THE ANTIWAR MOTIVATION OF THE WILMOT PROVISO

Michael McCarthy

Adviser: Adrienne Petty

May 9, 2016

Submitted in partial fulfillment of the requirements for the degree of Master of Arts of the City College of the City University of New York
# CONTENTS

Introduction 1

Section I. The Slave Power Thesis and Doughface Democrats 10

Section II. The Rise of Antislavery and the Birth of the Liberty Party 15

Section III. The Battle over Texas and the Election of 1844 20

Section IV. The Mexican War and the Antiwar Movement 30

Section V. The Example of New Hampshire 45

Section VI. The Reintroduction of the Proviso and the Debate in the House 49

Conclusion 53

Bibliography 55
Introduction

On the evening of Saturday, August 8, 1846, a sweltering night in which “newspaper fans and ice water were in great demand,” a first-term Democratic congressman from Pennsylvania took to the House floor to address his colleagues.\(^1\) Earlier that day, President James K. Polk had sent a message to Congress requesting two million dollars to be used to negotiate a peace settlement with Mexico, with whom the U.S. had been at war for several months. Since its inception, Polk had assured Congress and the nation that the war was strictly defensive and had denied that it was being waged in the interest of territorial expansion. The appropriation request, however, now made it clear that the administration desired to make the acquisition of Mexican land part of any potential peace agreement.\(^2\) The timing of the request was an opportunistic move on Polk’s part. By waiting until the last weekend of the congressional session, which was set to adjourn at noon on Monday, August 10, he had likely hoped to bypass any serious debate that might forestall his acquisition scheme. Things, however, did not go according to plan.

After a two million dollar appropriation bill was drawn up, the debate in the House began. Several members addressed the proposed bill – including Hugh White, a Whig from New York who denounced the war as “unnecessary, uncalled for, and wholly unjustifiable” before calling on the “the other side of the House” to offer, as an act of good faith, an amendment prohibiting the extension of slavery – before David Wilmot was recognized by the Speaker.\(^3\) Wilmot began by reaffirming his support for the war as

\(^1\) New York Herald, August 11, 1846.
\(^2\) According to Eric Foner, “Polk recognized that a peace treaty ceding land to the United States would be unpopular in Mexico. He intended to use the two million dollars as payment to the Mexican government. This would enable it to retain the support of the Mexican army and, therefore, to stay in power. Foner, “The Wilmot Proviso Revisited,” The Journal of American History, Vol. 56, No. 2 (Sept., 1969): 273.
\(^3\) Congressional Globe, 29th Congress, 1st Session, 1213-1214.
necessary and proper and by denying that it was a war of conquest. He admitted, however, that it was now apparent that the President sought to acquire territory from Mexico, which Wilmot would not oppose as long as it was fairly attained by purchase or negotiation, and not by conquest. “But whatever territory might be acquired, he declared himself opposed, now and forever, to the extension of this ‘peculiar institution’ that belongs to the South.”4 Wilmot concluded by offering the following amendment, modelled on Jefferson’s Northwest Ordinance, which afterwards became known as the “Wilmot Proviso”:

> Provided, That as an express and fundamental condition to the acquisition of any territory from the Republic of Mexico by the United States, by virtue of any treaty which may be negotiated between them, and to the use by the Executive of the moneys herein appropriated, neither slavery nor involuntary servitude shall ever exist in any part of said territory, except for a crime, whereof the party shall first be duly convicted.5

The amended bill passed the House along strictly sectional lines, although it was subsequently killed in the Senate.6 While it drew little attention at the time, and though it never did manage to pass the Senate, the Wilmot Proviso had a tremendous impact on the course of American history. The controversy that followed its introduction unleashed a sectional struggle that ultimately lead to a civil war which nearly tore the Union apart.

While historians have universally recognized the significance of the Proviso, they have focused almost exclusively on the political motivations behind its introduction and the political ramifications that followed, rather than on the essential role played by the American people in bringing it about. Although the handful of Van Buren Democrats

---

4 Ibid., 1214.
5 Ibid., 1217.
6 The bill was talked to death (inadvertently, he later claimed) by Whig John Davis of Massachusetts.
behind the Proviso were certainly motivated by political considerations, without popular pressure from large segments of the electorate, they would not have had the need to respond in the first place. For the truth is, in various sections of the Northeast and Midwest, the Mexican War was widely and vehemently opposed from the start, primarily because of its alleged association with the extension of slavery. For their part in supporting this decidedly unpopular war, the Proviso men faced the serious prospect of defeat in the upcoming elections of 1846. As members of the dominant party, these Democrats were bound to support the war, yet some gesture was required to assure their antiwar constituents that the war was not being waged to spread slavery; the Proviso was intended to do just that. The introduction of the Proviso, therefore, was in no small part the result of popular outrage and activism on the part of antislavery opponents of the war. By characterizing the Proviso as the product of self-serving politicians exclusively, historians have overlooked the agency and influence of thousands of antiwar activists who collectively forced these men to act.

Although there may be general consensus among historians regarding its impact, there remains some controversy surrounding the origins of, and motivations behind, the Wilmot Proviso. In fact, historians even disagree about the original authorship of the amendment. For many years, historians accepted the version told by Congressman Jacob Brinkerhoff of Ohio, who insisted that he was the true author of the famous amendment. However, because of his own reputation as an antislavery man, Brinkerhoff claimed that he approached Wilmot, who had until then been a loyal supporter of the administration and had shown no sign of antislavery sympathies, to introduce the measure instead. Although Brinkerhoff had acted independently, after conferring with some Democratic

---

7 Van Buren Democrats, or Van Burenenites, were northern followers of former President Martin Van Buren.
colleagues he discovered that several others had written amendments similar in character to his own. As Brinkerhoff later admitted, “I am entitled to no very great and no exclusive credit. My draft of the Proviso happened to be adopted as the best, and that is all.”

Wilmot, on the other hand, claimed that he alone had conceived of the idea during the dinner recess, but admitted to afterwards consulting with several fellow Democrats who also favored such an amendment. Therefore, when the appropriation bill was introduced in the evening session, “several gentlemen collected together to agree upon the form and terms of the proposed [free-soil] amendment. . . . After various drafts had been drawn and altered, the language in which the amendment was offered was finally agreed on.” Charles Buxton Going accepted this version of events in his 1924 biography of Wilmot, and even managed to track down the “original” Proviso submitted to the Speaker on August, 8, 1846 in Wilmot’s handwriting. Following this revelation, most historians have accepted Going’s conclusion that Wilmot, not Brinkerhoff, was the Proviso’s true author.

---

8 Charles Eugene Hamlin, The Life and Times of Hannibal Hamlin (Cambridge: Harvard University Press, 1899), 155-57. In the Brinkerhoff account, this group included Hannibal Hamlin of Maine, John P. Hale of New Hampshire, Preston King, George Rathbun, Martin Grover, and Timothy Jenkins of New York, and Paul Dillingham of Vermont. Although, according to Foner, “Hale’s inclusion seems to be an error. He was not a member of the 29th Congress. Brinkerhoff was probably thinking of Hale’s role in the 28th Congress, when he opposed the annexation of Texas.” Foner, “Wilmot Proviso,” 262.


11 Going, David Wilmot, 122-23.

So who, then, was the actual author of the Proviso? As Eric Foner concedes, “The question of who ‘really’ authored the Proviso is a difficult one, and it is probably unanswerable. In a sense, it is also irrelevant. . . . It is easy to understand how, as Brinkerhoff and Wilmot brought their ideas to their friends and the exact wording was hammered out, each of several congressmen could have come away with the impression that he had made the decisive contribution.”¹³ And as Charles Eugene Hamlin previously observed, based on Brinkerhoff’s own admission, “The idea of excluding slavery from the territory to be conquered from Mexico had occurred to many anti-slavery members of Congress. . . . In the incident that then occurred, there were several men who took part, each of whom might have said afterwards that he had a narrow escape from lasting fame.”¹⁴ The amendment, it is therefore fair to say, was not the creation of any single author but instead the result of a collaboration between several northern Democrats.

As for the motives behind the Wilmot Proviso, they too have been widely contested by historians.¹⁵ However, Foner’s assessment of the Proviso in his influential 1969 article, “The Wilmot Proviso Revisited,” has been the most convincing one yet. Foner contends that the amendment was not the creation of any single author but rather the work of several antislavery Democrats, all belonging to the wing of the party headed by former President Martin Van Buren. Furthermore, of the Democrats whom Wilmot or Brinkerhoff claimed to have consulted, four were from New York State, including the

¹³ Ibid., 264
¹⁴ Hamlin, Hannibal Hamlin, 155-56.
¹⁵ The various theories, of course, are contingent upon the version of authorship accepted by each historian. For the most influential arguments about the Proviso’s origins see, in addition to Hamlin, Going, and Foner, Clark E. Persinger, “The ‘Bargain of 1844’ as the Origin of the Wilmot Proviso,” The Quarterly of the Oregon Historical Society, Vol. 15, No. 3 (Sept., 1914); Richard R. Stenberg, “The Motivation behind the Wilmot Proviso,” The Mississippi Valley Historical Review, Vol. 18, No. 4 (March, 1932); Avery Craven, The Coming of the Civil War, 2nd ed. (Chicago: University of Chicago Press, 1957); and Chaplain W. Morrison, Democratic Politics and Sectionalism: The Wilmot Proviso Controversy (Chapel Hill: University of North Carolina Press, 1967).
leader of the Van Buren faction in Congress, Preston King. As Foner acknowledges, “It is hard to resist the conclusion that the New York Van Burenites, and especially King, were the leading spirits of the group. . . . Indeed, if Wilmot was a ‘front man,’ he may well have acted for King. . . . But it was King, not Wilmot, who introduced the Proviso in the next session of Congress and demonstrated the close connection of the New York Van Burenites with the measure.”

According to Foner, the Proviso was essentially a reaction to “southern Democrats who were violating the traditional party politics of keeping slavery out of national politics and were asking their northern allies to endorse proslavery measures – even though this would alienate a growing segment of northern public opinion.”

For decades, the national Democratic Party was held together by a coalition of northern supporters of Van Buren and pro-slavery southerners. By the 1840s, however, party harmony was increasingly threatened by the toxic issue of slavery, which the traditional party leadership had long tried to keep out of national politics. According to Foner, “as the controversy over the gag rule and the emergence of the Liberty party injected slavery into the political life of the North, Van Buren and his followers began to fear that their ‘southern principles’ were becoming a political liability.” This was especially true after the annexation of Texas and the outbreak of the Mexican War, which many northerners associated with the extension of slavery. Therefore, when the president made his request for the two million dollars, the Proviso was introduced by the Van Buren clique in order to appease antislavery constituents in their home districts by assuring them that the war was not being waged to spread slavery. As he concludes, “It was a defensive, not an

17 Ibid., 265-66.
18 Ibid., 266.
aggressive movement, an attempt by the Van Burenites to protect themselves in the face of growing antislavery sentiment in their constituencies. The Van Burenites were determined for once to be on the popular side of the slavery issue in the North.19

Although Foner’s theory, in part, helps explain the origins of the Proviso, it is nonetheless incomplete because it fails to answer some crucial questions related to the Proviso. For instance, why did the Proviso men need to assure their constituents that the Mexican War was not being waged to spread slavery? How did they know that their constituents distrusted the objects of the war? After all, they couldn’t read the minds of their constituents. Apart from alluding to the existence of antislavery sentiment in their districts, Foner never really does say. The short answer, in fact, is that from the start, the war was widely and actively contested in various sections of the Northeast and upper Midwest, including the districts represented by the Proviso men. In these parts, abolitionists, pacifists, and Whig oppositionists strongly denounced the war and loudly agitated for its immediate conclusion. Although the war was disputed for different reasons, it was primarily condemned because of its alleged association with the “Slave Power” and the extension of slavery.20 In short, to be antiwar did not necessarily mean to be antislavery; however, to be antislavery meant, almost without exception, to be antiwar.

