A Lock(e)down on American Scandal: the Term's Peculiar Relation to Property

Brianna Beverlee Thompson
Spring Creek, Nevada

Bachelor of Arts, University of Nevada-Reno, 2009

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This thesis is dedicated to the Thompson family, those both living and deceased, as well as Dr. Justin Gifford. Without all of you I would not be pursuing a graduate degree in English Literature. In addition, I dedicate this thesis to the historical Sally Hemings and all the enslaved women on whom our nation was built whose stories have been censored or excluded from authorized history.

> Watergate is not a scandal:…this is what everyone is concerned to conceal, this dissimulation masking a strengthening of morality, a moral panic as we approach the primal (mise-en-)scene of capital: its instantaneous cruelty; its incomprehensible ferocity; its fundamental immorality- these are what are scandalous, unaccountable for in that system of moral and economic equivalence which remains the axiom of leftist thought, from Enlightenment theory to communism…
>
> -Jean Baudrillard, "Simulacra and Simulations"

> Freeing yourself was one thing; claiming ownership of that freed self was another.
>
> -Toni Morrison, *Beloved*

Introduction

In the rather small swath of scholarship I have been able to locate, more than one author has mentioned the dearth of writing on scandal; as Laura Kipnis observes, "despite the vast amount of cultural real estate it occupies, we lack any real *theory* of scandal" (7; italics in original). The formulation of such a theory of American scandal is the partial intent of this thesis, and interestingly enough, Kipnis' repetition of "real" unwittingly precipitates my ultimate suggestion that scandal has everything to do with property and has a special relationship to the evolution of Western Enlightenment ideology in America. This thesis will survey existing definitions and historical narratives of scandal, proposing that modern scandal's requisite for individuality, as opposed to pre-modern, biblical scandal, emerges partly during the Enlightenment and the founding of America. This leads to the drafting of founding American documents that are predicated on the Lockean notion of private property as a measure of humanity, which results in a particularly American form of scandal exemplified by multiple cultural narratives that reinterpret or revise Sally Hemings and Thomas Jefferson's relationship as a scandal inextricable from private property. I revisit the original 1802 scandal that swirled around

Jefferson to illustrate how James Callender's tactical combination of news media and anti-miscegenation rhetoric effectively served as a "founding scandal," providing the raced and gendered characters whose positions as legally recognized citizens subject to scandal or whose status as private property not liable to scandal and whose affiliation with the founding of the republic has fascinated the American cultural imaginary for centuries since .

I then move on to examine three texts that revisit or revise scandal with reference to Hemings and Jefferson through close readings of William Wells Brown's *Clotel* (1853), Barbara Chase-Riboud's *Sally Hemings: A Novel* (1979) and ABC's television series *Scandal* (2011-12), arguing that the various scandals in these narratives reveal the connection property has to American citizenship and individuality. With its connotation of the forbidden coming to light, I show how the modern imagination can concoct circumstances (embodied in *Scandal*) that American Enlightenment ideology considered most strictly forbidden: not only the attainment of citizenship and legal rights by a formerly Constitutionally unrecognized African American body, but the potential for this figure to become a metaphorical figuration of the law who makes a lucrative living by manipulating media, scandal, and public opinion as Olivia Pope does in the fictionalized world of Washington, D.C. political crisis management.

Theorizing Scandal

What is scandal, then? The Oxford English Dictionary offers two basic modern meanings of the word, one secular and the other religious. The former denotation involves "damage to reputation" or a "disgraceful imputation," and the latter invokes a

"discredit to religion occasioned by the conduct of a religious person" or "something that hinders reception of the faith or obedience to Divine law." Scandal in contemporary use generally refers to an individual who the community or public accuses of engaging in transgressive moral or sexual behavior that is normally prohibited to the general social aggregate. Etymologically, the word can be traced to the Greek *skandala* ("things which offend"), *skandalizo* (to ensnare someone in a trap or cause him/her to stumble and fall)[1], as well as *scandalum*, the Latin root for most modern Romance languages, which meant both "scandal" and "calumny."[2] The Oxford English dictionary further notes that the Indogermanic root *skand-* means "to spring or to leap," melding both the religious sense of the fall as well as the secular sense of springing a trap or even tripping.

From these etymologies, varying senses of the word have evolved over time, leading theorists to provide differing explanations of scandal and its purpose. John F. Cornell engages in a fascinating reading of the biblical parable of the Wheat and the Tares, ultimately suggesting that scandal is the original framework for sin. Cornell proposes that in the Wheat and Tares parable, a story in which an enemy sows weeds among an unsuspecting planter's wheat by night, the planter cautions his servants not to rip up the sprouting weeds because "evil might be essentially mimetic…it will take some deep knowledge of root-systems to help care for this field" (105). If Jesus was trying to communicate to his disciples the mimetic nature of evil, Cornell goes on to hypothesize, then the parable may be an explanation of and warning against scandal as "the idea of a self-deceiving absorption of the other" or "delusively internalizing the other" (112).

[1] Cornell's translations. See pages 101-102.
[2] See Thompson, 38.

Based on these conjectures, Cornell proposes that "scandal would be the original pattern of sin…rather than the 'original sin' simply, because what our reading does not yield is the idea of sin as willful offense and disobedience to an autocratic God" (112). Rather, "the serpent initiates scandal in Genesis by getting human beings to feel their own inadequacy, and to attribute the problem to the Creator" (113). Original sin begins to seem uncannily similar to scandal as Cornell has contextualized it in that the serpent tempts Eve until she is ensnared, even seduced, and Eve's stumbling is that of consuming deception (fruit), which leads to the fall. What allows scandal to function as a model for original sin is its characterization as a seduction or absorption of the enemy that may not have been engaged in consciously; biblical scandal, in this sense, is not so much about the individual as the circumstances. When explaining the etymology of the word, Cornell points out that it "describes all those things that get between people" or ensnares them, and that "biblical texts focus, not so much on *who* is responsible for these entanglements, as on *how to become* responsible" (102; italics in original). Peter Poiana's understanding of biblical scandal overlaps with Cornell's, and in his analysis of Saint Thomas Aquinas' writings he observes "the original theological conception of scandal is concerned less with the identity of the agent of harmful deeds than with the way in which the harm propagates itself" (35). Poiana goes on to explain how Aquinas does not assign any specific traits to scandal and sees it less as something willfully evil and more likely a mistake. In effect, Aquinas describes scandal as a narrative of causality or circumstance, rather than individual choice.

Poiana also speculates about the purpose of modern day scandal, wondering if it is no more than a re-enactment of Plato's public, emotionally instructive tragedies that in

our modern day depend on media dissemination in lieu of being performed to a live audience. The rising pitch of fear and pity in Plato's tragedies, Poiana observes, leads to a resolution that usually plays out through ritualistic, cathartic violence and leaves the audience in a peaceful state. He discerns further that "it is worth noting that the emotions favored by tragedy are public emotions in the sense that they relate to the standing of the hero in society…scandal as it is understood today and portrayed in the media similarly involves an appeal to public emotions" (38). Media outlets rely on the precarious public position of famous figures, taking advantage of their potential for quick movement up and down the celebrity status ladder and the identificatory sympathy or scorn these luminaries can elicit from the media's audience. For Pioana, scandal is both an exploitative, lucrative media event as well as a contemporary version of classical drama in that it demonstrates through public emotional identification and example how citizens should or should not act.

Of course, what would scandal theory be without a psychoanalytic perspective? Laura Kipnis takes just such a stance, claiming that "people are leaky vessels in *every* sense" whose penchant for self-betrayal or destruction and "blind spots" are symptomatic of "a capacity for split consciousness" (3, 12, 13). But she also presents the most self-aware perspective, readily admitting her own obsessive interest in celebrity scandals and pointing out that the public/audience as judge does not just act upon the scandal or its bearer. Rather, scandals act on *us*: "scandal *loves* your appetites, all of them" (15). When Kipnis explains why she chose to examine four specific American scandals, she writes that they were "the ones that leaped out and grabbed me, that made me squirm, that mortified and engaged [me]…they chose me as much as I chose them" (21). Interestingly

enough, this frames scandal as an active agent and affixes the psychological lens of desire to the biblical sense of scandal as a seduction or temptation linked to consumption.

In "Scandal and Social Theory," John B. Thompson's theorization of the subject meticulously scrutinizes what made it possible for certain scandals to "choose" Kipnis: the rise of media during modernity. Thompson explains how mediated scandal is "symptomatic of the transformations brought about by the historical development of communication media, which created new forms of visibility and publicness in the modern world and new ways of making things visible to others" (51). Before the printing press emerged in the fifteenth century, physical perception of individuals or their actions was limited to attendance at a common location. "But with the development of print and the subsequent emergence of electronic media," Thompson argues, "the process of making visible was severed from the constraints of physical co-presence and reconstituted in extended stretches of time and space" (50). This paves the way for the images, reputations, or representations of public figures to become increasingly beyond their control and prone to scandal.

