The American Whig Party and Slavery

Mitchell Rocklin

The Graduate Center, City University of New York

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THE AMERICAN WHIG PARTY AND SLAVERY

by

MITCHELL ROCKLIN

A dissertation submitted to the Graduate Faculty in History in partial fulfillment of the requirements for the degree of Doctor of Philosophy, The City University of New York

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MITCHELL ROCKLIN

This manuscript has been read and accepted for the Graduate Faculty in History in satisfaction of the dissertation requirement for the degree of Doctor of Philosophy

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ABSTRACT

The American Whig Party and Slavery

by

Mitchell Rocklin

Advisor: James Oakes

This dissertation explains why the American Whig Party consisted of the most anti-slavery and pro-slavery segments of American politics during the Second Party System (1834 to 1854), as well as why it broke up. I argue that slavery was a major reason for the creation and continuation of the party, particularly in the South. A common Whig political culture – economically capitalistic while also emphasizing the integrity of the “social fabric” over individualism – helped spur both northern and southern Whigs to oppose Democrats over slavery from opposite perspectives. Southern Whigs honestly and understandably saw themselves as more pro-slavery than southern Democrats, prioritizing the slavery’s stability over its expansion. Northern anti-slavery Whigs opposed slavery’s westward expansion, and this provided enough basis for policy consensus: protecting slavery against abolitionism while opposing its spread to new territories. This left room for the two wings of the party to adopt opposing stances on a variety of issues, including allowing slavery in the national capital. Once the Mexican War’s territorial acquisitions meant that expansion would happen, however, the party’s internal differences became irreconcilable. The Compromise of 1850 was a largely southern Whig-inspired attempt to resolve slavery matters in one fell swoop, but it failed when, with the Kansas-Nebraska Act of 1854, Democrats moved to allow slavery in western territories. While they maintained a common political culture prioritizing social stability, northern Whigs refused to be complicit in altering society by allowing slavery’s expansion, while most southern Whigs could not resist the opportunity to shore up their main social institution. This broke up the Whig Party, leading to a Republican alternative and the triumph of anti-slavery politics.
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To

Professor Jack Diggins

Who proved that romance triumphs over pragmatism

and who led me to my true love
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INTRODUCTION

The “Second Party System,” in which the Whig and Democratic parties fought from 1834 to 1854, featured two strong political cultures that clashed over a variety of policies in an ideologically consistent manner. While the system often served to keep slavery out of national politics or to suppress anti-slavery sentiments, this was not always the case. When the parties addressed slavery, their breakdown was quite odd. The Democratic Party occupied the middle of the political spectrum when it came to slavery, trying to compromise between the North and South. Whigs joined most of the North’s great opponents of slavery together with most of the South’s largest slaveholders. The party’s northern wing supported greater federal power, while its southern wing was extreme in its support for states’ rights. Even though Democrats tended towards relative agreement over slavery, while Whigs sharply differed over slavery policies, Whigs were driven to unity by several factors: a classical republican fear of a centralized Democratic Party, a common nationalistic political culture that placed a great emphasis on a unified “social fabric” over atomizing individualism, and mutual trust of each other as gentlemen who would agree not to pursue political gain if it meant undermining the stability of the Union and its society.

While the Democratic Party was usually more dominant, the Whig alliance of opposites was almost as strong. It was able to overcome its internal disagreements and not only remain a viable party, but to grow in spurts of strength and seize the reins of power time and again. Our question is why. Why did the Whig Party form and how did its members cooperate for so long?

Americans reconciled slavery and freedom for 21 years in an odd political system, shortly before dividing along sectional lines and fighting a Civil War over the incompatibility of the two. This puzzle has dominated American historiographical debates concerning the antebellum period.
Historians differ over the extent to which the Union was divided in the antebellum years. William Freehling, for example, traces the origins of the Civil War to a long-standing feeling of disunion that went back to the roots of the young republic.\(^1\) Robert Forbes saw the Second Party System as serving to suppress anti-slavery politics at the national level.\(^2\) Either way, the prevailing assumption is that the second two-party system, which saw Democrats and Whigs vying for power in both the North and South, prevented a schism in the body politic. When the Whigs eventually crumbled and the Democrats split, American politics aligned sectionally; it was only a matter of time before political opposition over slavery turned into military confrontation.

We, however, will examine this question from the opposite perspective. Divisions over slavery were passionate for decades, particularly in the South, where slavery was the leading political issue. This being the case, how did the political parties remain stable for so long? An identifiable “Second Party System” with Democrats and Whigs existed from 1834 to 1854, and arguably began even earlier. Its basic structure was even longer-lived, going back to the National Republicans and forward through the Know-Nothings and Constitutional Union Party. If slavery was such a dominant issue, and the cause of a sectional divide, why did it not tear the parties apart sooner? Democrats held a common individualistic ideology. What did Whigs rally behind?

**THE BACKGROUND**

In a new nation whose founding document declared that “all men are created equal,” the fervor against slavery during the American Revolution ran high. Theologian Samuel Hopkins took the new spirit farthest in his *Dialogue Concerning the Slavery of the Africans*, a memorial that he

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addressed to the Continental Congress calling for the abolition of slavery. Neither the Congress, which composed the Articles of Confederation, nor the eventual constitutional convention ever seriously contemplated outright abolition. But the constitutional convention did look forward to the end of the slave trade in 1808, and a variety of American founders, including slaveholders Thomas Jefferson and George Washington, saw fit to ban slavery in the nation’s original northwest territories. (From present-day Ohio in the east to the Ohio River in the south, to the Mississippi River in the West.) Finally, the Revolution spawned a variety of efforts to abolish northern slavery and to emancipate slaves in the Upper South, with the eventual goal of total abolition.

But it did not take long for this anti-slavery fever to break. South Carolina and Georgia made it clear that a relatively pro-slavery constitution was the price for their participation in a union. Pessimistic voices in the North, like Governor James Monroe of Virginia, prevailed in their assertions that slavery ought to be abolished only if this could be done without even economic harm to northern whites. The new constitution called on the federal government to assist in returning fugitive slaves, and the federal government passed the Fugitive Slave of 1793 for this purpose. Slavery seemed likely to remain for the long haul.

Anti-slavery activities in the early republic were consequently quite limited. They tended to focus on petitions to states that encouraged them to promote emancipation or abolition. Occasionally, there were petitions to Congress too, like one in 1790 from the Pennsylvania Society for the Abolition of Slavery, which was signed by its president, Benjamin Franklin. Alexander Hamilton, despite his involvement in slave commerce, joined a New York society that encouraged the manumission of slaves. Northern states further consolidated abolition and southern states had some success with emancipation. But the situation in the South remained much the same.  

The “First Party System” lasted from roughly 1796 to 1817. The Federalist Party favored broader federal power, greater judicial authority, more national intervention in the economy (including a national bank) and “internal improvements” in the form of nationally subsidized roads and canals. The Democratic-Republican Party took the opposite position on each issue.

Most Federalists were northern and relatively anti-slavery. Democratic-Republicans were dominant in the South but had a significant northern contingent and adopted mixed but comparatively favorable positions on slavery. That said, there was not very much to debate about when it came to slavery. The two sides came to an agreement over the need for the federal government to facilitate the return of fugitive slaves, and they agreed to use the Ohio River as a north/south boundary line for free and slave territories east of the Mississippi River. The Louisiana Purchase, acquired from France in 1803, was too sparsely settled to become a source of contention over slavery until 1819. By then, the First Party System had collapsed. The Federalists, discredited for a series of perceived failings, struggled to survive from 1800 to 1816. During those years, they broke 40 percent of the popular vote in only one of five presidential contests and won more than a third of the popular vote only twice. An “Era of Good Feelings” lasted from 1817 to 1825, in which James Monroe (now President) tried to bind the Union together by pursuing non-partisanship and giving federal appointments to ex-Federalists as well as Democratic-Republicans. While historians have questioned the extent of the “good feelings,” this era clearly saw a reduction in partisanship.

It was during the relatively calm Era of Good Feelings that a crisis over admitting Missouri as a slave state threatened to break the Union along sectional lines. From political retirement, Thomas Jefferson famously described the Missouri Crisis as a “fire bell in the night” that could lead to a breakup between the free and slave states. While other states had been admitted with relatively little controversy, most northerners were unwilling to admit Missouri as a slave state.
Part of the reason for this was that the Senate was evenly divided between free and slave states, and northerners did not want to tip the balance in favor of the South. Another reason was because northerners opposed the expansion of slavery and southern political power, which was already propped up by the Constitution’s “Three-Fifths Clause,” which inflated the South’s representation in the House of Representatives. President Monroe, as a Virginia slaveholder, had no immediate solution to the impasse. Many northerners, like then-Democratic State Senator Martin Van Buren of New York, voted to instruct their federal representatives not to admit Missouri as a state if it would permit slavery. Southerners were outraged that they might be effectively barred from settling in the remainder of the Louisiana Purchase. If southern political power was not given a chance to grow, if southerners would not be able to economically benefit from western lands, and if southern ways were to be dishonored, the South just might leave the Union.⁴

Senator Jesse B. Thomas of Illinois and Speaker of the House Henry Clay of Kentucky, both Democratic-Republicans with nationalist orientations, responded by orchestrating what became known as the “Missouri Compromise.” This was hard enough in the divided Senate, where the measure prevailed 24 to 20, but even more difficult in the House. Clay was a slaveholder himself, but also a great believer in compromise. He turned what was a majority in favor of banning slavery in Missouri into a narrow majority for compromise, defeating both a northern effort to ban slavery and a southern effort to protect slavery more widely. The final arrangement was as follows: (1) Missouri would be admitted as a slave state; (2) Maine would be broken off from Massachusetts and admitted as a free state in order to preserve balance in the Senate; (3) slavery would be allowed in Missouri and below its southern border (both below it and in the small area of the Louisiana Purchase).

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Purchase that lay to its southwest); (4) Slavery would be banned in most of the Louisiana Purchase: everywhere to the north of Missouri’s southern border except for Missouri itself. James Monroe gave a slaveholder President’s ink to the final bill when he signed it into law.

Along with Jefferson, supporters of compromise breathed a sigh of relief, while those who had hoped to do better for their sides in the battle over slavery were defeated. There was another brief battle in 1821 over Missouri banning free blacks from entering its territory, but slavery politics were mostly quiet for a decade. Martin Van Buren’s little-known vote, however, would come back to haunt him, serving as a major catalyst for the rise of the Whig Party in the South.

For the remainder of the decade, American politics focused largely on economics. The Democratic-Republican Party had no clear contender for President in 1824, so four different men ran, each representing a following in the party. The most traditional Democratic-Republican candidate, Secretary of the Treasury William Crawford of Georgia, won Virginia, Georgia and some votes in Maryland and New York; With 11.2 percent of the popular vote, he came in fourth. Henry Clay, still the House speaker, won Ohio, Kentucky, Missouri and several New York electoral votes, garnering 13 percent of the popular vote. Then there was Secretary of State John Quincy Adams, son of Federalist President John Adams, who won most of the electoral votes in New England and New York, as well as a few in Maryland, Louisiana and Illinois; he finished with 30.9 percent of the popular vote. Finally, there was Senator Andrew Jackson from Tennessee, a new type of politician with a flair for popular appeal; he won 99 of 261 electoral votes and 41.4 percent of the popular vote. Because no candidate won a majority in the Electoral College, the contest was thrown to the House of Representatives, with each state’s delegation casting one vote. Jackson’s supporters felt that he was entitled to a victory, but Adams teamed up with Clay to secure
the presidency. Adams then nominated Clay for Secretary of State. Jackson’s supporters accused them of a “corrupt bargain” and looked forward to defeating them in the next presidential election.\(^5\)

Personal rivalry – between Jackson on the one hand and Adams and Clay on the other – was augmented by a dispute between the two sides over tariff policy. The Democratic-Republican Party split between “Adams’ Men” and Jackson’s supporters. (There were also “Old Republicans” in the mold of Crawford as well, representing more genteel landed areas in the east with large slave concentrations and an extreme devotion to states’ rights.) Adams obtained congressional passage of a tariff on imports, which was meant to boost domestic US industries. The South – which had few industries – was particularly inconvenienced, labeling it the “Tariff of Abominations.”

Another political movement – the Anti-Masonic Party – formed between 1826 and 1828. The Freemasons, an elite secret society, enjoyed a membership that included government officials and prominent men all the way up to US presidents. When William Morgan – a disaffected Freemason with questionable credentials – threatened to publicize the group’s rituals, a Freemason prosecutor frivolously charged him with a crime in Upstate New York. After Morgan mysteriously disappeared in 1826, many northerners, reading about what seemed like a conspiracy by the men who were supposed to lead society, decided to oppose the corruption and concentration of power that the Freemasons seemed to possess. They joined together to form a northern opposition party that adopted similar positions as the National Republicans, but which retained a focus on Freemasonry. The party was a distinct minority, winning only the state of Vermont in the 1832 presidential election. It soon merged into the Whig Party along with the National Republicans.\(^6\)

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\(^5\) For more on the tumultuous election of 1824, see: Donald Ratcliffe, *The One-Party Presidential Contest: Adams, Jackson, and 1824’s Five-Horse Race* (Lawrence: Univ. of Kansas Press, 2015).

Jackson struck back in 1828, trouncing Adams 178 to 83 in the Electoral College and by 56 to 44 percent in the popular vote. Adams, having met the same fate as his father in becoming a one-term president, retired from politics, although he later accepted an unprecedented (then and now) invitation to return to politics as a lowly Massachusetts congressman in 1830.

When the Jackson administration began in 1829, its opponents started to use the term “National Republican.” More a loose alliance than a party, the group consisted mostly of northerners who supported creating a diversified and national economy through federally-supported internal improvements, tariffs to support domestic industries, and a national bank.

National Republicans understood society in a somewhat classical republican sense. Henry Clay’s “American System” of tariffs, internal improvements and national banking was meant to build national cohesiveness around the common good. Of course, they also believed that individual liberty was fundamentally important, but they placed a greater emphasis than other ex-Democratic-Republicans on balancing liberty with order.7

In mid-1830, Jackson helped stir inter-party competition by vetoing a National Republican road-building measure involving the Maysville Road. Henry Clay had secured passage of a bill to spend federal money to buy stock in a company that was building this road, which was to link much of his home state of Kentucky with the Ohio River (and therefore the Mississippi). It was also meant as a link in the “National Road (or “Cumberland Road”) – the first federal road project, begun in 1811 to provide easier linkage between the Atlantic and the Mississippi River. Although Jackson agreed to more spending on internal improvements than Congress had spent under Adams, he vetoed the Maysville Road bill, declaring the building of a road within one state to be outside

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the constitutional purview of federal power, and explaining that he preferred to use the money to pay off the national debt. Whether Jackson was sincere in his objections or was pursuing a vendetta against Clay because of the “corrupt bargain” of 1824, no one knows. Jackson’s veto of the Maysville Road does not seem to have been generally unpopular, but it did increase animosity between National Republicans and Jackson’s “Democratic” supporters.

In August 1831, a slave revolt led by Nat Turner terrorized the South and put southerners on high alert for any perceived threat to slavery. Turner, a slave from Virginia’s Southampton County, organized a revolt in which he tried to capture the county arsenal and enlist large numbers of slaves and free blacks. He did not get far, but killed about sixty white men, women and children before being stopped by the state’s militia short of the arsenal in the town of Jerusalem. Southerners reacted frantically. Vigilantes lynched innocent blacks, states limited masters’ abilities to afford their slaves even basic educations or unobserved religious preaching (Turner was apparently inspired by biblical prophecies). They also put a stop to debates over emancipation; both Kentucky and Virginia rejected proposals to facilitate the manumission of slaves. Southerners remained in a panic for some time, one that would not subside by the time abolitionists would begin sending anti-slavery mailings throughout the South a couple of years later. Finally, southerners’ sensitivity to the accumulation of federal power that might be used against slavery made them more supportive of Jackson’s Democrats, who wanted to diminish federal power.8

National Republicans could not compete with Jackson in the South, despite their attempt to gain appeal by nominating slaveholder Henry Clay for president in December 1831. Jackson

was a slaveholder too, and a much more convincing one at that, seeing as he had and would continue to rail against the type of national power that might threaten slavery. While Clay managed to cobble together a (mostly northern) bipartisan majority in favor of re-chartering the soon-to-expire Bank of the United States, President Jackson issued a veto in July 1832. Decrying the accumulation of power in the hands of an elite few, whether in government or private banks, Jackson positioned himself as the defender of the common man. He thereby turned a liability into a victory. The bank had enjoyed considerable popularity, since many Americans associated it with the economic growth that was proceeding apace. But Jackson played the issue perfectly, gaining sympathy in his fight against privilege.

Jackson also gained support in the South because he tried to get Congress to lower tariff duties, which he saw as an unjust abuse of federal power that distorted the economy and harmed the South in particular. He was only able to secure a small reduction in rates in 1832, yet he was immensely popular in the South for trying.

Jackson’s opposition to concentrated power and tariffs helped him gain overwhelming support in the South. The region helped him defeat Clay in the 1832 election, contributing to a resounding victory that included winning three-quarters of the Electoral College.

In November 1832, however, South Carolina began a process that would disrupt the southern unity behind Jackson. Determined to push southern influence as far as it could, the state started a “Nullification Crisis” that divided the South and contributed to the formation of the Whig Party. The Palmetto State had strongly objected to the Tariff of Abominations since 1828, but now, after Jackson failed to significantly lower rates, it turned to a different idea. Since 1829, John C. Calhoun had begun arguing that states could nullify laws. Now, South Carolina declared the tariffs of 1828 and 1832 to be null and void in the state. This “Ordinance of Nullification” provoked a
backlash against South Carolina, isolating it and some Georgia supporters of nullification from northerners, who thought this behavior outrageous, and even from most southerners, who thought South Carolina had gone too far.

Federal reaction, however, produced a backlash in the other direction, with southerners worrying about the dangers of excessive national power. In December 1832, President Jackson threatened South Carolina with invasion and treason trials. On March 1, 1833, Congress lowered tariff duties to appease South Carolina, while also passing a Force Bill threatening the state with invasion if it did not back down. South Carolina rescinded its Nullification Ordinance two weeks later, backing down from this display of force. (It nullified the Force Bill three days later, but little notice was taken of this obviously powerless move.) Many southerners now wondered whether federal power might be quickly used against slavery if the northern public wished.9

This fear of federal abolition was not generated from one unrelated action alone; it was compounded by abolitionist activities in 1833. In July, the British Parliament decided to gradually abolish slavery in its Caribbean colonies, against the wishes of white settlers. This move, which would begin to go into effect in August 1834, conjured up concerns among southerners concerning what centralized power might do to the South. Meanwhile, the American Anti-Slavery Society formed in December 1833, dedicated to the goal of immediately abolishing slavery in America.10

Jackson then compounded his southern problems with another overreach: removing the federal government’s deposits from the Bank of the United States in September 1833. While his veto of its re-charter a year earlier had been popular, Jackson overstepped by making a likely illegal

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10 We will discuss the impact of British abolition on US politics, but the broader story of Caribbean abolition is mostly beyond the scope of this dissertation. For more information, see: Richard E. Ellis, *The Union at Risk: Jacksonian Democracy, States’ Rights and the Nullification Crisis* (New York: Oxford Univ. Press, 1989); Freehling, *Prelude to Civil War*. 
move: removing federal deposits and placing them in state banks. Jackson justified himself by claiming that the bank was unconstitutional, but as both judge and executioner, his defense ringed hollow to many. While the bank was unpopular in the South, many southerners worried about the implications of illegal assertions of federal power at the hands of the executive. Virginia Congressman Henry Wise left Democratic Party and became a southern Whig leader as a result.\textsuperscript{11}

Henry Clay then moved to formally censure President Jackson in the Senate, providing us with a measure of the President’s dropping popularity. On March 28, 1834, in a mostly party-line vote, anti-Jacksonians, including many southerners, voted for censure. Tennessee’s Hugh White, who would become southern Whigs’ presidential candidate against Jackson’s successor in 1836, still supported Jackson, but he would soon jump ship with many others.\textsuperscript{12}

These assertions of federal power, combined with Jackson’s selection of Vice President Martin Van Buren as his favored successor, moved many southerners to join the opposition to the administration. Van Buren, as we have mentioned, had voted against admitting Missouri as a slave state during the crisis of 1819-1821. While Van Buren would profess to be friendly towards the South in the years that followed, it did not take much to imagine what a northern man with an organized political party might do against slavery after the precedents that Jackson had set with his use of federal power. An array of southerners, including many “Old Republicans” and even “Nullifiers,” joined the few southern National Republicans in allying with northern National Republicans to oppose the administration in the 1834 elections. Calhoun and his Nullifiers soon split with the rest of the opposition, trying to unite the South behind sectional pro-slavery politics.

\textsuperscript{11} On the controversy surrounding the Bank of the United States, see: Robert V. Remini, \textit{Andrew Jackson and the Bank War} (New York: W.W. Norton, 1967).
\textsuperscript{12} For background concerning the censure of Andrew Jackson, see: H.W. Brands, \textit{Andrew Jackson: His Life and Times} (New York: Anchor, 2006), 494-505.
THE WHIG PARTY IS BORN

The new opposition party was hardly worthy of being called a party; it was more like an alliance built around common enemies and outlooks. The party name itself was meaningful. The “Whig” label – taken from the older label of English opposition to the crown and the American Revolution’s opposition to England – resonated with those who opposed an overbearing president and supported legislative prerogative. The party contested the midterm elections of 1834 (elections were scattered throughout the year at the time). To do so, it cobbled together several groups of supporters. After cooperating in the 1834 midterms, Whigs ran three separate candidates in the 1836 presidential election, using different types of candidates to win votes from different regions. If they could deprive the Democrats of an Electoral College majority, the House, which would decide the race, might elect a Whig. By 1840, the party was fully unified behind one candidate.

THE COMPOSITION OF THE WHIG PARTY

National Republicans constituted the largest part of the new party. They were mainly northern, but a small number came from the South (particularly Kentucky and Maryland, which benefited from internal improvements, as well as Louisiana, which benefited from sugar tariffs).

Southern “Old Republicans” were a key new addition. After supporting William Crawford against Andrew Jackson in 1824 (they opposed his populist flair), they opposed Jackson’s executive overreach and selection of a northern vice-presidential nominee (as would Jackson’s native Tennessee, which would vote against Van Buren in 1836). They were not supportive of national economic programs until 1840, but they joined the opposition to the organized and dominant “Democracy,” which they feared might mobilize political power against slavery to attract votes from a growing North. In Georgia they called themselves the State Rights Party,
organizing against the Union Party, which was the local Democratic Party apparatus in Georgia. (The state had unusually independent politics.) Old Republicans created much more southern opposition to the Democrats than the few southern National Republicans had achieved.\(^{13}\)

There were also ex-Federalists who supported a strong national economic program. But it is important to note that there were not many. Democrats often accused Whigs of being a reincarnation of the Federalist Party, which was easy to argue since they supported a similar economic program. But this was because many Democratic-Republicans had earlier come to adopt Federalist economic ideas. There was little direct continuity between the two parties, aside from the Federalist refugees who had already joined the Democratic-Republican ranks.

Finally, there were the Anti-Masons, who joined against the Democrats in 1834, effectively joined the Whigs during the 1836 election, and fully integrated by 1840. They produced leaders like New York Governor and Senator William Seward and Vice President Millard Fillmore.

The new party was brought together by an opposition to executive overreach (spurred by Jackson’s veto of the Bank of the US and his withdrawal of federal deposits), opposition to corruption (based on Jackson’s personal selection of his successor), support for banking and economic diversification (to a degree – southern Whigs wanted only state support for this), and social conservatism (support for public education, and, in the North, blue laws and temperance).

Aside from these intraparty differences over economic and social issues, there was a sectional split in the party over slavery. Southerners broke from the Democrats for fear of federal action against slavery, while northerners were the strongest mainstream opponents of slavery expansion.

\(^{13}\) For more on the history of the Old Republicans, see: Norman K. Risjord, *The Old Republicans: Southern Conservatism in the Age of Jefferson* (Columbia Univ. Press, 1965).
KEY QUESTIONS ABOUT THE WHIG PARTY AND SLAVERY

Democratic unity over slavery is easy to explain. While there were anti-slavery Democrats, the national party was sympathetic towards the South. Many northern Democrats accepted slavery for racial or party reasons, while those who were anti-slavery simply held their noses. It made sense for the party, as a centralized national institution, to keep slavery out of national politics by suppressing anti-slavery views from consideration.14

The alliance that was the Whig Party, however, made much less sense in terms of avoiding or suppressing anti-slavery politics. It was a pact between most of the most anti-slavery northerners and the greatest slaveholders in the South, who owned most of the large plantations and slaves. As historians from Arthur Cole to William Cooper to John Ashworth have shown, one of the greatest contributing factors to the destruction of the Whig Party was the perception that the northern Whigs were dangerous to the South, while the Democrats seemed to take a rather friendly course.15

Why, then, did this alliance last so long? Why was the Whig Party not merely a momentary alliance against Democratic power? There were plenty of fierce debates during the 1830s over slavery. There was also a movement led by John C. Calhoun to align the South in a pro-slavery political bloc. Why did southern Whigs not join it? When southern Whigs had an opportunity to support one of their own – accidental President John Tyler – why did they not jump to support annexing Texas as a slave state in 1844? And why, once another southerner – James Polk – won the 1844 election, did southern Whigs not rejoin the Democratic Party, instead joining anti-slavery northerners in opposing the Mexican War and the annexation of more slave territory?

While historians have discussed the Democrats’ divisions over slavery, there has been no comprehensive study of the Whigs and slavery. Let us consider how the historiography has dealt with this question to this point, before proceeding to the remaining questions that require attention.

