1885).

59. *Ibid.*

60. Sollors, *Neither Black Nor White*, is a study of the various themes that characterize this battlefield.

61. The most protracted example of this is *Le Carillon*, a journal edited by J.M. Durel or P. Durel from 1869 to 1875. Also, in his own reply to Cable, *Critical Dialogue between Aboo and Caboo on a New Book or a Grandissime Ascension* (Mingo City [New Orleans]: Great Publishing House of Sam Slick Allspice, 1880), the Creole Abbé

Adrian Rouquette, editing under one of his aliases, E. Junius, mocked “Missié Kabri” in Creole. His pamphlet ends with “Weird Solo by a Zombi Frog.”

62. Grace King gives her character “Marie Modeste” all the markers of a *sang melé*, but the story ends abruptly with a book of documents attesting to her whiteness. King’s character Marcélite strongly resembles Claircine in her closeness to nature and her inability to escape the limitations of her “black blood.” The title character of another story in the collection, “The Little Convent Girl,” upon realizing her true racial identity and residing for a while in New Orleans, falls/jumps into the Mississippi River. It is as if King believes that the former *gens de couleur libre* must vanish if society is to be stabilized. For “Monsieur Motte” and “The Little Convent Girl,” see Grace King, *Balcony Stories* (1893; New York: Macmillan, 1925).

63. On dialect, literature, and the politics of local color writing, see Gavin Jones, *Strange Talk: The Politics of Dialect Literature in Gilded Age America* (Berkeley, Calif.: Univ. of Berkeley Press, 1999), esp. 98–133.

64. The racist cultural context of early twentieth-century Louisiana may have been one explanation for Tinker’s failure to cite the Toucoutou case. However, there may be a more practical reason for this oversight. Perhaps Tinker was trying to protect the identities of people whose ancestors were involved in the case. Even the possibility of a marriage of this kind might have been potentially humiliating to family members. In genealogical time scale, the 1920s were not so far removed from the antebellum period.

65. Tinker, *Toucoutou* (New York: Dodd, Mead, and Co., 1928), 8.

66. Cable, *Strange True Stories*, 2. Cable tells the story of a group of German immigrants who finally arrived in New Orleans in 1818 after having waited six months at an anchor in a Dutch port, having been cheated of their passage fare and having endured rough seas, starvation, and sickness. They reached New Orleans only to be pressed into indentured servitude and scattered about the Southwest. Most of them were able to work off their terms, but one girl, Salome Müller, passed into perpetual bondage, having been (accidentally or purposely) mistaken for one of African descent. Some twenty-five years later, one of her former shipmates recognized Salome as the young girl who had come to America with her. The German-American community banded together and initiated a lawsuit to prove Salome’s true origin and thus her rightful social status. After the lower court decided against “Miller,” the case was appealed to the state supreme court where the judgement was reversed. See Cable, *Strange True Stories*, 145–91.

67. Decision of the Louisiana Supreme Court; 11 Rob. 339, 1845. Supreme Court of Louisiana Collection, Archives and Special Collections, Earl K. Long Library, Univ. of New Orleans.

68. Cable, *Strange True Stories*, 3.

69. Tinker, *Toucoutou*, 111–12.

70. *Ibid.*, 87–88.

71. For a discussion of the function of the space named Congo Square in New Orleans culture, see Roach, *Cities of the Dead*, 63–68. He quotes Bakhtin—“The most intense and productive life of culture takes place on the boundaries”—to account for the centrality of this physically marginal setting. See also Benjamin Henry Latrobe’s reaction to the goings-on at Congo Square in 1819 in his journals. Edward C. Carter, *The Papers of Benjamin Henry Latrobe: Journals 1799–1820*. Vol. 3 (New Haven, Conn.: Yale Univ. Press, 1980), 202–3. Mary Ryan refers to Congo Square as a “people’s place.” See Ryan, *Civic Wars*, 33, 46.

72. Tinker, *Toucoutou*, 103–4.

73. *Ibid.*, 104.

74. *Ibid.*, 23.

75. Ibid.

76. Ibid., 278

77. For a description of the colorful personalities in the legal/business/political community in New Orleans, see [Cyprien Dufour], *Les Esquisses Locales Par Un Inconnu* (New Orleans: Sollée, 1847). The author, a lawyer and longtime editor of the *L'Abeille de Nouvelle-Orleans/New Orleans Bee*, published the work anonymously.

78. Tinker, *Toucoutou*, 216.

79. See Desdunes, *Our People*, 61; and Tinker, "Gombo," 130.

80. See Tinker, *Les écrits*, and *Bibliography*. "Gombo" has an excellent bibliography of work about and in the Creole language.