Lastly, Ari Adut provides a snapshot of American sex scandals nestled in the narrow post-1960's window of postmodernity. He suggests the explosion of sex scandals in the United States has "been enabled by sexual liberalization: declining modesty and politicization of sexuality" (182). According to Ardut, declining modesty paved the way for the politicization of sexuality by groups as disparate as conservatives, feminists or sexual minorities. Sexual politics, Ardut argues, "has not only generated novel norms

regulating sexual behavior; it has also attacked the privacy that had formerly shrouded sexuality from public view" (181).

So what to make of this litany of scandal explanations and histories, and how do they relate to *Clotel*, *Sally Hemings: A Novel*, and *Scandal*? Thus far, there has been one strand connecting these theories that can be traced from modern scandal back to its pre-modern, biblical definition: the status of the individual. Interestingly enough, although the notion of individuality did not necessarily come into being with modernity, and had pride of place in Judeo-Christian thought[3], one striking aspect of scandal is that in its pre-modern, biblical sense, all things scandalous were about the circumstance, not the individual. As both Cornell and Poiana suggest, biblical scandal was more oriented toward avoiding the event itself, or was considered to be a process of ensnarement rather than deliberately chosen insubordination. Whereas the type of scandal that appears in modernity is predicated on the rise of the press, according to Thompson, and thus requires an individual for public slander and shaming[4]. Indeed, where Ardut sees the excessive popularity of postmodern sex scandals spurred by sexual politics' assault on the public sphere, the fact that "a politician's private morality is deemed as revelatory of his or her public virtues in the contemporary United States" suggests an alternative view: the

[3] In *Individualism and Public Life* (1987), Ralph Ketcham writes that "implicit throughout the Old and New Testaments, is a conception of the human being as a uniquely valued soul, a private will, and an actor" (37).
[4] Print was another aspect of the upsurge in media during modernity that had a part in creating the notion of the individual. Take, for example, Benjamin Franklin, the famous late 18th century printer for whom writing and bookmaking were claims to making oneself. In his *Autobiography* , Franklin labeled his life's errors as "erratum" in one instance of the way he saw his life as represented by and made sense of through print culture, a fact Jennifer Greeson generally observes in her claim that "the liberal individual of American Enlightenment exists, by the end of the eighteenth century, predominantly in the realm of imaginative literature" (15-16).

privatization of the public sphere in a Kantian sense (Ardut 179) [5]. It would seem, then, that a public sphere policed by private interests and populated by public figures whose individuality is made to eclipse their representative status is necessary for scandal. A scandal can only exist as such if there is an individual whose unique identity is given precedence over her status as a "symbolic agent" in what Slavoj Zizek calls "the public sphere proper," or a sphere where the public figure cannot be reduced to her private life or characteristics (2005: 117). It is simply not scandalous if the bearer of the disgrace is not an individual in the liberal-democratic sense of possessing distinct personhood. Returning to the existing theories previously examined, Pioana's argument about scandal as a contemporary instructive moral tragedy and Kipnis' suggestion that scandal is precipitated by the leakiness of subject's split-consciousnesses are both postulations hinging on the concept of the individual. Modern scandal requires a culpable individual subject, and this, I suggest, is our key to understanding American scandal as it pervades *Clotel*, *Sally Hemings: A Novel*, and *Scandal*. These three texts invoke or gesture toward the Sally Hemings/Thomas Jefferson dyad not just because Jefferson's actions, as an individual and as synecdoche for America, were scandalously hypocritical, but because within the scandal, the arrangement of power between master/slave (or white male president/African American mistress) highlights the architecture of private property undergirding early and modern notions of the individual citizen.

[5]I borrow this notion of the Kantian privatization of the public sphere from Slavoj Zizek, who explains its meaning as such: "private in the precise Kantian sense of the 'private use of Reason' in State administrative and ideological apparatuses" (5). He quotes Kant at length, delineating the philosopher's distinction between the public use of reason (such as a scholar writing to the reading public) and the more nefarious private use of reason made use of in a "civil post or office" (Zizek, quoting Kant, 2008: 5). The implication is that the public sphere can be contaminated by the private agendas of corporations, state regimes, or any institutions run by individuals charged with making decisions about, executing, or enforcing policy.

Let us take Cornell's thesis and run with it for the sake of honing in on the link between the individual and property: if on a fundamental level scandal is comparable to sin, what happens if we position scandal as a secular version of sin? The move from a religious/pre-modern to a secular/industrial/modern world would make a neat narrative: if in pre-modern times God created the law, sin was the forbidden, and the consequences of trespassing were hell, then in the modern era the legal/social apparatus formulates the rules, scandal is the forbidden, and public scorn/legal sanction are the consequence. However, this model, besides lumping centuries into one egregious sentence and dividing two intermeshed modes of civil organization into a before and after, gestures toward an illuminating question. Whereas the word of God explained who could sin by virtue of being a heathen or not, during the Enlightenment and founding of America, who made such a decision in terms of the subject of scandal? The answer is Lockean political philosophy and the early American documents it produced. In other words, founding American papers inspired by liberal-democratic values of equality and freedom were also predicated on property ownership; these documents consciously excluded a whole community of human slaves from citizenship and thus made them incapable of being subject to scandal because they were privately owned.

John Locke produced much of the political theory that informed the drafting of the Constitution and Declaration of Independence, in addition to the fact that his writings were read by virtually all the founding fathers. After a brief overview of his main concepts we can see how the Thomas Jefferson/Sally Hemings relationship of the 19th century became what I call a "founding scandal" whose occurrence in the wake of the creation of the liberal individual and during the establishment of America produced the

enduring story of a white male president and his African American mistress that is mobilized in some form to indict the hypocrisy of American democracy from the 19th century onward. This particular scandal preoccupies the American cultural imaginary for hundreds of years afterward, first in *Clotel*, a century later in *Sally Hemings*, and then, after the election of a visibly African American U.S. president in 2008, *Scandal* inverts the traditional narrative with a revision of early American ideologies of race, love, citizenship, legal rights, and, of course, scandal.

Locke, Jefferson, and the "founding scandal"

Let us turn now to John Locke in order that we may contextualize the "founding scandal" embodied by Sally Hemings and Thomas Jefferson as one intimately tied to property. Locke wrote influential works such as the *Fundamental Constitutions of Carolin*a in 1669 and the *Second Treatise of Government* in 1690, serving as an influential figure for early American political thought in that his invention of private property and figuration of the liberal individual directly inspired the emphasis on ownership as citizenship that Jefferson (among others) drafted into the Constitution. John T. Scott, quoting Robert Bellah, cites Locke "as 'the key figure' in the development of the modern individualist strand that is the source of the 'first language' of American politics" (547). Locke's political premises, generally well-known by now, essentially posit that self-proprietorship is the standard for being human. In section 87 of the *Second Treatise*, he writes that man is born

> with a title to perfect freedom, and uncontrolled enjoyment of all the rights and privileges of the law of nature, equally with any other man, or number of men in the world, hath by nature a power, not only to

> preserve his property, that is, his life, liberty and estate, against the injuries and attempts of other men; but to judge of and punish the breaches of that law in others (136).

Not only is man born entitled to freedom, but alongside the estate, his life and being itself are his property. Life is not an existential or spiritual abstraction, but rather a material body whose freedom is contingent on being owned and protected. Locke asks rhetorically in section 123 why any individual, thus free, would ever give up such freedom to join civil company. Because, he theorizes, being free "is full of fears and continual dangers" to the possessions of his property; thus, he "is willing to join in society with others, who are already united, or have a mind to unite, for the mutual preservation of their lives, liberties, and estates" (155). While Locke figures that before money existed, man's natural right to appropriation was limited to "as much as anyone can make use of to any advantage of life before it spoils" and no more, the invention of a non-decaying form of value (money) warranted man's appropriation of more than he needed and, indeed, as much as he could possibly want (sect. 31). We can see here the underpinnings of a free-market capitalist system that must define the individual as owner of himself as a prerequisite for acquiring unlimited additional property. As Jennifer Greeson writes, "in order for Locke to conceive of the human as defined by the possession of the self, he had first to understand selves as something to be possessed…the commoditization of human beings in the Atlantic Slave Trade provided the necessary precondition for Locke's formulation of the liberal individual" (13).

Jefferson's familiarity with Locke's work has been documented by numerous scholars[6]. Ralph Ketcham goes as far as claiming that Bacon, Newton, and Locke were Jefferson's "trinity of immortals," serving as inspiration for his theorization of new republican governance (57). In short, Jefferson's commitment to natural rights and freedom, such as the claim in the Declaration of Independence that "all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men," reflects the logic and influence of Locke's *Second Treatise*. Not only are men created equally by virtue of being born and thus entitled to life, liberty and "the pursuit of happiness" which tellingly replaces Locke's "estate," but social governance is instituted to protect this "happiness." The basic structure of Locke's notion of the individual made by and intended to own private property becomes clear, then, as a model for the Declaration of Independence.