19 Ibid., 278. Note: While Foner’s argument is quite compelling, there is nothing particularly original about. In fact, William Jay, the son of Chief Justice John Jay, made the very same argument in his 1849 study, A Review of the Causes and Consequences of the Mexican War (Boston: Benjamin B. Mussey & Co., 1849), which was one of the first histories of the conflict. Foner does not cite Jay’s work.

20 The Slave Power was allegedly a conspiratorial group of powerful slaveholders who were determined to use the federal government to protect and perpetuate slavery at all costs. This term is conspicuously missing from Foner’s study of the Proviso; although, he has written extensively on it elsewhere. See, for instance, Foner’s book Free Soil, Free Labor, Free Men (New York: Oxford University Press, 1970), in which he examines the Slave Power thesis as fundamental to the political ideology of the early Republican Party. In addition to antislavery considerations, people opposed the war because it was viewed as an aggressive war of conquest, because it was considered unconstitutional, because of pacifism and other religious convictions, out of concern that it would have a militarizing effect on the Republic, because of the substantial financial and material costs of waging war, etc. It should be noted that none of these reasons for opposing the war were mutually exclusive.
The antislavery bloc was by far the most prominent force within the antiwar movement, as well as the one most concerning to the Van Burenites representing antislavery districts.

Because of their well-deserved reputations as “doughfaces” – northern politicians who supported southern policies – the Van Burenites were especially vulnerable to the charge of colluding with southern slaveholders to spread the “peculiar institution” through the conquest of Mexico. While he correctly, though perhaps rather reductively, attributes the Proviso to the growth of antislavery sentiment in the North, which in turn threatened Democratic success at the polls, Foner fails to recognize, or even explore, a potential link between an organized antiwar movement and the origins of the Proviso. Indeed, nowhere in his article does he even allude to the existence of popular opposition to the war, or for that matter, the corresponding, widely held belief in the Slave Power conspiracy. By attributing the Proviso exclusively to a handful of politicians, Foner has ignored the thousands of nameless peace activists who pressured them into taking action. This is a significant omission that must corrected in order to fully comprehend the motives behind the Wilmot Proviso.

Unfortunately, Foner’s neglect of the antiwar movement is not unique. Indeed, with a few exceptions, even historians of the Mexican War have marginalized the antiwar movement and overlooked its impact on national politics. In fact, John H. Schroeder’s *Mr. Polk’s War*, published in 1973, remains the only monograph to study the antiwar movement in detail.21 Although, he too fails to acknowledge any connection between the movement and the Proviso. Amy S. Greenberg’s *A Wicked War: Polk, Clay, Lincoln, and the 1846 U.S. Invasion of Mexico*, published in 2012, is one of the few general histories

of the conflict to pay serious attention to the antiwar movement. However, Greenberg also overlooks the role that peace activists played in bringing about the Wilmot Proviso, which receives barely a mention in her account.

The truth is that the antiwar movement played a crucial role in bringing about the introduction of the Wilmot Proviso. When the war with Mexico was commenced in 1846, it was widely and vehemently attacked as a plot authored by the Slave Power and supported by complicit northern Democrats to acquire more slave territory. As members of the dominant party, the Proviso men were bound to support the war, yet some gesture was required to reassure their antiwar constituents that the war was not being waged to spread slavery. Thus, the Proviso was an attempt by the Van Buren men to distance themselves from the Slave Power charge, shed their doughface reputations, and prove that they were not beholden to the southern wing of the party. The introduction of the Proviso, therefore, was in no small part the result of popular outrage and activism on the part of antislavery opponents of the war. In other words, it is fair to consider the Proviso a response to, and a concession won by, antiwar activists. For this reason, and regardless of its ultimate failure to end the war at its inception, the antiwar movement was in fact much more influential in shaping national debate and had a much greater impact on national politics than the existing historiography acknowledges. This essay sheds new light on a crucial chapter in United States history by focusing overdue attention on the previously overlooked, but very meaningful contributions of the antiwar movement.

I. The Slave Power Thesis and Doughface Democrats

In order to understand the impetus of antislavery opponents of the Mexican War, and therefore the origins of the Proviso, it is necessary to examine the idea of the Slave Power. By the 1840s, coinciding with the growth of abolitionism and the emergence of the Liberty Party, the Slave Power thesis was gaining popular acceptance throughout much of the North. This theory maintained that a conspiratorial Slave Power, comprised of powerful self-serving slaveholders, “had seized control of the federal government and was attempting to pervert the Constitution for its own purposes.” It was believed that because of the three-fifths clause of the Constitution, the electoral college system, parity in the Senate, and disciplined regional unity, “slave oligarchs” had acquired a disproportionate amount of power within (or rather, over) the federal government.

According to the Boston Courier, in a typical example, “A planter in Virginia, owning fifty slaves, has a power in the election of President and representatives in Congress, equivalent to thirty votes, while a farmer in Massachusetts, having equal or greater property, has only one single vote.” As a result, the free states “are little better than colonies; permitted to call themselves members of the Union, and so march in procession, to swell the triumph of the Slave Power.” With the complicity of northern lackeys, it was believed, the Slave Power was using the national government to promote its own interests – namely the preservation and expansion of slavery – at the expense of northern interests. Considering the evidence, it must be admitted that there was indeed much truth to this argument. As Leonard Richards rhetorically asks in his seminal work on the

---

23 Foner, Free Soil, 9.
25 The Slave Power thesis was a widely accepted tool of historical explanation from the Civil War era into the twentieth century. See, for instance, Henry Wilson’s influential study, History of the Rise and Fall of the Slave Power in America, 3 vols. (Boston: James R. Osgood & Co., 1872-1877).
subject: “Who won the major sectional showdowns in the nation’s history?” As he points out, in the congressional battles over admitting Missouri as a slave state, removing the southern tribes from their ancestral homelands in the Southeast, denying abolitionists the right to petition, over admitting Texas as a slave state, etc., “it was easy to argue [in each case] that the Slave Power prevailed.” And as for who consistently controlled the most prominent federal offices – the White House, the Speaker’s chair, the Supreme Court – “The answer was that slavemasters had far more power than their numbers warranted.”

Whatever their differences on other issues, southern politicians of both parties, it was believed, were united in serving the interests of slavery. According to the Rochester Freeman, for instance, “their anxiety to protect and perpetuate slavery, renders the southern members united in whatever measures they consider important for that purpose, while the representatives from the North, having no common bond of union, are divided in opinion and effort.” Because of the “gentlemen’s agreement” that maintained the balance of free and slave states admitted to the Union, the South had representational parity in the Senate, however, the more populous North consistently held control of the House. Therefore, the Slave Power relied, by necessity, on northern cooperation to push its proslavery measures through Congress. Through the distribution of patronage and other enticements, the Slave Power attracted the support of northern congressmen, or “doughfaces,” as they were called, to vote for southern initiatives. Much more often than not, these doughfaces were Democrats, who were thus depicted as sell-outs and lackeys by their northern opponents. As Richards puts it, “They were accused of being allies of the Slave Power, of complicitly allowing the slave oligarchs to run the nation, of selling

out to their southern colleagues for a few measly positions in the national Democratic hierarchy.”

For many members of the northern Democracy, especially the New York followers of Van Buren, the doughface label was well justified by their voting records. Northern Democrats were, in fact, overwhelmingly more likely to vote with the South than northern Whigs. In Richards’s estimation, “If a man was elected as a Whig, the chances that he would vote with the South in the next sectional crisis were at best one in twenty. If he was elected as a Democrat, the odds were one in two.” In sum, Richards figures, “Between 1820 and 1860, of the 320 congressmen who clearly earned the label doughface, all but ten were either Jeffersonian Republicans or Jacksonian Democrats.”

Why were northern Democrats, unlike their Whig rivals, so willing to submit to southern demands and back proslavery measures? After all, both northern parties had to cooperate with the South to win national elections. The difference had much to do with the history and structure of the Democratic Party, which originally grew out of a coalition established by Van Buren between northern and southern groups prior to the election of 1828. According to Richards, this Jacksonian coalition was “initially southern based, proslavery at heart, with a growing but largely subservient northern wing.” In other words, northern Democrats were junior partners from the start, and the southern faction made every effort to protect its dominant position within the party. For instance, in order to enhance their influence, southern Democrats established the two-thirds rule, which required a two-thirds majority in the selection of president and vice president at

---

28 Richards, Slave Power, 4.
29 Ibid., 111.
30 Ibid., 109-10.
31 Ibid., 112.
nominating conventions. This rule, which began in 1832 and lasted until 1936, essentially “gave the South a veto over whomever the northern majority might want for president and vice president” and meant that “a well-organized minority [i.e., the southern delegates] could derail the candidate of the majority and dictate terms.” The two-thirds rule, therefore, forced northern presidential hopefuls to play along with the South or suffer the consequences.32

The party arrangement, however, was not without its advantages to northern Democrats, especially those with national aspirations, who profited from the organizational support of the nation’s dominant party, as well as its distribution of patronage. However, the price of this support often meant delivering northern votes for southern policies such as the Indian Removal Act, the ban on abolitionist literature in southern mails, and the “gag rule.” Even though these measures were unpopular in the North, northern Democrats, especially the New York Van Burenites, consistently voted in accord with their southern colleagues. At this time, however, “when slavery played only a minor role in northern politics, the political damage done [to northern Democrats] . . . was outweighed by the preservation of party unity.”33 But over time, as antislavery sentiment grew in the North, threatening Democratic success at the polls, northern Democrats would have to reconsider their cozy relationship with the South, as well as their voting habits. It is in this context that the Wilmot Proviso must be viewed.