**HISTORIOGRAPHY**

John Ashworth notes that there is no work dedicated to the Whigs and slavery. Historians who have written about the Whigs, including Daniel Walker Howe, Michael Holt and Thomas Brown, have not comprehensively focused on slavery. Howe and Brown have written about the party generally, and Holt does not focus on slavery during the party’s formative years in the 1830s.

Some assume that Whigs were simply reactionary. In this view, Whigs did not set an agenda, but merely responded to Democrats. With respect to slavery, for instance, one suggestion is that northern Whigs opposed slavery in response to expansionist Democratic policies, while southern Whigs were softly anti-slavery in response to agrarian Democratic policies that conflicted with the Whig desire to diversify the economy. In this view, Whigs were merely reactionary. They were not consistently pro- or anti-slavery, and there was little connection between Whig ideas and stances on slavery, except perhaps for Whig economic considerations. Michael Holt, who wrote the most comprehensive history of the party, argues that the Second Party System served to keep slavery out of national politics in favor of other issues, particularly economic policies.

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A second view is that Whigs were optimistic about slavery. They either tried to downplay it as a problem or tried to incorporate it into broader Whig views of progress and social order.\textsuperscript{18}

A third view is that most Whigs did not significantly oppose slavery. Instead, fearing destructive disunity, they preferred to compromise and keep it out of national politics.\textsuperscript{19}

A fourth view is that Whigs were split. Northern Whigs tended to oppose slavery, while southern Whigs were supportive. William Cooper argues this point, presenting evidence that southern Whigs were as pro-slavery as northern Whigs were anti-slavery.\textsuperscript{20}

A fifth view is that most Whigs were as anti-slavery as mainstream politicians could realistically be. Daniel Walker Howe sees southern Whigs as relatively anti-slavery and secession as a failure of the party to modernize the region. John Ashworth argues that southern Whigs admired the North and tried to industrialize the South. He sees southern Whigs as relatively anti-slavery because they saw slavery as but one of many southern political interests. Large Whig slaveholders had other business dealings, along with industrialists and middle-class businessmen. Because of their varied economic interests, Ashworth believes they were more willing than Democrats to compromise on slavery for the sake of the Union.\textsuperscript{21}


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I hope to fill a gap in the historiography by comprehensively analyzing the Whigs and slavery. We will proceed from the party’s start in 1834 and give particular attention to 1834 to 1839, years about which relatively little has been written concerning slavery.\textsuperscript{22} We will then proceed until the Second Party System’s final compromise over slavery: the Compromise of 1850.\textsuperscript{23}

**WHIGS AND SLAVERY**

I will argue that despite policy differences, the Whig Party was not a mere alliance of convenience. The two sections of the party were bound together by a political culture that, over time, fostered mutual trust by developing social capital between partners. Despite differences over slavery, Whigs were able to unify as a party for three reasons: (1) they shared a common political culture; (2) they agreed that slavery ought to be kept out of national politics; (3) they were less committed to the kind of partisan discipline that Democrats needed to maintain their stronger and longer-lasting bonds, and they were not as vulnerable as the Democrats to accusations of hypocrisy, since they did not closely coordinate between sections over slavery.

Southern Whigs were pro-slavery but supported the institution in a more cautious and socially-oriented way than their opponents. While Democrats tended to emphasize the individual’s right to hold slave property for the sake of his economic advancement, Whigs were more bothered by the notion of human property. They too had to defend the legal concept, but they emphasized that it derived from positive laws, whether federal or state, meant to protect society’s social fabric.

\textsuperscript{22} Michael Holt, for instance, in his monumental history of the party, *The American Whig Party and Slavery*, spends very little time discussing Whig approaches to slavery from 1834 to 1839.

\textsuperscript{23} The Kansas-Nebraska Act of 1854 would break the Compromise of 1850 and Whigs would not recover. We will address the collapse of the party in our conclusion, but the full story is outside the scope of this dissertation.
Whigs characterized themselves as “conservative,” insofar as they held an organic view of the “social fabric” and the need to defend its institutions. They defended slavery accordingly.

Northern Whigs were opposed to slavery, but they attacked it in a more cautious manner than abolitionists, Free Soil advocates (who opposed its westward expansion) and those few Democrats who were radically anti-slavery. Seeing the US as a nation founded on freedom, they tolerated slavery where it was established by law in the social fabric of states, but never where the national government would be responsible for establishing it (except for the Constitution’s obligation to return fugitive slaves). Freedom was the national baseline, while slavery was established by locales. Some Democrats agreed, just as there was overlap between the parties on other issues, but Whigs were much more inclined towards the view that slavery was a product of society and its statutes, not of an inherent right to property. Northern Whigs leaned away from what historians have called the “federal” theory of slavery, which saw in the Constitution an inherent right to slave property (at least in the states). They eventually adopted a “municipal” theory, seeing slavery as rooted in state-established property laws, not in constitutional protections for property rights. Consequently, northern Whigs were much more open to federal actions against slavery.

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24 For the most comprehensive work on mid-nineteenth century “conservative” views and northern anti-slavery politics, see: Adam I. P. Smith, The Stormy Present: Conservatism and the Problem of Slavery in Northern Politics, 1846-1865 (Chapel Hill: Univ. of North Carolina Press, 2017). Smith defines “conservatism” as characterized by three emphases: faith in institutions, support for political compromise, and a claim “to be in touch with the ‘real’ people or the ‘backbone of the country.’” He sees a great anti-slavery and conservative consensus in the North from 1846 to 1865. This dissertation is distinct from his work for several reasons. First, I define “conservative” differently: as prioritizing the social fabric and organic tradition over individual autonomy. This is what Whigs meant when they described themselves as more “conservative” than Democrats. I do think that faith in institutions was a key element of conservative thought, but this did not extend to compromise for its own sake, only to compromises that preserved the existing social fabric; hence northern Whigs opposed slavery in new territories for decades, while many or most Democrats did not object. Nor do I see a populist flair as part of nineteenth century conservative thought. Moreover, I see a significant divide between the Whig and Republican parties that became clear in the 1850s. The injection of Free Soil and Democratic defectors – along with their individualistic anti-slavery thought – into the Republican Party helped it take on a different character than the Whig Party.

25 James Oakes, Freedom National: The Destruction of Slavery in the United States, 1861-1865 (New York: W.W. Norton, 2013). We will discuss the “federal consensus” and “municipal theory” in greater detail in the first chapter.
Whigs aligned behind a common political culture, one which allowed them to respect each other and build mutual trust. They developed a party in the context of common Democratic opponents, but had ideas of their own and were not a knee-jerk opposition. Democrats focused on individuals and their rights, which is why so many recognized inherent property rights in slaves, and why most wanted to let residents decide the fate of slavery in the western territories of the 1840s. Whigs backed nationally-oriented approaches to preserve a stable society in a nation that would be true to its principles. Whigs saw Democrats’ individualistic conception of society as “radical,” in the sense of being atomizing and harmful to social harmony. Southern Whigs warned that slavery must be preserved for the sake of the social fabric, not because it was consistent with American principles. Northern Whigs opposed the expansion of slavery. They refused to implicate the nation in an activity that violated its principles. Individualistic Democrats did not have this problem.26

Most Whigs hoped that economic growth and diversification would eventually lead to slavery’s extinction. In the meantime, they tried to keep it out of national politics. Southerners tried to prevent national efforts against it, while northerners criticized it but did little about it. In the party’s early years, northern Whigs promoted economic interdependence together with southern planters. Many thought slavery and capitalism were not only compatible, but complementary as well. This would be cast in doubt after the Panic of 1837, when the northern and southern economies grew apart, a development that helped pull the party apart in the 1850s.

26 It is important to note that plenty of northern Democrats wanted Congress to ban slavery in the Western territories. Indeed, every single northern state saw the passage of a legislative resolution calling on Congress to do so. Yet national Democrats, including the northern wing of the party, settled on popular sovereignty as a compromise. The vast majority of northern Whigs rejected this proposal as unacceptable. For historians who discuss the passage of state legislative resolutions against slavery in the western territories, see: R. J. M. Blackett, The Captive’s Quest for Freedom: Fugitive Slaves, the 1850 Fugitive Slave Law, and the Politics of Slavery (New York: Cambridge Univ. Press, 2018), 8; John C. Waugh, On the Brink of Civil War. The Compromise of 1850 and How it Changed the Course of American History (Wilmington: Rowman & Littlefield Publishers, 2003), 4-5.
Whigs wanted a unified society that connected various interests through broad legislative representation, government measures that increased economic unity, and a robust civil society. Wealthy southern slaveholders were strong believers in states’ rights and the right of secession, although they hoped to develop national identities together with elite northerners. From Natchez, Mississippi, they traveled north to Philadelphia to spend their summers, rather than make the easy trip to New Orleans. An American identity was important to them. This was even more remarkable because Whigs, unlike Democrats, lacked a robust political apparatus.27

Another factor that kept the peace in the party was that Whig political culture grew in opposition to Democratic-style party discipline. Whigs generally did not have consistent or coordinated messaging on slavery. For years they grew by uniting against the Democrats and could always fall back on their devotion to congressional power, executive humility, and trust-based compromise. The diverse ways in which Whigs applied party principles to slavery could present difficulties to party unity, but it was tolerable. Democrats, on the other hand, needed consistent agreement to maintain a centralized national political organization.28

Over time, a series of conflicts repeatedly exposed and eventually undermined Whig unity. For years, Whigs united against territorial expansion, emphasizing the view that it was important to develop societies and a mistake to quickly spread settlers across the frontier. Most Whigs opposed annexing Texas, the Mexican War and the acquisition of territory from Mexico once the war began. But Whigs argued over slavery issues like abolitionist mail and DC abolition. When,

in the 1840s, they were forced to address the massive land acquisition that the Mexican War presented, they would struggle. The country had been splitting up economically ever since the Panic of 1837. Most northern Whigs were more concerned about stopping slavery than preserving comity, and most southern Whigs had elevated protecting slavery above the Union.

The Compromise of 1850 was the last successful attempt to preserve the Second Party System. Most northern Whigs preferred to fight against any slavery expansion. Most southern Whigs were enthusiastic about compromise. Both sides could live with it. Democrats later proposed the Kansas-Nebraska Act in 1854, which allowed western territories to permit slavery. This was an attempt to break the Whig Party, and it worked. When most southern Whigs, tempted by the prospect of more land for slavery, voted with Democrats to break the Compromise of 1850, they shattered the mutual trust that Whigs had counted on for twenty years.

**LAYOUT**

Chapter One will explain how Whigs differed from Democrats during the 1830s. Historians have understandably tended to gloss over the history of the party from 1834 to 1839, noticing that Whigs did not fully coalesce until the 1840s. But the party shared a common political culture and direction in the 1830s. Only by understanding these formative years can we gain insight into the bonds of political culture and mutual trust that held the party held together despite internal tensions.

Whigs’ common traditionalism and capitalism help us understand how such a polarized opposition was able to develop against the ruling Democrats. It is understandable that some historians see Whigs as relatively pro-northern, since they often seemed less sympathetic to slavery than Democrats did. But this is because Whigs defended slavery to protect society, seeing slave property rights as unnatural and constructed by law. This would indeed make both wings of the
party more open to rejecting the “federal” theory that the Constitution protected slavery, accepting instead a “municipal theory” that slavery was only established by locales, and was therefore subject to federal prohibition. Meanwhile, during the 1830s, both sides of the party opposed immediate abolitionism for the sake of stability, and many were open to colonization as a unifying idea.

Chapter Two emphasizes that southern Whigs, despite theoretical softness on slavery, were more aggressive than Democrats on policy. At the same time, northern Whigs were more anti-slavery than Democrats. Southern Democrats feared Caribbean abolition as well as aggressive moves by a Democratic administration. They were so perturbed that they were willing to restrict constitutional rights like free speech and freedom of the mail to check abolitionism. We will explore the strongest southern states’ rights supporters and explain how they were drawn to the Whigs, hoping to preserve the Union but insisting on threatening the North with secession if it would harm slavery. At the same time, there was no place for Nullifiers and ignoring federal laws. For Whigs, either the Union and its social fabric were worth protecting, or they were not.

Chapter Three considers what southern Whigs were so worried about in their alarm over abolitionism. It was not far-fetched that Congress might take up anti-slavery causes, seeing as abolitionists used the “right of petition” to advocate banning slavery in the nation’s capital. Southern Whigs tried to deny the right to petition for this cause, while Northern Whigs fought to preserve the constitutional right of petition. Both sides were fighting a proxy war over slavery.

Chapter Four discusses what southern Whigs feared anti-slavery petitions might accomplish. It notes different Democratic and Whig views concerning abolishing slavery in the District of Columbia, as well as other policies that southern Whigs suspected might follow in its wake. Some northern Whigs were willing to act on some, but they generally wanted to preserve their ability to act until it would be safe for the South. Southern Whigs were more willing to trust
them over Democrats, who seemed more likely to act to benefit their organized political party. They also thought they could keep northern Whigs in line by threatening them with secession.

Chapter Five tells the story of how Whigs allied against the presidential candidacy of Martin Van Buren in 1836, followed by three successive races in which they ran candidates who had been or were slaveowners. Their goal was to satisfy nervous southerners while focusing on policies like anti-expansion that fit Whig political culture, kept slavery out of national politics, and were easy to campaign on because they were justifiable from different perspectives on slavery.

Chapter Six explains the split that occurred in the party over the Compromise of 1850, as well as how the party accepted it and remained united for four more years. Southern Whigs continued to apply their general principles to pro-slavery politics, supporting slavery but not pushing hard for its expansion. Most northern Whigs continued to oppose slavery’s expansion – just as they had done earlier on the rare occasions when the issue had arisen. A new generation of Whigs, however, was less amenable to compromise than the older one – a more economically independent, confident and growing North made an enormous difference. But the party’s principles remained largely the same. Compromise was made possible mainly by northern Democrats and southern Whigs, along with as many as a third of northern Whigs who desperately wanted to preserve the Union. When Democrats abandoned the compromise in 1854 and tried to break up the Whigs, they succeeded. But their move would also lead to their own breakup.

A NOTE ON SOURCES

This dissertation’s sources are primarily restricted to public debates, mostly in form of newspapers and legislative debates. Mid-nineteenth century newspapers devoted most of their space to commercial and personal advertisements, as well as general interest stories. It was usually
only newspapers with large circulations that produced their own original political coverage, as opposed to reprinting stories from bigger papers, a practice that was quite common. Suffice it to say, most newspapers were thoroughly and openly partisan. They can hardly be relied upon for accuracy in reporting. But my purpose is to explain the political culture that made for a viable opposition party from 1834 to 1854. Because newspaper editors exercised prominent influence in their parties as controllers of the main sources of information, and because they were at the forefront of get-out-the-vote efforts, it is useful to see what they were able to sell in the political marketplace. They also enjoyed close relationships with politicians, since they made much of their money from government printing contracts approved by whichever party was in power. Their motivations are relatively unimportant for this study, especially because the Whig Party, unlike the Democrats, had relatively little coordination between North and South. I will focus not on legislators’ motivations, but on what they were able to argue and achieve. While letters and diaries might reveal motivations, they would distract from our story about the Whig political landscape.
CHAPTER ONE

HOW THE WHIG PARTY UNIFIED OVER SLAVERY

The Whig Party, which began to take shape in 1834 and solidified two years later during the presidential election, was led in the South by men who were just as committed to states’ rights and the right of secession as John C. Calhoun, but who came to very different political conclusions. Like the Nullifiers, they opposed Jackson, and they did so largely because they had become convinced by the end of his first term that – despite being a Tennessean and slaveholder – he was an unreliable defender of slavery and southern interests. Also, like the Nullifiers, they not only opposed Jackson personally, but concluded that he had turned the Democratic Party into something they could no longer call their political home. But rather than try to form a pan-southern coalition, southern Whigs believed the best strategy was to ally with National Republicans in the North to create a nationwide Whig Party that would oppose Jackson and his Democrats.

But many southerners joined neither Calhoun nor the Whigs, instead remaining Democrats. This hardly meant that southern Democrats were soft on slavery. They simply believed that the best way to protect slavery was to keep the dominant Democratic Party dependent on southern votes. The Democratic Party was effectively the only party when the Whigs began to form, and because it had not taken any actions against slavery, it seemed trustworthy on the matter.29

Thus, the Second Party System gave the South three political parties, all of which were staunchly pro-slavery. Yet, even though slavery remained the number-one political issue for southerners during the 1830s and 1840s, and even though it was an issue that commanded broad consensus, this was nonetheless a period of fierce partisanship that only grew deeper as time went on. This paradoxical situation poses a problem for historians. Michael Meyers, Daniel Walker

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29 Cooper, The South and the Politics of Slavery.
Howe, John Ashworth, Thomas Brown, and others have explained this situation by arguing that each party possessed a different “political culture.” This chapter will expand on this idea by exploring what exactly made Whig “political culture” distinct, how it played out regarding slavery, and why Whigs saw bisectional opposition as preferable to Calhoun’s regionalism.

A COMMON WHIG POLITICAL CULTURE

Whigs often described their political views as “conservative.” They took pride in the word and used it to describe renegade Democrats who had similar economic policies. It is important to understand what the term meant at the time. In the 1830s, “conservatives” supported relatively greater governmental intervention in both economic and moral matters. The word “relatively” is critical here; they were not modern social democrats, but facilitators of commerce and industry.

The word “conservative,” which arose in response to the French Revolution and its idea-driven politics, was applied to Whigs by both themselves and numerous historians. Edmund Burke’s influential *Reflections on the Revolution in France* criticized the French Revolution and argued for preserving the best of traditional mores in the face of attempts to radically change society based on abstract ideas. To an American “conservative” of the 1830s, radical ideas included those of the French Revolution itself, as well those of the American “Equal Rights Party” or “Loco Focos” – radical Democratic labor activists originating in New York City – and other radical Democrats, who thought society should be constituted based on egalitarian principles (for white

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men). Most Democrats shared this egalitarian impulse to some degree, since it accorded well with the party’s underlying individualist ethos. Most Whigs favored a more nationalistic politics that prioritized harmony and prosperity. Democrats therefore opposed all sorts of power combinations, including governments and banks. Whigs supported both for the sake of stability and harmony.\textsuperscript{32}

Democrats wanted not simply small government, but almost non-existent government by today’s standards. They were wary not only of public financing schemes, but even of private concentrations of wealth, and therefore opposed laws allowing individuals to establish banks, declare bankruptcy, trade paper currencies, or even incorporate businesses for legal protection. They also opposed moralistic legislation, like closing the postal service on Sundays, insisting that the government had no business harmonizing society’s morals. Whigs believed these activities to be “beneficial and conservative,” insofar as they allowed society to improve. They rejected fears of unequal success as irrelevant to an organic society. The one exception to the Democrats’ suspicions of the federal power was the use of military force; they supported a strong executive, as well as the use of national power to expel Native Americans and suppress slave uprisings.\textsuperscript{33}

Whigs rejected the Democratic ideal of a nation of individual farmers. They thought tariffs, internal improvements and banking would support a business climate that allowed for private economic activity in a sophisticated modern market. Whig leader Henry Clay believed that all components of society: “People – States – Union – banks,” were “bound up and interwove


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together, united in fortune and destiny, and all, all entitled to the protecting care of a parental government.” Daniel Webster encouraged Americans to eschew individual interests for the common good, since the nation was a “whole” entity or “family.” Maryland’s John P. Kennedy saw protectionism as allowing for upward mobility by creating “high wages” for “the laboring man,” so he could be “lifted up” and made “a partner in the gains of the rich.” A laborer would be connected to the rest of society, and in promoting its prosperity for the public good, he would promote his own welfare at the same time.34

Southern Whigs also sympathized with this outlook. Although most were concerned about agriculture and opposed tariffs until 1841, they wanted to promote agriculture in the context of a well-developed society. Mississippi Whig Congressman Sargent Prentiss thought Whig policies could promote a prosperous southwestern economy, one in which social mobility would ensure the health of society and its various interdependent interests. Already in the US, “the employer of to-day” was “the laborer of tomorrow, and the laborer, the employer.” With economic competition in an integrated economy, he asked, “how dare any man rise up and address himself to the passions of different classes of the community and declare there is a distinction between them?”35

Southern Whig support for social harmony went beyond policy; it also had a cultural foundation. Southwestern “humorists,” who tended to be Whigs, produced one of the most popular literary forms in the antebellum South. Admired by Edgar Allen Poe (himself a Whig) and later

34 Ashworth, *Slavery, Capitalism and Politics in the Antebellum Republic*, 302-23. Also consider the description of then-Congressman Abraham Lincoln: “The legitimate object of government, is to do for a community of people, whatever they need to have done, but can not do, at all, or can not, so well do, for themselves in their separate, and individual capacities. In all that the people can individually do as well for themselves, government ought not to interfere.” This included law enforcement and whatever “requires combined action, as public roads and highways, public schools, charities, pauperism, orphanage, estates of the deceased, and the machinery of government itself.” Roy Basler, Ed. *The Collected Works of Abraham Lincoln*, Vol. II (New Brunswick: Rutgers Univ. Press, 1953), 221, https://quod.lib.umich.edu/l/lincoln/lincoln2/1:261?rgn=div1&view=fulltext.

by Mark Twain, they satirized frontier farmers, most of whom were Democrats. Parodying the settlers’ rough living conditions and supposedly primitive culture, they highlighted the absence of civic and governmental institutions that characterized eastern life. An intellectual vanguard for western Whig thought and politics, they nonetheless sympathized with the settlers they parodied, believing that well-developed social institutions could harness their talents.36

**CAPITALISM AS A UNIFYING WHIG FORCE**

Whigs understood how government and capitalism protected slavery in the US economy. Just as federal power helped industry, it had a “beneficial role” in “enforcing the slave principle.”37

Some northern Whigs did consider slavery to be as incompatible with capitalism as “an insurrection of the Northern laborers against the capitalists of the North.”38 They saw Democratic policies like killing the national bank as “the offspring of a deep-laid conspiracy against the business relations of the North – a conspiracy between the slaveholders of the South and ‘Northern men with Southern principles’ – against the labor, and the wealth of the free.”39 They provided historians with reasons to see southern Whigs as trying to replace slavery with free labor.

But slavery and capitalism were connected. Slavery was dependent on banking; the largest British firms directly funded even relatively small plantations with bonds. Planters’ dependence on commercial loans and personal mortgages required a commitment to greater production to service debt. Those with access to capital could maximize production far better than the average

37 Cincinnati Gazette, January 22, 1835. James Oakes explains how capitalism affected the movement of slaves to uncultivated lands in the southwest. These were the settlers whom southwestern humorists lampooned for opposing economic diversification and national power. The Whigs argued that both were good for slavery. See: Oakes, *The Ruling Race*, 206-207.
38 Burlington Free Press, September 28, 1838.
farmer.\textsuperscript{40} Regional and state banks facilitated the transfer of capital from east to west, as slaves, who constituted the vast majority of southern capital, were continuously sold further westward.\textsuperscript{41}

Unlike Democrats, southern Whigs and their plantation-oriented constituency supported state-sponsored banks. Most were wary of a national bank, but eventually came to support it. Most southern Democrats, who tended to be smaller farmers, opposed banking as a tool of the “money power.”\textsuperscript{42} Responding to a pro-nullification Georgia paper’s talk of disunion, the Boston \textit{Courier} noted that the South needed the federal government. It asked the region what would happen to it without the Union: “Who would shield you from massacre by your slaves or the Indians?”\textsuperscript{43}

St. Louis, the “great mart” of the South, showed how slavery could benefit an economically diversified city. It was fueled by the river transportation of slave-produced goods. Northern Whigs acknowledged the challenges that the free town of Alton, IL faced directly across the river.\textsuperscript{44} They understood how slavery had empowered southern markets in the years prior to the Panic of 1837.\textsuperscript{45} The recession hurt, but the long-term growth of the South’s major western cities continued unabated until the Civil War. New Orleans was one of the top five US cities from 1830 to 1850, and number six in 1860. St. Louis ranked eighth in 1850 and 1860. Despite its competition with Chicago’s railroads and the hardships of the Civil War, St. Louis became the fourth most populous US city by 1870. Chicago would only surpass it during the Second Industrial Revolution.\textsuperscript{46}

\textsuperscript{43} Boston \textit{Courier}, October 3, 1836.
\textsuperscript{44} Alton \textit{Observer}, December 29, 1836, cited in Cincinnati \textit{Gazette}, January 20, 1837.
\textsuperscript{45} Boston \textit{Courier}, June 22, 1837.
Many Whigs noted the nation’s economic integration and hoped for more. In 1838, the *Albany Evening Journal* described a national trade system in which western foodstuffs were sent down the Mississippi River to New Orleans, where cotton was exported to Europe. Finished textiles arrived in northeastern ports, making their way to the same western farms that began this cycle. Northern Whigs thought national development included slavery. But the Panic of 1837 began a lengthy process of economically separating the North and South. The South’s banking system was already different from that of the North, both because most southern capital consisted of slaves and because of the direction in which southern trade flowed. But the Panic of 1837 would reduce interregional trade, slowly helping the two sides feel more comfortable growing economically apart. In the meantime, however, Whigs pushed for a diversified economy.