Keeping in mind Locke's undeniable influence on Jefferson's Republican political ideologies, which will be of utmost importance in our readings of *Clotel*, *Sally Hemings: A Novel*, and *Scandal*, let us now visit the historical scandal that erupted around Thomas Jefferson in 1802 when an editorial accused him of keeping a slave mistress, and why it has been imbued with so much meaning over time. This "founding scandal" is the story of a publically smearable, white male president (Jefferson) whose

[6] See, for example, Michael P. Zuckert, *The Natural Rights Republic* (1996), Ross J. Corbett, *The Lockean Commonwealth* (2009), Garrett Ward Sheldon's "Eclectic Synthesis: Jesus, Aristotle, and Locke" in *Thomas Jefferson and the Politics of Nature* (2000), which provides in condensed essay form his major arguments from *The Political Philosophy of Thomas Jefferson* (1991), Alan Gibson, *Interpreting the Founding* (2006), and Jennifer Greeson's "American Enlightenment" (2013). In addition, notes from Professor Greeson's course on the American Enlightenment have proved invaluable for this portion of my thesis.

intimate connection to American ideals of freedom and equality were contradicted by his individual behavior with his mistress who was also his private property (Sally Hemings), an enslaved African American female whose lack of citizenship/individuality prevented her from being equally liable to scandal or capable of sexual consent, legal recourse, and subjectivity in general. I call this event an American "founding scandal" because it provided the basic cast of characters for numerous literary, cinematic, political, and scholarly re-narrativizations of the relationship between Jefferson and Hemings from the 19th century to the present. Eve Allegra Raimon describes this phenomenon when she remarks that the story's status as American myth "is confirmed by its cultural and discursive tenacity" (148). As Durey writes, the tale of Jefferson's relationship with Hemings "has echoed down the years since Callender first publicized it. An ideal subject for partisan exposition, it was first used by British visitors to denigrate American democratic society in the 1830s, by abolitionists in the period around the Civil war, and by blacks in the late 1950s as part of the early civil rights campaign" (157). And while Durey focuses on the story's political currency, there is no shortage of fictionalized representations of the Jefferson-Hemings relationship in literature, music, drama, and cinema[7]. Joshua D. Rothman would most likely agree that the story has partisan appeal, claiming that it "has remained in the minds of Americans for two hundred years, serving- as is often the case when Thomas Jefferson is involved- as a metaphor for contemporary

[7] Such cinematic examples include *Jefferson in Paris* (1995) or the CBS miniseries *Sally Hemings: An American Scandal* (2000). As for music, see the songbook/album *From the Diary of Sally Hemings* (2011), and alongside the novels examined in this thesis, Hemings and Jefferson make appearances in or are the subject of such literary works as *Interlude with Sally Hemings: A Diary of Spiritual Healing* (2000), *Wolf by the Ears* (1991), *The Sable Curtain* (1985), *Leap Year* (1989), and *Arc d'X* (1993). In "Presidents, Race, and Sex" (1999), Werner Sollers notes that more classically canonized "American writers also have kept the Jefferson story alive. It was probably no coincidence that William Faulkner called the capital of his fictional Yoknapatawpha County 'Jefferson,' and in *Absalom, Absalom!* (1936) gave his sinister white patriarch Sutpen the first name 'Thomas.'"

attitudes toward race, slavery, the origins of the republic, and the nation's 'Founding Fathers'" (16). I recount it here to offer a third interpretation: that a desire for revenge articulated through a stringent fear of miscegenation was the basis for and had a lasting effect on the "founding scandal" that has been fixed in the American cultural imaginary since 1802. Ultimately, I argue that Callender's founding scandal and its underlying white anxiety around miscegenation have everything to do with a pointed fear that blacks might acquire property, in effect threatening the peculiar institution.

Upon exploring the figure of James Callender, his editorial aimed at publically slandering Jefferson may at first seem unexpected, but in actuality is completely predictable. Callender's editorial may appear shocking because, as Durey points out, Jefferson and Callender were on good terms prior to the presidential election of 1800 (Durey 112). Such a claim is based on letters between Jefferson and Callender in which the former functioned as a friend and "father figure" who provided financial support to the destitute Callender (Durey120). However, Callender was a radical Republican whose knack for defaming Federalists to further his own political ideologies was a useful tactic for and, after being betrayed, against Jefferson. In the last year of John Adams' presidency and the highly charged political atmosphere of 1799, Callender moved to Richmond to write anti-Federalist articles for a Republican paper under the personal and financial tutelage of Jefferson (Durey 115). His columns were brazen, vituperative, and hyperbolic yet factual, thus difficult for the Federalists to refute; Callender was so successful that he was arrested under the Sedition Act in the spring of 1800 and sentenced to nine months in prison. With Jefferson's presidential victory and Callender's release, Callender hoped his loyalty to and sacrifices for the president would secure him a

more permanent and better paying position within the government; however, Jefferson's correspondence with Callender stopped once he was jailed, and he failed to answer any of Callender's following letters. Although Callender visited James Madison to personally request a position, neither Madison nor Jefferson were moved and found Callender unfit for the role (Durey 146-47).

To top it off, Callender was a virulent racist who, even before he turned on Jefferson, "made part of his career in Richmond excoriating the white men of the town for being involved with black women" (Gordon-Reed, 558). Indeed, Callender drew on "a racism, expressed as a puritanical, almost pathological distaste for the libidinous ways of blacks" in numerous editorials prior to 1802 that chided local white men for having fancy mistresses, and as Durey notes "there is no doubt that miscegenation and the mixing of races at low dances and bordellos deeply troubled contemporary Virginia society and that by highlighting them Callender had discovered an effective way of causing distress and anxiety" (Durey, 138, 154). Here we have stumbled upon the reason why Callender's editorial about Sally Hemings should not shock us in the least; penurious, bitter, and betrayed, Callender had a personal vendetta the president of the United States and was a raging racist. His editorial was calculated, to the letter, to scandalize and make an impression on the American public.

The rest, as they say, is (a privileged version of) history: Callender spoke to neighbors of Monticello, culled existing Federalist gossip about the president, and found his means of revenge. One September 1, 1802, Callender published in the *Richmond Recorder* an editorial that reads in part

> It is well known that the man, *whom it delighteth the people to honor*, keeps, and for many years past has kept, as his concubine, one of his own slaves. Her name is SALLY. The name of her eldest son is Tom. His features are said to bear a striking though sable resemblance to those of the President himself… His mother went to France in the same vessel with Mr. Jefferson and his two daughters. The delicacy of this arrangement must strike every portion of common sensibility. What a sublime pattern for an American ambassador to place before the eyes of two young ladies!...'Tis supposed that, at the time when Mr. Jefferson wrote so smartly concerning negroes[8], when he endeavoured so much to *belittle* the African race, he had no expectation that the chief magistrate of the United States was to be the ringleader in shewing that his opinion was erroneous; or, that he should choose an African stock whereupon he was to engraft his own descendants… (Richmond *Recorder*, 1 September 1802).

He went on to describe Hemings in later articles as a "wench," as having "had fifteen or thirty" different lovers "of all colours," "a slut as common as the pavement," and threw the epithet "yellow litter" at her children (Rothman 1999: 95). Such an exhaustive portrait of the events leading up to the 1802 scandal reveals information vital for contextualizing any successive iteration or revision of the Jefferson-Hemings scandal: it was promulgated at a moment in history when slavery, a fear of miscegenation, propagandistic media, and American politics all coalesced in one explosive, seemingly permanent scandal about a white president, his colored mistress, and what the specter of their sexual relationship meant in terms of (white) social anxiety, reproduction, citizenship, and property. As Rothman speculates, "because standing sexual affairs between white men and black women in early national and antebellum Virginia were nearly always open secrets but only dangerously scandalous if widely publicized, whites involved in such liaisons had to rely on others to adhere to the cultural code of public silence. Such reliance, though,

[8] Callender is referring to Jefferson's *Notes on the State of Virginia*, in which Jefferson ruminated on a number of markedly racist hypotheses, all generally related to the notion of the inherent mental and physical superiority of whites to blacks (Query XIV).

made exposure the ultimate weapon for anyone with an ax to grind against a white participant in interracial sex" (31). In other words, Callender did not necessarily care to preserve the sensibilities of young women or express sincere concern for the contradictory values displayed by American political figures; rather, he published this editorial as part of a calculated stratagem. First, he understood that the potent mixture of miscegenation scandal and news media would enflame public opinion and second, he put this potential into play to visit insult and revenge on Jefferson while giving vent to his own distaste for interracial mixing. This paves the way for a founding scandal that is permanently tied not just to the hypocrisy of "classic" American political ideals of freedom and equality, but what the phobic dread of miscegenation revealed about property and citizenship, as well as the way media can play on, by exacerbating what simmers beneath the public surface, the fears of a free-market republic founded on the principles of private property ownership as indicative of legal subjectivity and liberty.

Due to the nature of the press during this era and the political currency of such scandalous stories, various versions and reprints of Callender's editorial went to press all over the colonies and in England. One such elaboration of the Jefferson-Hemings scandal is a poem in the July 1839 issue of *Tait's Edinburgh Magazine* prefaced by the quote: "It is asserted, on the authority of an American newspaper, that the daughter of Thomas Jefferson, late President of the United States, was sold at New Orleans *for 1000 dollars*" (*Tait's Edinburgh Magazine*, 6 July, 1839; italics in original). It was this magazine, William Edward Farrison surmises, that served as the source for William Wells Brown's anti-slavery song "Jefferson's Daughter," which reproduces the same poem and appears in his 1848 *The Antislavery Harp: A Collection of Songs for Anti-Slavery Meetings*

(Farrison 125). Both the poem in *Tait's Edinburgh Magazine* and of Brown's song take Jefferson's alleged sale of his enslaved daughter as a prime example of the despotism of the descendants of the American Revolutionists and criticizes them for celebrating liberty while deliberately holding slaves and perpetuating the chattel system. If this line of critique sounds familiar, it is, because this iteration of the Jefferson-Hemings scandal is the story Brown would write five years later in *Clotel*.