The gag rule, in particular, offers a useful case study in the changing voting habits of the northern Democracy in the years leading up to the Wilmot Proviso. In 1835, the American Anti-Slavery Society began to bombard the nation, especially the South, with

32 Ibid., 114-15.
33 Foner, “Wilmot Proviso,” 266.
abolitionist pamphlets while simultaneously flooding Congress with thousands of antislavery petitions. As the number of petitions grew into the hundreds of thousands, southern congressmen began to demand their immediate and total exclusion. The eventual outcome of the debate that followed was the establishment of the “gag rule,” which “prohibited the House from printing, discussing, or even mentioning the contents of any petitions related in any way to the subject of slavery. Such petitions were to be ‘laid on the table’ with ‘no further action whatever.’”34 While most northern congressmen, especially the Whigs, vehemently opposed the resolution, which they considered a clear violation of the first amendment to the Constitution, the Van Buren men strongly supported it. In fact, only one of the 55 northern Whigs in the House voted for the gag, while, conversely, 59 northern Democrats voted for it, and only 15 against it. The New York delegation, as usual, lived up to its doughface reputation and led the way with 25 members in favor, and only one against the resolution.35

Throughout the 1830s, the Van Buren men continued overwhelmingly to support the gag rule, which required renewal at the start of each new session of Congress. However, by 1840, for the first time, more northern Democrats voted against the gag than for it, with only seven New York Democrats out of 19 supporting it.36 And by 1844, when John Quincy Adams once again called for the repeal of the gag rule (which he had repeatedly done since its establishment), not only did northern Democrats refuse to help their southern colleagues, but they actually provided the votes necessary to kill the gag for good. This time, 79 percent of the northern Democracy sided with Adams, including

34 Richards, Slave Power, 132.
35 Ibid.
36 Ibid., 138.
18 of the 20 members of the New York delegation. This reversal on the part of northern Democrats, especially the Van Burenites, was indicative of a larger political trend that would carry on into the fight over Texas and culminate with the Wilmot Proviso.

II. The Rise of Antislavery and the Birth of the Liberty Party

What caused this drastic change in northern Democratic voting habits? In short, the reversal was caused by the rise of antislavery and anti-southern sentiments in the North, which forced congressmen of both parties, but especially doughface Democrats, to take heed. In the coming years, in fact, some of these disenchanted voters would emerge as the leading opponents of the Mexican War. During the 1830s, in addition to the traditional abolitionist seedbeds of New England, support for the movement was growing in large sections of the Northeast and the upper Midwest – especially in the “burned-over district” of central New York, the Northern Tier counties of Pennsylvania, and the Western Reserve section of Ohio – the very districts later represented by the Proviso men. In New York, “abolition societies sprung up; the circulation of The Liberator increased; and, as a natural consequence, the number of those who sought to promote abolition by political action grew larger and larger.” In 1836, the American Anti-Slavery Society, founded by William Lloyd Garrison and Arthur Tappan, listed 88 affiliates in New York State. Within three years, that number had expanded to 369. In fact, by 1839, many counties in Massachusetts and several counties in New York and Ohio had more

---

37 Ibid., 146.
antislavery societies than all of Rhode Island, New Jersey, Illinois, Indiana, and Michigan. ⁴⁰

In spite of their still relatively small numbers, the abolitionists were highly effective political agitators who were determined to influence northern public opinion. They attacked the Slave Power, and its northern accomplices, at every turn, and as a result, their popularity grew alongside northern belief in the conspiracy. In New York, for instance, antislavery men “gradually and almost unobserved gained strength from year to year, as some new event would focus the attention of the country upon what was deemed the ever-widening ambition and arrogance of the Southern leaders.”⁴¹ The establishment of the gag rule by Congress was one such event. Ironically, the gag rule, which sought to silence the abolitionists by suppressing their right to petition, actually helped invigorate and legitimize the movement. According to Congressman Galusha Grow of Ohio, “Previous to the passage of the [gag] rule, Abolitionism was but a sentiment, and a mere sentiment is not a sufficient basis for a formidable political organization. But when great principles of constitutional rights are violated, . . . enduring political organizations [may be created].”⁴²

Shrewdly, the abolitionists capitalized on the controversy over the gag rule and rebranded themselves as “the defenders of white liberties as well as the champions of the hapless slaves.”⁴³ Prefiguring the debate over free-soil, southern politicians, in contrast, were depicted as the enemies of a free northern society in which constitutional freedoms (of white men, that is), including the right of petition, were protected and cherished.

---

⁴⁰ Richards, Slave Power, 136-37.
⁴¹ Donovan, Barnburners, 13.
⁴² Quoted in Foner, Free Soil, 101.
⁴³ Richards, Slave Power, 140.
Disgust and contempt were especially reserved for northern Democrats, whom the abolitionist press accused of betraying their own constituencies by voting with the South. For instance, referring to the “self-styled Democratic party,” one abolitionist charged, “Towards southern men and southern measures – towards southern mobs and southern misrule – towards southern arrogance and southern ambition – towards southern institutions and southern iniquity – the party we oppose has displayed the most pitiable subserviency, and the most degrading deference.” The American Anti-Slavery Society, in another example, listed on its “Roll of Infamy” the 53 “northern serviles” – most of them Van Burenites – who voted with the Slave Power to renew the gag rule.

According to abolitionist rhetoric, the Slave Power, with the help of its northern lackeys, was subverting the Constitution in order to defend their “peculiar institution.” The “infamous ‘gag rule,’” declared the American Anti-Slavery Society, was “a violation of the principles of republicanism, a trampling on the right of petition, and a complete abrogation of a sacred right guaranteed to us by the Constitution.” And though most northerners remained indifferent to the plight of southern slaves, and indeed openly hostile to free blacks, they refused to stand for such a blatant attack on their rights, as the gag rule was portrayed. As a result of the gag, and other alleged affronts, the North was becoming increasingly incensed by the gall of southern politicians and their northern underlings. Northern congressmen, in turn, were forced to pay heed to their constituents’ opinions, which helps explains the radical shift in northern Democratic voting that occurred in the early 1840s. According to Foner, northern Democrats began to vote

---

45 Richards, Slave Power, 133.
against the gag because “they wanted to end the continuing controversy over the rule, which was helping to swell the ranks of antislavery men in their districts.”\textsuperscript{47} And in Richards’ assessment, “By this time the Van Burenites had concluded the gag would cost them votes on Election Day.”\textsuperscript{48} By the 1840s, the abolitionists, as a political force, could no longer be ignored in many sections of the North. Any politician, of either party, who disregarded them did so at his own peril.

The growth of abolitionism in the North precipitated the emergence of the Liberty Party, which was founded in New York in 1839. Initially more religious than political, the party was transformed under the pragmatic leadership of Salmon P. Chase, who joined the organization in 1841. According to Foner, “He realized that to win votes, the Liberty party would have to speak in political terms to the northern electorate and propose a program more precise than an abstract commitment to abolition.”\textsuperscript{49} Chase, a lawyer by trade, understood that federal interference with slavery in the states was unconstitutional, therefore, he developed a gradualist political approach to challenge slavery in the areas under federal jurisdiction – the District of Columbia, the territories, the interstate slave trade, and the fugitive slave law.\textsuperscript{50} Although abolition remained the party’s ultimate goal, Chase wisely sought to shed the stigma of fanaticism associated with abolition to win over more mainstream supporters. In order to accomplish this, Chase deliberately stressed the distinction between moral abolition and political antislavery, which was the central aim of the Liberty Party. While abolition stubbornly and unrealistically demanded the immediate end to slavery everywhere in the United

\textsuperscript{47} Foner, “Wilmot Proviso,” 266.
\textsuperscript{48} Richards, \textit{Slave Power}, 139.
\textsuperscript{49} Foner, \textit{Free Soil}, 79.
\textsuperscript{50} \textit{Ibid.}, 79.
States (primarily on religious grounds), antislavery aimed to constitutionally challenge the institution where it could and sought to divorce the federal government from slavery by defeating the Slave Power that controlled it.\textsuperscript{51}

Although it was a legitimate political party, in that a slate of candidates ran for office under its banner, the Liberty movement might more accurately be described as a pressure group because, like most third parties, it was essentially organized around a single issue.\textsuperscript{52} The party’s basic objective and strategy was not to supplant, or even really compete with, either of the major parties in the North, but rather to secure the balance of power between them at elections. If they could do this, they believed, they could then force at least one of the major parties to adopt their antislavery policies, if only to win elections.\textsuperscript{53} By the early 1840s, in the key northern states of Ohio and New York, the Liberty Party had effectually attained the balance of power.\textsuperscript{54} With the presidential election of 1844 approaching, the Van Buren men were surely aware of these developments.

In addition to steering many northerners toward antislavery, the Liberty Party deserves much of the credit for popularizing the idea of the Slave Power and turning it into an effective political symbol, or bogeyman, in the North. “During the 1840’s the Slave Power idea became a standard part of Liberty party rhetoric,” writes Foner. “As the issue of slavery extension emerged, the idea of a slaveholders’ conspiracy became more and more common in anti-slavery talk... And, as anti-slavery leaders realized how

\textsuperscript{51} \textit{Ibid.}, 81-82.
\textsuperscript{53} Ibid.
effective a political symbol the Slave Power could be, they intentionally stressed its evils in their speeches and platforms.”

Furthermore, the party leadership was determined to exploit the idea of the Slave Power in order to energize the people of the North. As party leader Joshua Leavitt revealingly wrote to Chase, “I believe now there is a general preparation in the minds of the people to look to ‘overthrow the Slave Power’ as the ultimate result of our movement. I am struck by the facility with which this word has come into use in the documents of both Democrats and Whigs.” He advised, “We must make the most of that word. . . . [The] incessant use of the term will do much to open the eyes and arouse the energies of the people.”

The controversy over the annexation of Texas and the Mexican War would certainly arouse the energies of the people and demonstrate just how effective the Slave Power thesis could be.

### III. The Battle over Texas and the Election of 1844

In order to understand the origins of the Wilmot Proviso, it is necessary to examine the bitter sectional debate over the annexation of Texas which took place a few years before. According to Chaplain W. Morrison, the Texas controversy “precipitated a sectional clash over the extension of slave territory, [and was] a sort of dress rehearsal for the later Wilmot Proviso.”

Texas, the northeastern-most state of Mexico, had long been coveted by American expansionists, especially southerners, who viewed its acquisition as part of

---

56 Leavitt to Chase, July 7, 1848, quoted in Foner, *Free Soil*, 93. Although this letter was written several years after the introduction of the Wilmot Proviso, it nonetheless demonstrates the strategy of the Liberty and Free Soil Parties to promote the use of the term.
57 Morrison, *Democratic Politics*, p. 5.
the young nation’s “Manifest Destiny.” In 1823, the government of newly independent Mexico began to encourage migration into the thinly populated province by offering colonists land for just 10 cents an acre and exemption from paying taxes for seven years. The idea was to create a buffer zone between Mexico’s interior and the United States, however, the plan completely backfired. A flood of land-hungry Americans from the southern and western states poured in, bringing large numbers of slaves with them. Before long, Anglo-Americans outnumbered Mexicans three to one, much to the dismay of Mexico City. In 1829, Mexico abolished slavery in an effort to discourage further American immigration, and in 1830, the government banned American immigration outright. The Mexican government, however, was much too weak to enforce these laws, so slavery remained the order of the day as thousands of Americans continued to enter Texas with their human “chattel.”