**APPLYING A SOCIETY-FOCUSED OUTLOOK TO SLAVERY IN DIFFERENT WAYS**

While economic integration was a relatively easy area in which Whigs could cooperate, slavery was harder. Because of their political outlook, which leaned away from individualism and towards society, southern Whigs warned that reforms must not come “at the expense of the nobler and better parts of that venerable fabric beneath which human liberty has ever found a refuge and capital of the West. But Chicago only overtook St. Louis in population during the 1870s. Both enjoyed phenomenal growth rates and St. Louis did not suffer from Chicago’s growth. Moreover, St. Louis had two disadvantages that did not directly result from its involvement in a slave economy. The first was that there was little desire to build railroads to the city until the 1850s, due to its water transportation advantages. By the time railroad lines were built, railroad technology and speed had significantly improved, rendering river transportation far less favorable. It was therefore difficult for St. Louis to compete with Chicago at this point, since much extra development, beginning in the 1840s, took place around Chicago due to its extensive rail system. The railroad replaced the earlier Great Lakes trade, becoming a multiplier for it. Once St. Louis fell behind, it could not catch up. The second reason for St. Louis’s lag was the Civil War: Chicago produced war materials while St. Louis had its Mississippi River trade shut down. See: William Cronon, *Nature’s Metropolis: Chicago and the Great West* (New York: W.W. Norton, 1992). For a thorough treatment of these St. Louis, see two works by Frederick A. Hodes: *A Divided City: A History of St. Louis 1851 to 1876* (St. Louis: Bluebird, 2015); Hodes, *Rising on the River: St. Louis 1822 to 1850, Explosive Growth from Town to City* (St. Louis: Patrice Press, 2009).

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a hope.”49 Their chief fear was abolition. Most southern Whigs agreed with Henry Clay and pro-states’-rights leader John Tyler in opposing abolition, believing slavery to be a necessary evil; they also favored encouraging manumitted slaves, and free blacks more generally, to move to colonies in Africa. One paper called these points “the conservative doctrines of the South.” Even the most “ultra” pro-slavery Whigs, who refrained from talking about slavery as an evil, would not call it a positive good either.50 Both groups saw themselves as guardians and protectors of society’s institutions in the face of ideological opposition.

Southerners could take solace in the agreement of some northern Whigs, who used similar socially-oriented views to arrive at pro-southern conclusions. The New York Courier and Enquirer argued that slaves had been content before abolitionists agitated for their freedom. The Alexandria Gazette eagerly cited the paper’s belief that abolitionists were disrupting society’s foundations.51

Pro-slavery Democrats went beyond defending slavery for the sake of social stability, using not only racial prejudice but also egalitarian individualism to justify the peculiar institution. Southern Democrats saw slavery’s expansion as going hand-in-hand with national expansion and opportunities for individual white farmers. The national Democratic Party adopted, as John Ashworth put it, a “functionally proslavery position.” Democrats needed to maintain slavery to support southern farmers, who achieved upward mobility and feelings of racial superiority through the continuing existence of slavery. Most Democrats in the 1830s simply ignored the problem that slavery posed to a free society of equal citizens, writing about southern whites as if they were mostly independent tillers of the soil, rather than reliant on slave labor.52

49 Alexandria Gazette, September 5, 1836.
50 Ibid., September 9, 1836.
51 New York Courier and Enquirer, cited in Alexandria Gazette, October 6, 1836.
52 Ashworth, Slavery, Capitalism and Politics in the Antebellum Republic, 345-48. Indeed, some southern farmers had no aspirations to own slaves, but most did. See: James Oakes, The Ruling Race.
While most southern Whigs opposed expansion as dangerous to social stability, most northern Whigs developed thoroughly anti-slavery arguments that were also gradualist and cautious at the same time. Despite the Missouri Compromise’s allowance for slavery in the southwest, most voted against admitting Arkansas as a slave state. While slavery must “necessarily affect” the country’s “political, social, and business relations,” they hoped calm discussion and gradual legal reform could diminish the prevalence of the institution. They noted that a conservative society could promote gradual legal and even constitutional change; slavery was not set in stone. Governments could abolish it, whether by law in the nation’s capital, or through constitutional change in the states. Northern Whigs looked forward to a future without slavery. During a range of debates over slavery policies, they hoped to keep the prospect of slavery’s eventual demise in the public mind.\textsuperscript{53}

A WHIGGISH DEFENSE OF SLAVERY: THE SOCIAL FABRIC, NOT PROPERTY

Before exploring the ideological differences between southern Whigs and southern Democrats when it came to slavery, it is important to acknowledge class differences. The former included most of the large plantation owners, who in aggregate owned most of America’s slaves. Democrats, by contrast, were mostly small farmers with fewer (or no) slaves. Thus, the two groups approached social issues from different perspectives and justified slavery in different terms.

Southern Democrats generally emphasized the opportunities that slavery would provide to individual white farmers, who could become upwardly mobile landowners on the backs of slaves. Southern Democrats promised southern entrepreneurs, as well as northerners who moved or wished to move southward, that they could achieve success by buying slaves and cheap western

\textsuperscript{53} Cincinnati \textit{Gazette}, January 5, 1838; Boston \textit{Courier}, August 9, 1838.
land to cultivate cotton. An individual’s property was the key to his independence and prosperity. Western expansion, based on small- and medium-sized cotton farms worked by slaves, played a key part in Democrats’ ideal of a nation of independent farmers.54

Southern Whigs, on the other hand, included more larger planters or yeoman farmers, rather than potential slaveholding pioneers. They were not as attracted by Jacksonian individualism, instead hoping to build up communities and their political and civic institutions.55

Daniel Walker Howe has emphasized how Whig concerns with the “harmony of interests” and “Christian charity” explain Whig economic and social policies, which were “conservative” and meant to promote a stable and prosperous society. I would argue that they also informed Whig views of slavery. Nearly all Whigs thought that slavery was incompatible with republican institutions. Most agreed with Locke that it was a violation of universal rights. But because they thought abolitionism would tear the social fabric apart, they accepted slavery as a necessary evil.56

Democrats justified slavery in terms of individual property rights. They generally avoided religious and Lockean arguments that slavery was immoral or philosophically untenable. Many of them used racial arguments to defend slavery as a worthy cause or even as a “positive good.”57

Most southern Whigs disagreed, seeing slavery as a necessary evil that was unnatural and justified merely by the need to maintain social stability. While they too fiercely defended the

55 Oakes, The Ruling Race, 146-47. Oakes argues that in the South, “the only Whig principle that consistently attracted anti-Jackson planters was a studied resistance to the democratic impulse.” Also see: Thornton, Politics and Power in a Slave Society.
57 For a brief treatment of this issue in a broader context, albeit without a full conclusion, see: Lawrence Frederick Kohl, The Politics of Individualism, pp. 174, 252. For a more complete discussion, see: Howe, What Hath God Wrought.
institution of slavery, their rhetoric tended to avoid appeals to the inviolability of individual property. This focus – on necessity and social destruction – explained why slavery was a “peculiar situation” in a free nation: because it was incompatible with freedom, slavery needed to be positively legislated. Slavery was rooted in southern states and their “municipal laws.”

This society-oriented approach made southern Whigs more receptive than southern Democrats to the later “municipal theory.” Historians described the conflict between a “federal” theory – the notion that the Constitution guaranteed property rights in slaves – and a “municipal” theory that slavery was only established by positive (and mainly state) laws. William Wiecek describes a “federal consensus” that existed during the 1830s, which maintained that the federal government could not interfere with slavery in the states. Many abolitionists began laying the groundwork for a challenge to the federal consensus during the 1830s. In the 1840s, most northern Whigs, some northern Democrats, and even some southern Whig writers would conclude that there was no constitutional basis to slave property, only a municipal one. Consequently, in the absence of laws protecting slavery, there could be no basis for recognizing property in humans.

The “municipal theory” had practical applications. Since it grounded the notion of slave property in the legal constructs of individual states, it followed that there was no right to slave property if there was no supporting state to begin with. Northern Whigs and many northern Democrats therefore argued for a ban on the peculiar institution in new western territories. Even many southern Whigs accepted the municipal view, and while they hoped the federal government

58 Savannah Republican, January 8, 1834.
would leave territories alone to decide slavery policy for themselves, they saw a federal ban as legal and supported compromise.60

In the meantime, during the 1830s southern Whigs took issue with southern Democrats’ insistence that slavery was absolutely essential to the social fabric of the South.61 They were much more likely to acknowledge slavery as an unfortunate reality, one that could not be done away with without plunging the South into chaos. Somewhat counterintuitively, southern Whigs were for this reason more fearful of abolition, since they tended to focus on the possibility of societal collapse. Their rhetoric, which was similar to that of northern Whigs in many other respects, was even more alarmist than the rhetoric of southern Democrats when it came to abolition’s supposed dangers. Nonetheless, Whigs were less alarmist than Nullifiers like Calhoun. Southern Whigs instead believed that they should emphasize state sovereignty by holding out the prospect of secession if the federal government threatened slavery.

As for northern Whigs, even those who strenuously objected to slavery on moral and philosophical grounds agreed with their southern counterparts that American society could not soon extirpate slavery without a catastrophe. Many, however, felt that if they could not end slavery, they ought to do their best to stop its spread. Thus, most opposed the admission of Arkansas to the Union as a slave state in June 1836, and they only reluctantly agreed to Florida’s admission in March 1845.62 Democrats, by contrast, even if they were anti-slavery, saw little difference between tolerating the institution in the existing United States and allowing it in new western territories.

60 Huston, Calculating the Value of the Union, 123, 137-44.
62 Newark Daily Advertiser, cited in Albany Evening Journal, June 3, 1839. Most northern Whigs agreed with John Quincy Adams that Florida was a slave society tied to the US by the nation’s treaty with Spain, which provided for Florida’s integration into the US as it was. Banning slavery there would therefore constitute “a breach of faith” against Florida’s (white) inhabitants, who expected that the US would honor its treaty. (Adams had signed the treaty.) See: Louis Filler, The Crusade Against Slavery: 1830-1860 (New York: Routledge, 2017), 107.
Most Democrats, north and south, therefore voted for Arkansas’s admission. Those northern Democrats, such as Thomas Morris of Ohio, who were most firmly against slavery and unwilling to admit a new state if it meant the expansion of slavery, eventually left the party to become Free Soilers. Thus, such a contentious issue as the admission of Arkansas, which revolved around slavery, pitted Whigs against Democrats, rather than dividing the former along sectional lines.63

Since nearly all Whigs understood that society could artificially construct property rights that violated natural rights, many of them noted the practical “right” to slave property during the 1830s, one that the Constitution (and prior laws) artificially devised in America. But pure rights-based defenses of slavery – that there was a philosophically justifiable way to hold human beings as property – were rare among southern Whigs, who were reluctant to use anti-Lockean arguments. Instead they pointed to the Constitution’s artificial “principle of protection to slave property.” George Gilmer, the State Rights Governor of Georgia, could thus condemn Maine for allegedly harboring fugitive slaves and thereby violating southerners’ right to slave property, but he never resorted to the appeals to natural property rights that were common among southern Democrats.64

The most steadfastly pro-slavery southern Whigs took this argument one step further by demanding that Congress affirm this positive right to slaveholding. Virginia Whig Congressman Henry Wise, for instance, was concerned that the only alternative to upholding a legal right to own slaves (even if it was merely a right constructed by the Constitution) was social destruction for the South at the hands of angry freed slaves. To prevent this outcome, he wanted the federal government to recognize a constitutional right to property in slaves and to commit to suppressing rebellions. Only affirming the constitutional establishment of slaveholding rights, he thought,

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63 For Thomas Morris’s position, see: Cincinnati Gazette, November 26, 1838.
64 Richmond Whig, September 15, 1835; Alexandria Gazette, January 1, 1838; Milledgeville Southern Recorder, November 6, 1838; Cincinnati Gazette, December 14, 1838.
could prevent social collapse, which he considered to be the first duty of government. And while not all southern Whigs were as extreme as Wise, their collective tendency to avoid Democratic-style appeals to natural rights to slave property did not mean they were less protective of slavery.⁶⁵

Yet this approach was not altogether different from that advanced by William Seward, a northern Whig, 15 years later in his “Higher Law” speech, in which he likewise argued that slavery was only protected by positive law, not natural or divine law. The practical difference between southern and northern Whigs was that the former demanded that the federal government – not only states – recognize this positive law, while the latter believed that the federal government need do nothing other than facilitate the return of fugitive slaves and refrain from abolishing slavery in the states—as required by the Constitution.

Even most of the strongest anti-slavery northern Whigs admitted that the Constitution allowed states to establish a legal right to slave property. Vermont Whig Congressman William Slade held the common Whig belief that “there was no right of one man to hold another as property.” Yet he also recognized an indirect constitutional right to slave property. His goal was to regulate this right to achieve social harmony. Since slave property was incongruent with individual slaves’ rights, Slade argued, society must eliminate slavery and prepare slaves for freedom whenever possible: that is, in the District of Columbia and perhaps in western territories. The Massachusetts Senate concurred in 1837, overwhelmingly supporting the abolition of slavery in DC. Some northern Whigs, like the Boston Courier, responded by denying that Congress had “the power to take away the property of the citizens of that district – property which is declared by the constitution to be as sacred and inviolably theirs, as their lands, their houses, or the cash in

⁶⁵ Milledgeville Southern Recorder, April 12, 1836.
their pockets.” But most northern Whigs, holding a municipal view, thought this property right depended on law alone.66

Most northern Whigs, who believed that the Constitution permitted DC abolition, nonetheless believed that the Constitution guaranteed the rights of slave states to uphold slavery within their territories. The Cincinnati Gazette, for instance, wrote that while there was no slavery in Ohio, the Constitution required the state to recognize property in people from other states, even if the duty to enforce slavery legislation and return fugitive slaves to their masters was created by the laws of society, not the laws of nature.67

Ultimately, southern Whigs’ biggest reason to oppose abolition was not the Constitution, but fear that abolition would spur a vengeful population of free blacks to race war, murder, rape, and pillage. They emphasized the need to preserve “the social edifice” more than individual property rights.68 The rhetoric of southern Whig newspapers from the 1830s is redolent with arguments along these lines. To relax legal protections for slavery seemed to invite the unraveling of southern society in waves of violence, not to mention the ordinary crime to which, supposedly, uncivilized slaves were naturally inclined. Any attempt to abolish slavery gradually could be just as bad, since those slaves who had not yet been freed would feel encouraged to revolt. Abolitionists were therefore deemed irresponsible for ignoring “the rights of property and the safety of the country.” Abolitionism, which had already begun with a deadly revolt in Haiti and with British emancipation in the Caribbean, could easily become a “crusade against the South.” It was therefore desirable but impossible because of its riskiness.69

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67 Cincinnati Gazette, April 5-6, 1837, and December 14, 1838.
68 Richmond Whig, March 24, 1835.
69 Tennessee National Banner and Daily Advertiser, July 21, 1834; Richmond Whig, July 21, 1835; Milledgeville Southern Recorder, May 7, 1837, May 9, 1837.
Thus, Georgia Congressman Julius Alford explicitly argued that slavery was necessary to prevent the murder and rape of white women and children in a race war. When a Georgia anti-Jacksonian convention supported legal protections for slavery, it warned that slaves could imitate the Haitian Revolution and give the South “a heritage of blood.”70 The Turner Revolt’s “midnight burnings and murder” at the hands of vengeful slaves stood prominently in the minds of southerners as they refused any further consideration for emancipation. Whigs across the South worried that abolitionists could destroy “the whole fabric” of the South’s “social system.”71

Northern Whig rhetoric was often not very different. Ohio Whigs affirmed that “the people of the South have a right to hold their slaves, and to manage their property as to them may seem fit,” especially since any violation of this right would lead to “a servile war [i.e., a slave revolt] with all its horrors” in the South and might even spread northward. The New York Courier and Enquirer was concerned with the “anti-social nature” of the “fanatical spirit” of abolitionism that was “warring against the rights of property, the peace of the people, the bond of our union, and the civil institutions of the country.” Southern Whigs comforted themselves by citing this support for their “social edifice.”72

While southern Whig political leaders had an incentive to exaggerate, we should recognize that the possibility of massive slave revolts seemed quite real. Nor was it clear whether the North would help put them down. Even relatively minor slave revolts could severely unsettle the South’s sense of security. The region could quickly cease to be (for whites) a prosperous, comfortable, and free society. As much as southern Whigs wanted to preserve the Union, they believed that southern

70 Savannah Republican, May 12, 1836.
71 Richmond Whig, July 24, August 4, 1835.
72 Ohio State Journal, August 21, 1835; New York Courier and Enquirer, cited in Alexandria Gazette, March 4, 1836; Richmond Whig, March 24, 1835.
72 Milledgeville Southern Recorder, April 5, August 23, 1836; Richmond Whig, September 29, December 29, 1835.
stability was more important, since an intact Union would be little consolation if it meant turmoil in the South.

As we have seen, Whigs across the North shared this fear, worrying that domestic or British-inspired abolitionism could incite slaves to revolt. In January 1836, Massachusetts Whig governor Edward Everett publicized his concern that too much agitation over slavery could lead to rebellion and death in the South.73

To capitalize on these fears of an abolitionist-sparked cataclysm, the national Whig Party ran a southern slaveholder as its presidential candidate not only in the four-way race of 1836 (New England Whig vs. northern Whig vs. southern Whig vs. Democrat), but in the two-way 1844 and 1848 races. For “conservative” southern Whigs, it seemed that there could be no better argument for a candidate’s trustworthiness than his social station. A southern slaveowner seemed likely to protect his own.

One of the bedrock notions about slavery that united northern and southern Whigs was that it was a “necessary evil.” While most Whigs agreed with Locke concerning the philosophical untenability of human property, their social outlook allowed them to see slavery as a facet of society that the British wove into the American social fabric. Because the Union was constructed from a preexisting slave society, the only way to protect its “fair fabric” was for the federal government to protect the Constitution’s “vested rights of property.”74

Some northern Whigs even opposed criticizing the South too strenuously. “In the formation of the Constitution of the United States,” the Cincinnati Gazette argued, “the condition of slavery, as existing among us, is distinctly recognized.” Since the Constitution was based on the society

74 Nashville Republican cited in Cincinnati Gazette January 22, 1835; Milledgeville Southern Recorder, December 4, 1835, August 14, 1838.
that devised it, the document “distinctly” accepted slavery, a situation that “implies absolute property of one man in the person of another.” Every American “was bound to respect this guaranty; and to recognize the right of the master to the services and to the control of the person of his slave.” Attempts to shame slaveowners were “as Little allowable, in just morals, as combinations to bring into disrepute the institution of marriage, or to produce an equal distribution of all property.”

As for Southern Whigs, few agreed with the position of the South Carolina Nullifiers and many southern Democrats that slavery was not evil, but a “positive good.” They were far more inclined to agree with northern Whigs who, informed directly or indirectly by the ideas of Locke and some Protestant traditions, believed that slavery was incompatible with the institutions of a free society. Of course, northern Whigs tended to be far blunter about slavery’s evils, but the underlying assumptions were the same.

**SOUTHERN WHIG ATTITUDES TOWARD SLAVERY: VARIABLE BUT FIRM**

It would be easy to conclude that because southern Whigs were less comfortable describing slaves as property, they were less pro-slavery than southern Democrats. However, this would be a mistake. The further south they lived and the more slaves they owned, the more cautious Whigs were about emphasizing their belief in the institution’s evil nature. For this reason, we will survey southern Whig views, beginning with the border states and then moving down to the Upper South and finally to the Deep South (and to Virginia, which mimicked the Deep South in many ways). While there were variations in emphases, southern Whigs consistently saw slavery as evil but

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75 Cincinnati *Gazette*, March 21, 23, 1837.

76 For a further discussion of this point, including debates regarding free black suffrage in the South, see: Lacy Ford, *Deliver Us from Evil: The Slavery Question in the Old South* (New York: Oxford Univ. Press, 2011), 361-448.
supported it as necessary. In Virginia and the Deep South, they also insisted on speaking up loudly about state sovereignty and their right to secede if the federal government threatened slavery.

Within the border states, which allowed slavery but had significantly fewer slaves, there is no better place to begin than Kentucky. The Bluegrass State was perennially the strongest Whig state, as well as the home of Henry Clay, the party’s longtime leader. Theoretical antislavery views were common here. R.J. Breckenridge, a Kentucky legislator and minister who would eventually join the Republican Party, expressed his hatred of slavery early in 1834. He called slavery “a sin” and “a grievous wrong” despite his opposition to immediate abolition, arguing that southerners must not “hate those who hate slavery.”\(^77\) Henry Clay argued that slavery was morally and politically evil, justified only as “necessary” to maintain the South’s (and the nation’s) social fabric. At some point in the future, the migration or deportation of free blacks to Africa or some other scheme might end the practice. Clay had initially supported emancipation, but after his state rejected the idea he turned to African colonization. As we shall see, Clay would mention his theoretical opposition to slavery throughout the 1830s and 1840s.\(^78\) Other border-state Whigs saw Clay as “the great pacificator” who could unify a party with different opinions about slavery.\(^79\)

Whigs in the Upper South, where slavery was more common, were similarly vocal against slavery in theory. Tennessee was the second most supportive slave state for Whigs in presidential contests. A Whig delegate to Tennessee’s 1834 constitutional convention wrote that while “all admit” that “slavery is a great evil” and wish it never existed, quickly abolishing it might “destroy the fabric” of society.\(^80\) The strongest support for the party in the state was in its eastern third,

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\(^77\) Nashville National Banner, June 14, 1834, June 27, 1834.
\(^80\) Nashville National Banner and Daily Advertiser, February 17, 1834.
where there were relatively few slaves. Moving in a westward direction, the slave population rose along with support for Democrats, who refrained from anti-slavery rhetoric.81

This partisan divide was manifest when Tennessee’s 1834 constitutional convention debated emancipation, colonization, and free-black suffrage. The delegates disagreed on these issues, so they moved on to the institution of slavery itself. The convention voted 42 to 12 to characterize slavery as “unlovely… in all its aspects” and incompatible “with republican institutions.” The dissenting voters, mostly eastern Tennessee Whigs, moved for an even more negative position. Four of them castigated the majority for offering “a kind of apology for slavery” by not condemning it in harsher language. They appealed to the Declaration of Independence, as well as the Bible. They called slavery “a subversion of the true principles of republicanism” and hoped the constitutional convention or the state would work to eliminate it. While only a minority of Tennessee Whigs were so strident, virtually no Democrats agreed with them.82

The committee’s majority offered a characteristically Whig defense of slavery as a necessary evil that could be tolerated and even allowed to last a long while, albeit only because republican institutions existed to protect peace, property, rights, and privileges, which abolition would supposedly destroy, and because free blacks supposedly lived in worse conditions than slaves. Only establishing slavery in a new “community” would be completely unacceptable.83

Whig delegate Joseph Kincaid went the furthest, insisting that only “the harmony of society” justified slavery. He disagreed with a committee’s view that free blacks were worse off than slaves, describing the “draught of bitterness” that “the slave is doomed to drink,” including

83 Ibid., July 10, July 23, 1834.
corporal punishment, punitive malnourishment, and the infliction of vicious punishment to maximize profits. Free blacks were far better off, unable to be sold to harsh owners as punishment for disobedience, and secure in the integrity of their families. Kincaid continued with emotion:

…can the free man of color be torn from his wife and family, and driven in chains to a foreign land, and there sold in the market, like a dumb brute, to him who will give the greatest sum for him; though his heart bleeds and bosom yearns with bowels of compassion and fraternal tenderness, for the wife and children of his bosom, who are bone of his bone and flesh of his flesh? He cannot. Or can the children of the fond mother be torn from her bosom, while her heart wrings with distress and she agonizes in despair, and “mourns for them, and will not be comforted, because they are not[?]” This cannot be done.

Most southern Whigs did not go so far, but Kincaid was by no means alone in these positions.

Virginia Whigs saw matters in the same light. The Richmond Whig considered slavery a “crime” introduced by England, albeit one that was “impossible to get rid of without harming the slaves themselves and threatening the safety of southern whites.” State emancipation, which Virginia (and Kentucky) had contemplated, would have ended “the great evil of slavery” and “wrought the richest harvest of benefit that ever blessed the States south of the Potomac.” But while social stability might justify slavery, its evil nature was something “on which no candid difference of opinion can exist among an enlightened and Christian people.” After Virginia rejected mandatory emancipation, the paper, which had supported mandatory compensated emancipation in the past, now urged citizens to free their slaves voluntarily.

The Lynchburg Virginian, another Whig paper, also acknowledged slavery as an evil, even as it slammed abolitionists as hypocrites, accusing abolitionist Arthur Tappan of dressing in finery while ignoring the plight of northern workers. The paper’s editors displayed their discomfort and

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84 Nashville National Banner and Daily Advertiser, August 7, 1834.
85 Ibid.
86 For further discussion, see: Ford, Deliver Us from Evil, 390-417.
87 Tennessee National Banner and Nashville Whig, August 10, 1835; Richmond Whig, June 2, 1835.
88 Richmond Whig, July 18, 1834, August 14, September 18, October 23, 1835.
insecurity, calling on abolitionists to “eradicate” other “evils of a much more odious and destructive character … before they complain of the mote in their neighbor’s eye.”

Standing against growing southern pro-slavery sentiments, the Alexandria Gazette blamed abolitionists for increasing the numbers of Virginians and South Carolinians who saw slavery as a positive good. Lamenting this development despite its “ultra” pro-slavery orientation, the Gazette, which supported John C. Calhoun’s defense of slavery against Virginia Democrat William C. Rives’s strong denunciation of the institution as evil, still rejected the former’s “positive good” defense of the institution. It endorsed Henry Clay’s weakening of Calhoun’s pro-slavery congressional resolutions and preferred an uneasy silence over slavery, condemning the Southern Literary Messenger for publishing “rather too many” articles about it.

Even in the Deep South, where die-hard “Old Republicans” and “State Rights” men made up much of the nascent party, most Whigs held the same view, rejecting the notion that slavery could be “a blessing” or positive good. An Alabama paper went so far as to agree with John Davis, the Whig governor of Massachusetts, that “one of the worst consequences of slavery” was that it tended “to degrade labor” and lower the incentive to work. Despite its obvious fear of federal interference with slavery, the Alabama Intelligencer and State Rights Expositor agreed that slavery and its notion of property in human beings were inconsistent with the “Abstract Principles” of the Declaration of Independence. American slavery only existed because of “the supreme law” of communal safety. As Alabama’s Whig governor put it, slavery was a preexisting institution that was merely an alternative to murder. The Savannah Republican likewise warned that while slavery could “not to be got rid of in an instant,” it was “a great evil, moral, political and social.”