Scandal and Property in *Clotel, Sally Hemings,* and *Scandal*

Part of Brown's strategy for castigating slave-holding founding fathers was to condemn the founders as the duplicitous authors of documents that championed inalienable rights and equality at the same time as they intentionally declared certain humans private property or 3/5 of a person. In fact, Brown cites Jefferson-authored documents repeatedly as explicit examples of the hypocrisy of a nation that denies certain humans legal and economic freedom while ensuring it for others. On the original title page of the 1853 first edition of *Clotel*, Brown quotes the line from the "Declaration of American Independence" that refers to the inalienable rights of "life, liberty, and the pursuit of happiness" beneath the novel's title "Clotel; or, The President's Daughter: A Narrative of Slave Life in The United States." This important citation from the Declaration reflects the vital role played by John Locke's political philosophy (recall the substitution of "happiness" for "property" discussed earlier), drawing attention to the impossibility of possessing true happiness in a world where slavery exists and betraying the fact that in America, one human's "happiness" is owning another as property. Brown's title page foreshadows the novel's stringent protest against the horror and

contradiction of this "happiness" in its suggestion that even the United States' symbolic presidential daughter could be enslaved.

The first chapter of *Clotel* opens up at the slave auction block, but before the narrator surveys the crowd or the surroundings, he quotes the law at length, commenting on the injustice of legislation that renders slaves the property of masters. The narrator asks "where the slave is placed by law entirely under the control of the man who claims him, body and soul, as property, what else could be expected than the most depraved social condition?" (60). The reader then learns that two of the mulattas in line for auction, Althesa and Clotel, are the daughters of Thomas Jefferson and his former housekeeper-slave Currer. Thomas Jefferson continues, throughout the text, to serve as an individual real-life reference, a symbol for slaveholding government figures, and as metonym for the contradictions of a nation that celebrates freedom but maintains chattel slavery and considers certain humans private property. This entire first chapter is not only in conversation with American slave law and its hypocrisy, but directly indicts Thomas Jefferson and evokes his (at that time) alleged relationship with Sally Hemings through repeated references to the founding documents Jefferson wrote.

By evoking constantly the scandal of Jefferson's relationship with Hemings, Brown ironizes it to point to an important fact. In the narrative world of *Clotel*, while the free white public considered Jefferson the subject of scandal and his involvement in a miscegenated, even incestuous[9], relationship with his slave scandalous, the slaves

[9] Sally Hemings was the half-sister of Martha Randolph, Jefferson's deceased wife. Martha's father had been the owner of Elizabeth Hemings, Sally's mother. For genealogical family trees, see the interior covers of Annette Gordon-Reed's *The Hemingses of Monticello*.

considered Jefferson's betrayal of both the American value of freedom and his own descendants the true scandal. The scandal of intergenerational betrayal pervades the novel. While Geoffrey Sanborn refers to the copious plagiarism of *Clotel* as part of an "incessant re-beginning" that is the "most promising…basis of abolitionist consciousness," I argue that certain persistent repetitions, to be examined below, are formal representations of the almost mathematically predictable intergenerational bankruptcy that accompanied mixed-race sexual relations in the confines of a slavery systems where white masters could generate more slaves by raping their female slaves (69). Sanborn writes further that *Clotel* is characterized by a "lack of fixity to which it [the novel] repeatedly returns us," and the notion of repeated returns resonates nicely with the way Brown deploys a repetitious textual formula to overtly emphasize the intergenerational betrayals that inevitably accompany the hypocrisy of founding American ideals and figures (69).

There are two instances in the novel where Brown details an outrageous wrong visited on a female slave who is the daughter of the celebrated Thomas Jefferson in an almost formulaic manner. In the beginning of the story, Brown meticulously illustrates the depravity of a slave auction where Clotel was sold: "*Thus* closed a Negro sale, at which two daughters of Thomas Jefferson, the writer of the Declaration of American Independence, and one of the presidents of the great republic, were disposed of to the highest bidder!" (67-68; emphasis added). Toward the end of the story, Clotel has escaped from a slave prison in Washington, D.C. and runs toward the Potomac River. On reaching the bridge, she realizes she has been cornered by the jail master and a "profane and ribald crew" and chooses to jump into the river rather than subject herself to

recapture (219). Brown writes "*thus* died Clotel, the daughter of Thomas Jefferson, a president of the United States; a man distinguished as the author of the Declaration of American Independence, and one of the first statesmen of that country" (219-220; emphasis added). Brown, belaboring his point, formulaically and almost verbatim emphasizes the outcome of intergenerational betrayal by repeating basic parts of the same equation to show how chattel slavery, perpetuated by paragons of American freedom like Jefferson, still considers its own kin property and will "thus" always equal a barbaric and tragic outcome. In a variation of this formula, analyzed below, Brown ironizes the mistreatment of the slave Mary by adding that she is the granddaughter of Thomas Jefferson, quoting Jefferson's anti-slavery speech to the Virginia Legislature. Even the rhetorical structure of Brown's recurring refrain suggests that with both the betrayal of a daughter *and* a granddaughter, the intergenerational scandal shows no sign of ceasing.

Following this line of thought, then, for Brown's political and fictional purposes, it is not enough that Thomas Jefferson sells his daughters into slavery; the offspring of these daughters must have similar grievances visited upon them. After the auction in the beginning of the novel, Clotel is purchased by her white lover, Horatio Green, and their union results in Mary, a fair-looking child that Horatio's wife forces into servitude when she finds out the young slave is the product of Horatio's relationship with Clotel. While Horatio feels guilty that Mary is working for his family, he cannot persuade his wife to send her away and eventually acquiesces to Mary's position as a slave. The narrator explains that "the close resemblance between the father and child annoyed the mistress [Mrs. Green] more than the mere whiteness of the child's complexion" (159). Not only does Mary physically resemble her free white father, but the form of the chapter

reproduces the situation's verisimilitude to Jefferson's relationship with Clotel by interspersing quotes from Jefferson: "This child [Mary] was not only white, but she was the granddaughter of Thomas Jefferson, the man who, when speaking against slavery in the legislature of Virginia, said, 'The whole commerce between master and slave is a perpetual exercise in the most boisterous passions; the most unremitting despotism on the one part, and degrading submission on the other'" (159). The chapter quotes this section for two lengthy paragraphs, in effect making up one third of the three-page chapter. The last lines read "sad to say, Jefferson is not the only American statesman who has spoken high-sounding words in favour of freedom, and then left his own children to die slaves" (160). Not only is Mary's "tainted" maternal slave blood so intermixed with whiteness that it is invisible in her visage, suggesting the construction of race, but Brown amalgamates Jefferson's false-ringing anti-slavery rhetoric with his chapter on intergenerational betrayal to imply the hypocrisy of the words of the founding American fathers, suggesting their deliberate construction of freedom as a legal state strategically including some and excluding others.

The tangled relations between Clotel, Mary, and Mary's father alongside the anxiety they elicit in Mrs. Green may sound familiar. A child who is the product of a non-legally recognized sexual consummation between a white man and his enslaved black mistress; the child's uncanny resemblance to a white father; the fear and ensuing brutality that miscegenation excites in a party outside of the relationship (Mrs. Green); this is eerily akin to James Callender's weapon of choice against Jefferson, even down to the language of his first editorial (in which he comments on the child Tom's physical resemblance of Jefferson). As such similarities might suggest, this distaste for and malice

in the face of miscegenation during the turn of the 19th century and into the antebellum era was endemic and characteristic of a larger social and legal apparatus at work. In the words of Jeffory Clymer, "although mostly expressed throughout US history as anxiety over where to draw the color line, interracial intimacy is simultaneously an emotional and legal infrastructure, a site through which ideas of family and property have been constructed and shaped each other" (6). Likewise, Deborah McDowell has suggested that the antebellum anxiety around miscegenation was actually a fear of blacks gaining possession of property[10]. In *Clotel*, apprehension on the part of free citizens that blacks might acquire property, and outrage on the part of black slaves at the fact that even blood ties did not warrant material provision or freedom for their mixed children both point to property as synonymous with American citizenship and liberty. *Clotel*'s insistence that the true scandal surrounding the Hemings/Jefferson relationship is intergenerational betrayal and the larger betrayal of the American promise of freedom reveals that perpetually denying their mixed-race offspring testamentary property (or selling their children, in effect gaining wealth from the sale) was as deliberate a decision to continue excluding slaves from citizenship as was Jefferson's decision to own and sleep with slaves while publically celebrating freedom for all. The scandal of Hemings and Jefferson, for Brown and from the perspective of his fictional salves, represents the

[10] Course notes for Early African American Print Culture, March 2013. Also notable is the fact that Jefferson's most malicious arguments against miscegenation occur in his *Notes on the State of Virginia* query "Laws." He reasons that should the slaves be emancipated, they should be recolonized elsewhere to avoid interracial mixing. He goes on to write that whether "the black of the negro….proceeds from the colour of the blood, the colour of the bile or from that of some other secretion, the difference is fixed in nature" and that this leads to an inherent inferiority on the part of the balck, an inferiority that should justify "an effort to keep those [gradations in the races] in the department of man as distinct as nature has formed them" (138, 143).

egregious hypocrisy and inhumanity of willfully denying a class of people property in a nation built on the equation of private property with individuality and freedom.