After General Santa Anna seized control of the government and made himself dictator in 1834, several provinces, including Texas, revolted the following year. While many Americans sympathized with the Texan struggle for independence, the abolitionists saw the rebellion for what it really was – an effort to protect slavery. The Liberator, for instance, proclaimed, “We regard the conduct of the Texians in the light of a rebellion, and BELIEVE THEIR OBJECT IS TO ESTABLISH AND PERPETUATE SLAVERY AND EXTEND THE SLAVE-TRADE. . . . [The] friends of humanity and true liberty are called upon to expose the iniquitous schemes that are carried on in that

---

58 In fact, the term “manifest destiny” was first used by John O’Sullivan, an editor of the Democratic Review, in an 1845 editorial in support of Texas annexation.
60 Richards, John Quincy Adams, 155.
country under the pretence of ‘a struggle for liberty against cruel oppression.’” In a widely circulated pamphlet, abolitionist Benjamin Lundy wrote, “the immediate cause and leading object of this conflict originated in a settled design, among the slaveholders of this country, (with land-speculators and slave-traders,) to wrest the large and valuable territory of Texas from the Mexican republic, in order to re-establish the SYSTEM OF SLAVERY; to open a vast and profitable SLAVE-MARKET therein; and, ultimately, to annex it to the United States.” Indeed, much of Lundy’s analysis, including his annexation prediction, turned out to be correct. After defeating Mexico, Texas first appealed to the United States to recognize its independence, and later, to annex it.

After President Van Buren declined to consider annexation because of its association with slavery – an issue he preferred to avoid – the question fell to his successor (once removed), the slaveholding Virginian John Tyler. President Tyler, known to his many opponents as the “constitutional fact” because of the circumstances that put him in the White House, made the annexation of Texas his number one priority. Having already been repudiated by his own Whig Party, he had hoped that acquiring Texas would make him popular enough to seek reelection as a third party candidate, or better yet, as a Democrat in 1844. Most of the negotiations with the Lone Star Republic were made by Tyler’s Secretary of State Abel Upshur, who was also a slaveholder. However, after Upshur was killed in a freak accident onboard a battleship, the job was left to his

61 “Texas,” Liberator, April 23, 1836.
63 Donovan, Barnburners, 52. Tyler became president after William Henry Harrison died just 32 days into his term.
replacement, the proslavery zealot, John C. Calhoun. In April 1844, Calhoun presented a treaty to the Senate to admit Texas to the Union. Inexplicably, he attached to the treaty a copy of a letter he had written to the British ambassador Sir Richard Pakenham in which he “based the case for annexation on the need to protect and preserve the institution of slavery.” An outraged northern public took the letter, which was soon leaked to press, as absolute proof of a Slave Power conspiracy.

Thanks to bipartisan northern opposition, however, Calhoun’s treaty was defeated in the Senate. But events surrounding the presidential election of 1844 would give it new life. Within four days of the publication of the Pakenham letter, the leading Whig presidential candidate Henry Clay announced his opposition to annexation, and the next day the presumptive Democratic nominee Martin Van Buren followed suit. In a widely published open letter, Van Buren wrote that, domestically and abroad, immediate annexation would “do us more real lasting injury as a nation than the acquisition of such a territory, valuable as it undoubtedly is, could possibly repair.” While his position undoubtedly pleased Van Buren loyalists in the Northeast and Midwest, it infuriated annexationist Democrats in the southern and western states. These disgruntled Democrats, however, would have the last word at the upcoming convention in Baltimore.

When the Democrats assembled in Baltimore in May to select their party’s presidential candidate, a majority of the delegates arrived pledged to support Van Buren.

---

64 On February 27, 1844, during a party onboard the USS Princeton, the ship’s massive cannon exploded, killing Upshur and eight other passengers. President Tyler, who was also in attendance, was unharmed. Greenberg, Wicked War, 15-17.
65 Foner, “Wilmot Proviso,” 267. At the time it was believed that Calhoun intentionally attached the letter so that the treaty would be defeated by northern votes. He could then run as a southern candidate for president on the issue of Texas or lead the South into disunion. Foner, ibid., 267. Another theory speculates that Calhoun wanted to undermine Van Buren’s presidential hopes by forcing him to come out against annexation. Richards, Slave Power, 143.
66 Richards, Slave Power, 144-45.
67 Quoted in Greenberg, Wicked War, 19.
However, the southern and western pro-Texas lobby pushed through the previously mentioned two-thirds rule in order to block his nomination.\(^{68}\) Apparently “the northern man with southern principles,” as Van Buren was dubbed by his northern Whig opponents, was no longer considered a true friend of the South. In fact, on the first ballot, Van Buren failed to get more than a handful of votes from below the Mason-Dixon Line.\(^{69}\) After a prolonged deadlock, in which neither Van Buren nor his main rival Lewis Cass of Michigan were able to achieve the necessary two-thirds majority, the party nominated James K. Polk, a Tennessee slaveholder and an enthusiastic expansionist. In effort to appease the embittered Van Burenites, the nomination for vice president was offered to Van Buren’s protégé, Senator Silas Wright of New York, but after he refused it, the position was given to George M. Dallas of Pennsylvania. The convention also adopted resolutions in favor of the annexation of Texas as well as “all of Oregon” in order to satisfy northern Democrats. Thus, the “Re-annexation of Texas and the Re-occupation of Oregon” became dual planks in the party’s platform.\(^{70}\)

The Van Burenites couldn’t help but feel betrayed by what had transpired in Baltimore. According to Morgan Dix, the son of New York Senator John A. Dix, “It was spoken of as a magnanimous sacrifice on their part. It was a sacrifice indeed, and one of those which call for many more in sequence.”\(^{71}\) Although the Van Burenites vowed to


\(^{70}\) Benson, *Jacksonian Democracy*, 255. The most ardent expansionists in the party falsely claimed that Texas and Oregon were part of the original Louisiana Purchase, therefore they were to be re-annexed and re-occupied, respectively. According Clarke E. Persinger, a bargain was struck in which northwestern Democrats had agreed to support the annexation of Texas in exchange for southern backing of U.S. claims to the “whole of Oregon.” After Texas entered the Union as slave state, however, southern support for the all-Oregon position suddenly waned and the Polk administration eventually accepted a compromise with the British which divided the territory. In Persinger’s analysis, western Democrats, outraged by this “betrayal,” employed the Proviso as a means of retaliation. Persinger, “Bargain of 1844.”

support Polk in the upcoming election, many found it hard to reconcile their own feelings, as well as those of their constituents, with the Texas plank of the Democratic platform. The situation was especially complicated in Van Buren’s home state of New York after the release of the “Secret Circular,” a private letter drafted by several leading Van Buren men, including William Cullen Bryant of the *Evening Post*, and quietly sent to a select group of sympathetic New York politicians, among them Preston King. The circular regretted the nomination of Mr. Polk and strongly denounced the resolution on Texas as “abhorrent to the opinions and feelings of a great majority of Northern freemen.” In the end, they concluded that “the best policy would be to support Polk, but, at the same time, to work for the nomination and election of congressmen who would oppose ‘the new and untenable doctrines’ of the annexation resolutions.”

After the Secret Circular was leaked to the press, it was strongly censured by the conservative wing of the New York Democracy as “foul Abolition treason” and as “federalism [i.e., Whigism] under the guise of Democracy.” Soon after, the men behind the Secret Circular published a joint letter, addressed to “the Democratic-Republican Electors of the State of New York,” in the *Evening Post* in order to clarify their position. This time, the letter made it obvious that its authors opposed annexation, above all, because it would increase the political influence of the southern slave states. “A citizen of Mississippi with five slaves has virtually as many votes as four citizens of New York,” it argued. “If Texas ever comes into this Union, no one of its citizens shall have, with our

---

75 Quoted in Godwin, *W.C. Bryant*, 417.
consent, more power than a citizen of our own State.” Furthermore, it claimed that “annexation is pressed upon us by a portion of the South as a new source of prosperity for the slave industry, and a new guarantee to their institutions.” The letter concluded by calling on New York’s electors to nominate “no man [for national or state Congress] who is committed to this scheme – this unwise, unjust, and un-American scheme of adding Texas to our dominions, without even a plausible pretext, with indecent haste, regardless of treaties and consequences, with its war, its debt, its slave institutions, and their preponderating political power.”

Despite the obvious internal conflicts within the New York Democracy, by election time, the party was unified enough to deliver their state’s numerous electoral votes to Polk, thereby securing his national victory. The election in New York was extremely close, with Polk defeating Clay by only 5,000 votes. As predicted, the Liberty Party, whose candidate received nearly 16,000 votes, held the balance of power in the election. Although the Democratic ticket was successful in 1844, New York Democrats still had cause for concern. Whereas Polk defeated Clay by just 5,000 votes, Silas Wright was elected governor by a plurality of 10,033 votes. In fact, the very popular Wright was persuaded by the party leadership to run for governor (in place of the Democratic incumbent, William C. Bouck) in order to boost support for the southerner Polk and ensure the success of the national ticket – a move apparently justified by the

---

76 Quoted in ibid., 421-22. The Joint Letter is reprinted in its entirety in ibid., 418-422.  
77 The controversy over Texas was indicative of a broader conflict within the party between conservatives, known as Hunkers, and antislavery Van Burenites, known as Barnburners. After his election, Polk’s Cabinet selections and distribution of patronage favored the Hunkers and alienated the Barnburners. The Barnburners later accused Polk of conspiring with the Hunkers to overthrow then Gov. Wright in the election of 1846. It should be noted that the New York members behind the Proviso were all Barnburners, as were William C. Bryant and Silas Wright.  
78 Donovan, Barnburners, 59.  
79 Benson, Jacksonian Democracy, 266. The exact number of Liberty votes was 15,812.
result. What disturbed the leadership, however, was the fact that in several key districts Polk ran several thousand votes behind Wright, and well behind the party’s congressional candidates. According to Jabez Hammond, “those democrats who thought it wrong to vote for Mr. Polk, on account of the Texas question, either declined voting for presidential electors, or voted the abolition ticket.” The leadership concluded that the Texas controversy had given the balance of power to the abolitionists in dozens of communities, including ten upstate New York congressional districts, and hence the state was in danger of falling into Whig hands,” writes Richards. “They decided it was time to distance themselves from the South.” They would have occasion to do so almost immediately, as the question of Texas once again came before the House.

Because the annexation of Texas had been a major plank in the party’s platform, and because the election was considered by many a referendum on the issue, the Van Burenites were placed in a precarious position. As Richards explains it, “If they backed their southern colleagues, they were certain to be denounced as backing a Slave Power conspiracy. If they broke with the southern Democrats, they were equally certain to be denounced for betraying the party’s campaign promises.” While most northern Democrats chose the first option and switched their votes in favor of annexation, the Van Buren men conspicuously chose the latter. In fact, the Van Burenites, including some of the same men behind the upcoming Proviso, helped lead the opposition against annexation in Congress. And noticeably, their rhetoric increasingly reflected the antislavery and anti-southern sentiments of their constituencies. According to Jacob

---

80 Donovan, Barnburners, 58-59.
81 Richards, Slave Power, 145.
82 Quoted in Benson, Jacksonian Democracy, 266. Hammond was a New York politician and historian.
83 Richards, Slave Power, 145.
84 Ibid., 147.
Brinkerhoff, for instance, annexation “was a southern question, for the benefit of the South; for the strengthening of her institutions; for the promotion of her power; for her benefit, for the advancement of her influence.”