88 Lynchburg Virginian, cited in Richmond Whig, September 29, 1835.
89 Alexandria Gazette, September 19, December 5, 1836, February 13, 1837, January 24, November 26, 1838.
90 Alabama Intelligencer and State Rights Expositor, October 3, 10, 1835; Huntsville Southern Advocate cited in Nashville Banner, April 7, 1834; Alabama Intelligencer and State Rights Expositor, August 22, 1835; Milledgeville
STRONG STATES’ RIGHTS SUPPORT FROM MANY SOUTHERN WHIGS

Because they considered slavery to be as necessary as it was evil, most southern Whigs promoted states’ rights. Rather than tout the right to secede should the North act against the necessary evil, they accused Democrats of seeking safety for slavery in a national party that could be sympathetic to the South. They admired Calhoun for his courageous stand against the dominant party, but were not radical like him, hoping instead that national power would protect slavery.91

Northern Whigs saw the South as divided into three camps: (1) Democrats, who tried to consolidate federal power through allegiance to a national party and its patronage; (2) “Nullifiers,” led by John C. Calhoun, who hoped to nullify harmful federal laws; (3) States’ rights and Whig supporters, who were trying to navigate a middle ground between two unacceptable extremes.92

Southern Whigs feared that Democrats would not protect “the social edifice” from abolition. They wanted southern “Old Republicans” to cast off the “weak and unmanly passion” that had led them to support Jackson, and instead look out for their own principles and interests. Most southern Whigs, like North Carolina Senator Willie P. Mangum, were states’ rights men worried about slavery’s future and wishing to loudly assert the right of secession. Mangum’s states’ rights views won him South Carolina’s presidential votes in 1836.93

Whig states’ rights views were not limited to former hotbeds of nullification like Georgia. In 1834, as the party began to coalesce, Tennessee’s main Whig paper thought southern Whigs must reject the most strident anti-slavery northern Whigs. The usually nationalistic Richmond Whig also put slavery first, arguing that nullification might be advisable if slavery was threatened.

91 Whigs like Tennessee Congressman and Senator John Bell argued that the federal government was necessary to protect slavery, for instance from insurrections. See: Richmond Whig, July 7, 1835.
92 Boston Courier, March 31, April 18, 1836.
93 Richmond Whig, April 14, 1835.
Unlike Calhoun’s Nullifiers, the Whig was not ready for nullification, but it would defend slavery at all costs. It thought pro-Union Democrats were not willing to use all available tools. It would take real work to reconcile southern and northern opponents of the Democrats.94

From a southern Whig perspective, it was imperative to support both the Union and states’ rights: the union for as long as possible, and states’ rights as a protection from abolitionist threats to social stability. It seemed that the best way to do this was to oppose Democratic domination and prevent federal supremacy from making the South a vassal state to the North, and the best strategy to elect a southern president while insisting on the right of secession. They saw Jackson’s actions against South Carolina nullification as too harsh and too empowering for the federal government.

Southern Whigs craved safety and searched for a candidate who would give slavery absolute protection. Some of them went so far as to maintain that even a constitutional amendment could not allow for federal abolition and accused Martin Van Buren of being no better than radical abolitionist William Lloyd Garrison for not agreeing. Southern Whigs supported Hugh White against the Democrat and saw William Henry Harrison as an acceptable alternative for president.95

In Georgia, the State Rights Party did not formally identify with the Whigs during the 1830s, but it supported Hugh White and other Whigs by 1836. It was almost entirely focused on slavery, worried about Van Buren’s view that Congress could abolish slavery in DC.96 The party argued that southern states constituted their own sovereign societies and should assert the right of secession, but also that they ought to build national bonds to protect slavery when possible. It promoted both the “Union of the States and the sovereignty of the States.”97 Democrats seemed to

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94 Tennessee National Banner and Nashville Whig February 4, 1834; Richmond Whig October 31, 1834. Also see Richmond Whig, October 2, 1835, where the paper prioritized preserving slavery over national harmony.
95 Richmond Whig April 14, 24, May 12, September 1, 18, 25, October 24, 1835. For a discussion of Louisiana politics and the acceptance of Harrison, see: Adams, The Whig Party in Louisiana.
96 Savannah Republican, April 9, September 2, 30, October 29, 1836.
97 Milledgeville Southern Recorder, April 28, August 18, September 29, 1835, July 30, 1839.
assume the opposite, promoting loyalty to a national party while opposing national policies to strengthen the economy. While many Georgia Whigs would later oppose secession before the Civil War, they insisted on its permissibility from the very beginning. They were cautious men, but they wished to make it clear that society came before any party organization or national allegiance. As the Southern Recorder explained, it would learn to accept taunts that it was anti-Union to argue that the South must be sectional on the vital question of slavery.98

Julius Alford, a State Rights Georgia congressman, described this tension between states’ rights advocacy and adherence to a national vision of politics. He dismissed Union Democrats’ passivity and Nullifiers’ precipitousness. Secession was almost – but not entirely – unthinkable. He preferred a civil war to putting up with abolition anywhere, even in the tiny national capital.99

During the 1830s, the strongest states’ rights-oriented Whigs castigated Democrats as unprincipled, pointing to their expunging Andrew Jackson’s censure from the Senate’s record. John Tyler and Tennessee’s Meredith Gentry emphasized that being a Whig was, first and foremost, about upholding honesty in government and opposing tyranny. Many “Old Republicans” from Virginia joined the Whig cause for this reason. They considered radical “Loco Focos” in the North, including Martin Van Buren, just as dangerous as abolitionists, since they were both friends of “universal liberty” and could not be trusted to preserve an ordered society in which some men were free and some slaves. They also rejected Calhoun’s sectional politics as hopeless at best, believing that northern and southern Whigs could unify behind Henry Clay.100

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98 Milledgeville Southern Recorder, January 3, 1837. Also see Ibid., March 20, 1838 for criticism of Van Buren for allegedly rejecting the legality of secession.
99 Milledgeville Southern Recorder, May 7, 1837.
100 Alexandria Gazette, March 24, 1836, August 2, 1839. The term “Loco Foco” originally referred to radical labor activists, particularly mechanics in New York City. Whigs came to use the phrase as a derogatory term that they applied against Democrats generally, since they associated Democrats with radicalism and since the original Loco Focos had in fact been Democrats. See: Michael Holt, The Rise and Fall of the American Whig Party, p. 109. For more on labor activism in New York City, see Sean Wilentz, Chants Democratic (New York: Oxford Univ. Press, 1984).
Unlike northern Whigs, southern Whigs put states’ rights well before the Union. They wanted to strengthen national power, but in a limited manner and not at the expense of state sovereignty. It is easy to misunderstand southern Whigs as ardent nationalists who opposed the overriding power of states’ rights, since it was Democrats who would lead the charge out of the Union after losing the White House in 1860. But while southern Whigs consistently opposed seceding, they began opposing Democrats largely out of a desire to loudly support secession as a right. It would prove difficult for this group to reconcile northern Whigs, but they would do it.\(^\text{101}\)

**THE SLAVERY DEBATE IN THE NORTH**

To some northern Whigs, their southern counterparts’ theoretical distaste for slavery was seemed to be a basis for mutual sympathy. Southern Whigs thanked northern Whig papers when they noted a preference for silence on slavery. One thought that “nineteen twentieths of the South believes that slavery is an evil” merely tolerated by the Constitution but could do little about it. Samuel Armstrong, Massachusetts’s acting governor, urged northerners to leave the South alone. The New York *Star* and the Boston *Gazette* argued that northerners should remain quiet about an institution over which the federal government had little power.\(^\text{102}\) Some northern Whigs even soothed their consciences by claiming that slaves lived better lives than free blacks. Indeed, some anti-slavery northern Whigs used scant evidence to report positively on slave conditions; southern Whigs then cited these reports as proof of their own goodness. According to these tendentious

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\(^{101}\) Howe, *The Political Culture of the American Whigs*, 262.

accounts, slaves were “happier and better off, in all respects,” than free blacks or many whites, and lived “contented and happy” under slavery’s “bright as well as its gloomy side.”

But as the 1830s drew on, more and more northern Whigs passionately attacked slavery, to the point where most were talking about it plenty. the Milledgeville Southern Recorder believed that while most northerners were not abolitionists, 99 percent were anti-slavery. While this was an exaggeration when it came to the North as a whole, it was closer to the truth for northern Whigs.104

Late in 1835, Democratic Governor George McDuffie of South Carolina gave a widely-publicized speech defending slavery as a “positive good,” echoing John C. Calhoun’s famous language. The Boston Courier responded by satirizing southerners who moved from seeing slavery as a necessary evil to seeing it as a positive good. It compared the South to “Uncle Bob,” a fictional character who broke his leg and became a cripple. After Bob lamented his injury for some time and made a spectacle of himself, his neighbors lost interest and began to ridicule him. Yet ridicule had a strange effect. Bob began to defend his broken leg as “the ne plus ultra of human felicity,” without which “no man could be great or happy or useful or good-looking.” The Courier feared that southern defenders of slavery were making the same mistake.105

Other northern Whig newspapers joined in attacking John C. Calhoun’s “positive good” defense of slavery, hoping that it would disappear once “southern concurrence” was secured. They had reason to celebrate when Henry Clay risked southern electoral support by openly attacking it as evil in early 1836. Even northern Whig papers that were sympathetic to the South, such as the New York Courier and Enquirer, repeatedly slammed the institution as abhorrent and printed anti-

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103 Richmond Whig, August 7, September 4, 11, July 3, October 6, September 4, 1835; Milledgeville Southern Recorder, April 26, 1836; Boston Daily Atlas, February 13, 1835; Boston Courier, August 31, September 16, 1835, July 7, 1836, November 9, 1837 (September 16, 1835 cited in Nashville National Banner October 13, 1835); Ohio State Journal, August 14, 1835 and National Intelligencer cited therein; New York Courier & Enquirer cited in Alexandria Gazette, October 6, 1836; New York Mercantile cited in Alexandria Gazette, December 19, 1837.
104 Milledgeville Southern Recorder, April 9, 1836.
105 Boston Courier, December 17, 1835.
slavery quotations from American founders who owned slaves. One reported that a major official in the Presbyterian church’s US leadership was nearly removed from his position because of a mere report that he was “A SLAVE HOLDER.” The New London Gazette spoke for most when it declared: “We detest slavery in all its shapes, and the condition of that people on whom it is entailed even as an acknowledged household right is deplorable.”

By contrast, most northern Democrats tended to express a somewhat less negative attitude toward slavery. While most Democrats saw it as evil, they were sympathetic to the South and willing to accept slavery’s westward spread. New York’s Democratic Governor William Marcy expressed his concern in early 1836 that slavery debates might disrupt trade with the South, a fear that northern Whig newspapers openly dismissed. While Marcy denounced slavery as evil, he asked his legislature to leave it “to the wisdom and humanity of those to whom it exclusively belongs.” Since southern whites were “immediately affected by it,” only they understood “the proper mode of treating it.” Northern Whigs, by contrast, believed the federal government had the power to restrict slavery, even if they did not believe it was prudent to do so.

Despite their relatively anti-slavery stance, northern Whigs still felt closer to southern Whigs than to northern Democrats, because of their shared priority of preserving a harmonious society against radical (or “Loco Foco”) politics. They therefore united with southern Whigs not only against Van Buren in the 1836 presidential campaign, but in formulating arguments for why society must tolerate slavery. Representative of this attitude is a Boston Courier piece emphasizing the dangers of social unrest, rather than property rights:

106 Boston Courier, June 25, 1835; Albany Evening Journal, October 2, 1835, November 23, 1838; Boston Daily Atlas, November 4, 1837; Boston Courier, March 17, 1836, November 9, 1837; Albany Evening Journal, September 29, October 2, November 24, December 8, 1835, January 26, June 15, 1836 (includes quote from New York Courier & Enquirer); New London Gazette cited in Albany Evening Journal, September 17, 1839. Also see Vermont Phoenix, November 10, 1837, March 22, November 22, 1839 for a Whig governor using public proclamations to pray for the freedom of slaves in the American South and around the world.

107 Albany Evening Journal, January 5, 1836.
As to the abstract question of the injustice of one human being holding another in Slavery, there is of course no difference of opinion. The application of abstract truth to the complicated relations of civil society, involves, however, so much difficulty, that it becomes apparent that the true question is not so much “what is original right,” as to the expediency of enforcing this right.

The author went on to attack abolitionists as “wicked” and “foolish” men. As for abolitionist women, he asked: “Can it be that any lady can so far forget herself” by “doing her very best to promote a servile war in our southern states, and to bring upon her sister there the brutal force of the assassin or the ravisher?” This language was intended to be sympathetic to insecure slaveholding women, supporting the paper’s claim that abolition would bring “utter misery” to southern whites and “new sufferings” to blacks. The New York Journal of Commerce also urged sympathy with the South, since the British had allegedly woven slavery into the colonies’ social fabric in such a way that it was difficult to remove. Most northern Whigs would agree.108

Having assessed different Whig opinions about slavery, as well as the common Whig consensus, we can better understand how political parties debated slavery during the election of 1836. Most northerners were theoretically anti-slavery, and each political party in the North tried to show that it could outdo the other. Northern Whigs were more committed in their opposition to slavery than Democrats, while northern Democrats prioritized national unity. Both, however, accommodated slavery while taking theoretical positions against it. The parameters of political debate in the North were therefore determined by policy differences, not theoretical stances. There were many theoretical divisions on slavery among northern Whigs, just as there were divisions among northern Democrats. Yet these differences had few practical ramifications during the 1830s and early 1840s. Both major political parties were de facto pro-slavery. Anti-slavery newspapers, such as the Albany Evening Journal and the New York American, did not support significant

political action against slavery, while they did support southern stability. At the same time, northern Whigs opposed slavery’s expansion and hoped it would disappear.\(^\text{109}\)

**ABOLITIONISM: OPPOSED BY ALMOST ALL, TOLERATED IN THE NORTH**

Now that we have considered Whigs’ theoretical attitudes towards slavery, including both their distaste for and justification of the institution, we should consider how they thought about abolitionist political activity during the 1830s. Here we can see exactly how different Whigs expressed their tolerance and distaste for slavery by responding to specific abolitionist moves. Nearly all Whigs opposed abolishing slavery immediately. But while southern Whigs loathed abolitionists, many northern Whigs were more tolerant, seeing them as misguided souls who were foolishly trying to end slavery too early – before the American social fabric could withstand such an enormous socioeconomic change.\(^\text{110}\)

Abolitionists commonly admitted that the Constitution, unless amended, did not allow the federal government to abolish slavery in the states.\(^\text{111}\) In considering what abolitionists might do and debating how they should respond, northern Democrats and Whigs therefore focused their attention on three things that abolitionists could do: (1) try to abolish slavery anyway, through either legal or violent means; (2) try to amend the Constitution; (3) use federal power to restrict slavery wherever it could be applied, such as in the national capital and interstate commerce. Most Whigs, even in the North, opposed both the abolition of slavery and the use of the federal government to roll back protections on slavery where it already existed, and thus rejected the first

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\(^{110}\) Whigs were more aggressive than Democrats in the North about insisting that slavery would end in the not-too-distant future. After all, as one paper pointed out, only a century earlier, Boston had been a slave port. See: Cincinnati *Gazette*, January 17, 1837.

\(^{111}\) See, for example, the “disclaimer” issued by the American Anti-Slavery Society’s leaders, Arthur Tappan and John Rankin, which clarified this point. Hartford *Courant*, July 21, 1834.
two options. During the 1830s, Northern Whigs were willing to vote against expanding slavery, and many hoped for its eventual abolition in the District of Columbia. But they refused to consider undermining the institution where it stood, at least for the foreseeable future.

It has often been argued that the Whig Party was a product of political opportunism. This argument usually assumes that northern and southern economic interests, which involved the more developed parts of both sections, converged when it came to promoting banking, internal improvements, and protective tariffs. It is alleged that Whigs did not agree over slavery, but merely used it as an opportunity to obtain political power by attacking Democrats from opposite perspectives in different regions. But in truth, the party was founded on a certain degree of ideological common ground. For southerners, fear of abolitionism drove them away from the reigning Democrats; northern Whigs, no matter how much they opposed slavery in theory, shared these fears of the dangers of abolition.112

Southern Whigs’ message may seem contradictory today, but it made perfect sense in the 1830s. More than anything, their ideas were shaped by Jackson’s response to the Nullification Crisis, which left many in the South terrified by what they saw as Jackson’s heavy-handed response. Whigs, like most southerners, thought South Carolina had gone too far, yet were convinced by Jackson’s handling of the crisis that a future federal government could use its power to attack slavery. In response, many broke ranks with Jackson’s Democrats and joined Whig (or, in Georgia, State Rights) opposition groups, trying to protect their societies by threatening secession if the federal government would be brought to bear for the abolitionist cause. At the

same time, so long as the federal government supported slavery, southern Whigs and State Rights men would support the Union – and stay away from the radical positions of Calhoun and his supporters – and thereby make common cause with northern Whigs despite tensions over slavery.

It was therefore critical for the unity of the coalescing Whig Party that it oppose abolitionism. Whig leaders did not take this for granted, since continuing efforts for the abolition of slavery in DC kept alive the prospect of broader abolition. Southern Whig and State Rights newspapers insisted that northerners, including northern Whigs, condemn abolition, and most northern Whigs did so when it came to abolition in both the states and DC. There were some, particularly from upper New England, who supported immediate DC abolition, but even they drew the line there, insisting that they would not support using the power of the federal government to abolish slavery in the states.

Since Whigs emphasized the harmony of society over the opportunities of individuals, they framed arguments against abolition in catastrophic terms. This was not mere rhetoric; they truly feared that abolition could bring disaster. Meanwhile, northern Whigs’ cautious dispositions made them particularly concerned with the dangers of social breakdown. Thus, Whigs from both sections found common ground when it came to slavery in their joint support for social stability and opposition to abolitionist policies. The party therefore solidified and grew, despite cross-sectional differences concerning the appropriate level of opposition to abolitionists.

NORTHERN WHIGS CONDEMN ABOLITIONISM

Northern Whig hostility towards abolitionism made this cooperation possible. While northern Whig congressmen generally voted against admitting new slave states, virtually all
opposed abolition in existing ones. Most northern Whigs even opposed DC abolition, or at the very least believed it premature.

Many northern Whigs distinguished between anti-slavery views and abolitionism, arguing that immediate abolition would cause social unrest. They slammed abolitionists during hotly contested state elections in 1835. The Cincinnati Gazette was outraged that Democrats were allegedly attempting to gain abolitionist support, calling them “fanatics” beyond the pale of any responsible party. The Albany Evening Journal thought abolitionists had a “fanatical and incendiary spirit.” And the Hartford Courant believed they operated “under the greatest delusion and infatuation.” By mailing literature to the South, northern abolitionists were threatening the Union and fanning “the flames which already threaten to desolate the land.” The Philadelphia Inquirer claimed that even many free blacks, whom it was “rational to suppose” were “decidedly averse to the system” of slavery, opposed immediate abolition.113

The 1836 presidential campaign, the first that the Whigs entered, saw a hardening of northern Whigs’ anti-abolitionism. The Ohio State Journal called abolitionists “extravagant, wild, or foolish” as well as “silly or reckless.” It opposed mob violence against abolitionists, the likes of which was seen in St. Louis and Cincinnati, but favored peaceful means to stop them. The Albany Evening Journal tried to discredit Martin Van Buren by ascribing to him the formal support of abolitionist organizations. The Boston Courier was relieved that abolitionists had not gathered more than 34,000 signatures in an anti-slavery petition, and worried that abolitionist activity could lead to war between slaves and white southerners.114

113 Cincinnati Gazette, June 17, 1835; Albany Evening Journal, November 17, 1835; Hartford Courant, August 31, 1835; Philadelphia Inquirer, cited in Richmond Whig, September 22, 1835.
114 Ohio State Journal, August 6, 1836; Albany Evening Journal, March 23, 1836; Boston Courier 5-36-36.
Northern Whig criticism continued after the 1836 election. The Boston *Courier* thought the only way to be both pro-union and anti-slavery was to oppose abolitionism. If abolitionist agitation continued, it believed, the South would secede, and slavery would become even more entrenched there. The Wabash (Indiana) *Courier* opposed abolition as the equally extreme counterpart to Calhoun’s pro-slavery ideology. It castigated those whom it considered to be their respective leaders, Calhoun and John Quincy Adams, for reinvigorating “abolition excitement” without cause. Criticizing abolitionists’ ends while denigrating their means, the *Courier* thought that to the extent that abolitionists were having any impact at all, they were making slaves’ conditions worse by causing southern masters to panic. The Albany *Evening Journal* contrasted abolitionist leaders, whom it accused of supporting Democrats because of their joint radicalism, with “upright, honest, patriotic rank and file” who opposed slavery and supported Whigs.115

These positions were put to the test in February of 1839, when the spectacle of a gang of slaves being conspicuously marched past the Capitol building spurred Congress to address the topic of slavery. On February 4, Congressman William Slade of Vermont, a staunch anti-slavery Whig, offered a motion condemning this display of slavery in the capital. But southern members, through shouting and procedural maneuvers, successfully postponed consideration of the motion until the following week, and nothing came of it. Three days later, Henry Clay rose to address DC abolition and abolition in general. Anti-slavery Whig publications, such as the Vermont *Phoenix* and the New York *Express*, saw the slaveholder’s attempt at compromise as highly effective. Clay, while insisting that he and many others were anti-slavery in theory, argued that Congress had no business abolishing slavery in DC. Later that year, Senator Roger Sherman Baldwin, a Connecticut Whig, publicly expressed his disapproval of abolitionism in an August 1839 letter that was picked

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up by various Whig newspapers. He felt it was “much to be regretted” that abolitionists were pursuing the noble anti-slavery cause in a harmful and counterproductive manner. The only way to make a long-term difference, he believed, was to persuade people to turn against slavery.116

While northern Whigs stood against abolitionism, they were somewhat tolerant of abolitionists themselves, sometimes even attempting to win their votes by highlighting anti-slavery attitudes. Most northern Democrats in the 1830s took stronger positions against abolitionists and regularly condemned northern Whigs for supposedly enjoying abolitionist support.117 The Albany Evening Journal even thanked abolitionists for their support for the Whigs in the 1838 midterm election. While its editors disagreed with abolitionism, they appreciated abolitionists’ anti-slavery sentiments and believed “convictions of duty and love of country” motivated them to vote against Democrats.118 Southerners noticed this, but their dislike did not prevent the growth of the Whig Party in the South. Southern Whigs thought that northern Whigs could at least be counted on to stop short of abolitionist policies. The same could not be said for the Democratic Party, which, as an organized and powerful party with entrenched institutions, might change its mind to win votes, just as it had done when it forcefully intervened in the South during the early 1830s.

In an off-year congressional election in 1839, Anti-Slavery Society leader Gerrit Smith refused to support the Whig ticket in New York State. Nevertheless, Seth Gates, another member of the society, joined the Whigs and won election to Congress from New York State as a radically anti-slavery Whig. (He later left the party to join the Free Soil cause in the 1840s.) Gates justified his position in a letter that was warmly praised by the Albany Evening Journal, which agreed that there were many other issues besides abolition to consider when voting.119

116 Vermont Phoenix, February 15, April 5, August 23, September 6, 1839; Hartford Courant, August 15, 1839.
117 The Albany Argus was a Democratic paper that did just this. See: Albany Evening Journal, November 28, 1838.
118 Albany Evening Journal, November 28, 1838.
119 Ibid.; Ibid., November 9, 1839.
Earlier in January of 1838, the Boston Courier’s Washington correspondent admitted a change of heart towards abolitionists, having moved from strong opposition to a measure of respect.\textsuperscript{120} The paper’s editors eventually took the position – soon to become widespread among northern Whigs – that abolitionists were somewhat irrelevant and overall had a less-than-salutary impact. The only thing that would end slavery, they maintained, would be an indigenous southern abolitionist movement, not northern interference. In the meantime, they claimed, few northerners identified as abolitionists. This focus on the supposed irrelevance of abolitionism was part of an attempt by Whig leaders to unify their party. Because northern Whigs effectively believed that little or nothing ought to be done about slavery, it was easy for them to focus on other political priorities, especially since the Whigs could achieve unity by avoiding a polarizing topic.\textsuperscript{121} Thus, despite some Whigs’ growing sympathy for abolitionism by the end of the decade, they retained the fundamental beliefs that held the party together.

\textbf{SOUTHERN WHIG PRESSURE ON NORTHERN WHIGS}

Southern Whigs were not without their anxieties; they frequently pressed northerners to act more aggressively against abolitionists. Seeking harmony but eager to defend slavery, southern Whig papers often worried about apparently growing northern abolitionism and abolitionists’ contentions that “the great body of the working classes of the North” was on their side.\textsuperscript{122} They highlighted friendly northern Whig papers and celebrated the public ridicule and even violence that abolitionists faced. While they could take comfort in the belief that most northerners opposed abolitionism, southern Whigs still thought it could do “incalculable mischief” in the South. The

\textsuperscript{120} Boston Courier, January 8, 1838.
\textsuperscript{121} Ibid., June 4, December 31, 1838.
\textsuperscript{122} Milledgeville Southern Recorder, July 30, 1834, June 21, 1836.
Richmond Whig had entertained emancipationist schemes in the early 1830s involving gradual compensated emancipation and the relocation of freed slaves to Africa. But by 1835 the paper thought it had become impossible to abolish slavery in any state without inviting violence from freed slaves and slaves alike. The paper suspected abolitionists of seeking to abolish slavery in the states, not just in DC as many claimed, seeing as they were pamphleteering across the country.