Just as the injustice of prejudice and economic/legal discrimination did not disappear with Emancipation in 1863, the burning betrayal of racial disenfranchisement was bequeathed to the Jim Crow and Civil Rights eras. In fact, the 1970's were not just a time when the Hemings-Jefferson relationship was sneeringly dismissed by most scholars, but it also marks the beginning of a period during which "African American artists, writers, and intellectuals … produced a large corpus of works that take American chattel slavery as their central theme….they [the representations of slavery] reveal an African American preoccupation with returning to the site of slavery as a means of overcoming racial conflicts that continue to flourish after the height of the civil rights movement" (Tillet, 2). Barbara Chase-Riboud's *Sally Hemings: A Novel*, published in 1979, is part of this corpus of texts, and one that Salamisha Tillet reads as exemplary of how "post-civil rights African American writers and artists reimagined enslaved black women as a source of critical patriotism and model citizenship" (15). It is perhaps unsurprising, then, that Chase-Riboud's work is deeply preoccupied with ownership, property, and legally recognized subjecthood. Boldly imagining the relationship between Thomas Jefferson and Sally Hemings in 1979, a time that predated DNA verification of Thomas Jefferson's relation to Eston Hemings and which was characterized by most scholars' doubt of the relationship's occurrence[11], Chase-Riboud tells the story from the point of view of the historically ignored Hemings, granting her interiority and

[11] An exception during this time was Fawn Brodie, who wrote a 1974 biography titled *Thomas Jefferson: An Intimate History* and was the first historian to suggest the possibility of Jefferson having had a relationship with Hemings.

intelligence. Chase-Riboud openly acknowledges that she intended to write a scandalous story about Jefferson and Hemings, mostly because there was dead silence around the topic: "It was simply dismissed. Not even feminists were talking about it because it was really taboo" (Chase-Riboud, 2009, 739). While part of the thrust of *Sally Hemings* is historiographical, an unapologetic challenge to the mythic Jefferson considered by many to be "a permanent fixture in American history," the novel's more nuanced treatment of the effect of Callender's libelous editorial on Hemings herself suggest scandal's intimate connection to slavery and property (Chase-Riboud, 1979, 15).

While Sally Hemings was identified in Callender's 1802 editorial (merely by first name), this was only to provide legitimacy; unlike Jefferson, Hemings had no cultural or political currency that could be inflated or devalued and *Sally Hemings* treats her reaction to the event with telling care. After hearing the news of Callender's editorial in the *Richmond Recorder*, the fictional Sally is shocked and shamed that "they are attacking the master through me" (244). Her language correctly reflects the arrangement of scandal, slavery, and citizenship; Jefferson is the target, Sally is the means evacuated of any meaning other than as a vessel. The protagonist understands that this scandal is like every free man or woman's attempt to use a slave, and involves manipulating and exploiting the personal property as it pleases the citizen. When Elizabeth, Sally's mother, warns Sally that Jefferson will let nothing stand in the way of his political career and wonders aloud if he will sell her daughter, Sally replies "he will not sell me, Mama….because he cannot live without me" (246). And while this claim is measurably true in that the Jefferson loves Sally so much that it seems he would be unwilling to part with her, his love is not a love of equality or selflessness. When, years earlier, Sally asks Jefferson how he keeps

her and their own children "in such an abomination" as slavery, he replies "by loving you" (269). As Sarah Clarke Kaplan has observed, "the ties of love between Jefferson and Hemings in Chase-Riboud's novel are not only coeval with the bonds of ownership, but are one and the same" (779).

Chase-Riboud goes to great, sometimes glaringly obvious, pains to underscore how much the fictionalized Jefferson loved *owning* Sally. When Jefferson first initiates a sexual relationship with Sally in France, fifteen years earlier, he wakes up the morning afterward and enjoys gazing at her naked body, thinking

> she was indeed his creature. Both in body and in spirit. He had formed and shaped her himself, this wild flower …He possessed something he had created from beginning to end, without interference or objections or corrections. In a way, he had birthed her. As much as he had his daughter. He had created her in his own image of womanly perfection, this speck of dust, this handful of clay from Monticello. 'I love you,' he said (119).

A few pages later, Sally's brother James watches Jefferson, describing the master's "look of a man who both coveted and had the means to possess what he coveted…a look of tender greed would flash cross [sic] his face….and then this hand would reach out and touch the object presented to him, bringing it under his domination" (125). Although the former passage is overwrought in its attempt to incriminate Jefferson as an incestuous slaveholder playing god and the latter is equally heavy-handed, Chase-Riboud points toward something that is worth parsing. The suggestion that the only kind of love that can take place within institutionalized slavery is a love of possession, ownership, and incestuous God-posturing echoes Brown's allegation that making a slave's "body and soul" the private property of a master could only result in "the most depraved social

condition." The revelation is that even if the actual Jefferson loved Hemings, which is one of the book's scandalous historical intervention, he could not have loved her as an equal because she was his private property, both moldable and disposable, a "beautiful body" to be seized "as if it were handfuls of his own buff clay Monticello earth," and "to be put away" when at odds with the master's "real life, they [his] white life" (297, 246).

While Jefferson was clearly the focus of Callender's libelous editorial, Chase-Riboud continues to pay attention to how the scandal affects Sally as a slave. Sally describes her experience in terms that reflect the contradiction of a human being exposed to humiliating scandal who as a slave without legal or public subjecthood is not "allowed" or assumed to suffer the scandal as such. After the scandal has broken, Jefferson retires to his room, brewing over Callender as "his [own] Judas," and he proceeds to write a census of his family including free males/females and slaves. After he has left Monticello the next morning, Sally reads the census. She is shocked and overjoyed to find out that "my master had counted Thomas, Beverly, and Harriet [her children] as free and white" (254). There is a paragraph break, and then Sally's thoughts return to the scandal:

> Even now, the hate, the epithets made me shiver….*Slave, whore, slut, concubine, Black sal, Dusky Sally, paramour, blackamoor, wench, a slave paramour with fifteen or thirty gallants of all colors, including Thomas Paine, black wench and her mulatto litter, mahogany-colored charmer, Monticellian Sally, Sooty Sal, black Aspasia*…nothing was to horrible for me: my heart cut out, my tongue pulled out by its roots, my body burned, my throat slit from ear to ear, my soul sent to everlasting Hell (254, italics in original).

In Jeffersonian style, Sally makes her own list. Unlike Jefferson, who not only aligns himself with Jesus in his reference to Callender as Judas but answers the challenge to his public image by exercising his masterial authority to endow three of his enslaved children with freedom, Sally can only make a list of the names she has been called by a journalist who wished to slander her master. What makes Sally's position even more heartrending is that, although she is mortified and wounded by the words, all she can do is equate such names to forms of physical torture and execution. In a situation even more emotionally precarious than Jefferson's, Sally cannot seek refuge in exercising any proof of ownership-as-power, and expresses the mortification of these calumnious names as the only attacks they are: metaphorical attacks on her body that monopolize its object-status as an instrument to shame her owner. While Jefferson is allowed to be embroiled in a public scandal because he holds private property, Sally makes "no mark on the surface of the world" because she lacks any property to quantify, tally, or render her visible on the American market of individuality (248). As Tillet writes, Hemings "mirrored to those around her what a citizen was not" (24).

While the fictional Sally may not have been legally recognized by the property-owning world, Chase-Riboud's novel suggests that the historical figure of Hemings has been robbed of the only thing she theoretically could have owned, her history and her thoughts, at the expense of memorializing Jefferson as a man of character and untainted by the $18^{th}/19^{th}$ century taboo of interracial love. In *Sally Hemings*, Sally develops a friendship with a young white gentleman named Nathan Langdon who first visits her home in his position as census taker. Initially, Langdon is curious about Hemings' "strange destiny" and her mysterious status due to her (in his mind) dubious relation to

Jefferson. After an evening of conversation with Sally, Langdon leaves and fills out his census sheet (13). He lists Sally and her two sons Eston and Madison as white because "If Sally Hemings was who and what people said she was, then Thomas Jefferson had broken the law of Virginia…whatever he thought of Thomas Jefferson, author of the Declaration of Independence, third president of the United States, there was one thing he, Nathan Langdon, was determined that Thomas Jefferson would not be guilty of: the crime of miscegenation" (15-16). When Sally finds out that Langdon has taken it upon himself to change her census designation and legal status, she is furious. Sally erupts into a scream that makes her nose bleed, and the third person narrator writes "she [Sally] owned nothing, except the past. And now, even that had been taken from her. She had been raped of the only thing a slave possessed: her mind, her thoughts, her feelings, her history" (53). With Langdon the census-taker and his power to erase Sally's blackness, Chase-Riboud reminds the reader that, as historian Michel-Rolph Trouillot writes, "the census taker is always a censor…he who counts heads always silences facts and voices. Silences are inherent in the creation of sources, the first moment of historical production" (51).