Preston King asserted that the main issue was not the morality of slavery in the abstract, but “the increase and predominance of slavery, as a distinct and exacting power in the confederacy.” George Rathbun of upstate New York protested that the South was asking northern congressmen to “commit suicide on this floor,” and he “reminded his fellow northerners of the political demise of the northern doughfaces who had sold their votes to the South during the Missouri crisis.”

As demonstrated by Rathbun’s comments, the Van Burenites were well aware of the mood in their home districts and quite rightly feared the political consequences of voting for annexation. Silas Wright, for instance, remarked that “the Texas treaty is made upon a record which is sure to destroy any man from a free State who will go for it.”

King echoed this fear in a letter to Van Buren: “I believe the democratic party will fall in every free state except Illinois if the democratic party can be made responsible for legalizing slavery in the whole of Texas.” Perhaps the best illustration of the dilemma faced by the New Yorkers, in particular, comes from a letter written by Senator John Niles of Connecticut.

Do you not forget that the democratic party there [in New York] is now in a minority and that public sentiment in that state has a strong infusion of the spirit of abolitionism. . . . The abolitionists are gaining in New York, and recruiting from the Democrats; and would you have our friends there give them a new and

---

85 Congressional Globe, 28th Congress, 2nd Session, Appendix, 132.
86 Quoted in Foner, “Wilmot Proviso,” 270.
87 Quoted in ibid; Morrison, Democratic Politics, 7.
89 King to Van Burens, February 14, 1845, quoted in ibid., 270.
powerful impulse? . . . Do you think the N. York members have no sagacity, no
instinct to discover public sentiment in their districts? . . . [The South] will
consent to no compromise, to reconcile the measure to the opinions or prejudices
of the north, and make it more safe for the northern democrats to vote for it. . . .
There have been enough northern democrats who have sacrificed themselves to
southern interests and I do not wish to see anymore.\footnote{Niles to Gideon Welles, January 31, 1845, quoted in \textit{ibid}.}

Van Burenite organs in the North echoed Hale’s opinion that northern Democrats
had already conceded more than enough to their southern colleagues. For instance, the
New York \textit{Evening Post} insisted that southern demands had become intolerable and
declared it was time that northern Democrats break their alliance with the South.
Moreover, the editor denounced the doughfaces who helped the South revive the Texas
treaty and, foreshadowing the Wilmot Proviso, called on northern Democrats to take a
stand against the further extension of slavery. According to the \textit{Evening Post}:

\begin{quote}
This abortion [the treaty], rejected with contempt and disgust by the whole
country, a few Northern Democrats are swaddling and nursing and trying to coax
into life. Now, we say it with mere reference to the interests of the party –
interests which no wise person can overlook – that any Northern Democrat who
seeks to identify the party with the extension of slavery, and to make that the
rallying question, is only fit for bedlam; and no greater political insanity can be
imagined. Shall the young Democracy, in its heroic youth, stifle its ardent nature
by so unnatural an alliance? Where slavery and slave representation exist under
the constitution, let them exist. It is the bargain, it is the bond. But to extend these
evils to another portion of the Western hemisphere, and, above all, to make this
the rallying cry of the party, is evidently suicidal.\footnote{New York \textit{Evening Post}, July 26, 1844, quoted at length in Godwin, \textit{W. C. Bryant}, 414.}
\end{quote}

As revealed by the excerpt above, the Van Burenites were, in a sense, fighting for
the soul of the Democratic Party. Because of rising antislavery and anti-southern
sentiments in the North, northern Democrats would be trapped in an untenable political
position as long as the party was dominated by southern members insisting on the
extension of slavery. Particularly in those sections where antislavery convictions were strongest, anyone deemed to have aided the South in spreading slavery would indeed be committing political suicide. When the Mexican War began just a few years later, the Proviso men would have certainly had this mind.

Despite the best efforts of the opposition, the annexation of Texas was ultimately approved by the House and narrowly ratified by the Senate. Conspicuously, 27 Van Buren Democrats voted against annexation, including 13 members from New York.\(^2\)

“Among those in opposition were King, Rathbun, Brinkerhoff, and Hamlin – all of whom were to have a role in the introduction of the Wilmot Proviso.”\(^3\) Just five years before, southern Democrats could count on the automatic support of the Van Buren doughfaces, but no longer. In the wake of the Texas controversy, the Van Burenites’ divorce from the southern wing of the party was nearly complete. The Mexican War, and the movement that developed to oppose it, would shatter the alliance once and for all.

**IV. The Mexican War and the Antiwar Movement**

Considering the character of the debate over annexation, it is not surprising that many northerners would distrust the objects of the impending Mexican War. Remarkably, abolitionists, northern Whigs, and Van Burenites had found common ground and together denounced annexation as a southern scheme to acquire more slave territory. Although the South ultimately won the dispute over Texas, the antislavery forces had gained valuable

---


\(^3\) Foner, “Wilmot Proviso,” 271. Wilmot, however, voted in favor of annexation, which might help explain his later involvement in the free-soil amendment. According to Richard R. Stenberg, because of such votes, Wilmot had acquired a pro-southern reputation, which was a political liability for him. Therefore, he proposed his amendment in order to distance himself from the South and regain the trust of his northern colleagues and his constituency. Stenberg, “Motivation of the Wilmot Proviso.”
experience and would continue to keep their powder dry for the next battle against the Slave Power.

Opponents of annexation had previously claimed that if Texas were admitted to the United States, it would mean almost certain war with Mexico. Henry Clay, for instance, had remarked during the presidential campaign that “annexation and war with Mexico are identical.” 94 Van Buren had also warned of the probability of war, and was particularly distressed by the damaging effects he believed it would have on the Democratic Party. In an especially prescient letter, Van Buren wrote, “Too much care cannot be taken to save us from a war, in respect to which the opposition shall be able to charge us with plausibility, if not truth, that it is a war waged for the extension of slavery.” In the event of a war, northern Democrats would, Van Buren feared, “be driven to the sad alternative of turning their backs upon their friends [i.e., their southern colleagues], or of encountering political suicide with their eyes open.” 95

Of course, Mexico had never recognized the independence of Texas, therefore, it viewed annexation as an illegal and belligerent act by the United States. Shortly after Polk’s inauguration, Mexico severed diplomatic relations with its northern neighbor. Nevertheless, President Polk sent a diplomat named John Slidell on a secret mission to Mexico City with instructions to resolve the boundary dispute between Texas and Mexico and to buy the much coveted territory of Alta California. As Greenberg acknowledges, “Polk was putting on an excellent show of negotiating, but in fact everything about Slidell’s mission, from his title to his terms, was intended to incense the Mexicans and

94 Quoted in Greenberg, Wicked War, 63.
95 Van Buren to George Bancroft, February 15, 1845, quoted in Morrison, Democratic Politics, 14.
ensure that diplomacy would fail.”96 Unsurprisingly, the Mexican government declined to receive Slidell, so Polk started making preparations for war, which had been his design all along. Since Mexico refused to sell California, the United States would simply take it by force of arms.

In March 1846, on Polk’s orders, General Taylor’s forces crossed the Nueces River and marched through the disputed territory all the way to the Rio Grande, where they were met by Mexican troops.97 On April 24, a detachment of Mexican cavalry crossed the Rio Grande and engaged in a firefight with U.S. soldiers sent to meet them. Eleven Americans were killed in the skirmish, and although he didn’t know it yet, Polk had his excuse for war.98

On May 9, Polk finally received word of the incident, and on May 11, he sent a message to Congress claiming that “Mexico has passed the boundary of the United States, has invaded our territory, and shed American blood upon American soil.”99 Therefore, he demanded not that Congress declare war, but rather recognize that a war already existed “by the act of Mexico.” A war bill providing for 50,000 volunteers and $10 million was quickly drawn up in the House and, with debate severely restricted, passed by a margin of 174 to 14, with numerous abstentions. Although many had their doubts about the president’s version of events, the potential charge of disloyalty was enough to pressure them into voting for the bill. All of the negative votes were cast by antislavery Whigs, including John Quincy Adams, who were afterwards reverently dubbed the “Immortal Fourteen” by peace activists. The following day, the measure

---

96 Greenberg, Wicked War, 78.
97 The Nueces River was the border claimed by Mexico and accepted by most Americans; the Rio Grande was the border claimed by Texas and the Polk administration.
98 Greenberg, Wicked War, 100-104.
99 Quoted in ibid., 104.
passed the Senate by a margin of 42 to 2, with several abstentions, including John C. Calhoun.\footnote{Schroeder, Mr. Polk’s War, 12-17. Calhoun opposed the war on constitutional grounds but refused to vote against it.}

From the start, the abolitionist press strongly denounced the Mexican War as a war of conquest initiated by the Slave Power in order to extend the “peculiar institution.” In a letter published in the \textit{Liberator}, William Lloyd Garrison wrote of the war, “It is a distinct, all-crushing pro-slavery movement.” “I am anxious that, to the final termination of hostilities,” he continued, “the \textit{Liberator} should bear a steady, oft-repeated and faithful testimony against the Executive that provoked the Mexican war – against the Congress that sanctioned it – against the parties that encourage it – against every individual that does not protest against it.” Garrison called on all opponents of slavery to agitate and to make every effort to disrupt the execution of the war. “The enemies of slavery, therefore, should consider it to be the chief anti-slavery work which they are now specially called upon to do, to endeavor to paralyze the power of the government, that Mexico must be saved, and the overthrow of the Slave Power hastened.”\footnote{“Extract of a Letter from Mr. Garrison,” \textit{Liberator}, August 21, 1846. Note: Although it was not published until after introduction of the Wilmot Proviso, the original letter was dated June 19.} Another abolitionist paper, the \textit{Liberty Standard}, pondered, “What, then, must be the nature of a war begun confessedly, to strengthen the bands of oppression, and now waged with a fiendish spirit for the avowed purpose of extending the curse of slavery over territories, robbed, and to be robbed, from a weak, defenseless people! [?]”\footnote{“The War for Slavery,” \textit{Liberty Standard}, reprinted in \textit{Liberator}, July 3, 1846.}

The claim that the war was being waged in the interests of the South (i.e., for the acquisition of more slave territory) at the expense of the North was not far from the surface of most antiwar critiques. Furthermore, the abolitionists believed that the nation,
especially the northern public, had been duped into supporting the war by Slave Power deceptions and a duplicitous northern press. “And yet the game has been played so adroitly by southern hands, that all the people, north and south, are found supporting the war before they know it,” wrote the Liberty Standard. “And if one can judge by the ebullitions of partizan presses, the people of the free States are willing still to truckle and stoop to the slave power, and pour out their blood and their treasure to defend and strengthen it.”103 The Charter Oak, a paper published by the Connecticut Anti-Slavery Society, similarly denounced northern newspapers for fermenting the martial spirit among the populace. “The Democratic papers all unite in glorying over our disgraceful quarrel with Mexico – and some of the Whig papers echo their wicked nonsense, as if patriotism required a man to make a fool of himself, and a knave to boot.” Furthermore, the writer went on to encapsulate the crux of the antiwar stance in just a few sentences. “The truth is, a more inexcusable, base, iniquitous and cowardly war never was waged, than that in which our government has wickedly involved itself with Mexico,” the writer opined. “It is a war of aggression – it is a war of the strong against the weak – and, to crown the infamy of the thing, it is a war for the extension of slavery.”104 While abolitionists obviously challenged the war because of its association with slavery, they and other members of the opposition also feared it would establish a dangerous precedent in U.S. foreign policy. And as it turned out, they were right to be concerned. As a war of expansionist aggression against a neighboring nation and a sister republic, the Mexican War transformed the United States into an emerging imperial power and continues to

103 Ibid.
affect how the U.S. engages with the rest of the world. Whether a nation can be both a republic and an empire – without sacrificing the values of the former – remains disputed to this day.