Meanwhile, the Alexandria Gazette – a Whig paper far more enthusiastic about slavery than its Richmond counterpart – held northern Democratic radicalism responsible for fomenting abolitionist sentiment in the North and favored a united Whig front. It therefore supported William Seward of New York in the 1838 gubernatorial race – despite his anti-slavery stance – for fear of the abolitionist support that his Democratic opponent enjoyed.123

Still, notwithstanding their fears, southern Whigs were optimistic that abolitionism could be stopped without drastic means. Echoing the Boston Courier, the Gazette insisted the movement was “not so rampant” as many believed. The Lynchburg Virginian argued that Whigs could safely unify across sectional lines, since southern opposition to abolition was so strong that southerners ought to focus on unity with northern Whigs on other causes. And the Tuscaloosa Intelligencer and State Rights Expositor thought anti-abolitionist meetings and mobs in the North would have an “immediate and excellent” effect in stopping the “machinations” of abolitionists against “the rights of the South and the peace of the Union.” In short, southern Whigs were confident enough to work with northern anti-slavery Whigs without fearing that they were contributing to abolitionism.124

123 Richmond Whig, May 17, 1834, July 28, 1835, September 8, 1835, October 13, 1835; Alexandria Gazette, April 4, November 16, 1836, July 13, November 12, 13, 1838; Tennessee National Banner and Daily Advertiser, July 1, 22, 1834; Tennessee National Banner and Nashville Whig, September 16, November 20, 1835.
124 Alexandria Gazette, January 26, 1838; Lynchburg Virginian cited in Tennessee National Banner and Nashville Whig August 21, 1835; Alabama Intelligencer and State Rights Expositor, September 12, November 14, 1835.
A WHIG ANTI-ABOLITIONIST CONSENSUS: DO LITTLE ABOUT SLAVERY

As much as they might harbor anti-slavery feelings, Whigs throughout the 1830s were content with the status quo. There were some southern Whigs who favored annexing Texas, but this was usually because of the American citizens already living there, not because they supported expansion. In general, southern Whigs were content to protect slavery and did not promote its expansion to new regions. And while there were northern Whigs who wanted to stem the tide of slavery expansion, most were content to let the institution continue where it stood for the foreseeable future. Northern and most southern Whigs could therefore put aside their theoretical differences (and even some practical differences) to unite behind policies that protected slavery where it stood and oppose its expansion.

This status-quo position was what southern Whigs were afraid Democrats would disrupt. They did not all believe that Martin Van Buren supported “immediate abolition,” yet they thought him dangerous because his “abstract abolition” and lack of consideration for national stability (as opposed to partisan considerations) might lead him to eliminate the status quo on slavery. Because most northerners harbored anti-slavery sentiments, southern Whigs insisted on voting for a southern slaveholder for president in 1836 to maintain the status quo.

The pages of southern Whig and State Rights newspapers contained a series of arguments about why and how to pursue unity with northern Whigs. They condemned descriptions of slavery as evil, not because they believed differently, but because they feared efforts to “circumscribe” it. They also praised the Whig-controlled Connecticut legislature for its “very brief and sensible” decision to reject abolition petitions and declare that DC abolition or banning new slave states would be unwise, and that banning the interstate slave trade would be unconstitutional. Proudly highlighting Whig support for this measure and an anti-slavery Democrat’s opposition, southern
Whig papers hoped to convince readers that the developing national Whig Party could protect the institution that they considered most essential to their safety and prosperity.\textsuperscript{125}

Many northern Whigs feared that if the status quo were disrupted by anti-slavery policies, the Union and its “republican form of government” would be lost in the process, with secession beginning the end of stable free institutions in the West. They opposed both Texas annexation and abolitionism, arguing that little should be done about slavery. Otherwise, the South might break the Union. Over time, freedom would spread on its own. In the meantime, however, northern Whigs would stand ready to aid the South if it requested assistance in abolishing the “alarming and growing evil” of slavery. For the North to abolish slavery against the South’s will, it would have to either invade the South or insult it, both of which seemed unadvisable. Therefore, for the sake of unity, republicanism, and stability, many northern Whigs condemned “the wild and mischievous schemes of the anti-slavery agitators” for “imprudently meddling with the property of the planters and others of the southern states.” They were sensitive to the danger that southerners saw in the “impertinence and folly” of abolitionism.\textsuperscript{126}

**COLONIZATION AS A POLICY THAT CONTRIBUTED TO WHIG UNITY**

Seeing as Whigs were unified in their theoretical opposition to both slavery and abolitionism, many tried to reconcile their distaste for slavery and their perceived need to protect it by embracing colonization – that is, by encouraging owners to voluntarily emancipate their slaves and send them, along with other free blacks, to Liberia. This scheme, which had enjoyed the support of such prominent slaveholders as James Madison, James Monroe, and John Marshall,

\textsuperscript{125} Richmond Whig, September 8, 25, 1835; Savannah Republican, April 7, 1837, July 1, 1839.
\textsuperscript{126} Boston Courier, December 24, 1835, June 6, 1836, June 26, 1837; Hartford Courant, December 27, 1837, August 30, 1838; Boston Gazette cited in Boston Courier, July 3, 1834.
seemed to be a way to move gradually away from slavery without threatening states’ rights or causing economic disruption and social unrest.\footnote{127}

In addition to leading the Whig Party, Henry Clay sat at the helm of the American Colonization Society (ACS). This organization opposed both abolitionists and pro-slavery advocates, hoping to lessen the prevalence of slavery by encouraging free blacks to move to Africa. This usually meant deporting free blacks, which southern whites hardly found objectionable. But many southern Whigs, including Clay, had also advocated for voluntary emancipation as well.\footnote{128}

The ACS tiptoed around this issue, calling its members “friends of the African race” throughout the country.\footnote{129} Clay thought slavery was “a curse to the master; a wrong, a grievous wrong to the slave.” He opposed those who saw slavery “as no evil, but a good” and believed colonization to be an alternative both to abolition, which would undermine national stability, and to accepting slavery permanently, a violation of “natural justice” and “maxims of natural political equality among men.”\footnote{130} The ACS’s mission was to inhibit slavery without abolishing it, for abolition would “loose the untutored and unprepared slaves upon society.” Clay concluded:

> The Society does not meddle with slavery either to prolong or discontinue its existence…. Both principle and policy restrain the Society from disturbing it – principle, because the Society believes that it is a matter exclusively appertaining to the States and citizens immediately concerned; and policy, because to agitate the subject at all, would deprive the Society of the cooperation of a large portion of the Union, and prevent it from accomplishing an attainable good by the pursuit of what it is constrained to think an impracticable and dangerous object.\footnote{131}

This position provided Whigs with a way to deal with slavery: northerners could combat slavery’s expansion, border-staters could help it fade away, and southerners could continue it.

\footnote{127}{For more on colonialism in general, see: Ikuko Asaka, \textit{Tropical Freedom, Climate, Settler Colonialism, and Black Exclusion in the Age of Emancipation} (Durham: Duke Univ. Press, 2017); Eric Burin, \textit{Slavery and the Peculiar Institution: A History of the American Colonization Society} (Gainesville: Univ. of Florida Press, 2008).}
\footnote{128}{Boston \textit{Courier}, December 24, 1835.}
\footnote{129}{Richmond \textit{Whig}, January 23, 1835.}
\footnote{130}{Lexington \textit{Intelligencer}, September 2, 1836, cited in Alexandria \textit{Gazette}, September 13, 1836.}
\footnote{131}{Alexandria \textit{Gazette}, December 21, 1837, citing the Washington \textit{National Intelligencer}.}
Colonization was very popular for a time, and at least until the mid-1830s, it was a bipartisan cause. But as new party loyalties solidified, it increasingly became a Whig effort. While he was leading the ACS, Henry Clay was also leading partisan political efforts against the Democratic administrations of Andrew Jackson and Martin Van Buren.132

Many Whigs saw colonization as a unifying force, as it allowed them to focus on philanthropic efforts that could create consensus by reducing the prevalence of an “evil” that was “difficult” to eliminate. One Whig paper hoped colonization would provide an orderly way to free slaves without fomenting revolts. A Boston correspondent believed that most of his city opposed colonization, but he appealed to his readers to reconsider, since southerners needed help to “remove an evil” that hung “with the weight of a mill-stone upon the neck of their property.” The Hartford Courant proudly linked colonization with other movements possessing “a religious character” that were popular among northern Whigs, such as “Sunday Schools, Temperance,” and “Anti-Slavery” as well. While the Courant counted the nation’s “most devoted philanthropists” from all political parties and sections as supporters, it was clear that Whigs were colonization’s main proponents. The most prominent Whig paper, the DC-based National Intelligencer, thought colonization had “a most judicious, temperate, and encouraging character.”133

Whig opinion echoed these sentiments throughout the 1830s. Some anti-slavery northern Whigs opposed colonization, seeing it as impractical and unhelpful. Overall, however, colonization united Whigs across sectional lines. Some northern Whigs saw it as the only

alternative to abolitionism or “perpetual slavery.” They promoted plans to send black Americans to Africa, where they would supposedly live freely and successfully.\textsuperscript{134}

By contrast, Democrats opposed colonization and saw it as a Whig cause. Southern Democrats often mocked the effort, either out of loyalty to slavery or out of skepticism about its feasibility. Colonization was not an anti-slavery cause, offering almost nothing to ameliorate conditions for slaves and relying on voluntary actions. But southern Democrats wished to forbid owners from emancipating slaves altogether.\textsuperscript{135} For instance, the Tennessee Supreme Court’s Democratic majority thought little of free blacks and preferred perpetual slavery to colonization.\textsuperscript{136} Northern Democrats, like New York’s Governor William Marcy, tended to see slavery as an abstract evil, but wanted southern whites to make all policy decisions affecting it.\textsuperscript{137}

As such, when Henry Clay tried to obtain a federal act of incorporation for a national colonization society, many Democrats lawmakers openly opposed him, while not a single Whig did so. Colonization might have begun as a bipartisan movement, but it became a Whig cause.\textsuperscript{138}

\textbf{CONCLUSION}

When it came to their theoretical attitudes towards slavery, Whigs harbored similar views. Unlike Democrats, who were divided on the question of slavery’s morality, most Whigs saw slavery as a necessary evil, not a positive good. They justified its existence on its presence in the founding American social fabric, seeing it as a creation of positive law that, if removed precipitously, would cause southern society to fall apart and destroy the Union. They therefore


\textsuperscript{135} Howe, \textit{The Political Culture of the American Whigs}, 136.

\textsuperscript{136} Nashville \textit{National Banner and Daily Advertiser}, April 1, 1834, January 7, 1835.

\textsuperscript{137} Albany \textit{Evening Journal}, January 5, 1836.

hoped it would somehow eventually disappear. Many northern Whigs wanted to chip away at the institution in the national capital and most wanted to prevent it from expanding further to the West. But when it came to major slavery policies, no one really wanted to act against it. And for many Whigs, particularly in the Upper South and border states, colonization seemed a laudable goal, even if (or perhaps partially because) it failed to do much to undermine the institution. In all these respects, the most vigorous anti-slavery northerners effectively adopted the same position as extreme states’ rights supporters. This allowed them to cooperate against Democrats, whom all Whigs saw as untrustworthy, unpredictable, and harmful to a healthy American social fabric. All things considered, it is understandable why many historians see southern Whigs as fundamentally less pro-slavery than southern Democrats. But, as we shall see in the next chapter, theoretical differences can be misleading when it comes to policy positions.
CHAPTER TWO

SOUTHERN FEAR AND DRASTIC MEASURES

The previous chapter explored the Whig approach to slavery in the abstract – whether it was moral, and whether it could somehow be abolished – and the ways in which Whigs set about forming a new political party that brought together northerners and southerners. We saw how it is easy to interpret southern Whigs as less pro-slavery than southern Democrats, since Whigs were less comfortable with slave property arguments in theory. But we also began to see how, in truth, southern Whigs supported slavery as much as Democrats. Now we will consider just how far southern Whigs would go to protect slavery, even to the point of attacking basic civil liberties.

Before considering Whig approaches to specific policy questions, it is also necessary to understand the context behind major policy debates regarding slavery in the 1830s, when the Second Party System came into being, and their historical context. These debates were shaped in part by two major events in the Caribbean: the successful Haitian slave revolt of 1804 and the British Parliament’s decision to end slavery in its colonies three decades later. Americans turned to events in the Caribbean to assess the prospects of ending slavery in the United States.

With the looming prospect of slave revolts, Americans grappled with how they could safely allow free speech and freedom of the press. They also asked how their otherwise free society, in which slavery limited basic rights like free speech, could right itself. Both northern Whigs, who were hopeful for a future without slavery, and southern Whigs, who could not envision such a future anytime soon, were mindful that abolishing slavery was not merely a theoretical discussion, but something tried in the Caribbean. They were also aware that slavery could not be fully reconciled with freedom, even for whites. Our next topic is how they navigated this problem. Ironically, deep divisions over slavery helped both southern and northern Whigs grow their
numbers in the mid-1830s by criticizing Democrats together. Southern Whigs were able to grow their ranks by responding to alarm over abolition with fiercely anti-slavery views, even to the point of opposing basic constitutional liberties like freedom of speech.

THE PLACE OF CARIBBEAN ABOLITION IN WHIG SLAVERY DEBATES

Between 1816 and 1832, a series of unsuccessful slave revolts took place in Britain’s Caribbean colonies, provoking fierce debate in Parliament and in the British press over abolition. The abolitionists won out in 1833—a year before the formation of the Whig Party—and Parliament initiated a process of gradual emancipation throughout the Empire, a process that had particularly significant ramifications for the Caribbean colonies. The law called first for the conversion of slaves into apprentices; only after this transitional stage would slaves gain complete freedom.139

The ambiguous results of British abolition were such that Whigs were not able to establish uniform opinions on the matter. News reports differed as to whether it was a success or failure. In the North, some Whigs argued that introducing British-style abolition would have destructive effects, and that in any event the policy was simply impossible on American soil. That is, they saw in the case of the British Caribbean evidence of their belief that US slavery could not be abolished in the foreseeable future, even if it could be prevented from spreading further westward. These arguments helped form the basis of strong northern Whig opposition to abolition, even among anti-slavery Whigs who wanted to restrict slavery in the West and maintain Congress’s theoretical power to abolish it in DC. Other northern Whigs, however, touted British abolition’s apparent successes as presaging a bright future in which slavery might be ended sooner than previously

imagined, or, at least, earlier than anti-slavery Democrats imagined. They were not sure precisely what course abolition would take, but hoped that small steps might be the best way to start.

Regardless of their analysis of British emancipation, however, northern Whigs believed that immediate abolition was inadvisable. The lesson they drew was either that slavery could not be abolished in the south for the time being, or that abolition would have to be slow. Both positions stemmed from Whigs’ conservative outlook, which privileged stability as a high consideration.

In the South, meanwhile, some Whig newspapers reported on British abolition neutrally. But most took a dour view, believing that the reportedly negative results of British abolition should serve as warnings for what US abolition would do. They printed stories from the Caribbean describing work slowdowns, indiscipline, and disorder.

In the North, Massachusetts Whig governor Edward Everett thought Caribbean abolition might, if successful, show the way for emancipation in the US. And there was some news of success. The Vermont Phoenix informed its readers of good tidings from British-held Barbados, as the island’s post-slavery apprenticeship system was abolished in 1838. Reports indicated a booming economy and an increasingly prosperous populace. Freedom was “beneficial to all classes” and was “causing joy to prevail.” The Phoenix argued that abolition was achievable in the US, citing “a flattering account” from a Caribbean correspondent. It believed that “surely every friend of humanity” could “but hope for the best final results.” The success of Caribbean abolition might even point the way for the US:

Much, very much depends on this experiment, in regard to the final abolition of Slavery in this country. Should it be successful and the fact be demonstrated that the interest of the planters has been promoted; or even if this is not proved, if it is only shown that immediate emancipation is safe for both planter and slave, it will do more, ten-fold more than all other causes to hasten the abolition of slavery in the U. S. . . . That the system of slavery in the U. S. must at no very distant day come

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140 Cincinnati Gazette, June 27, 1838.
141 Vermont Phoenix, June 22, 1838.
to an end none can doubt; but as to the means best calculated to effect an object so
dear to every friend of man, there will be differences of opinion. Of one thing there

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to adjust their views. At the end of the 1830s, New York Whigs could read an alarming report concerning a “serious” riot in Jamaica that involved a great deal of civil unrest.\textsuperscript{144}

Southern Whig newspapers were quick to pick up on northern Whig concerns with abolition, seeing the situation as an opportunity to show their northern political partners its dangers. The Richmond \textit{Whig} cited a report from the New York \textit{Courier and Enquirer} about Jamaica in late 1835, in which the author predicted the arrival of abolition, along with total ruin, by the end of the decade.\textsuperscript{145} The Philadelphia \textit{Gazette} cited a letter from an anti-slavery Quaker who had visited the Caribbean with high hopes, but found what he believed to be an abject failure.\textsuperscript{146} The New York \textit{Journal of Commerce} mocked British policies of compensated involuntary emancipation in the Caribbean, arguing that they created unsustainable debt that Britain would never be able to pay off. The paper argued that this massive debt would burden Britain’s future generations, exclaiming sarcastically: “Wonderful munificence truly! Wonderful!” Moreover, considering the enormous expense involved in implementing involuntary emancipation, the \textit{Gazette} deemed it impossible in the United States, which had a much greater number of slaves.\textsuperscript{147} The \textit{Journal of Commerce} had nothing kind to say about French discussions of Caribbean abolition either, citing a French minister who believed that “the result which England had obtained by the emancipation of her slaves had been any thing but satisfactory.”\textsuperscript{148}

There was no lack of negative reports concerning the Caribbean, and southern Whigs were quick to use them as confirmation that all Americans should protect slavery. They saw slavery as a national issue, believing abolition to be deleterious for the whole country, and thought

\begin{footnotesize}
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\item Alexandria \textit{Gazette}, August 16, 1836.
\item Ibid., August 29, 1836
\item Ibid., July 28, 1837.
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northerners could be persuaded to agree. Moreover, if the South were to unite and exacerbate sectional divisions, the US might go the way of Britain, with the national government dictating policy for some of the lands under its control and instituting abolition against the wishes of southern whites, just as Parliament had imposed it on colonial planters. Southern Whigs thought that if a disastrous sectional conflict was to be avoided, the debate over slavery had to be national, not regional. Thus, while the Democrat John C. Calhoun and his fellow Nullifiers continued to try to create a regional southern alliance against the North, southern Whigs would have none of it.

While southern Whig newspapers were not completely negative about the effects of Caribbean emancipation, they tended to portray it as catastrophic. Their editors tended to highlight negative reports of abolition, while downplaying positive ones. British actions in the Caribbean were recognized as extraordinarily significant for the future of slavery in the Western Hemisphere generally, since successful abolition in the Caribbean could serve as a successful experiment further north. However, the Richmond Whig concluded, based on contemporary reports and some speculation about the future, mass emancipation would remain an “impossibility” unless freed slaves could be sent off to colonize some other land – a difficult and expensive project. Domestic resettlement, however, would be impossible, as it would require “two nations” to live together in peace after one had been enslaved by the other.149

However, the most likely result in the Caribbean itself, the Whig predicted, was that British abolition would alter semantics while allowing basic realities to remain the same. Slaves would be called “apprentices,” and a great deal of money would be spent on praiseworthy but misguided philanthropy. Labor disturbances, which had already become a problem, would only continue.

149 Richmond Whig, September 5, 1834; See also: Tennessee National Banner and Daily Advertiser. August 13, 1834; Tennessee National Banner and Nashville Whig, April 3, 1835.
Still, the potential for strife and social upheaval was such that the Whig felt a need to unite the South to defend its safety and security in case abolition would inspire slave revolts in the US.\footnote{Richmond Whig, September 12, 1834, July 21, 1835.}

In the Deep South too, both Whigs and State Rights supporters worried as they monitored events in the Caribbean. Whig leaders in Savannah, Georgia echoed this concern with violence and social destruction, claiming that their city, as a major port of call for ships going to and from the Caribbean, would be among the first affected by abolitionist disasters. Georgia’s slaves, aware that revolts had led to abolition either directly (as in Haiti) or indirectly (as in the British colonies), would be inspired to rise up against their masters. In 1839, the Savannah Republican reported a British Caribbean refugee’s description of the tragedy of abolition. The paper also blamed northern and British abolitionists and their inflammatory anti-slavery rhetoric and policies. The implication was obvious: southerners must stand against abolition or risk a destructive slave revolt.\footnote{Savannah Republican, May 10, 12, 1836, November 26, 1839.}

Southern Whigs also associated Caribbean abolition with radical US politics, particularly with the most radical elements of the Democratic Party. The Alexandria Gazette characterized freed Caribbean slaves as following “radical politicians” engaging in the same kind of politics as the “Loco-focos,” urban mechanical workers fighting for improved conditions who formed what was widely perceived to be the most radical element of the Democratic Party. Democrats, it was assumed, would be natural allies with freed slaves and join them in pursuing radical politics opposed to the interests of wealthy landowners.\footnote{Alexandria Gazette, August 19, 1836, August 5, 1839.}

Many southerners thus drew the conclusion from Caribbean abolition that they ought to oppose Martin Van Buren in the election of 1836. Instead of supporting the Democrats and their unreliable northern candidate, they argued, southerners should support a strong southern candidate.
who would firmly oppose abolitionists. To this end, they supported Hugh White, a former judge and sitting Senator from Tennessee, as the southern Whig candidate, letting northern Whigs choose a candidate of their own. Their goal was not to win the election outright, which they deemed impossible. Instead, they hoped to spoil Van Buren’s chance of winning a clear majority in the electoral college, hoping that the House of Representatives (with one vote per delegation) would then give the presidency either to White or to the northern Whigs’ William Henry Harrison, whom, as we shall see, they deemed far preferable to Van Buren.

American reactions in the 1830s to Caribbean abolition help explain how debates over US slavery concerned more than questions of symbolism or misunderstandings. Southerners who joined the Whig Party in the 1830s had reason to fear potential abolition on the part of the federal government. After all, they could read about abolition taking place quite close to American shores. If the British Parliament could do it, what prevented an American Congress from following suit? Debates over DC abolition and other relatively small matters therefore seemed fraught with significance. Democrats might maintain that there was no cause for concern, since they had established a status quo meant to prevent slavery from becoming a national issue. Southern Whigs, however, begged to differ. They believed, as did their fellow northern Whigs, that Democratic administrations were power-hungry, out of control, and untrustworthy. Due to fears – many of which were shared with northern Whigs – of Democratic corruption, mismanagement, and unsustainable rapid westward expansion, however, many southern Whigs believed it would be only a matter of time before a power-hungry Democratic administration would both claim and utilize the power to abolish slavery in DC. This, they believed, would encourage opponents of

153 Michael Morrison discusses why the North and South were unable to come to a compromise. The background of the 1830s, which precedes his treatment, may bolster his discussion of their irreconcilable differences. See: Michael A. Morrison, *Slavery and the American West: The Eclipse of Manifest Destiny and the Coming of the Civil War* (Chapel Hill: Univ. of North Carolina Press, 1997).
slavery to advocate for even more extreme measures, whether in the western territories, the interstate slave trade, or elsewhere.

This concern helped ensure that Whigs enjoyed significant success in the South. Southern Whigs were so afraid of the Democratic Party’s power that they joined with northern Whigs, who were considerably more anti-slavery than northern Democrats. Southern Whigs did not fear northern Whigs as they much as northern Democrats, partially because Caribbean abolition helped temper northern Whig anti-slavery enthusiasm. For example, even though Francis Granger, the northern Whig Vice Presidential candidate in the election of 1836, tended to vote with northern Whigs on slavery matters, southern Whigs could be confident that he was not an abolitionist.154

As both the party’s leader and a border-state Senator, Henry Clay did his best to keep the party together by pointing to widespread concerns about Caribbean abolition. In a widely publicized speech on abolitionism in 1839, Clay expressed his opinion on Caribbean abolition, stating that “superficial men have inferred from the undecided British experiment the practicability of the abolition of slavery in these States.” Concluding that slavery was more entrenched in America than in the Caribbean, Clay pointed to fears of disaster in the West Indies, saying: “And whilst I most fervently wish complete success to the British experiment of West India emancipation, I confess that I have fearful forebodings of a disastrous termination of it.”155 While some northern Whigs were more optimistic than Clay, most approached Caribbean reports in a similar manner, tempering their enthusiasm for action against slavery with a desire for caution. This was one reason why the Whig Party could remain an essentially pro-slavery party in practice, regardless of the anti-slavery predilections of most of its northern members.

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154 Tennessee National Banner and Daily Advertiser, December 23, 1836.
THE SEEDS OF FEAR: The Haitian Revolution and the Southern Mentality

Even more alarming to southern slave-owners than British emancipation was the successful slave revolt in Haiti (1791-1804). Three decades afterwards, when British emancipation was already underway, the Haitian case received far more attention in the southern Whig press. It provided southerners with a useful pro-slavery argument, since it displayed the violence and carnage that could occur in a rebellion and race war. They argued that loosening the country’s hold on slaves would give blacks just enough hope that they would use violence to secure their complete freedom – and that news of the revolt suggested to American slaves the possibility that of successfully establishing a new and functional nation-state by overthrowing their erstwhile masters. Southerners feared that Haiti was a potential source of propaganda in both respects. If abolitionists could circulate the story of the Haitian Revolution as a reason for American slaves to hope for a better future, they might convince them to stage a revolt of their own. Southerners were therefore willing to do everything they could to stop abolitionist mailings, or any other activity that might bring Haitian horrors to white American masters.156

Since Whig planters tended to have larger land holdings and therefore more slaves than their Democratic counterparts, they understood that they had the most to lose. Events in Haiti placed images of murder, rape, and pillage in their imaginations. Southern Whigs therefore aggressively fought against American recognition of Haiti as a nation-state, and against establishing any kind of diplomatic or even commercial relations with the new country. To recognize Haiti was to give American slaves hope that a rebellion might succeed.