Chase-Riboud personifies in Langdon, a historical source-maker, the unwillingness to question Jefferson's propriety, character, and actions that ossify through time, manifesting in devout mid 20th century Jeffersonian scholars' emphatic denial of the possibility of Jefferson having had a relationship with Hemings. "By this rationale," Joshua D. Rothman writes of scholars like Dumas Malone and Merril Peterson, "Jefferson was by turns too much a racist, too much a gentleman, too much a master of his own passions, or too devoted to his white family to have engaged in sexual

intercourse with a female slave" (15). This was the historiography and biography that Chase-Riboud was countering with *Sally Hemings*, arguing in part that to deny the historical Hemings' story any amount of legitimacy or authenticity was an act of metaphorical rape and silencing, perpetuating the racist whitewashing of history that the 18th and 19th century fear of miscegenation served[12].

Such a blanched historiography of the United States had an undeniable effect on the production of popular entertainment from the 18th century to the present moment. Moving from the post-civil rights moment of Chase-Riboud's *Sally Hemings* and its concern with reimagining an enslaved woman's experience of scandal in a nation that has more or less historically elided her, and into the 21st century, we can see that a blanched history and its corresponding under- or severely circumscribed representation of African American women in popular culture and network television make *Scandal* a groundbreaking television show. In 2011, ABC studios blew audiences away with Olivia Pope, the first black woman lead in a major network American drama since 1974's *Get Christie Love!*. Kwakiutl Dreher writes of the "generous applause" *Scandal* received upon its debut, citing CNN's statistical reel as proof: "an average of 7.3 million people watched the finale, according to the Nielsen, and 1.8 million African-American viewers viewed the season finale that day. It was the No. 1 show among African Americans for the week of May 14-20, 2012" (392). Indeed, perhaps the reason why *Scandal* opened to such adulation was because, as network critic Eric Deggans points out with reference to

[12] Ann duCille connects Sally Hemings' absence from American history to *Clotel's* relatively marginalized status within the American literary canon: "*Clotel's* absence from the discussion [of American literary classics] may say as much about the African-American literary tradition as the Hemingses' exclusion from the Jefferson lineage says about American history" (451). Both absences, that is, reflect racist traditions that tend to disavow or omit fundamentally important African American stories from the historical and literary-historical record.

Scandal, "Television still hasn't found much room for showcasing black women in starring roles outside comedy, until now." Jordan St. John goes as far as claiming that the series is pioneering, and in a discussion of the undying loyalty Olivia's team displays he argues that "depicting that kind of blind faith in an African American female character is extremely rare- I would say a revolutionary TV choice" (St. John).

The scandals of *Scandal* are, predictably, many and meta. Olivia Pope is "the best fixer" around, a lawyer who formerly served as a political advisor to the president but left to start her own private crisis management firm, and to whom high-profile political figures turn when they need something scandal-worthy erased, skewed for the media, or repaired. Most every episode of season one and two involve Olivia fixing a famous figure's personal or professional snafu before it reaches the media public. While she is the best fixer in the DC area, her personal life is admittedly a mess: she is embroiled in a steamy extramarital affair with the white president Fitzwilliam Grant[13]. And just in case the series had not quite earned its name yet, by the end of season two we learn that Olivia, along with a small group of republican constituents, fixed the election to ensure President Grant's victory. As a 21st century female African-American citizen with a juris

[13] The scarcity of media representation of interracial relationships in modern America has many cultural critics still convinced of its "scandalous" nature in the public eye. Within the fictive world of *Scandal*, the interracial quality of the relationship between Fitz and Olivia is not treated as scandalous or even radical. For this reason, my thesis does not consider the interracial aspect of their relationship to be one of the scandals the two are embroiled in. However, Caroline Streeter argues that while interracial marriage may no longer be illegal or as taboo as it once was, it is still uncommon: "Not only does white-black intermarriage remain rare in this country, where it comprises 'only 0.6% of total marriages in the U.S. today'; these unions remain less common than any other form of interracial marriage, in 2010 accounting for 11.9 percent of the total" (7). In addition, at least two blog entries suggest that interracial sexuality/marriage remain scandalous topics; one blog accuses *Scandal* of privileging the portrayal of a homosexual relationship over an interracial one (Alissa Henry's "Inquiring Minds Want to Know"). The other charges the series with representing interracial relationships "under morally reprehensible circumstances- such as adulterous affairs" and as "dirty little secrets" (Angela Onwuachi-Willig's" Is Interracial Romance Still Scandalous?").

doctorate and highly successful business, her Prada bags and enviable wardrobe, in light of Olivia's consenting affair with the married white president, one may ask at this point where the Thomas Jefferson/Sally Hemings relationship could possibly be relevant. Olivia reigns supreme at the top of the power pyramid, with her team and just about all of D.C.'s political elite under her influence. The professional fixer has contacts at the White House, the press, the CIA, Homeland Security, not to mention her talented team of lawyers and an ex-CIA assassin who are variously skilled at hacking, conning, smooth-talking, lock-picking, and assassination or torture techniques; all individuals who have been saved legally by Olivia at one point in the past and thus pledge their devotion.

While Olivia's role in *Scandal* reflects that the way African American women are viewed and represented in American culture has changed in certain ways to certain people since the 19th and 20th century, in a reversal of the master/slave power arrangements of *Clotel* and *Sally Hemings*, the show's mobilization of scandal as a trope is still haunted by the troubling relationship American politics has to ownership, property and individuality. Midway through season two, President Fitzwilliam Grant, referred to as Fitz by close friends, has been elected to office for months and frequently sees Olivia in the White House. Recounted through flashbacks, Olivia recalls Fitz pulling her aside in the hall to say he misses her, which causes her to feel overwhelmed by guilt about the fact that he is married. She expresses extreme discomfort with their relationship, telling Fitz "I'm feeling- I don't know, a little *Thomas Jefferson-Sally Hemings* about this!" ("Happy Birthday, Mr. President"). Later that night, still in Olivia's flashback, Fitz accosts her and passionately declares: "You own me! You control me, I belong to you…you're the love of my life. My every feeling is controlled by the look on your

face….there's no Sally or Thomas here. You're nobody's victim, Liv. I belong to you. We're in this together" ("Happy Birthday Mr. President"). The next day in the flashback, Olivia and Fitz are looking at the Constitution in the National Archives. Olivia is overcome with emotion staring at the historical document, murmuring "wow…" Fitz repeats "wow" while gazing at Olivia, then says "We the People…that's just…it's everything" while continuing to look at Olivia. "It's a new world" Olivia whispers. She turns to Fitz and tells him "I'm in love with you too. We're in this together" ("Happy Birthday, Mr. President").

Shonda Rhimes, creator and writer of *Scandal*, emphasizes the consensual nature of Olivia's relationship with Fitz with his impassioned declaration of belonging to her in a juxtaposition of the historical Hemings' belonging to Jefferson. The modern conflation of love and ownership refers to an emotional ownership rather than legal or material. When Fitz and Olivia express awe while viewing the Constitution, it is difficult to tell whether they are enamored with the Constitution or their co-presence converging over the document; Fitz's gaze unwaveringly rests on Olivia as he declares that "We are the People" is "everything." Olivia's observation that the phrase marks "a new world" is quickly followed of her admission that she loves Fitz. The suggestion is that this new world is one of non-normative (extramarital) and interracial love that would never have been permitted, socially or legally, in early America. Olivia Pope as an African American woman is included in the "we," and although the story of presidents having scandalous extramarital or interracial affairs is nothing new, for the first time in history the African American woman is legally a subject and equal to her lover.

And while Fitz has declared multiple times that Olivia "owns" him, the one item he desires ownership of is no small thing: the presidency. However, as a black feminist revision of the Sally Hemings/Thomas Jefferson story[14], Olivia is not only in metaphorical possession of the president's most intimate sentiments, but she denies him ownership of the presidency by getting there first to fix the election. Before the election, when Fitz's projected polls begin to go down just enough to make nabbing one state a matter of winning or not, a small group of Fitz's closest constituents, including his wife, an oil tycoon, a supreme court justice, Fitz's personal assistant, and Olivia all agree to fix the election via rigging a ballot counter. Fitz goes on to win the election ignorant of the fix, and a year into his presidency the truth comes out. He is furious, thundering to Olivia "I wanted to win this on my own, I wanted to win it because I deserved it, I wanted to win it because I had *the will of the people* behind me, I wanted to *own* becoming President of the United States of America. I didn't want it handed to me….You don't fix me, you don't handle me. That's not love, that's control" ("Seven Fifty-Two"). This telling dialogue reveals that as progressive as *Scandal* may be, it still reflects a world in which Fitz understands (white, male, upper class) individual worth as an entitlement to ownership. However, Fitz's desire is ultimately frustrated by Olivia's intervention. In an inversion of and challenge to American Enlightenment ideologies of the inferiority of African Americans or patriarchal superiority, Olivia emasculates Fitz by preventing his "rightful" ownership of the presidency in what has the potential to be a devastating scandal of election fixing. While her intervention is self-empowering, it still relies at base

[14] While both "[Shonda] Rhimes and [Kerry] Washington identify themselves as feminists," the interpretation of *Scandal* as a black feminist revision of the historical suppression of the Hemings story is my own (Kamp 136).

on a problematic logic of ownership as individuality and individuality as an entitlement to ownership.