The idea that northern doughfaces, primarily Polk’s fellow Democrats, had once again sold out to their southern overlords was also a common theme of abolitionist antiwar rhetoric. “It would almost seem that the ‘doughfaces’ of Randolph’s day were noble men, compared with this generation in the North; for verily, there can be no act of debasement to which Southern masters will only deign to give them the crumbs which fall from their tables,” charged the Liberty Standard. “The Mexican war has developed a crouching spirit in the free States, that notwithstanding all the insults and injuries without number endured for scores of years, exhibits no signs of manhood, but for every little favor granted by Southern overseers, whispers, ‘We are but unprofitable servants.’” To the Proviso men, representing antislavery and anti-southern districts, these charges had to have been worrisome, especially in an election year.

While writers and editors did their best to promote the antiwar spirit in print, opposition to the war was hardly confined to the pages of a few antislavery papers; it was vigorously expressed by the people themselves. Throughout the Northeast and the upper Midwest – the very sections represented by the Proviso men – thousands of antiwar activists answered Garrison’s call to “endeavor to paralyze the power of the government” to wage war against Mexico and to “overthrow the Slave Power.” According to John H.

---

105 Greenberg, Wicked War, xiii.
106 The author is referring to northern congressmen (overwhelmingly Jeffersonian Republicans) who sided with the South and voted to admit Missouri as a slave state during the Missouri Crisis of 1819-20. John Randolph of Virginia was the first to use the term “dough face” to describe a northern man who voted with the South (Richards, Slave Power, 85-86).
Schroeder, “Meetings of local and state abolitionist societies in New York, Ohio, [Pennsylvania,] and New England became forums for antiwar speeches and resolutions. The pages of antislavery journals abounded with accounts of these meetings and with a steady stream of articles, editorials, atrocity stories, letters, and labored verse.” For instance, at one such meeting held in Boston, antiwar resolutions were offered that denounced the war as “notoriously waged for the purpose of strengthening, perpetuating and extending the traffic in slaves and souls of men” and as “a war of subjugation, and much more so to extend the withering curse of slavery, which is operating on the body politic like a cancer in the physical man.” Furthermore, those in attendance avowed that “it is the duty of friends of justice and humanity, and all who are opposed to human butchery, to do all that can rightfully be done to prevent enlistments, and to frustrate the purposes of the government, and to paralyze its bloody arm.” And finally, they affirmed that “this meeting protests against the act of our government, in their unrighteous attack and invasion of Mexico, and that we will sustain our Representatives, in voting against supplies for butchering our brethren.” As members of the Democratic majority, the Van Burenites couldn’t possibly vote against supplying the war. Indeed, only the most radical antislavery Whigs dared do so, and they were denounced by their Democratic opponents as apostates and traitors as a result. Thus, for the Van Burenites, the only way to appease antiwar activists was to somehow assure them that the extension of slavery was not the object of the war.

In addition to the antislavery bastions of New England, there was a groundswell of popular protest against the war in various sections of the Northeast and upper

---

108 Schroeder, Mr. Polk’s War, 100.
109 “No Unity with the Mexican War,” Liberator, June 12, 1846.
110 Schroeder, Mr. Polk’s War, 31-32.
Midwest. In Ohio, for example, a meeting of the Western Anti-Slavery Society was attended by “not much, if any less than a thousand people, and [the turnout] increased in number as well as interest, to the very last.” “In the city I have seen larger, and perhaps as enthusiastic meetings, but in the country never, nor anything like it,” the correspondent remarked. “Every aisle was thronged, and large numbers waited outside at the windows.” Inside the meeting house, antiwar resolutions were proposed, a “thronging multitude voted upon them, and there was scarcely a dissenting voice. The anti-war pledge was adopted as a resolution, and signed by 400 persons.” While he conceded that “In some sections [of Ohio], the war spirit is rampant,” the correspondent happily reported that in other areas, “the drum of the recruiting officer beats in vain – the Democrats storm about it, but the miserable cowards have no idea of enlisting themselves; consequently, only three men out of three thousand have gone, and they are of the class that can be spared.”\(^{111}\)

At a meeting held in Wilmot’s home state of Pennsylvania, the Antislavery Society of Eastern Pennsylvania, New Jersey, and Delaware resolved that “we view the war which this nation is waging against Mexico, as a war of aggression for the interests of the slave power, and the extension of the slave system; and that to give it countenance and encouragement is to fight against the cause of humanity and freedom.” Petitions addressed to the U.S. Senate and House of Representatives were also drawn up and signed by those in attendance. One implored Congress to “abolish slavery throughout the Union;” another, claiming that “no such union [between north and south] can exist, but the sacrifice of freedom to the supremacy of slavery,” called on Congress “to devise and propose without delay, some plan for the immediate peaceful dissolution of the American

Petitions of a similar nature were also sent to the Pennsylvania state legislature. The common abolitionist refrain that freedom was being sacrificed to “the supremacy of slavery” under the present political arrangement was based on two beliefs. First, abolitionists believed that in a country that allowed, or even promoted slavery, freedom could only exist in the abstract. Indeed, they considered every citizen of the Union an accomplice to slavery and, by extension, none of them truly free. Second, since the Slave Power controlled the government, the interests of slaveholders would always dictate policies that promoted slavery and undermined freedom. To antislavery peace activists, the Mexican War was further proof of this.

The public disorder surrounding an antiwar meeting held in Syracuse, New York was indicative of the deep popular divisions caused by the Mexican War in many parts of the country. The “Friends of Peace” had rented the concert hall of a local hotel for the purpose of holding an antiwar meeting on the evening of June 18th, but when they arrived, they “found the room in the possession of a gang of bullies determined to transform it into a War meeting!” Forced by this pro-war mob to relocate, they withdrew to the Congregational Church, where a series of antiwar speeches were made and a list of resolutions presented. Among the resolutions was one which maintained that “true patriotism requires that the wrong doing of Governments should be denounced as boldly, and opposed, as strenuously, as the wrong doing of individuals; and that the treason most to be dreaded and abhorred is that which would urge on, or sustain a Government in the horrid work of human butchery.” Another resolution claimed that since “the object of the

\textsuperscript{112} In a sense, radical abolitionists were the original disunionists.
\textsuperscript{113} “Ninth Annual Meeting of the Antislavery Society of Eastern Pennsylvania, New Jersey and Delaware,” \textit{Liberator}, August 21, 1846. Note: Although this article was published after the introduction of the Wilmot Proviso, the meeting was actually held in Pennsylvania on August 5, several days before.
present war is the extension and perpetuation of the accursed system of slavery, it
becomes the solemn duty of all true friends of our country, and of human liberty, firmly
to protest against it.” And another stated that “in our judgement, our success in this war
now prosecuted for the conquest of Mexico, would be a greater calamity to our country
and the world than our defeat . . . inasmuch as our success would establish in our
Government the ascendancy of slaveholders, and restore the accursed system of slavery
to regions from which it had been expelled by the noble consistency of the Mexican
Republicans.” “The Resolutions were then adopted,” the Tribune correspondent reports,
“though some of the other sort [i.e., ‘the War men’] had left their own meeting to come
over and vote against them, as well as to interrupt the speakers with hisses, groans, and
vulgar exclamations.” Remarkably, “Not succeeding thus, a cannon was planted at the
rear of the church and fired two or three times to disturb and annoy the meeting.” The
New York Daily Tribune, a Whig newspaper opposed to the war, denounced the behavior
of the pro-war rabble as “Loco-Foco ruffianism.”114 Loco-Foco, it should be noted, was a
defamatory nickname for Democrats.

Pacifist organizations, like the “Friends of Peace” and the American Peace
Society, matched the zeal of the abolitionists in their denunciations of the Mexican War.
Indeed, there was a large degree of overlap in ideology and membership between these
two movements. William Lloyd Garrison, for instance, was one of the founders of the
Non-Resistance Peace Society in addition to the better-known American Anti-Slavery
Society.115 While pacifists objected to all wars on principle, they viewed the Mexican
War as especially unjust and called on all true Christians to oppose it. According to the

115 Charles J. DeWitt, “Crusading for Peace in Syracuse during the War with Mexico,” New York History,
Vol. 14, No. 2 (April, 1933): 103.
American Peace Society, “the unjust and unnecessary war now waged with Mexico must be condemned, on religious principles, by every person pretending to the name of ‘Christian,’” and that “it is their duty to give every moral opposition to it; for indifferent observation of a crime is a quiescent assent to it, and often proves a passive support.” Like their abolitionist allies, the pacifists also condemned the war on antislavery grounds. “Had it not been for the institution of American slavery, and a determination on the part of the friends of that institution to perpetuate its existence,” observed the Religious Recorder, “we [would have], without the least doubt, today been at peace with the nation we are now seeking to destroy.”

The American Peace Society entreated its members to “let this voice [of opposition] be heard so that it may reach our national legislature, and all the excited warmakers of the country, and cause them to pause in their insane and vicious career.” In turn, petitions poured into Congress and the Office of the President demanding “that an immediate stop be put to it [the war] by withdrawing our troops from Mexico, and offering to adjust all the difficulties between us by negotiation or reference.”