But Haiti also presented a difficult case for northern anti-slavery advocates. Many feared slave revolts. Most valued “the Union” and social stability to the point where they did not wish to antagonize the South. The US therefore refused Haiti diplomatic recognition during the antebellum period, even when the North controlled a substantial majority in Congress. Fear of revolts and war established a boundary between outright abolitionists, who preferred to rid the country of slavery immediately, and those who wanted abolition at some point in the foreseeable future, but in a manner that preserved the stability of the Union. Most northern Whigs belonged to the latter group.

Many southern Whigs, including about half of their House caucus, adopted the view that Congress must not even entertain petitions calling for Haitian recognition. This view was tenuous, since it was nearly impossible to deny that the federal government had the power to recognize another nation, and equally hard to deny petitioners the right to bring their grievances to Congress.

Southern Democratic congressman, by contrast, joined their northern counterparts in voting to receive such petitions, even if they nonetheless refused to grant actual recognition. They did so even as late as 1838, after years of heated agitation over slavery in national politics, claiming that receiving these petitions hardly amounted to an endorsement of abolition. However, for their Whig counterparts, even the slightest compromise, such as entertaining a petition, could place the government on a slippery slope. To them, southern Democrats were traitors to the South.

This issue first began to divide Whigs in December 1838, when the Virginia Whig Congressman Henry Wise tried to block the reception of a pro-diplomatic-recognition petition by the House of Representatives. Wise faced off against George Grinnell, a Massachusetts Whig, who claimed that receiving the petition was required by the Constitution, and that objectors were welcome to vote against it. As for recognition itself, Grinnell—in an argument typical of northern

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157 Tennessee National Banner and Nashville Whig, September 30, 1836; Milledgeville Southern Recorder, January 1, 1839.
Whigs—contended that even establishing formal relations did not amount to approving of Haiti’s slave revolt; it was simply a matter of pursuing American commercial interests.\textsuperscript{158}

In the end, all voting Whigs and Democrats from the North, along with three-quarters of southern Democrats, supported receiving the petition. Southern Whigs’ response, however, was split almost evenly. Nineteen southern Whigs voted against hearing the petition; the remaining 21 voted in favor on procedural grounds: Congress had no right to refuse to hear a petition regarding a matter in its purview. In any event, the House quickly pushed the petition aside after a quick vote.\textsuperscript{159} But this debate illustrates southern Whigs’ lack of willingness to give the slightest ground when it came to slavery, which is what distinguished them most sharply from southern Democrats.

\textbf{THE RESULTS OF FEAR: To Protect Slavery, Southern Whigs Try to Censor the Mail}

Terrified that a Haitian-style revolt could happened in the US, the antebellum South clamped down on anti-slavery speech and writings with laws against inciting riots and engaging in incendiary speech concerning slavery. This legislation, meant to protect a slave society’s free citizens from the threat of revolt, enjoyed mainstream and bipartisan southern support. This issue would, however, drive a major wedge between the northern and southern wings of the Whig party. Northern Whigs, motivated by the same constitutional concerns that led them to insist on hearing petitions for the recognition of Haiti in Congress, were particularly supportive of free speech in the face of slaveholder threats. This division would create a crisis within the Whig Party and within the nation as whole. Nonetheless, despite these deep divisions over slavery between the northern

\textsuperscript{158} Congressional Globe, December 17, 18, 1838, 39, 44-45; Alexandria Gazette, December 21, 1838; Boston Courier, December 24, 27, 1838.
\textsuperscript{159} Congressional Globe, December 18, 1838, 44-45.
and southern branches of their party, southern Whigs would grow their numbers in the mid-1830s by criticizing Democrats with arguments that northern Whigs would have rejected completely.\footnote{For a discussion of anti-free speech laws, see: Michael Kent Curtis, “The Crisis Over The Impending Crisis: Free Speech, Slavery, and the Fourteenth Amendment,” cited in Paul Finkelman, Ed., \textit{Slavery and the Law} (Madison: Madison House, 1997), 165-66.}

Paradoxically, a similar outlook led southern Whigs to embrace the suppression of speech and northern Whigs to reject it. Both groups had an overwhelming concern for upholding and protecting their social and political fabric. But for southerners this meant preserving slavery, and preserving slavery meant restricting speech, while for northerners this meant preserving fundamental freedoms ensconced in the Constitution. Thus, southern vigilante and town-controlled mobs (along with occasional northern mobs) attacked anti-slavery activists and destroyed their materials, seeing themselves as protecting southern safety and security in the process. To northern Whigs, this sort of lawlessness was appalling. They were doubly troubled, since the North was experiencing a wave of anti-abolitionist riots of its own, in cities like New York (1834), Boston (1835), Cincinnati (1836) and most famously in Alton, Illinois (1837) where abolitionist editor Elijah Lovejoy was killed, drawing the condemnation of Abraham Lincoln.\footnote{See: David Grimsted, \textit{American Mobbing, 1828-1861} (New York: Oxford Univ. Press, 1998).}

We should bear in mind that northern Whigs wanted to roll back slavery over the long run, since they viewed it as fundamentally unjust. They would have been happy if supporters of slavery respected free speech and the right of petition, but they would not have been satisfied. Northern Whigs were therefore willing to make compromises that allowed the South to preserve slavery but were unwilling to support any effort to do so beyond what the Constitution required.

Thus, the southern inclination to completely subordinate freedom of speech to the defense of slavery exacerbated anti-slavery sentiment among northern Whigs. Their anti-slavery rhetoric was often infused with the notion that the South had become a “slave power” that would not respect
the First Amendment. Northern Whigs therefore supported the rights of petition and free speech more strongly than the northern Democrats in the 1830s and 1840s, arguing that southern restrictions on free speech highlighted the massive extent to which sheer power was required to maintain slavery. To them, southern attitudes toward this fundamental freedom demonstrated that the maintenance of slavery depended on the suppression of constitutional liberties.

Yet at least until the mid-1830s, northern Whigs were torn between a desire to protect free speech and a desire to preserve the Union. They would, however, turn in a decidedly pro-free-speech direction over the course of the 1830s, as the realization set in that continuing to defend slavery would mean continuing to tolerate the violation of the Constitution without end. Several developments helped ensure that this would happen.

The Supreme Court had unanimously ruled in 1833 that the Bill of Rights restricted only the federal government, not the states. So it seemed possible that southern states might restrict abolitionist writings and public speeches, while northern states would not—thus preserving not only the unity of the Whig Party, but the Union. But this compromise ran into an obstacle in the form of one of the nation’s oldest federal institutions: the postal service.

The problem began in the summer of 1835, when northern abolitionists organized a substantial campaign to send abolitionist literature throughout the South by mail. When a mob responded in Charleston, South Carolina, on July 29, 1835, raiding a post office and burning its mail, the Jackson administration chose to intervene on behalf of its besieged federal facility. While southern Whigs saw the sovereignty of the states being violated, northern Whigs saw lawlessness

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162 Barron v. Baltimore 32 U.S. 243 (1833)
and a contempt for basic freedoms. They were even more horrified when southerners tried to
dragoon the federal government into the repression of freedom of speech.¹⁶³

At the end of 1835, Democratic President Andrew Jackson contemplated several
possibilities when he sought to impose a solution to the abolitionist-mail crisis in the face of a
variety of opinions and actions that had emerged at the state and federal levels. His solution
entailed a compromise but would lean heavily in the direction of censorship. The President, in his
annual address to Congress on December 7, 1835, called on it to revise federal law so that the
postal service did not need to deliver abolitionist mail in the South.¹⁶⁴

In the meantime, Postmaster Amos Kendall (a Democrat) had extra-legally ignored
southern vigilante action against abolitionist mail. He essentially argued that he ought to promote
disobedience of the law for the sake of preserving society from the destruction that would
supposedly result from the enforcement of a particular law. Individual postmasters could easily
identify abolitionist mailings, since they were printed and mailed as newspapers, which by law
were handled in the open. Kendall argued that postmasters had a duty, if they knew that particular
mailings would “certainly produce the commission of the most aggravated crimes upon the
property and persons of their fellow citizens,” to take action and “detain them [mailings], if not
even to hand them over to the civil authorities.” This did not, however, allow him to preemptively
ban abolitionist mail from the South. It left final decisions concerning delivery to individual
political appointees scattered throughout the region.¹⁶⁵

¹⁶³ For a discussion of the mail riot, see: Susan Wyly Jones, “The 1835 Anti-Abolition Meetings in the South: A
New Look at the Controversy over the Abolition Postal Campaign,” Civil War History 47.4 (2001), 289-309.
¹⁶⁴ Congressional Globe, December 8, 1835, 10.
¹⁶⁵ Letter from Amos Kendall to the Postmaster of New York, cited in Niles Weekly Register, September 5, 1835.
For a full discussion of Kendall’s role in this affair, see: Donald B. Cole, A Jackson Man: Amos Kendall and the
President Jackson was also interested in setting just such a blanket policy. He was no stranger to ignoring the law, even without such alarming fears. Jackson had engaged in blatantly illegal actions as a general fighting Indians in Florida and had ignored the Supreme Court’s invalidation of the Indian Removal Act in the case of *Worcester v. Georgia*. Yet Jackson requested that the Democratic Congress alter the law to enable his administration legally to put an end to the crisis by refusing to deliver “incendiary” publications. The President seemed to believe that this would allow for more broadly accepted actions against abolitionist mailings.

Unexpectedly, Jackson’s efforts met with resistance from the very southern whites he was trying to protect. On December 21, 1835, nullifier John C. Calhoun, who at this point had no political party, responded to Jackson in the Senate. He succeeded in convincing the Senate to appoint a special committee to address the issue. (Southerners were particularly concerned that the committee concerning the postal service was dominated by northerners.) Calhoun was chosen as its chairman, along with three other southerners and one northerner.\(^{166}\)

Calhoun’s committee introduced a bill in February 1836 which was finally debated in June. He argued that southern states did not need the federal government’s permission to ban mail from being delivered within their boundaries. From his perspective, southern states had every right to protect their societies and institutions, including slavery, with their own laws. If the federal government was going to deliver mail in the South, this bill would require it to comply with state laws that would determine policies for all mail delivery, including abolitionist mail. Northern states could allow delivery if they wished, but southern states were free to disallow it.\(^{167}\)


\(^{167}\) *Congressional Globe*, June 2, 1836, 522.
The Senate first held a test vote, which would explicitly require the postal service to obey state laws regulating and restricting mail delivery. The Senate split right down the middle, 18 to 18, with 12 members absent. As Vice President and the formal presiding officer in the Senate, Martin Van Buren prepared to cast the tie-breaking vote. Calhoun had put the Democratic presidential candidate in a bind. A vote against this bill would be perceived as a vote against southern slavery interests and regional safety, while a vote in favor would cost Van Buren northern anti-slavery votes. In the end, Van Buren opted for what likely amounted to the safer choice, voting with some other northern Democrats and all southern Democrats in support of the bill. His vote advanced for a third and final reading, followed by a determinative vote.\textsuperscript{168}

Six days later, on June 8, the Senate debated still more before finally voting. Four speakers supported Calhoun: three southern Democrats and future President James Buchanan of Pennsylvania. Henry Clay stood in opposition along with three northerners: Massachusetts Whigs John Davis and Daniel Webster, and Ohio anti-slavery Democrat Thomas Morris. The bill failed 19 to 25, with all northern Whigs in the negative. Nine out of 13 northern Democrats, five border-state Whigs, one border-state Democrat, and one southern Whig from Virginia joined in voting “nay.” All other southerners, along with four northern Democratic allies, voted for the bill.\textsuperscript{169}

Congress thereby dealt censorship efforts a decisive blow, despite a nearly unified southern opposition (and even some northern defectors). The solid northern Whig bloc proved too strong. Its commitment to free speech won over border-state colleagues as well, along with a Whig Senator from Virginia. Calhoun and his southern supporters had gone too far.

From this point on, censorship and slavery became hopelessly entangled in the minds and writings of northern Whig newspaper men. The Albany \textit{Evening Journal}, Boston \textit{Daily Atlas}, and

\textsuperscript{168} Ibid.
\textsuperscript{169} Ibid., June 8, 1836, 539.
Philadelphia Telegraph—all Whig papers—equated Democratic support for mail censorship with support for slavery. Support for these pro-slavery policies ensured that Democratic presidential candidate Martin Van Buren was now, at least in the eyes of northern anti-slavery Whigs, “CORNERED AT LAST!” When he broke the procedural vote’s tie on the censorship bill’s second reading, the Telegraph wrote, Van Buren showed “his real sentiments,” siding “WITH THE SOUTHERN SLAVEHOLDERS” and favoring surrendering the rights of free discussion…upon the altar of southern slavery.” In opposing an explicit constitutional right in order to protect the South’s peculiar institution, he had proven to be “in favor of SLAVERY.”170 The paper saw the defense of slavery as leading to censorship and the suppression of free discussion generally. “For the sake of political elevation,” Van Buren had supported a mail-censorship bill that would “yield up the very principle of political freedom, which the great magna charta…was formed to secure.” Because the defense of slavery would inevitably lead to the further suppression of speech, the debate about abolitionist mailings was not merely about free speech, but about slavery as an institution and what it necessarily demanded of the entire country.171

Other northern Whig papers opposed the Jackson administration’s proposed bill to bind postmasters to state censorship laws, attacking slavery supporters for threatening free speech nationally. Would the people of Vermont “surrender the rights of human liberty, of speech, and the press, to the Intriguer who would sacrifice them all for his own advancement?”172 Presumably, anyone who had not “sided with the slave holders” supported “the inviolable sanctity of the mail.” The only reason to suppress free communication was to support slavery.173

171 Boston Daily Atlas, June 17, 1836.
172 Burlington Free Press, July 22, October 7, 1836.
173 Vermont Phoenix, August 4, 1837.
The Boston *Courier* opposed abolitionism in the South and thought southerners had “a right to complain” about abolitionists who ventured to the South to stir up strife. But northerners would not tolerate anyone who tried to prevent them “from speaking, writing and printing whatever they please, upon the subject of slavery.”\(^{174}\) Andrew Jackson’s recommended restrictions on abolitionist mail was the sort of federal overreach that Whigs were most inclined against.

Indeed, southern Whigs tended to favor Calhoun’s solution over Jackson’s because of precisely the same hostility to federal overreach. Overlooking their opposition to Calhoun and his nullification doctrine, they agreed with his contention that southern states could outlaw the distribution of federal mail without the federal government’s permission. Once again, the same underlying political instincts led northern and southern Whigs to adopt opposite viewpoints.

The Richmond *Whig* castigated the Jackson administration for its handling of abolitionist mailings, which it feared would lead to “*a dissolution of the Union*” by instilling “hatred and detestation” against the South in the next generation of northerners. Focusing special attention on Martin Van Buren, who was less popular than Jackson in the South, the *Whig* warned that the Vice President should not downplay this threat. Speculating as to the reason for his inaction, the *Whig* believed that Van Buren was a “Missouri Abolitionist” for his 1820 vote against the Missouri Compromise when he supported an anti-slavery resolution as a member of the New York State Legislature. Southerners, the *Whig* argued, ought therefore to take care not to support Van Buren’s presidential campaign when Jackson’s second term came to an end.\(^{175}\)

Fear of Caribbean abolition was the backdrop to southern Whig terror over abolitionist mail. Abolitionists could first use “the power of the Press” and “pulpit” to attack slavery. They would mail anti-slavery publications throughout the South and encourage religious northerners to

\(^{174}\) *Boston Courier*, January 11, 1838.

\(^{175}\) *Richmond Whig*, July 24, August 7, 1835.
oppose slavery. The next step would be to incite “the colored population” into rebellion by raising slaves’ hopes with the prospect of freedom. Finally, abolitionists would “organize a party, so formidable that it can control and overawe legislation” by gaining the support of the northern anti-slavery majority of the country. White southern women and girls would innocently discuss abolitionist mailings’ calls for “Liberty and Equality” within earshot of their slaves, who would become “thoroughly imbued with the spirit desired by these fanatics” until they realized that slaves ought to be as free as masters. An eventual revolt would reproduce “over the face of the whole Southern country the bloody and ever memorable scenes of Southampton and San Domingo.”  

Virginia Whig Congressman Henry Wise thought abolitionist mailings had inspired several slave revolts, and that more might come. Southern Whigs would not take chances. They would attack any perceived attempt to incite revolts, even if this meant suppressing civil liberties.

FROM MAIL CENSORSHIP TO BROADER RESTRICTIONS ON FREE SPEECH

A bookseller’s prominent advertisement in Nashville’s main Whig paper illustrates how just how suspicious southerners could be. The shop of White & Norvell profusely apologized for stocking a few copies of a fictional work that contained “sentiments highly objectionable on the subject of abolition.” The business owners were “unwilling to become instruments of circulation to any works of that sort,” so they sent the books back to their supplier. The owners promised the public that whenever they would be “apprised that any thing of an exciting nature on the subject of slavery” had come into their possession, they would “promptly suppress its circulation.” The bookseller’s fear of the public’s wrath would soon seem well-justified.

176 Southampton was the location of Nat Turner’s revolt. San Domingo was a reference to Haiti.  
177 Tennessee National Banner and Nashville Whig, August 17, 1835; Milledgeville Southern Recorder, April 12, 1836.  
178 Tennessee National Banner and Nashville Whig, July 25, 1836.
Only four days later, a mob eager to destroy abolitionist mail raided the Charleston Post Office. Less than two months later, the Richmond Whig felt compelled to defend a minister, John Hersey, against lynch mob violence. His crime? Publishing a religious tract on slavery, first written in 1833, that mainly argued for colonization (voluntarily sending blacks to Africa) but also touched briefly on abolition. Hersey had the misfortune of having his writings circulated in the particularly intense proslavery climate prevalent in the South during the summer of 1835. They were discovered by a “chairman of Correspondence” who promptly ordered them to be burned.179

The Whig believed that while the tract had been acceptable in Maryland (a slave state!), where Hersey had published it, the contemporary climate in Virginia demanded that anything with the slightest whiff of abolitionism could not be tolerated. When the Whig received a report that a mob in his Virginia hometown had lynched Hersey after news of his work had circulated, the paper defended his honor and condemned the alleged lynching. Nevertheless, it supported the “proper consignment of his book to the flames.” The Whig saw censorship as simply necessary to protect the public safety from anti-slavery sentiments that, even if they rose from the “purest” of motives, could lead to violence and revolts by slaves throughout the South.180

Democrats responded by urging southerners to remain calm. They downplayed the threat of abolitionist mailings and supported the Jackson Administration’s measured response to what they perceived to be a relatively minor issue. The Richmond Whig shot back with a demand that southern Democrats like the editors of the Richmond Enquirer give up their defense of Van Buren and his fellow Democrats. All southerners ought to “disregard the maneuvers of his hot & intemperate partizans, and unite in repelling a common danger.”181

179 Richmond Whig, September 8, 1835.
180 Ibid.
181 Ibid., August 4, 1835. Parentheses added.
While the Democratic Richmond *Enquirer* continued to call for calm, the *Whig* took its rhetoric further, arguing that the mail crisis might necessitate disunion to save the South. Both southern Whigs and their State Rights allies wanted to distinguish themselves from Nullifilers, whom they saw as extreme in their opposition to national power. But like Calhoun, southern Whigs believed that state sovereignty provided the ultimate protection for slavery: the right to secede.

On August 7, 1835, the editors of the Richmond *Whig* spelled out their fear that there was a real danger of abolitionist mail reaching slaves, who might respond to “appeals to the slave to murder his master.” Moreover, they concluded that if nothing changed, abolitionist mailings, with their graphic descriptions of the horrors of slavery (they denied the accuracy of the descriptions) would poison northerners’ minds to the point where the current or next generation would “inevitably from this cause alone, witness a dissolution of the Union.” The paper continued: “If this dreadful outrage on the Southern people is not prevented and that speedily, lawfully or unlawfully,” then “the People will arrest the United States mails themselves!” The *Whig* was proud of its support for a public meeting to organize southern action against abolitionist mail. But Democrats responded by accusing Whigs of being “Desperadoes” who were engaged in a “factious” cause for mere political gain. Again, we see that southern Whigs’ overriding concern was protecting slavery, not the integrity of national institutions nor constitutional liberties.182

The Lynchburg *Virginian* agreed that southerners ought to take matters into their own hands. It supported efforts to suppress abolitionist literature by publishing a detailed description of an Englishman who was “supposed to be a circulator of Abolition papers” and who was said to be traveling in Virginia. Readers were strongly urged – the undertone of menace is inescapable – to “Look out for him!” This notice was reprinted in the Richmond *Whig* less than a week later.183

182 Ibid., August 7, 1835.
Nashville’s main Whig newspaper used similarly violent rhetoric. Conceding the moral problem of slavery in a free republic, it thought its own state and the South “cursed with the evil of slavery” in an otherwise free society. Yet despite moral qualms about slavery in theory, its editors argued that the harshest measures must be taken to prevent any abolitionist literature from circulating throughout the South. They wanted strong actions taken against “the exertions of those miserable fanatics, who would deluge our soil with blood, by exciting our slaves to insurrection.”

Referring to the trial, conviction, and punishment of twenty lashes meted out to an Ohio abolitionist suspect in 1825, the paper praised what it considered to be a lenient sentence that avoided an unnecessary lynch mob. At the same time, it made it clear that this was merely a first step. The next abolitionist who would threaten the South “by circulating their inflammatory pamphlets and handbills and newspapers” might “be dealt with in a more severe manner.” This rhetoric is even more striking when we consider that it did not emanate merely from stronger states’-rights newspapers in the Deep South or from future Tyler Democrats who formed the strongly pro-states’-rights wing of the Whig Party. It came from the Richmond Whig, one of the most important and consistently Whiggish southern newspapers throughout the Second Party System, and from the most prominent Whig newspaper in Tennessee, the most nationalistic and Whiggish state in the future Confederacy. The Nashville paper had been much more willing to condemn slavery in the abstract than other southern Whig papers, but it was solidly opposed to allowing abolitionist speech and mail. Southern opposition to abolitionist speech was so widespread that one of the editors of the Tennessee capital’s main Whig paper was a member of the “jury” committee that the city formed to prosecute distributors of anti-slavery literature.\[^{184}\]

\[^{184}\] Tennessee National Banner and Nashville Whig, August 10, 1835.
Even this relatively nationalistic and anti-slavery southern Whig newspaper boasted that one of its editors participated in the suppression of free speech. It also favorably cited a fellow southern Whig newspaper that urged the South not to “fold her arms in false security” now that it was apparently being “deluged with incendiary publications.” The paper in question, the Abingdon Virginia Statesman, argued that since abolitionists were using “the power of the Press” to combat slavery, southerners ought to “take the subject in hand, and make the necessary preparation for a suitable reception of ABOLITION AGENTS.” Whether through law or vigilantism, abolitionist literature must be stopped. The stakes were extremely high. If this literature continued to circulate, slaves would “be thoroughly imbued with the spirit desired by” abolitionist “fanatics – until he (the slave) shall believe himself as much entitled to command and govern his master, as his master is to command and govern him,” and then could anyone “anticipate all the horrors which such a state of things” would “soon produce?” The result would be certain violence, fueled by knowledge of the wrongs of slavery combined with moralistic indignation behind the “watch-word” of “Liberty and Equality” spread by abolitionist writings. “Who or what could then restrain the inflamed passions of brutal ignorance, goaded by a sense of accumulated wrongs – thirsting for vengeance, and thus invited and encouraged to wreak it upon the heads of those whom they [slaves] taught to regard as their oppressors?”\textsuperscript{185}

The southern Whig conviction that slavery must be protected in this manner was so strong that the Richmond Whig openly admitted that the stifling of abolitionist speech indeed “would ‘restrict’ the freedom of opinion!” Justifying its view for the sake of public safety, the Whig indignantly attacked the Democratic Albany Argus for believing that abolitionist literature had to be tolerated due to the Constitution’s guarantee of free speech: “The safety of the Southern people,

\textsuperscript{185} Ibid., August 17, 1835.
and their protection from assassination, must not be secured, lest forsooth, it infringe the freedom of opinion at the North!” Southerners, the Virginia Whig paper argued, had to adopt a stronger stance and override the Constitution for the sake of public safety itself. This was necessitated by the system of slavery that was organic to southern society. Northern Democrats, therefore, could not be trusted, and should not be considered allies of the South.  

If vigilant southern slaveholders could not trust the Democratic Party with their safety, bolting to the 1836 Whig candidacy of southerner Hugh White was quite attractive. Either White would win, and the South would be safe, or William Henry Harrison, who had been supportive of slavery in the past as Governor of the Indiana Territory, might win as a northern Whig. Either way, Whigs would be better off than they would be with a northern Democrat like Van Buren.

Since the Jackson administration stopped suppressing abolitionist mailings, Whigs galvanized their opposition to them. The Richmond Whig had supported Postmaster General Amos Kendall’s decision to allow local mails to be suspended in the South in order to prevent violence, even though the paper felt that this action was insufficient. But when the administration backed away from even this limited response, insisting that Congress must intervene, many Democrats fled to the Whig Party, seeking a more aggressive stance to protect the future of slavery.  