Interestingly enough, even when the founding scandal's traditional positions of power are reversed and the African American female is endowed with citizenship and legal prowess, the specter of American Enlightenment ideology lingers. While Olivia Pope has property, lots of it in fact, both her occupation as a professional crisis manager and her involvement in an extramarital affair with the president are still tinged by the equation of individuality with ownership. While there may not be any Sally or Thomas, as Fitz claims, there *are* still two upper class individuals embroiled in steamy illicit affair, a consenting relationship made possible by Olivia's claim to political clout, class, and knowledge as a citizen. In essence, there is no Sally in *Scandal* because in the series' invocation of the cultural myth of Sally Hemings/Thomas Jefferson, Sally has taken a position of status with Jefferson and is equally implicated, if not more so, in a scandalous, hypocritical web of political machination. The scandals of *Clotel* and *Sally Hemings,* of intergenerational betrayal, love as ownership, and the denial of property, do not register any longer, but scandal is still mobilized in the television series to indict the hypocrisy of American government and its political circles.

While it might seem like a tired recapitulation of the old adage "power corrupts," perhaps more accurately phrased as "property corrupts," Olivia's implication in political hypocrisy is actually a more sophisticated rumination on how aspects of scandal, property, and citizenship have and have not changed over the course of American history. What is it about citizenship, power, and property that allows for the figure formerly

denied those items, the African American woman embodied by Sally Hemings and then Olivia Pope, to be implicated in the hypocrisy of American democracy upon their acquisition? It is not a reductive matter of power/property corrupting, rather than a representation of Olivia as a subject. When Callender's libelous editorial broke in 1802, one could argue that Thomas Jefferson publically appeared to have become a much more complicated figure; a figure whose mythic status as "fixture" could be questioned and problematized, as exemplified by Chase-Riboud's novel. The same goes for Olivia as she is represented in *Scandal*; she is clearly part of the ambivalence, contradictions, and opposing public/private commitments that have marked American political work from the nation's founding to its present. More than that, Olivia is cast as an extremely complex subject; not only did she choose to compromise her personal principles to ensure the election of the man she loved, but this same man has been and will continue to stay married to maintain his appearance as a Republican family man. In her own words, as spoken by Olivia while reflecting shamefully on her part in the election rigging: "I made a mistake, and it's….I don't do things like that. I fix things……if I hadn't been emotionally involved with Fitz…" ("Truth or Consequences"). Olivia is portrayed as a woman with conflicting desires that are so powerful they threaten even her own iron-clad moral and professional ethics. In this line of dialogue, her speech reflects the way her commitments can be fragmented and struggle for full expression. As Kerry Washington, the actress who plays Olivia, has noted, that "it takes a certain level of progress for us to have a Black woman that powerful be an emotional mess on television. She [Olivia]'s post-Clair Huxtable" (Ebony, 2).

However, Olivia is not just a female African American who represents certain facets of (highly contestable) progress in the United States; she also upends American Enlightenment and antebellum notions of who is entitled to property ownership and legal participation in her very literal wielding of the law. If we look at a few early American conceptions of race, property, and law, we can see how Olivia Pope stands in stark, defiant contrast to them. As the most basic example, recall the reading of the Declaration of Independence in tandem with John Locke's political theory: not only do men (that is, males) exist equally by virtue of being born and thus entitled to life, liberty and "the pursuit of happiness" which takes the place of Locke's "estate," but social governance is instituted to protect this "happiness." Here, policy dictates that the law can be fashioned in the service of protecting what turns out to be unequally and unjustly distributed property (albeit exclusively to men). As Joshua Rothman observes, in the 19th century Virginia defined race in law in order to control the legal ramifications of interracial relationships (namely mixed-race children and property inheritance) that threatened institutional slavery (7). This was legislation that deliberately protected white wealth and the white state at the economic, material, and emotional expense of enslaved or racially designated bodies. In her astute study of antebellum intestate succession cases in which white plantation owners attempted to leave all or a portion of their estate to their enslaved mistresses and mixed race children, Adrienne Davis illustrates how the courts repeatedly foreclosed the property and economic entitlements that would have been honored in a legally recognized sexual family. She goes on to claim that "the rule [denying legal recognition to the miscegenated and non-miscegenated sexual relationships of the

enslaved] completed the segregation of the enslaved, and most blacks, from the market. It thus was an essential force in suppressing black economic personality" (244).

To move from this 19th century atmosphere where a racist legal system perpetuated the material, economic, and legal degradation of free and enslaved blacks most frequently to the advantage of free white men, to the world of Pope and Associates, where Olivia barks out rapid-fire, concise, well-strategized orders to her team in order to save a diplomat's ransomed child, in turn receiving a large check from her client, is to see the position of the black woman emphatically reversed and empowered ("Sweet Baby"). Anyone who needs to save face in D.C. goes to Olivia because she is "the best;" if one wants their problems fixed, "they do what I [Olivia] say[s]," and when she is managing a crisis it is "my [Olivia's] game, my [Olivia's] rules" ("All Roads Lead to Fitz"). In *Scandal*, Shonda Rhimes takes Enlightenment and antebellum race, property, and law norms and embodies their successful dismantling in a powerful woman who metaphorically functions as the law in D.C. political crisis management.

In fact, Olivia is so powerful that she can and does litigate against the president of the United States. Shortly after leaving her position at the White House, Olivia is solicited by the president's assistant to "deal with" an intern who alleges sexual misconduct with the president. Olivia initially assumes a position of unquestioning loyalty to Fitz, but as events unfold, it becomes apparent that not only are Fitz and Olivia madly in love, but Fitz indeed slept with the intern with whom he denied having relations ("Sweet Baby"). Feeling betrayed and bereft, Olivia decides to exact her revenge against the president by taking on the intern whose allegations turned out to be true, Amanda

Tanner, as her own client. With an air of bitter vengeance, Olivia says that the president had "better hope to God Amanda Tanner doesn't want to come forward with her story, because she just became my client" ("Sweet Baby"). We are in the unique position now to see Olivia not just as an inversion of Sally Hemings, but more akin to James Callender. While equal to both the historic Callender and Jefferson in terms of possessing legal subjectivity, property, and liability to scandal, Olivia takes a strategic jab at the fickle president by legally representing and *advocating* for the woman whose story could, if made public, ruin the president. This fact does not just demonstrate Olivia's savvy grasp of media, the law, and her ability to use scandal to execute her personal designs, but it illustrates her superior understanding of how to get the most out of a scandal: by controlling it. Instead of simply destroying the president with public infamy, she deliberately moves into the position to represent the woman whose story could scandalize the president. Olivia does not just threaten to unleash the proverbial media beast that is scandal and let it run wild, as Callender did; Pope brings the source of the scandal under her jurisdiction as an even more effective weapon of revenge.

In fact, part of what makes Olivia so peerlessly successful is her ability to manipulate media to deter, swerve, or use scandal to her or her client's benefit. In the 1802 scandal that Callender visited on Jefferson, Sally Hemings was used as a pawn to initiate scandal, whereas Olivia skips the middleman and utilizes media scandal itself to save, attack, or favorably frame people. In many episodes, Olivia's mode of operation is "controlling the narrative" told by the media in order to get the desired results ("The White Hat's Off"). In season two, when Olivia discovers that media sources already have copies of her client's, reputation-damaging sex tape and are planning on airing it that

evening, she decides to release the video to celebrity news outlets early: the plan is to "use the media attention to address the issues you want to discuss" Olivia says briskly to her Congressman client ("White Hat's Off"). Her scheme works, and the Congressman's polls skyrocket as news pundits express admiration for his "selflessness" and desire to talk about the "more pressing" issues facing the nation. This is one instance of many in which Olivia tactically manipulates media news coverage to her client's advantage, and it stands as a highly sophisticated evolution of Callender's, or any more traditional, approach to libel or slander via using the media as a mere vessel.

One of the consistent formal elements of *Scandal* is the "*ClickClickClick*" sound clip of a camera shutter accompanying snapshots of Washington D.C. or characters to mark a scene change. David Kamp calls this technique *Scandal*'s "trademark sound effect" and transcribes it perhaps more literally as "*K-ssss! F-t-t-t, k-ssss, k-sssss!*" (84). In season one's first episode, the auditory feature seems to suggest that an anonymous viewer is taking photographs of people or places, but it becomes apparent after the sound's repetition in the following episodes that the auditory clip is a framing device meant to imply the seemingly omniscient surveillance that modern-day media enacts on the political world. The viewer eventually understands, only light-years behind Olivia Pope, that everyone touched by politics, government, or celebrity is always being watched and perpetually subject to media scrutiny. With far more sophistication and finesse than Callender, Olivia goes farther than the proponent of the founding scandal and, instead of merely using scandal as a means of revenge, Olivia Pope makes a profitable career out of scandal incitement, management, and avoidance. In the ultimate shakeup of the Jefferson-Hemings story, the African American woman is not only a

legally recognized, property-owning citizen who is subject to scandal, but Olivia controls media scandal to get rich. While Olivia's use of scandal, unlike Callender's, is not deliberately framed to incite and cater to a public fear of miscegenation and endemic racism, it is still about strategically making visible in order to gain control: because Olivia can manage what narratives or images are deployed by the media, she can dictate and direct the effects of the scandal.