Thousands of copies of these petitions were sent to ministers throughout the country, and hundreds more were forwarded to a variety of newspapers for publication. The Society made special appeals to the “ministers of the gospel” to “lead the van of efforts for the restoration and continuance of peace,” and to “lift up their voices against the continuance

---

of this war.”¹²⁰ From pulpits across the Northeast and upper Midwest, Christian preachers answered their call.¹²¹

The mainstream press, on the other hand, was for the most part united in its enthusiastic support for the war, and did its best to stir up patriotic fervor and downplay the existence of popular opposition to the war. The abolitionists, who were from the start the most vocal opponents of the war, were a favorite target of Democratic newspapers, in particular. The Charleston Mercury, for instance, pronounced the “almost unanimous support of the country in the Mexican War” and claimed that, “With the trifling exception of the Abolitionists proper, the whole press has aided the Government.”¹²² According to the New Orleans Commercial Times, the war’s motives “are perfectly intelligible and satisfactory to the entire country unless we may except a contemptible handful of traitorous fanatics about New England, who call themselves the champions of liberty.”¹²³ The New York Herald, a pro-expansionist Democratic paper, likewise observed that, “With the exception of this small faction – this small cloud of sheer niggerism – with its erroneous views, without common sense, not appreciating the spirit and destiny of this great republic – the rest of the country, in all directions, appears to be united in repelling the Mexicans, and in chasing Mexico herself, up to the very capital.”¹²⁴

Behind such efforts to marginalize abolitionist opposition was a clear desire to minimize the very real existence of antiwar sentiment in various sections of the nation. For example, the Herald elsewhere remarked that “to the pending war with Mexico there

¹²⁰ Ibid., p. 21
¹²¹ For a typical example, see Theodore Parker, A Sermon of War, Preached at the Melodeon, on Sunday, June 7, 1846, 3rd ed. (Boston: I.R. Butts, 1846).
¹²² “Domestic Party and Foreign War,” Charleston Mercury, July 1, 1846.
is no opposition, except from a few miserable and insignificant abolitionists, who have long since lost all weight in the community, and whose factious carping passes almost unnoticed.” Although the antiwar abolitionists were dismissed as “insignificant” and “almost unnoticed,” the fact that the writer went to such lengths to discredit them reveals that the war, in reality, was not as popular as he’d have his audience believe. “The insane drivel of those visionaries,” he continued, “is so utterly unimportant and contemptible, that though they often verge on treason against the commonwealth, they only create pity for the mental aberrations of the writers.” The reader, however, was reassured that “Sensible men of both parties have united in cordial support of the war, and the measures of the administration.”

By and large, the Whig press initially provided reliable, if somewhat reluctant, support for the administration and its war effort. The Whig Party was well aware that its political predecessor, the Federalist Party, was ultimately destroyed by its opposition to the War of 1812, therefore, most Whig papers tended to come across just as patriotic as their Democratic competitors. In certain parts of the country, however, especially where antislavery sentiment was strongest, the Democrats had more to fear than “a few miserable and insignificant abolitionists.” In those states of the North in which antislavery Whigs and antislavery Democrats, including the Proviso men, were competing for votes, Whig papers consistently denounced Mr. Polk’s war and the northern Democrats who sustained it. For instance, according to Horace Greeley’s highly influential New York Daily Tribune, “The nation was unnecessarily and unconstitutionally hurried into a war” by the Polk administration. And for their part,

126 Greenberg, Wicked War, 193.
“Without having seen a single document or a particle of evidence on which to base their votes, the dominant party [i.e., the Democrats] got on their knees before the usurper of Congressional powers, and registered his edicts in blood of two sister Republics.”¹²⁷ In a letter to the Tribune’s editor, one citizen remarked that in its dealings with Mexico, “there has been exhibited by the Administration a degree of imbecility and accumulative avarice unparalleled since the organization of the General Government!”¹²⁸ “We know what the despotism of a majority is in this country,” wrote the Cincinnati Herald and Advertiser. “The Party that has the majority, is less amenable to public sentiment, less responsible in every way, than the One-Man Power in Europe.” The writer asserted, “We have seen what a mere cobweb the constitution is before the breath of such a Party. Give them a Standing Army; let it become inflamed with the lust of conquest, and where then are the safeguards of political liberty?”¹²⁹

Although the war was most frequently condemned by the northern Whig press as unconstitutional, and as unnecessarily provoked by the administration, it was also widely denounced as an aggressive war of conquest. Indeed, some of the Whig critiques of the war were so similar in character to those of the abolitionists that it was often difficult to differentiate between the two. Like the abolitionists, many Whig journalists and editors viewed the war as a Slave Power scheme to acquire more slave territory and thereby enhance southern power in government. For instance, rhetorically addressing its readership, the Weekly Ohio State Journal wrote, “It is for them [i.e., the northern public] to say whether the domination of slavery and the slave power shall be extended over a

¹²⁷ “The Present Administration, How it obtained and how it seeks to prolong its Power,” New York Daily Tribune, June 1, 1846.
¹²⁹ Cincinnati Weekly Herald and Philanthropist, June 3, 1846.
vast extent of territory in the West and that Territory added to the Union in violation of
the compact that binds the States together, in order to give away to the South in the
counsels of the nation and fasten on the country a Southern policy.” Furthermore, the
writer appealed to his readers to take a stand against the Slave Power and the objects of
the war. “A free and virtuous people, who have hitherto prospered because they have
been just, are to decide whether this war for conquest and plunder shall go on to the
consummation designed,” he instructed. “It is for them to say whether a free soil shall be
subsidized to extend the curse of Slavery and the pride of a Slaveholding aristocracy. The
voice of the nation must be heard now, if at all.”130 The Van Burenites, it would seem,
heard them loud and clear.

Additionally, the Whig press took every opportunity to disparage northern
Democrats, whom they depicted as subservient doughfaces for supporting a southern war
to extend slavery. The Tribune, for instance, condemned the “responsible majority [i.e.,
the Democrats] which trembled before the dictation of the Southern slave representation,
and which endorsed a protocol to sacrifice the national honor in the eyes of the civilized
world.”131 By supporting a war for slave territory, the Weekly Ohio State Journal
charged, “northern Locofocos, who have just been affecting to regret what they have
done for the South, show themselves ready to do, without a why or wherefore.”132

Remarkably, while they never wavered in their support for the war, even some
Democratic newspapers joined the chorus of opposition against the extension of slavery
that might result from it. For instance, the Cleveland Plain Dealer, the leading

130 “A War for Conquest – The Design of the Administration – Another Extension of the Area of Slavery!”
Weekly Ohio State Journal, July 15, 1846.
Democratic paper on the Western Reserve (the section of Ohio which had elected
Brinkerhoff to Congress) proclaimed, “The West has but to say that no more slave
territory shall be annexed to this Union, and the dark tide of slavery stayed. . . . It is time
that the lovers of freedom should unite in opposing the common enemy [i.e., the Slave
Power] by fixing bounds to their aggression.”133

In many sections of the Northeast and upper Midwest, such was the public mood
concerning the Mexican War in the summer of 1846. The conflict was widely condemned
as a war of conquest being waged in the interests of slavery by thousands of abolitionists
and pacifists, as well as the Whig opposition press. For their part in supporting the war,
northern Democrats once again faced the familiar charge of selling out the interests of
their constituents to the southern Slave Power. The Proviso men, therefore, had good
reason for concern going into the midterm elections of 1846. The closely contested
elections just two years before, the bitter fight over the annexation of Texas, and popular
opposition to the war with Mexico all clearly demonstrated the extent of antislavery and
anti-southern sentiment in their districts. Moreover, they would have been especially
troubled by recent political developments in New Hampshire.

V. The Example of New Hampshire

For years, the Democratic Party of New Hampshire, much like that of New York, was
extremely well organized and its leaders could rely on the strict discipline of its members.
Since the Jackson era, the Granite State had been under the firm control of the
Democrats, and until 1840, it had a perfect doughface voting record in Congress.134 In

133 From the Cleveland Plain Dealer, quoted in New York Tribune, June 29, 1846, quoted in Smith, p. 109.
fact, because of its unfailing support for southern measures, New Hampshire had acquired the reputation as the most doughface state in North, making it a frequent target for abolitionists and antislavery Whigs. For instance, one prominent abolitionist, referring to “the dreadful, hard-hearted” New Hampshire Democracy, charged, “[It] is no covered pit, but an open gulf. Its depravity is its boast. Its infamy is its highest glory. . . . It exults in the carnage it makes of humanity.”

By the 1840s, however, with the rise of antislavery sentiment and the related controversy over the gag rule and the annexation of Texas, the party leadership began to lose control of its own members of Congress. As Richards points out, “Especially irritating to the state’s doughface leaders was the behavior of John Parker Hale,” who was an important member of the Van Buren clique in the House. “He not only voted against annexation and spoke in Congress against the Texas bill, but he also sent a letter to his constituents, telling them that the Texas bill was a proslavery measure and asking them to act decisively as a ‘committee of the whole people.’” For his alleged betrayal of the party, the leadership blocked Hale’s reelection in 1844 by running another Democrat in his place. After his excommunication from the official party, Hale formed an antislavery splinter party called the “Independent Democracy” in order to drive his former doughface chieftains from power.

In March 1846, a coalition of Independent Democrats and antislavery Whigs successfully overthrew the Democratic Party in New Hampshire’s state elections. “The

136 Richards, Slave Power, 158. According to Morrison, Hale issued the address to his constituents after conferring with Preston King. Morrison, Democratic Politics, 6.
137 The Democrats became the minority in both the House and the Senate; a Whig was also elected governor.
northern Gibraltar of Slavery has been triumphantly scaled and conquered, – henceforth, we trust, to be used for the subversion, and not as hitherto for the protection, of the slave system,” exclaimed the Liberator. Hale’s organ, the Independent Democrat, declared, “It is with mingled feelings of joy and gratitude that we are able to announce the defeat of the Slavery Ticket. The people have spoken in a voice that must have a fearful meaning to the men who have undertaken to chain New-Hampshire to the car of oppression.” Furthermore, “We think the result indicates that the democratic freemen of New-Hampshire are opposed to the proscriptive and tyrannical clique who for a few years assumed to rule, and in ruling have ruined the Democratic party. We think it indicates that New-Hampshire will not bow down to slavery.”

The political coup in New Hampshire sent shock waves through the northern Democracy. The people of New Hampshire had repudiated the entrenched Democratic “Slavery Ticket” and elected instead an antislavery coalition of Independent Democrats and Whigs. If such a sweeping reversal could take place in one of the best organized, most disciplined, and most doughface Democratic states, surely it could happen anywhere, including New York. This thought would not have been far from the minds of the Proviso men.

Also instructive was John P. Hale’s fervent opposition to the Mexican War. Throughout the summer of 1846, Hale and his antislavery followers used the New Hampshire state legislature as a forum to attack the Polk administration and denounce the annexation of Texas and the Mexican War as schemes for the perpetuation of slavery.

---

139 From the Independent Democrat, quoted in “Great Victory in New-Hampshire,” Liberator, March 20, 1846.
140 Morrison, Democratic Politics, 14.
For example, in a widely published speech delivered in June 1846, Hale proclaimed, “this war in unparalleled in its infamy in modern history.” So certain was he of the rightness of his stance that he insisted, “when I am called from life, [if] I shall leave behind me a friend who may think me of importance enough to have a stone to mark my grave, I am entirely willing to let it be recorded upon it, ‘The man who denounced the Mexican war.’” In Hale’s evaluation, “The scheme of annexation, and the consequent war, are unequalled in their infamy, and will be so regarded by future ages.”