81. See Ronnie Clayton, "The Federal Writer's Project for Blacks in Louisiana," *Louisiana History* 19 (summer 1978): 330, for accounts of their denied access. Ms. Marie Windell, archivist at Univ. of New Orleans, suggests that this was the reason the staffers turned to the newspapers.

82. Christian's unpublished manuscript, the three volume "A Black History of Louisiana," is in the Marcus Christian Collection, Earl K. Long Library, Univ. of New Orleans, Special Collections. Christian tried to complete it on his own after the funds for the project ran out in 1943. The story of his attempts to publish it, his dedication to this historical project, and the racial and professional barriers to his success is a tragic one. He endured periods of extreme poverty. See Jerah Johnson, "Marcus B. Christian and the WPA History of Black People in Louisiana," *Louisiana History* 20 (winter 1979): 113–15.

83. 14 La. Ann. xii, unreported. The trial was brought to the Third District Court of New Orleans in May of 1858. It was appealed to the Louisiana Supreme Court, which finally gave a decision in December of 1859. Supreme Court of Louisiana Collection, Archives and Special Collections, Earl K. Long Library, Univ. of New Orleans. All quotations of the case come from the original transcript.

84. Tinker, *Toucoutou*, 191.

85. Cable's "Honoré Grandissime, fmc" [free man of color] is a good example of this type of character. When he is rejected in love, his liminal place in society becomes very physically apparent and he can no longer seem to move. It is significant that these kinds of portrayals were developed and initiated by those who had a key interest in white supremacy. See Benfey's discussion of the Bruns/Cable correspondence about how to portray the ailing Honoré, fmc. Benfey, *Degas*, 208–13. Bruns was a member of the White League.

86. Tinker, "Gombo," 117.

87. In fact, it was this mutual aid society which paid for Justine Bacquié's burial in 1854.

88. Tinker suggests, I think validly, that Bacquié and Jean Laizer manufactured these Swiss identities as a means of getting around the prejudice and restrictions against refugees from St. Domingue by way of Cuba. New Orleans officials were wary of the impact of those who had been through the Haitian revolution on the slave population of Louisiana.

89. See *New Orleans Bee*, 15 Oct. 1850, p. 1.

90. The testimony is written in English translation and then again in French at this point: "*Des coups de canif donnés au contrat.*"

91. Recent scholarly concern over the nature of "evidence" converges in a series of articles and forums in *Critical Inquiry*, published together as James Chandler, Arnold Davidson, Harry Harootunian, eds., *Questions of Evidence: Proof, Practice, and Persuasion across the Disciplines* (Chicago: Univ. of Chicago Press, 1994). Joan Scott expands on this notion of multi-valence in documents and asks us further to question

“experience” as a coherent body of knowledge as a kind of evidence for historical study. See Joan Scott, “Experience” in Judith Butler and Joan Scott, eds. *Feminists Theorize the Political* (New York: Routledge, 1992). “Experience” can also be found in Chandler, et al., *Questions of Evidence*.

92. David R. Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class* (London: Verso, 1991); Toni Morrison, *Playing in the Dark: Whiteness and the American Literary Imagination* (Cambridge, Mass.: Harvard Univ. Press, 1992); Noel Ignatiev, *How the Irish Became White* (New York: Routledge, 1995); Kimberlé Crenshaw, ed., *Critical Race Theory: The Key Writings that Formed the Movement* (New York: New Press, 1995); Reynolds J. Scott-Childress, ed., *Race and the Production of Modern American Nationalism* (New York: Garland, 1999), to name a few texts.

93. I am drawing these questions for the study of interracialism from Werner Sollors, *Neither Black Nor White Yet Both*, 10.

94. Recent critics have challenged the notion that “cultural” or “ethnic” understandings of difference subvert the essentialist claims to identity traditionally promoted by racialist formulations of difference. Walter Benn Michaels, *Our America: Nativism, Modernism and Pluralism* (Durham, N.C.: Duke Univ. Press, 1995), demonstrates the cultural pluralism and American nativism during the modernist period. David Hollinger, *Postethnic America: Beyond Multiculturalism* (New York: Basic Books, 1995), describes the range of ethnic options that count in America as constituting an “ethno-racial pentagon”: African American, Asian American, Euro-American, Indigenous, and Latino. He suggests a return to a cosmopolitan framework that would endorse voluntary association rather than a rigidly pluralist framework that insists upon uncrossable boundaries between racial and ethnic groups. I am mindful of the philosophical contradictions within pluralism and notions of cultural difference. However, I am also skeptical of collapsing race into culture and *vice versa* or promoting something like voluntary association as a way of understanding difference in America. The word “voluntary” obscures the extent to which the choices continue to be prescribed or involuntary.

95. Mary Helen Washington, “Disturbing the Peace: What Happens to American Studies If You Put African American Studies at the Center?” *American Quarterly* 50 (Mar. 1998): 1–23.