In a modern, fictionalized America where U.S. politics are haunted by the specter of Lockean liberal-individualism as ownership and where an individual's private choices can vastly outweigh his or her public representative status, Olivia Pope understands how much political damage and profit can be gleaned by an ever-watchful media. While Pope reverses the historical narrative of the African American woman as private property that is denied citizenship and has mastered media scandal for profit, in the fabric of American cultural narratives scandal still signals interlocking patterns of property ownership/bequeathal, power, citizenship, and an indictment of U.S. politics. Although *Scandal* certainly departs from *Clotel* and *Sally Hemings: A Novel* in its reversal of the power dynamics and deliberate distancing from direct mention of the Sally Hemings/Thomas Jefferson, it reveals the power the founding scandal still has to fascinate the American cultural imaginary even in the 21st century. If American scandal reflects the shifting scope of who can and cannot be a citizen by virtue of who owns versus who *is* private property, and if this matrix is embodied in certain instances as intergenerational betrayal or the less literal generation of history and its dependence on the Hemings family's oral history, what does *Scandal* represent as the most recent revisionary echo of the Jefferson/Hemings scandal? In the "new world" of *Scandal*,

where the white president can be the object of the female African American subject's affections and where Olivia is a financially successful legal citizen fully subject to scandal, speaking theoretically, a child born to Olivia and Fitz would be the inheritor and citizen of such a world; this is a world in which women were powerful, frequently more so than men, and race is not as much of a limiting factor as it was in the 19th and 20th centuries. In this utopian sketch of the 21st century's most recent spin-off of the founding scandal, where is the next generation?

As the conclusion draws near, I want to pose a slightly rhetorical question: what happens when we come to a point in history of, again, contestable progress[15], when sexual liaisons may not necessarily produce children to whom could be passed on a history of genetics, memory, and origins? In "Bonds of Memory," Lucia Stanton and Dianne Swann-Wright describe how two sons of Sally Hemings and Thomas Jefferson, Eston and Madison, eventually chose to live different lives by passing as white and remaining black-identified and thus passing on oral origin stories that privileged Jefferson or Hemings, respectively. In their interviews with Hemings descendents, the authors note that the family stories of relation to Sally Hemings were effectively suppressed in the family that passed as white, for obvious reasons. The authors go on to write that it is "no accident that Dr. Eugene Foster, in pursuit of DNA samples, could find exclusively male-line descendants of Eston H. Jefferson [who identified as white and changed his last name] but not of his brother Madison…In the Eston H. Jefferson branch, both the Y-chromosome and the memory of Thomas Jefferson were transmitted from

[15]Progress is here used to indicate the availability of (low cost or free) birth control for women, or their improved (but contingent on a plethora of other intersecting factors) chances of receiving higher education and establishing themselves as successful career-women, as perhaps Olivia Pope represents in ideal form.

generation to generation…the genetic markers in each line thus match the markers of memory" " (178). What if we apply to *Scandal* this line of thought that tracks memory with the *type* of stories and the children to whom those stories were passed? What does it mean that Fitz and Olivia are not having children? I do not ask in a strictly literal or normative familial sense; nor am I implying that having children is necessarily a romantic or life apotheosis. I ask in the terms of the theoretical framework of American scandal formulated in this thesis, scaffolding that has illustrated how dependent scandal is on private property and citizenship, as well as how the slavery-dependent founding of America revealed the way generational production, whether of children or history, is part of this scandal. One query I want to ask or at least prompt the reader to consider, is what does it mean that Olivia and Fitz are childless, both biologically and in that they neither interact with nor mentor a younger generation? Is this irrelevant? Are children and generational production being read too literally, or too crudely in a television show about a single woman who is incredibly successful and perhaps completely satisfied with her job? Could it be that the "new world" of *Scandal* is so fresh that a new generation is not yet on the horizon? Or is it symptomatic of Olivia's circumstances, perhaps her choice to be a career woman romantically involved with the president, making for a relationship that may not be conducive to (or desirous of) pregnancy and child rearing?

In the context of American scandal, if memory follows generations or chosen children[16] under the circumstances of slavery and a history of sexual relationships

[16] I use the phrase "chosen children" to signify children or friends not related by blood but who are still part of another family and that family's stories, as well as the notion that African American families and communities were far from mutually exclusive. While in some instances "memory follows genetics," I do not imply an essential or reductive reliance on biology as the only conduit for oral origin stories.

occurring within asymmetrical power relations, to whom will be bequeathed the memory of a fiercely powerful and incredibly successful, complex female African American woman-as-citizen and her consenting love affair with the white president? Since part of this thesis has shown that scandal has been tied to property from the earliest moments of American nationhood, to whom will pass Pope's substantial wealth and revered name within the D.C. political elite? Both literally and figuratively; to whom will be bequeathed the story of the possibilities of the "new world" Olivia and Fitz occupy and stretch to accommodate non-normative love? If American scandal as a trope is still used to indict American democracy on one level, but can occur in a world where aspects of American law and culture have become slightly more livable, just, and compensatory for an African American woman, is there an inheritor of the changing tides that *Scandal* portrays? [17]

In closing, it seems that American scandal's relation to property is not a story limited to slavery or its reimagination; if American scandal still exists after the fact, and its proponents can indeed even be female African Americans, who will be able to claim legal rights to the figurative wealths and bankruptcies of the "new world," with all the possibilities, contradictions, successes and failures made manifest by Olivia Pope? Even if Fitz and Olivia were to have fictional children, in a nation whose historical founding scandal was inextricable from white anxiety about miscegenation and white presidents

[17] The only couple having children in the series is the married, publically scrutinized president Fitz and the First Lady Mellie, and their children are sent to boarding school, notably absent from the television series. Perhaps most indicative of the attitude toward and corresponding absence of Fitz and Mellie's children is a line of dialogue from season two. In the episode "Everybody Hates Babies," the highly-educated and "bored to tears" by motherhood First Lady Mellie has just had her third baby a week prior and couldn't be happier that there is a nurse to take it off her hands. When the president's aide Cyrus is surprised to see her back at work in the White House, Mellie does not skip a beat and says, "whatever, nobody likes babies."

involved with African American women, what would those children do with the specters of political hypocrisy, interracial love and scandal that linger even though the Sally Hemings figure of the 19th century can become an Olivia Pope in the 21st?

In the hypothetical positioning of scandal as a secular sin, this analysis has illustrated how modern scandal by definition depends on the existence of the liberal individual. This subjectivity was partially invented as synonymous with private property ownership during the Enlightenment and the founding of America, and it is a subjectivity required for the private smear of an individual to take precedence over that person's status as a public representative. Understanding scandal as such helps us to see how the convergence of individuality and private property alongside the drafting of founding American documents resulted in an American form of scandal inextricable from private property, ownership, and the law. The 1802 scandal that exploded around Jefferson and Hemings serves as what I have called the founding scandal of America, one which James Callender launched into the public sphere under the guise of slandering a white president but actually hinged on the white public's fear of miscegenation for the full moral weight of his implications. My analysis suggests that because this founding scandal took place amidst the creation of the liberal individual and during the early establishment of the nation, it became a myth fixed in the American cultural imaginary that offered suggestive and shocking material to critique the American ideals of democratic freedom and equality via their problematic legal relation to ownership and property. Recapitulations of the scandal surrounding Thomas Jefferson and Sally Hemings have persisted in American cultural and literary traditions for centuries afterward, and readings of *Clotel, Sally Hemings: A Novel*, and *Scandal* have exemplified how this scandal reveals the shifting

definition of American citizenship in addition to its reliance on repetitions or revisions of the 19th century founding scandal. As the most contemporary reference to the Thomas Jefferson/Sally Hemings relationship, *Scandal* is a series that does not just traffic in the liberal-individual notion of individuality as ownership or scandal as an indictment of American politics, but it presents us with inverted power relations between the African American woman and the white president. While the Sally Hemings figure has become Olivia Pope, a citizen liable to scandal whose ability to wield the law completely reverses early American notions of subjectivity and even makes James Callender's original use of scandal look elementary, we are left wondering, in the end, about the passing on of property and memory so imperative to the African American tradition that American scandal is in part built upon. A reading of *Clotel* has suggested that narrative representations of Thomas Jefferson, Sally Hemings, and scandal have everything to do with property and the way that property is or is not denied to following generations. If, for the first time in cultural narratives of the Sally Hemings/Thomas Jefferson scandal, Olivia Pope is part of a "new world" in which she exercises immense power and loves the president as his equal, not his private property, what legacy will be passed on and to whom?

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