Hale also castigated his doughface colleagues for being in favor of “liberty [only] in the abstract.” But when called upon to prove his commitment to liberty, Hale charged, a New Hampshire Democrat “turns round and votes side by side with the member from South Carolina, just exactly, and just as far, as the slaveholder wishes him to vote. Do you not see that this man exerts far more influence in favor of slavery than the other?” asked Hale. “Is it not plain that his voice is ten thousand times for potent than any voice from the South, to perpetuate the accursed institution and rivet still more tightly the fetters on the thrall-bowed slave?”

Most relevant to the Proviso men was Hale’s prescient warning to northern politicians of both parties: “I stand here, not to speak of parties, but to men. Yet I will tell both the Whigs and the Democrats that if they attach themselves to the principles of slavery, there is no salvation for them. The car [of antislavery] which has started on its progress will crush to atoms, beneath its ponderous wheels, whatever obstacle may interfere.” Hale concluded by reminding his colleagues of the defeat they would face at

---

141 “The Traitor Hale,” Boston Chronotype, reprinted in Liberator, July 24, 1846. The title was presumably meant to be ironic, referring to Hale’s reputation amongst New Hampshire’s Democratic Party leadership. See also, “The True Responsibility,” Auburn Journal and Advertiser, September 16, 1846.

142 “The Traitor Hale.”
the polls if they failed to get onboard. “The democrats have already experienced a part of its effects [in the New Hampshire state elections], and let not the whigs flatter themselves that their efforts can avail to stop that onward progress which has ground their rivals to powder.”\textsuperscript{143} The Wilmot Proviso would put the Van Buren men squarely on the side of antislavery, and the antiwar movement deserves credit for steering them in that direction.

\textbf{VI. The Reintroduction of the Proviso and the Debate in the House}

By August 1846, the Proviso men would have certainly been aware of the rising tide of antislavery sentiment that had recently overwhelmed the New Hampshire Democracy. But most worrisome of all was the fact that their constituents vehemently opposed the present war with Mexico and were insistently agitating for its conclusion, largely on antislavery grounds. With only a few days left in session, and with what were sure to be closely contested midterm elections approaching, the Van Burenites calculated that they had to act now, or suffer the political consequences. As members of the dominant party, the Van Buren men were bound to support the war, but a gesture was required to reassure the antiwar faction of the electorate that the war was not being waged to spread slavery, and that they were not doughfaces beholden to the Slave Power. On August 8, when Polk made his request for two million dollars, they seized the moment to introduce the free-soil amendment since known as the Wilmot Proviso.

That the Proviso was an attempt by the Van Burenites to repudiate their connection to the Slave Power and to assure the antiwar bloc of the electorate that the war was not being waged in the interests of slavery is further supported by various statements

\textsuperscript{143} \textit{Ibid.}
made after its reintroduction in Congress. Within weeks of the new session, an impatient King proposed a bill that would grant the president two million dollars to make peace with Mexico on the condition that slavery would be excluded from any territory acquired as a result. The House, however, refused to entertain the bill, therefore, it was not officially introduced. The next opportunity came on February 1, 1847, when Polk requested three million dollars to negotiate a peace treaty with Mexico. At the insistence of King and Wilmot, the Provisio was attached to the “Three Million Bill,” and a week later the fierce debate in the House began.

In the debates concerning the Three Million Bill, as well as King’s earlier proposal, the Provisio men were keen to make two things clear: first, they firmly supported the war, and second, the Wilmot Provisio was not motivated by abolitionism. However, in their defense of the free-soil amendment, the Provisio men appropriated some of the very same arguments made by antislavery critics of the war – namely that the South was conspiring to enhance its influence in the government through the extension of slavery. The Provisio, therefore, was needed to block the designs of the Slave Power (in spirit, if not in those exact words) in order to protect northern interests. For instance, speaking to the House in January 1847, King claimed that “The same interest which pertinaciously insisted upon extending slavery over Texas, still desires, I apprehend, its further extension.” Therefore, “The time has come when this Republic should declare by law that it will not be made an instrument to the extension of slavery on the continent of America.” According to Wilmot, “There is no question of abolition here, sir. It is a question whether the South shall be permitted, by aggression, by invasion of right, by

---

144 Going, David Wilmot, 160.
145 See King, Wilmot, et al.
146 Congressional Globe, 29th Congress, 2nd Session, 114-115.
subduing free territory and planting slavery upon it, to wrest this territory to the accomplishment of its own sectional purposes and schemes? That is the question. And shall we of the North submit to it? Must we yield to this?”

George Rathbun of New York echoed Wilmot’s claim that the extension of slavery was part of a coordinated scheme to enhance southern power. “The paramount object of its extension,” Rathbun asserted, “is political power.” And in language that could easily have been found in the pages of the Liberator, Rathbun declared:

The objects of the slave States, I have said, is political power. It was the primary object in the formation of the Government under which we live. It has been from that day to this pursued with ceaseless energy and constantly increasing hopes of success. The time has come when this question must and will be decided. Independent of any considerations in regard to slavery in the abstract, the question whether the free States, embracing two-thirds of the freemen in this Union, shall be governed by the other one-third, and whether the two-thirds shall, by the act of their own Representatives, aid in transferring the power to the one-third, is the most momentous in its consequences to freedom of any ever presented to the Representatives of this great nation.

Without specifically alluding to opponents of the war, Brinkerhoff made it clear that the Proviso was motivated by the existence of antislavery sentiments in northern constituencies. As he rhetorically asked his southern colleagues in the House, “With what face, then, can southern men stand up here and call upon me or any other northern man, who is true to the sentiments his constituents are known to entertain, now, when they propose to turn free territory into slave territory, to recognize that line [the Missouri Compromise Line – 36°, 30’ north latitude] west of the mountains?” Furthermore, Brinkerhoff lamented how northern Democrats and their constituents had suffered under

---

147 Ibid., 353.
148 Cong. Globe, 29 Cong., 2 Sess., Appendix, 177
the southern dominated party arrangement and he entreated his fellow northern
Democrats to unite around the Proviso or suffer defeat.

But is not the success of the Democratic party in the free States a matter of some consideration? For years, southern gentlemen have been permitted to shape our party issues for their own convenience, and have been floating upon the current of popular sentiment at home, and at our expense. Are we to be required to father every wrong and outrage they may see proper to propose, and eternally to combat the inborn sentiments and native instincts of our people for their benefit? If we must descend to partisan considerations in connection with a question which ought to be and will prove to be above all party influence, I tell you, sir, the adoption of the ‘Wilmot proviso’ is the only way to save the Democratic party of the free States. Let the Democratic party of the free States, as a party, plant themselves in opposition to this principle, and they are destined to defeat and doomed to a position in the minority, from the confines of Iowa to the extremity of Maine. And this is not the worst of it, sir: they will deserve their fate.¹⁵⁰

The most explicit statement that the Proviso was meant to placate opponents of the war by assuring them that it was not being waged to spread slavery came from Martin Grover of New York. Responding to criticism in the House that the Proviso had been introduced at an inopportune time, Grover explained why it had been necessary.

There was another consideration that rendered this time most fitting, in my judgement. It was this: throughout the entire northern portion of this country it was the topic of conversation and discussion, and of earnest investigation, what was to be the result of the war. *The charge was iterated and reiterated that the war was undertaken on the part of the Administration, aided by the South, for the purpose of extending the area of slavery. . . .* I wished a declaration on that subject for the purposes of satisfying the northern mind. . . . Give us a declaratory resolution, supported on all sides in this House and in the other House, that you have no such design; that slavery is not to be extended in consequence of this war. . . . *It was with a view to bring out a more thorough support of the war that I sought to have that proviso carried then.* With that view my colleague presented his bill here. . . . Satisfy the northern people – satisfy the people whom we represent – that we are not to extend the institution of slavery as a result of this war.¹⁵¹

Over the objections of the southern minority, the Three Million Bill, with the Proviso attached, passed the House by a 115 to 106 margin but once again stalled in the Senate. In the upper chamber, the Proviso was eventually deleted from the bill and the new version passed the Senate without a roll call. Returned to the House for approval, the Three Million Bill, minus the Proviso, eventually passed 115 to 82. The Wilmot Proviso was officially dead and buried, but its influence continued to live on.

Conclusion

The political impact of the Wilmot Proviso has been well-documented by historians. According to Foner, “If any event in American history can be singled out as the beginning of a path which led almost inevitably to sectional controversy and civil war, it was the introduction of the Wilmot Proviso.” David Potter acknowledged that immediately after its introduction, and despite its death in the Senate, “the resolution had already begun to realign the structure of American politics” and that “the emergence of the sectionalism which almost destroyed the nation was symbolized by an amendment to an appropriation bill which was never enacted.”

The Wilmot Proviso made the principle of free-soil, which aimed to halt the expansion of slavery, the most significant and contentious political issue of the time. As a result of the Proviso, Avery Craven wrote, “The movement against slavery was taken out of the hands of those idealists who had begun and developed it, and given into the keeping of the politician. . . . Opposition to the extension of slavery began to replace

---

152 Schroeder, *Mr. Polk’s War*, 72-73.
opposition to slavery per se.” The resulting congressional dispute over the extension of slavery would eventually lead to the splintering of the Second Party System along largely sectional lines, the birth of the Republican Party, and ultimately, the Civil War. As Morrison concluded, “Judging by the furor it created, the issue of slavery in the territories was one of the most significant in American history. Not only did it give birth to the only major political party to emerge in the United States since the time of Andrew Jackson [i.e., the Republican Party], the struggles it engendered culminated in southern secession and civil war.”

The Wilmot Proviso, therefore, may be the most important piece of legislation never enacted. Unfortunately, historians have consistently overlooked the crucial role played by the antiwar movement in bringing the Proviso about. Although these dissidents were ultimately unsuccessful in stopping the Mexican War, their outspoken opposition and insistent agitation forced a handful of Van Buren Democrats to introduce a free-soil amendment in order to assure voters that the war was not being waged to spread slavery. And while the Proviso never managed to pass the Senate, its spirit lived on and it was eventually ratified, in slightly altered form, as the first section of the Thirteenth Amendment: “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.” For their part in all of this, thousands of nameless antiwar activists deserve some long overdue recognition.

155 Avery Craven, Coming of the Civil War, 225-26.
156 Morrison, Democratic Politics, vii.
157 United States Statutes at Large, 38th Congress, 2nd Session, 567.
Bibliography

Primary Sources


*Cincinnati Weekly Herald and Philanthropist*, June 3, 1846.

“Domestic Party and Foreign War.” *Charleston Mercury*, July 1, 1846.


*New York Herald*, August 11, 1846.


“No Unity with the Mexican War.” *Liberator*, June 12, 1846.


“The Present Administration, How it obtained and how it seeks to prolong its Power.” *New York Daily Tribune*, June 1, 1846.


U.S. Congress. *Congressional Globe*.

U.S. Congress. *United States Statutes at Large*.


**Secondary Sources**