Over the course of August and September 1835, the Richmond Whig showed the extent to which southern Whigs were willing to go to stop abolition mailings. The paper suggested a series of responses to the abolition mail crisis. If the Jackson administration would not sustain Amos Kendall’s suspension scheme, the Whig argued, southerners ought to consider shutting down the entire postal delivery system in the South, rather than countenance abolitionist mail in the

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186 Richmond Whig, August 14, 1835.
187 Ibid., August 21, 1835.
region.\textsuperscript{188} If this did not work, another option was convincing northern states to use their supposed constitutional power to pass laws against abolitionists. This sentiment was taken to such an extreme that the paper suggested that northerners might “claim the right of unlimited discussion of all things in Heaven above, or the Earth below” – but they still ought not to discuss the topic in public. It argued for banning even verbal discussions among abolitionist activists in the North, supporting “the propriety of legislative enactments against the fanatics.”\textsuperscript{189}

The \textit{Whig} even joined other southern Whigs in offering its sympathy towards vigilante action against abolition. While it did not support the use of “\textit{Judge Lynch}” in general, it urged northern travelers in the South not even to discuss abolition in casual conversations. Referring to an episode in which a northerner was almost lynched after being suspected of being an abolitionist, the \textit{Whig} told northern travelers that while they were south of the Mason-Dixon line, they were expected to “conduct themselves with circumspection.” This euphemistically meant that they could not express opposition to slavery. Anticipating northern protests, the \textit{Whig} justified its warning as follows: “If they revolt at the deprivation of former liberty, they must remember that their countrymen produced the necessity.” In other words, southern Whigs blamed northerners for inciting Nat Turner’s revolt of 1831 and felt that basic safety overrode free speech.\textsuperscript{190}

Thus, the same Whig temperament that produced a pro-free-speech atmosphere in the North, as Whigs attempted to protect the First Amendment from radical usurpation at the hands of slaveholders, had the opposite effect in the South. Southern Whigs, who emphasized the need to protect social stability over Democrats’ emphasis on individual opportunity, were even more concerned about acting against abolitionist mail, as we have seen, and were unwilling to abide by

\textsuperscript{188} Ibid.
\textsuperscript{189} Ibid., August 28, 1835.
\textsuperscript{190} Ibid., September 4, 1835.
a national Democratic solution. This is because southern Whigs, along with their northern anti-slavery counterparts, realized that slavery necessitated the suppression of free speech to prevent “injuries result[ing] from the freedom of discussion!” They argued that tolerating free speech would constitute “encouragement to the Abolitionists” and “vindication of the constitutionality of their past and future efforts.”

Southern Whigs showed that they could take matters even further than demands for northern state censorship. Shortly before Congress convened in December 1835 to address abolition mailings, the Whig Governor of Alabama, John Gayle, went so far as to use his annual address to ask New York State to extradite editors for the crime of publishing abolitionist writings in the North! Unsurprisingly, New York’s government refused the request. Then, on December 16, 1835, Thomas Gilder, a Whig in the Virginia state legislature, tried to pass a bill that would set up a committee to ask northern states to ban newspapers that advocated for the abolition of slavery in the District of Columbia. This proved too extreme even for a southern legislative house, and the bill was suppressed through an early adjournment.

For a time, it seemed possible that northern states might join in opposing abolitionists’ freedom of expression. In the middle and later parts of 1835, some northern Whigs sympathized with southern concerns. In August 1835 the New York Courier and Enquirer, New York City’s largest Whig paper, supported censorship. In weighing safety over free speech, it hoped “that all who are alive to the prosperity of the North” would lobby the state legislature “to enact such laws as shall effectually put down the Fanatics and thereby preserve the union of the states.”

191 Ibid., September 1, 1835.
192 Milledgeville Southern Recorder, December 4, 1835.
193 Richmond Whig, December 19, 1835.
194 New York Courier and Enquirer, cited in Richmond Whig, August 11, 1835.
A month later, a Connecticut rally to strengthen the ties of the Union adopted a strong pro-censorship resolution. Roger Sherman Baldwin, a future Whig governor and senator, tried to convince the meeting to adjust the language of its resolution to support the right of free speech over slavery and all other matters. But a majority of the rally’s governing committee refused, instead justifying mail censorship as necessary to fight abolitionist efforts in the South.\(^{195}\)

But while many northern Whigs were sympathetic with the southern Whig desire to protect the social fabric against abolitionist speech, most saw efforts to curtail the First Amendment as a bridge too far. Northern Whigs, precisely because of their fealty to defending the social fabric generally, understood that southern Whigs were serious about suspending free-speech rights to protect slavery. The Hartford *Courant* sympathized with southern Whigs’ desire to protect social stability, but could not agree that the South’s measures against abolitionist free speech and mail passed constitutional muster. It hoped “that the slave holders of the south, while they firmly maintain their rights,” would “adopt such measures of resistance to unauthorized encroachment, as are sanctioned by the Constitution,” and would thereby “secure the approbation and support of the friends of the union in every section of the country.” The Albany *Evening Journal* declared its “utter dissent from” Postmaster General Kendall’s letter justifying the Charleston and New York post offices’ refusal to transport abolitionist mail. Any attempt to justify such behavior was “disgraceful alike to those who adopt them, and to those who approve of the adoption.”\(^{196}\)

By the end of 1835, therefore, the lines were drawn in a fight over slavery that involved appeals to First Amendment rights on the part of anti-slavery northern Whigs and appeals to social stability on the part of pro-slavery southern Whigs. The emerging Whig Party thereby faced a contradiction. On the one hand, far more than Democrats, it tended to favor national economic

\(^{195}\) Hartford *Courant*, September 21, 1835.

\(^{196}\) Ibid., August 24, 1835; Albany *Evening Journal*, October 16, 1835.
power and liberties for Native Americans and free blacks. On the other hand, it divided along sectional lines when it came to slavery, free speech, and the public mail. Southern Whigs demonstrated their claim to be just as pro-slavery as the Democrats by opposing the First Amendment itself for the sake of defending slavery. They did so using Whig political rhetoric, seeing this otherwise unjustified infringement of a basic liberty as necessitated by the need to protect the social fabric that made liberty itself possible. Northern Whigs, eager to stake out ground in opposition to slavery, embraced both anti-slavery and pro-First Amendment positions. This was not mere opportunism, nor an abstract defense of free speech. Northern Whigs were in a good position to understand that their southern Whig colleagues’ zeal to defend the social fabric could very well lead them to stifle basic liberties in order to protect the institution of slavery. This intraparty divide paralleled the controversy over accepting petitions concerning diplomatic relations with Haiti. And, as I will discuss in the next chapter, it reared its head again in the dispute over the “right of petition” when it came to advocating against slavery before Congress.
CHAPTER THREE

“THIS MOST ABSORBING AND DANGEROUS QUESTION”

SLAVERY AND THE RIGHT OF PETITION

Whigs have long enjoyed, both in their own time and among historians, a reputation for being the more genteel party and the one more concerned with civil discourse, free speech, freedom of the mail, and the rights of disadvantaged Americans such as free blacks. And this reputation is somewhat deserved. Whigs were stronger than Democrats in opposing vigilante violence and restrictions against free blacks, and northern Whigs were clearly the nation’s greatest champions of free speech and freedom of the mail. But just as southern Whigs favored censoring abolitionist mail for the sake of slavery and social stability, many of them would try to take an even stronger position than Democrats against allowing Americans to lobby Congress to abolish slavery in the nation’s capital. The story of how this happened will help us resolve the puzzling fact that the party was founded and grew during the very years when its two sections adopted extreme and opposite positions as to whether the First Amendment required Congress to hear abolitionist petitions.

There was a long American (and British) tradition of sending written petitions to legislators, who were expected to formally present them to the legislature for consideration. The First Amendment to the US Constitution therefore protected “the right to petition the government for a redress of grievances.” But southern Whigs were not content to defend slavery by stifling free speech and mail; they also wanted to stifle this “right of petition,” which abolitionists began to use to send petitions to Congress in the 1830s, mainly calling for prohibiting slavery in the District of Columbia. Slavery in DC seemed particularly open to attack for several reasons: (1) DC had relatively few slaves, so it was harder to argue that freeing them would cause substantial social or economic disruption; (2) the existence of slavery in the national capital was an embarrassment
to the pride and honor of an ostensibly free nation; (3) because the federal government possessed clear authority to govern the capital district’s territory, Congress could make a strong legal claim that it could abolish slavery there – a claim much harder to make about slavery in the states; (4) after Arkansas was admitted to the Union in June 1836, there was almost no slave land left in western territories because of the Missouri Compromise; DC was therefore the only jurisdiction where the federal government could free a specific population from bondage.

Much as southerners feared that freedom of speech might lead slaves to attempt to end slavery violently, they also feared that the right of petition might lead Congress to end it through legislation. Democrats tried to bury the issue entirely, either by tabling motions or sending them to committee, thereby avoiding up-or-down votes that could expose an interparty rift over slavery. By contrast, from 1835 to 1844, Whigs divided over petitions, united only by the fact that they disagreed with the Democrats’ approach. Southern Whigs therefore wanted clear votes not only rejecting DC abolition, but over refusing to hear the petitions at all. Northern Whigs, for their part, insisted that the petitions be heard, while border-state Whigs split over the issue.

Ironically, these internal divisions over slavery petitions helped Whigs gain strength from 1834 to 1844, since Democratic stalling tactics frustrated many voters, who – regardless of their positions – wanted to see Congress express clearer views on slavery. Southern Whigs thought rejecting such petitions – rather than merely tabling them or referring them to committee – would solidify Congress’s refusal to act against slavery, while northern Whigs wanted to receive and debate petitions to keep the door open for eventual action against slavery in the future. This was true even of Whigs who, for the time being, opposed DC abolition. Thus, the two sides managed to work together for opposite reasons, but in doing so planted the seeds of future contention. By 1844, this understanding would collapse, threatening to bring down the national party.
Prior to 1835, anti-slavery petitions had been few and far between; the House of Representatives had quietly received them, referred them to committees, and ignored them without controversy. But in the middle of the 1830s, abolitionists intensified their efforts on DC abolition, seeing petitions as a means of keeping the issue of slavery alive. Southern Whigs, genuinely afraid that Congress might act on one of these petitions, took harsher stances against them than southern Democrats. This response comported with the southern Whig view that the only way to protect slavery was to disrupt the Democratic Party’s dominant hold on power, which would put the Whigs in a position to enact anti-slavery policies. By employing this strategy, southern Whigs were able to increase their numbers to the point where they rivaled southern Democrats.

At the same time, northern Whigs objected to Democratic attempts to silence petitions through technical procedures. They wanted DC abolition petitions treated respectfully, since they looked forward to the eventual abolition of slavery in DC and, in due time, the entire nation. Both northern and southern Whigs understood the significance of petitions – and each other – very well. So long as Democrats succeeded in keeping DC abolition off the table as a policy for immediate consideration, northern and southern Whigs could live with each other and oppose Democrats together. But in the long run, northern and southern Whigs’ opposing views of slavery would prove incompatible when, in the 1840s, slavery-related questions required immediate attention.

To understand how the petitions controversy unfolded, it is necessary to understand that, in antebellum America, petitions to Congress were perceived as posing a constitutional problem – even if one less clear-cut than that posed by censorship of speech or mail. The First Amendment could be interpreted narrowly as merely granting citizens the right to submit petitions to their representatives, while allowing Congress to hear or decline to hear those petitions as it saw fit. It
could also be interpreted more broadly as requiring Congress to formally receive petitions and perhaps hear them out, after which it could decide whether to give them further discussion.

Until 1844, most congressmen may have understood the right of petition in the narrow sense. But by the 1830s, a group of northerners, led by the president-turned-Massachusetts-congressman John Quincy Adams, argued that the First Amendment’s “right of petition” included the right to have petitions formally received by Congress. Adams and his pro-petition colleagues faced pro-slavery advocates who claimed a “deep desire to silence the discussion of this most absorbing and dangerous question.”¹⁹⁷ But they also won over some anti-slavery congressmen, especially from the border states, who were convinced by their constitutional argument.

It is easy to see these petitions as hopeless requests that ginned up paranoid opposition from southern extremists and had little impact on policy. Indeed, this was the view of many who wanted to quickly dispose of them. Petition debates repeatedly arose in Congress until 1844, when the House agreed to receive these petitions regularly, and John Quincy Adams’s allies presented him with an ornate cane bearing the inscription: “RIGHT OF PETITION TRIUMPHANT.”¹⁹⁸

At first glance, we might easily take the inscription on Adams’s cane at its word, believing that contemporaries saw the petition fight as one over the First Amendment. But as I will demonstrate, some of the evidence can be misleading. It was also a proxy for debate about slavery. A careful reading of congressional and newspaper sources makes it clear that petition debates carried significant implications for the future of slavery and that the matter was not merely an abstract constitutional issue or an opportunity for political posturing – hence the heated rhetoric that surrounded them. Many southerners feared that limited petition demands might be accepted.

¹⁹⁷ Alexandria Gazette, March 7, 1838.
and then followed by other anti-slavery policies in the future. Many northerners feared, as Adams himself did, that supporters of slavery would demand “to destroy all the principles of civil liberty in the free States, not for the purpose of preserving their institutions within their own limits, but to force their detested principles of slavery into all the free States.”

**DC ABOLITION PETITIONS IN THE HOUSE OF REPRESENTATIVES**

It was Nat Turner’s 1831 revolt above all that left many southerners dissatisfied with the Democrats’ policy of allowing abolition petitions to be buried in committee. These southerners wanted to make a stand for slavery. They believed that anti-slavery advocates had shown a willingness to push as far as they could, stopped only by a fear of disunion among the broader northern public. Thus they joined the national Whig opposition in an effort to try to disrupt the Democratic Party’s power and scare the broader northern public into silencing anti-slavery agitation. Many southern Whigs therefore turned against petitions in order to protect what they saw as their most vital institution. The more that discussion of the subject was legitimated, it seemed, the easier it would be for northerners to take steps against slavery.

On December 10, 1835, Maine Democratic Congressman John Fairfield presented the House with a petition for DC abolition. He asked that it be referred to the southern-dominated Committee on the District of Columbia, which everyone knew would quickly bury it. New York Democratic Congressman John Cramer, eager to avoid a fight, convinced the House simply to table it. In other words, even northern Democrats had no interest in promoting the petitions.

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200 For an example of this argument explicitly articulated, see: Milledgeville Southern Recorder, February 28, 1837.

201 Richmond *Whig*, December 19, 1835. Also see: *Congressional Globe*, December 10, 1835.
Then Fairfield presented yet another petition – this time, in a friendly gesture, moving to table it himself. But Virginia Democrat John Mason had had enough. Mason hailed from Southampton County, the location of the Turner Revolt. He wanted to force each representative to go on record as to whether abolition petitions – which Mason saw as fomenting slave revolts – should be discussed. The House tabled the petition 180 to 31. Only six northern Democrats voted to continue discussion, along with 25 northern Whigs and Anti-Masons.202

This partisan divide, in which most northern opponents of the Democratic Party favored anti-slavery petitions, became typical. Immediately afterwards, the House was forced to vote on a motion merely to print the tabled petition for informational purposes. Whig Congressman William Slade of Vermont thought that this ought to be routine, noting that no member had protested the printing of an even more inflammatory anti-slavery petition in 1828. But this was 1835, in the aftermath of not only the Turner Revolt but also similar unrest in Mississippi, debates over nullification, the Force Bill, and abolitionist mailings of anti-slavery pamphlets. Now, the presentation of an abolitionist petition in Congress carried much greater significance. It could be seen as encouraging violent unrest over slavery, and as pointing a way forward for the federal government to ban slavery across the nation. The House therefore tabled Slade’s motion, refusing even to print the petition for the record. The breakdown on this vote was less lopsided than the vote to table the petition, perhaps due to the routine nature of printing documents in Congress; the tally was 168 to 50 to put off even routine printing. This time an overwhelming majority of Whigs and Anti-Masons voted on the seemingly more anti-slavery side, providing 43 of the 50 votes to print the petition, along with only seven Democrats. And this time free-state northern Whigs were joined by two slave-state Whigs, John Milligan of Delaware and William Carter of Tennessee. The

202 Ibid.
overall divide continued though, with a solid South and most northern Democrats opposing any
courtesy towards an abolition petition.203

Southerners soon made another move. Massachusetts Whig Congressman George Briggs
presented a petition that the House decided, after much debate, to send to the Committee on the
District. Virginia Democrat John Patton tried to obtain a vote to reject its very reception. This
attempt to establish a precedent of rejection was meant to delegitimize the mere presentation of a
petition for DC abolition or any other slavery matter, on the grounds that Congress had no authority
to interfere with slavery, even in the national capital. Patton’s party overwhelmingly rejected his
attempt as unnecessary, but southern Whigs, led by Virginia’s Henry Wise, largely embraced it.204

By a vote of 140 to 76, a mainly Democratic coalition tabled the petition – a win for slavery,
but a loss for the Whigs. Southern Whigs, hoping for a chance to reject the petition outright, were
joined by anti-slavery northerners who wanted a chance to vote on the record against rejecting the
petition. Among the 33 southern Whigs present, Henry Wise led 18 of them in supporting a vote
to accept or reject. Excluding border states, he secured the votes of about two-thirds of southern
Whigs: 16 out of 25 of those present and voting. They were joined by a minority of seven southern
Democrats and five South Carolina Nullifiers.205 Among the 46 northern anti-slavery congressmen
who voted against tabling, an almost unanimous northern Whig delegation outnumbered
Democrats by 42 to four.206

To defend their position, northern Whigs largely stuck to constitutional arguments about
“the guaranteed right of petition” in the context of these debates, although they sometimes also

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203 Ibid.
204 Congressional Globe, December 18, 22, 1835, 27-35, 43-47.
205 Nullifiers insisted that Congress had little power over states at all. Slavery was certainly no exception to this
view.
206 Richmond Whig December 24, 1835. Also see: Congressional Globe, December 21, 1835.
expressed their anti-slavery sentiments. New York Whig Congressman Francis Granger, for instance, attacked abolitionists but defended the reasonableness of DC abolition petitions, which were merely asking “that the seat of government of a free nation should be inhabited by those only who were free.” Granger, who was William Henry Harrison’s running mate in 1836, was trying to build a reputation for moderation. He noted that DC abolition was not a radical idea; New York State’s House had supported it. Granger said he believed the policy unwise and possibly unconstitutional, but he defended its motivations as understandable. Pennsylvania Whig Congressman Joseph Ingersoll agreed, suggesting that the Constitution secured slavery in southern states under their laws. But while they insisted that DC abolition petitions need not lead to anti-slavery policies, Granger’s remarks showed how they could.

Most northern Democrats therefore wanted to suppress anti-slavery petitions, lest the South conclude that slavery was endangered by them. New York’s Abijah Mann, Jr. believed that Congress could abolish slavery in DC, but he proudly defended the New York Senate’s efforts to kill a New York lower house resolution calling for this move. Referring to the petitions, Mann highlighted what he believed to be “the real question” that the South could ask of the North: whether it would preserve its constitutional compact with the South by allowing slavery in DC. As much as northern Whigs like Granger could defend anti-slavery petitions on technical grounds, Mann thought northerners must either suppress them or betray the South and the Constitution.

Southern Whigs feared that anti-slavery policies would follow anti-slavery petitions. Virginia Whig Congressman John Robertson thought that the northern Whig position of differentiating DC abolition from abolition in the states was untenable, since the former was “but an entering wedge” to destroy slavery everywhere. The federal government could only seize

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207 Albany Evening Journal, December 26, 1835. Also see: Congressional Globe, December 22, 1835.

208 Congressional Globe, December 22, 1835, 44.
private property using eminent domain, and even then only for the purpose of public works and at fair market value. Since banning slavery did not seem to fit these criteria, if Congress could seize slaves from masters in DC, there would be no clear limit to this power. In this sense, he did not believe that the federal power to govern the capital made DC exceptional.209

Meanwhile, Henry Johnson of Louisiana and Henry Wise of Virginia, both Whigs, wanted to take the initiative in defending slavery. Johnson, unlike some Whigs, had been content with the status quo ante, when petitions were received and either tabled or sent to a committee. But now that they had been presented – thanks to the agitation of Adams and his allies – petitions required “a vote of rejection” or “the adoption of some strongly declamatory resolution.” Wise proposed a resolution denying Congress the power of DC abolition. Southern Whigs were concerned that silence or inaction would amount to tacit acceptance of the legislative branch’s belief that it could act against slavery in DC and perhaps elsewhere too.210

Some southern Democrats were just as alarmed, bucking their party’s attempt to table petitions. Virginia’s John Jones insisted on defending slave property both in and outside of DC. He maintained that the Constitution guaranteed “that the people of the South held their slaves by a title as secure, by an authority as high and as sacred, as that by which” John Quincy Adams “held title to his horse, his house, or, to use his own language, ‘his place upon that floor.’ They held them under the Constitution and the law of the land.” While Jones was siding with the Whigs, he voiced a typically Democratic argument based on individual property rights rather than social stability.211

A more mainstream Democratic response came from George Owens of Georgia and Samuel Beardsley of New York, who tried to avoid the loaded question of congressional power

209 Ibid., 44-45.
210 Ibid., 45.
211 Ibid., 45-46. This argument was also inconsistent with the “municipal theory” of slavery that many southern Whigs would later accept. See: Huston, Calculating the Value of the Union, 137.
over slavery in DC by claiming that tabling abolition petitions was just as good as rejecting their reception. No one had ever differentiated between the two approaches before. If southerners insisted on doing so, the 30 opponents of tabling the petitions (who were, we have noted, northern Whigs) would be joined by other northerners who would object to stifling the right of petition, or who would worry that a strongly anti-slavery northern populace would see them as pro-slavery. Tabling seemed most likely to promote national tranquility and a unified Democratic Party.\footnote{Congressional Globe, December 22, 1835, 46-47. See also: Congressional Globe, December 23, 1835, 47-49.}

Likewise, northern Democrats claimed to be “with the South” on slavery by opposing DC abolition and supporting the tabling of anti-slavery petitions. But southern Whigs insisted that they show their true intentions by going on record in defense of slavery. Southern Whigs thus set a trap for northern Democrats, since such a step would alienate northern anti-slavery voters, who might turn to the growing northern Whig movement, which was fiercely anti-slavery. Yet they could hardly go on record voting against slavery, and thus threatening party cohesion.

Virginia Democrat James Garland tried to propose a middle ground: voting to not receive such petitions, as opposed to scornfully rejecting or (relatively) respectfully tabling them. Since this risked dividing his party, New York Democrat Abijah Mann tried to end the debate. The South (not including border states) united with almost all northern Democrats to stop. Only six free-state Democrats joined northern and border-state opposition members in their votes to continue.\footnote{Ibid., December 23, 1835, 47-49.}

Now that the petition was to be reconsidered, the House voted 144 to 67 to table it and move on to other matters. Democrats held together in this final vote; among opponents of slavery, only one northern Democrat voted with northern Whigs to continue the discussion, while among its proponents, John Jones and John Patton of Virginia were only able to convince six other Democrats to vote with southern Whigs and Nullifiers. On the other side of the aisle, some southern
Whigs shifted to the Democrats, perhaps out of a desire to settle the question and move on. After all, a vote to table could be interpreted as a vote to silence the petition, and in any event it seemed impossible to secure outright rejection. Northern Whigs and their Anti-Mason allies voted 45 to 11 against tabling, seeking to keep the debate alive. A bare majority of slave-state Whigs voted with the Democrats. Among border-state Whigs it was eight to five in favor of tabling, while in the South it was 11 to 10 in favor of tabling. Many Whigs were dissatisfied with the Democrats from a pro-slavery perspective, hoping to continue trying to secure a rejection. But a slight majority of southern Whigs believed that Democrats’ plan to silence debate was enough.214

The battle lines were drawn. Northern Whigs would not vote to turn away anti-slavery petitions that dealt with the District. Unlike most northern Democrats, they saw the discussion of petitions as important for achieving the eventual goal of abolition, precisely because they saw slavery as something that needed to be ended cautiously and gradually.

Southern Whigs, who feared any steps towards abolition, were nevertheless skeptical of all Democrats, since they saw Democrats as looking out for their party’s power by trying to stop the discussion of petitions altogether. They thought Democrats would not continue to defend slavery if doing so became politically inconvenient.

THE PINCKNEY DEBATE OF 1836 AND THE GAG RULES

The House’s vote to put off debate on December 23, 1835 did not put the matter to rest for very long. Petitions continued to pour in. On February 4, 1836, South Carolina Nullifier Henry Pinckney – whose attitude towards the question would push him onto the Democratic side in all but name – decided to resolve the petition question once and for all. He proposed sending slavery

214 Ibid.
petitions to a select committee that would conclude that Congress could not constitutionally abolish slavery in the states and “ought not to interfere with slavery in the District of Columbia, because it would be a violation of the public faith, unwise, impolitic, and dangerous to the Union.” Pinckney then formed and served on such a committee, which, as he hoped, proposed resolutions aimed to end the petition debate. Pinckney requested unanimous adoption of his committee’s recommendations, which took an hour and a half to read and concluded that Congress had no power over slavery in the states, “ought not to interfere in any way with slavery” in DC, and that slavery issues in the House should “be laid upon the table” with “no further action whatever.”

While Democrats from both North and South supported Pinckney’s recommendations, they were greeted with fierce pro-slavery resistance from southern Whigs. Virginia’s Henry Wise and South Carolina’s Waddy Thompson attacked even the standard preliminary motion to print Pinckney’s bill for consideration, claiming that he had violated a private assurance that his resolutions would label DC abolition as unconstitutional. Without this declaration, the resolutions only reiterated “what every one knew”: that the South denied the constitutionality of federal power to abolish slavery in DC. Insofar as they failed to declare that Congress affirmed this view, the resolutions accomplished nothing for southern interests. Wise saw the resolutions as worse than “the abolition memorials themselves.” Thompson called Pinckney a traitor to their state of South Carolina and condemned the report for dodging of the question of federal power by referring to abolition as a violation of the “public faith” rather than the Constitution itself.

When incredulous Democrats protested this unprecedented attempt to prevent the House from printing a committee’s bill for consideration, Wise and Thompson walked back their remarks, claiming that they only opposed printing more copies than usual. But Virginia’s John Robertson,

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216 Ibid., May 18, 1836, 469-71.
also a Whig, opposed printing any copies of Pinckney’s bill, since it “yielded everything which the Abolitionists could have expected” because it did not limit federal power. Robertson wanted the bill sent back to committee with instructions to report that Congress could not abolish slavery in DC, for if abolition succeeded there, the western territories would be next.217

Democrats’ defense of printing Pinckney’s committee report and resolutions continued the next day. North Carolina’s Jesse Bynum accused southern Whigs of playing politics by branding southern Democrats as anti-slavery simply because they compromised with northern Democrats to produce a good, although perhaps imperfect, product. Bynum noted that Pinckney’s resolutions rejected abolitionists’ demands. Southern Whigs, he claimed, merely wanted to defeat Van Buren, and were posturing to gain southern votes. Taunting southern Whigs by telling them to dissociate themselves with their northern anti-administration allies, he insinuated that most abolitionist petitions came from northerners who opposed the Jackson administration and the Democrats. Southern Whigs needed to realize, like southern Democrats had, that compromising with the North by tabling petitions was better than losing votes to reject them outright.218

Pinckney then clarified that he agreed with the southern Whigs about the illegality of DC abolition, and that he too saw “an open assumption of authority over slavery in the District as almost identical with a declaration of hostility against the institution of slavery in every other portion of the Union…” Yet while he too preferred a declaration that DC abolition was unconstitutional, northern anti-slavery sentiments made this impossible. Southerners ought not insist on a lost cause. “The South had nothing now to fear,” he argued, “except from those who are determined to continue the agitation of slavery for the purpose of excitement.” Abolitionism had “begun to go down” and would “soon disappear entirely,” so long as a calm South allowed the

217 Ibid.
218 Ibid., May 19, 1836, 473-74.
North to fight it. But Pinckney failed to gain bipartisan support. On the contrary, his proposal became the mainstream Democratic position. Whigs rushed to attack it. Pinckney was bolstered by Bynum, who contrasted the disorganized Whigs – many of whom were anti-slavery – with his fellow Democrats, who seemed overwhelmingly opposed to abolition.  

John Robertson and a band of southern Whigs argued that southerners should nevertheless continue urging the House to declare DC abolition unconstitutional. Such a course of action, even if doomed to failure, seemed “obviously just and proper.” House Democrats ignored them and easily succeeded (by voice vote) in printing Pinckney’s proposed bill for consideration. But the rift that southern Whig members exposed proved to be important in the development of interparty tensions over slavery in the South. It laid bare southern Democrats’ fundamental misunderstanding of the opposition. Southern Whigs were not merely playing political games. There was a clear logical progression in their minds (as well as those of northern Whigs) from DC abolition to abolition across the country, and as much as Democrats might deny the relationship, it was easy to imagine how abolitionists could move from one demand to the other. Congress would not need to abolish slavery in the states directly. Other moves, such as invoking the Constitution’s Interstate Commerce Clause, could easily deal the institution a crippling blow. Jesse Bynum, a southern Democrat, was correct when he claimed that southern Whigs would never be satisfied unless a southerner occupied the White House. But he was wrong in his belief that this was merely because southern Whigs were hungry for political gain. Southern opponents of Van Buren would indeed run a candidate in 1836, and their choice – Senator Hugh White of Tennessee – would come close to carrying the South and breaking its longstanding loyalty to the Democrats. He would achieve support by insisting that there was no federal power to abolish slavery in DC.  

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219 Ibid., 474-75.
220 Ibid.
After a day to consider Pinckney’s resolutions in writing, the debate continued on May 21st when John Robertson continued his attack on Pinckney, this time supported by Virginia Democrat James Garland. Robertson was dissatisfied with the committee’s stance that DC abolition would constitute a mere breach of trust; he wanted it declared unconstitutional.  

Robertson also made a property-rights argument, saying that the “the plainest farmer or mechanic” could understand that the Fifth Amendment prohibited the confiscation of property except for public use, and even then with just compensation. So despite its power over the national capital, Congress could not abolish slavery, just as it could not violate any other part of the Constitution. If Congress could define the Fifth Amendment’s “public use” and “general welfare” as allowing the seizure of slaves for abolitionist purposes, nothing would prevent it from freeing slaves in the states in order “to remove the supposed evil…on so much more extensive a scale…”  

By this time, most members had seen enough. The House divided Pinckney’s resolution into three parts. The first read: “That Congress possesses no constitutional authority to interfere in any way with the institution of slavery in any of the States of this Confederacy.” It passed 182 to 9. (Three southern Whigs, one Nullifier, and one southern Democrat voted against, so as not to admit Congress’s right to even entertain this possibility.) More interesting was that a group of nine Whigs and Anti-Masons from the North voted against it. John Quincy Adams tried to defend them, asking for five minutes to explain why the resolution was incorrect, but the Speaker refused.  

The final vote clearly showed that a majority of Whigs were comfortable allowing slavery. Still, the fact that several congressmen seemed willing to consider that Congress could abolish slavery in the states, even through indirect means such as banning the interstate slave trade, seemed to strengthen southern Whig arguments that abolitionists would not be satisfied with abolition in

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221 Ibid., May 21, 1836, 483-84.
222 Ibid., May 24, 1836, 494-95.
DC alone. This is why they emphasized both the need to assert the right of secession emphatically and the need for an alliance with northern Whigs, most of whom they trusted not to go down the abolitionist road. While the small band of anti-slavery radicals was made up of Whigs and anti-Masons, southern Whigs could take comfort that they, like John Quincy Adams, were exceptional and outside of the mainstream. They feared that Democrats, on the other hand, might adopt a wholesale transformation if it were politically expedient.

Because free states had a clear House majority and almost 60 percent of the Electoral College, if anti-slavery policies became dominant, the South could find itself overwhelmed by a hostile northern majority. Abolitionism, at least as many southern Whigs understood it, was not dead, only dormant. Some northern Whigs were brazen about their anti-slavery beliefs, and if other northerners joined them, the North could act against slavery. While most northern Whigs did not believe Congress could abolish slavery in the states, this could change. And Congress could certainly harm the institution in the meantime. When all was said and done, the Democratic Party had grown powerful enough that, as it had shown during the Nullification Crisis and in its attacks on the Bank of the US, it could quickly mobilize against slavery if it wished.223

Pinckney’s second resolution declared that Congress “ought not to interfere in any way with slavery in the District of Columbia.” It passed the next day, May 26, 1836, by a narrower margin of 132 to 45. Thirty-six northern Whigs and nine northern Democrats constituted the 45 anti-slavery “nay” votes. While northern Whigs denied immediate support for DC abolition, the they were eager to achieve it in the future.224

The third part of Pinckney’s resolution silenced abolition petitions with a gag rule; it passed 117 to 68. Almost all northern Whigs (45) voted against it, joined by 14 of 89 northern Democrats.

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224 Ibid., May 26, 1836, 505-06.
Some southerners (one Whig, five Democrats, and one Nullifier) were so frustrated that they expressed their outrage by voting “nay,” gaining attention with apparently anti-slavery votes that were meant to highlight their denial of Congress’s right to interfere with slavery by even voting on this matter. With one exception, border-state Whigs and Democrats voted with Pinckney.²²⁵

Since Pinckney’s resolutions were not standing rules, they applied only to the first session of the 24th Congress. When the House met again in December 1837, it renewed them. Fewer northern Democrats voted “nay,” while a few more southern Whigs and Nullifiers joined them. The final tally was 129 to 69.²²⁶

Henry Wise would be the last southern Whig to accept the Democratic tactic of tabling petitions, having come around to it only gradually. He first used it on December 12, 1837 against John Quincy Adams. The Alexandria Gazette insisted that Wise had not made a strategic retreat, but had realized “it was needless to renew” his efforts at outright rejection, since the South had effectively settled on tabling as a solution.²²⁷

If Congress would not reject abolition petitions outright, southern Whigs agreed it ought to silence congressional discussions of slavery altogether. But northern Whigs, who had voted against the admission of Arkansas as a slave state, and who had united against slavery on other policy matters, would remain united against the silencing of abolition petitions. So when most northern Democrats allied with a united South to table one of Adams’s petitions, a clear partisan divide became evident in the North. Of the free-state Whigs (and their Anti-Mason allies) present and voting, 53 of 54 voted against tabling, along with the Whig representative from border-state

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²²⁵ Ibid.
²²⁶ Ibid., January 18, 1837, 106.
²²⁷ Alexandria Gazette, December 14, 1837. Also see: Congressional Globe, December 12, 1837.
Delaware. More than two-thirds of free-state Democrats who voted joined a solid southern vote to stop debate. The total vote for northern Democrats was 42 to 19 to table.\textsuperscript{228}

Vermont Whig Representative William Slade countered on December 18 with two anti-slavery petitions. After motioning to refer them to a select committee, Slade offered an unprecedentedly sweeping motion on December 20, asking for the committee to produce a bill to abolish slavery in DC. He then proceeded to discuss slavery in Virginia as well. No Gag Rule was yet in effect for this congressional session. The chairman repeatedly admonished Slade that his discussion of slavery in the states, as opposed to DC, was out of order. He ordered Slade not to discuss slavery in the states in a direct manner, as this was outside the jurisdiction of Congress. After Slade alluded to slavery in Virginia once again, Wise interrupted to call on his Virginia colleagues to walk out in protest. Following a wave of interruptions, Slade was ruled out of order and the House adjourned; southern congressmen convened in an adjoining room.\textsuperscript{229}

The breakaway group chose Virginia Democrat James Patton as its leader. When the House reconvened the next day, he offered a motion meant as an acceptable compromise for the South. Like Wise, Patton too had pushed for rejecting even the reception of petitions. But now, he explained, he agreed to compromise for the sake of unity, both within the South and across the Union. Patton’s resolution would require receiving and immediately tabling all petitions relating to slavery anywhere in the US. This new gag rule was somewhat more favorable towards the South. It was altogether silent on the question of congressional authority over DC, and it added a new category to its gag provision: slavery in the Western territories. Patton hoped to obtain a congressional consensus that would prevent anti-slavery advocates from targeting slavery in other

\textsuperscript{228} Only one northern Whig, Indiana’s Albert Smith, voted to table. See: \textit{Congressional Globe}, December 12, 1837, 20-21.

\textsuperscript{229} Ibid., December 18, 20, 1837, 30, 41.
ways. If Patton could not succeed in obtaining a House declaration that Congress possessed no power over slavery in DC, he could at least stop discussions of other abolitionist goals.230

To sidestep the usual debate, Patton moved for an immediate vote. This upset Adams, who tried to reply but was drowned out by calls for order. Adams and Wise each refused to acknowledge the vote, albeit for opposite reasons. But Patton and the rest of the southern delegation realized that this compromise was the easiest way to stifle discussions of slavery. In the final vote of 122 to 74 to adopt Patton’s rule, three quarters of northern Democrats joined virtually all southern and border-state members. A unanimous northern Whig/Anti-Mason group of 56 members, one border-state Whig, and 17 Democrats opposed it on anti-slavery grounds.231

This new gag rule would serve as a model for Democrats and most southerners. When the third session of the 25th Congress met, Democrats immediately introduced a new gag rule. This time they were led not by a representative from South Carolina or Virginia, but by New Hampshire’s Charles Atherton. The “Atherton Gag,” as it came to be known in the papers, was an attempt to garner northern sympathy and to frame the issue as a question of unity rather than slavery. Atherton’s series of five resolutions, put up for a vote in December 1838, went even further than those produced by the prior year’s southern caucus. They charged that DC abolition was unconstitutional because it was meant to achieve abolition in the states. Some southern Whigs, like Henry Wise and William Dawson, objected that this did not go far enough against petitions. Despite opposition from both directions, however, the Atherton Gag passed 126 to 78, a margin almost identical to the Patton Resolution. The same alliances held, with most northern Democrats supporting a solid South and a nearly-solid border-state group to obtain passage.232

230 Ibid., December 21, 1837, 45-46.
231 Ibid. There was one dissenting vote in this group.
232 Ibid., December 12, 1838, 19-20.
Southern Whigs, meanwhile, dramatized their fears of Democrats’ unreliability by going after Ohio Democratic Congressman Alexander Duncan, who, despite his vote against the Atherton Gag in December 1838, was still promoted by Georgia Democrats as a northern Democratic leader with southern sympathies. In addition to his vote against the Atherton Gag, a choice that was easily interpreted as anti-slavery, southern Democrats had to deal with the publication of an anti-slavery response he had written to questions from anti-slavery constituents. Duncan thereby embarrassed his Democratic boosters in Georgia, who were attempting to assure Georgians that northern Democrats were reliable on slavery.233

Shortly after Duncan voted against the Atherton Gag, North Carolina Whig Congressman Edward Stanly grilled him in a House debate, asking Duncan if he believed that the right of petition required Congress to receive abolitionist petitions. After Duncan answered in the affirmative, Stanly asked whether he opposed the addition of any new slave states. Duncan again answered yes. Stanly then tried to connect the two views to each other, speculating that Florida might never be admitted to the Union. To pro-slavery politicians, the admission of Florida was crucial to their cause. Other Whigs, such as the editors of Georgia’s Milledgeville Southern Recorder, took notice, wondering what might happen if the state’s “neighbor” territory of Florida could not be admitted unless it would become an “abolition” state.234

As a southern Whig, Stanly understandably directed these attacks against a Democrat, although he could just as well have posed the same questions to an anti-slavery northern Whig and received the same answer. In fact, more than two-thirds of northern Whigs had voted against the admission of Arkansas just a few years earlier, seemingly on the same anti-slavery grounds. Yet Stanly’s point was not to attack northerners, but to attack Democrats. Southern Whigs distrusted

233 Ibid., December 12, 1838; Milledgeville Southern Recorder, February 26, 1839.
234 Milledgeville Southern Recorder, February 26, 1839.
Democrats even more than they did northern Whigs, whom they at least regarded as transparent and honest. Stanly was trying to demonstrate to his fellow southerners that, if they truly supported slavery, they must adopt a stronger stance against abolition petitions. Otherwise Florida could be locked out of the Union, while northern political power would grow with the addition of more free states. A more powerful North might then act against slavery.

By December 1839, many in the House suspected that slavery agitation would become a yearly occurrence. And many southern Whigs continued to differentiate themselves from southern Democrats by seeking even more decisive action against slavery petitions. After weeks of heated debates, therefore, on January 28, 1840 the House passed what became known as the “Twenty-First Rule,” which preemptively barred even the reception of petitions on the subject of abolition in DC, federally controlled territories, or the states. William Cost Johnson, a Maryland Whig, was the sponsor, while three other southern Whigs proposed slightly different versions.235

This time, due to the precise nature of the resolution, the vote for passage was narrow: 114 to 108. The Twenty-First Rule did not go so far as to declare DC abolition unconstitutional, but it did bar the House from even receiving abolition petitions. Now Henry Wise and the strongest pro-slavery southern Whigs dropped their opposition, since they were essentially getting what they wanted. But this shift in language produced consequences in the opposite direction as well. It split northern Democrats, who had previously supported gag rules by large margins. Almost 60 percent of northern Democrats voted against the rule, along with 66 out of 67 Whigs and Anti-Masons from the North, two Kentucky Whigs, and two Tennessee Whigs.236

This is where the question of the “right of petition” and constitutional scruples was especially relevant. As House debates demonstrate, many members insisted that the First

235 See: Congressional Globe, December 30, 1839 through January 28, 1840.
236 Ibid., January 28, 1840, 150-51.
Amendment required them to receive petitions from their constituents. Northern Democrats in particular tended to see the petition question as merely a First Amendment issue.

Northern Whigs, on the other hand, were consistently friendly to these petitions from the mid-1830s onwards, urging that they be respectfully received and sent to committees for consideration. This was not simply because of northern Whigs’ understanding of the First Amendment. They believed the eventual abolition of slavery was a legitimate topic of discussion in Congress. Most northern Whigs recognized and welcomed the potential of abolition petitions to erode slavery slowly. If Congress could contemplate a future without slavery, it must receive abolition petitions. Some northern Democrats advocated only receiving petitions regarding actions Congress could constitutionally take with regard to slavery, which usually amounted to accepting petitions for DC abolition but not for abolition in the states. But northern Whigs consistently wanted to entertain a broad discussion of the problem. Most northern Whig newspapers turned against gag rules. For them, the road to a free nation began with debates and petitions.237

Support for the Twenty-First Rule waned over time. As Pinckney had noted in May 1836, the Senate, with the support of border-state and northern Senators, resolved its petition problem by receiving and refusing to grant the requests of abolition petitions. Northern Whigs in the House continued their virtually unanimous opposition to gag rules. Northern Democrats felt political pressure to reverse their support for them, and even though a large proportion of them continued to help table the petitions, by 1844 a majority would buckle under this pressure.

Congress put an end to gag rules in 1844, in a vote sharply divided between first-term and incumbent northern Democrats. New members voted overwhelmingly against it, while veterans tended to favor it. Here we see the influence of growing anti-slavery sentiment in the North. Some

237 Ibid.
border-state Whigs and one Whig from the Upper South may have come to believe that fighting the reception of petitions was hopeless and possibly even counterproductive. The efforts of Adams and other anti-slavery congressmen to violate the rule prevented the tactic from silencing slavery discussions. As Henry Clay suggested, tabling may have created more agitation than it prevented, since it linked slavery with suppressing the First Amendment in northern minds.238

In the end, northern Whigs opposed the Gag Rule 47-0. Northern Democrats split as usual, but this time they voted 56 to 16 to repeal it. All Democrats from border and southern states were on the opposite side, along with all but one southern Whig. Border-state Whigs divided: five voted for the gag rule and four voted for repeal. The total vote was 108 to 80. Gag Rules over slavery were finished, never to be revived. Unified northern Whigs, along with a portion of (largely new) anti-slavery northern Democrats and some border-state Whigs, defeated a coalition of southerners and some northern Democrats. In other words, what had started as an issue that divided Congress more or less along party lines eventually came to be one that divided them mostly along sectional lines. It remained to be seen whether southern Whigs, who had been the petitions’ most radical opponents, were correct in predicting anti-slavery policies to follow.239

PETITIONS FOR DC ABOLITION IN THE SENATE

Like the House, the Senate also abandoned its previous practice of quietly disposing of petitions. Senators from both extremes could not contain themselves in the aftermath of the House debates of December 1835. They took hardline stances and dug in.

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239 Congressional Globe, December 3, 1844, 7-8.
On January 7, 1836, maverick anti-slavery Democratic Senator Thomas Morris of Ohio introduced petitions from Ohio residents calling on Congress to abolish slavery in DC. South Carolina’s John C. Calhoun immediately rose, demanding that the petitions be read aloud, in order that the Senate might decide whether to receive or to reject them. By preventing the Senate from tabling petitions, he could obtain a formal vote to refuse to accept them.²⁴⁰

Calhoun maintained that the petitions slandered the slave states with exaggerated descriptions of slavemaster cruelty, and that the Senate must respond to the recent tumult in the House because petitioners had called for unconstitutional federal emancipation. He wanted to resist “the first step towards general emancipation” on the part of petitioners, who really wanted DC abolition and then complete abolition at any cost. Only opposition to radical abolitionists’ favorite tactic could defeat their long-term aims.²⁴¹

Senator Morris responded by accusing Calhoun of trying to make “the right of petition into a mere mockery.” Since Ohioans believed Congress could abolish slavery in DC but not in the states, he claimed, Calhoun’s fears were unfounded. There was no risk of further abolitionist success beyond DC. And whereas Calhoun thought anti-slavery petitions could lead to widespread abolition, Morris contended that he was merely defending the First Amendment. Morris granted that petitions could be a threat to slavery in the District, but not in the states.²⁴²

Southern Whigs joined Calhoun in calling for rejection. Louisiana Whig Alexander Porter said that the “right of petition” was being abused to portray slaveholders as “robbers and murderers.” Just as Congress could deny petitions’ requests, it could refuse to receive them for various reasons, particularly when they contradicted the Constitution. Porter also took the petitions

²⁴⁰ Albany Evening Journal, January 12, 1836. Also see: Congressional Globe, January 7, 1836.
²⁴¹ Ibid.
²⁴² Ibid.
personally, attacking their supporters’ religious motivations and accusing them of “striving to take away from their fellow-citizens the property which belonged to them, in many cases, the only pittance of the widow, and the orphan” in the slave economy of the South. South Carolina’s William Preston added that while the Senate had quietly refused to debate such petitions in the past, the South needed “more explicit action.” Because of uprisings in the early 1830s, abolitionist mailings, and renewed abolitionist vigor in the North, “a dread had been stricken into every Southern bosom in regard to the security of their property…” Southerners could reasonably believe that abolitionists were trying to get the Senate “to act indirectly on the subject, through the District of Columbia.” Abolition petitions seemed designed to chip away at slavery, just as anti-slavery mailings supposedly threatened southern stability by elevating the risk of slave revolts.\(^{243}\)

Democrats now had a problem. Thomas Morris, part of a small minority that appealed to Democratic individualist principles to justify its opposition to slavery, had threatened their status quo. If southern Democrats were to join southern Whigs and Calhoun in agitating for rejecting petitions, Democrats’ cross-sectional alliance would be threatened. Pennsylvania Democratic Senator James Buchanan tried to diffuse the crisis. Sympathizing with anti-slavery advocates on the “abstract question of slavery,” he nevertheless tried to delay the petition at hand for four days. He proposed that the Senate wait until the following week to consider a solution that would be “satisfactory to all” and which would clarify Congress’s constitutional inability to abolish slavery in the states. (Buchanan sidestepped the issue of federal power over DC slavery, leaving it to be resolved through negotiation.) He noted his withholding of an annual Pennsylvania Quaker anti-slavery petition for the same reason.\(^{244}\) Missouri Democrat Thomas Hart Benton supported this motion, showing the Senate “a picture which had been thrown into his room exhibiting a tree of

\(^{243}\) Ibid.
\(^{244}\) Ibid.
liberty, with a crowd of colored people under it in degraded attitudes.” Benton warned of violence, claiming that abolitionist publications had triggered an attack against free blacks in St. Louis.245

Virginia Whig Senator John Tyler refused to let Democrats postpone the matter. He considered that Calhoun’s motion to reject the Ohio anti-slavery petitions “did not go far enough to correct the practice of sending petitions” to Congress, “as the rejection of the petitions might be represented as merely owing to the indecorum of the language, and not a decision of the Senate not to admit petitions of the same kind hereafter, as it did not touch the question of the competency of Congress.” Tyler “wished to see some specific and explicit resolution on the subject, which should set the question forever at rest.” This meant giving the pro-southern Committee on the District of Columbia a mandate to resolve the matter by declaring that Congress possessed no constitutional authority to enact DC abolition. Tyler claimed that if the Senate did so, the committee’s proposal would receive the support of virtually all senators. Tyler did not address the First Amendment claim in favor of receiving the petitions, since he thought that this right could be overridden to eliminate southern fears of “the midnight incendiary and assassin.”246

Responding to southern Whig agitation, North Carolina Democrat Bedford Brown joined border-state and northern Democrats in urging calm, calling on southern Whigs to continue the Senate’s precedent of tabling, or at least not fomenting “excitement,” over the issue. Virginia Whig Senator Benjamin Leigh partially acceded to this appeal, agreeing to withhold his own remarks until Monday. In the meantime, however, Leigh expressed his concern about the anti-slavery ramifications of the debate by lamenting what seemed to be an increasing number of northern anti-slavery publications, particularly those of the prominent Whig theologian William Ellery Channing. After Thomas Hart Benton and John C. Calhoun responded to Bedford Brown’s appeal

245 Ibid.
246 Ibid.
for calm by justifying their own ominous statements, Buchanan’s motion for postponement prevailed. Democrats had achieved calm in the Senate, at least for the moment.247

But the battle continued after the weekend, during which Whig and Democratic leaders had agreed to dispose of the subject quietly. James Buchanan announced that he must present the Quaker petition he had mentioned the prior week. Acknowledging that some southern (primarily Whig) senators would not accept his proposal to send abolitionist petitions to a committee for quiet disposal, he proposed a new compromise: petitions could be read and then denied. This would presumably silence First Amendment objections and assuage southern fears. Senator King of Alabama, the leader of the Senate’s southern Democrats, supported Buchanan by arguing that explicitly rejecting petitions’ requests would be more powerful than Calhoun’s original idea of refusing to hear them. But after Calhoun held fast to his objections, Henry Clay complained that the issue was “monopolizing the attention of the Senate, to the exclusion of all other business.” He successfully motioned to table the entire subject, without reading Buchanan’s Quaker petition.248

In short, while some Senators believed that Congress was constitutionally required to at least receive petitions (or at least those, many Senators were quick to qualify, with “respectful” language), southern Whigs saw the reception of abolitionist petitions as a gateway to further anti-slavery actions, beginning with DC abolition. Northern anti-slavery Whigs took the opposite approach, viewing reception as necessary primarily to substantiate the possibility of future legal action against slavery. The question of whether Congress must accept abolition petitions depended at least partially upon whether it had authority over slavery in DC. If it did not, there was no reason to accept abolition petitions. Almost everyone involved in these debates was therefore implicitly debating not merely the right of petition, but the extent of federal power over slavery.

247 Ibid.
248 Alexander Gazette, January 12, 1836; Albany Evening Journal, January 16, 1836.
It is in this light that we can understand why these petitions became a point of such intense controversy. How Congress interpreted and reacted to anti-slavery petitions could help determine the direction of future national slavery policy. Abolitionists understood this just as well as southern Whigs, who made it their top priority to reject the petitions outright. Likewise, it was clear to both sides that receiving these petitions could eventually lead the slavery debate from the DC question to slavery in the states. The Democratic approach of pushing irenic compromises that favored the pro-slavery side while nominally satisfying northern demands to protect the right of petition created significant political opportunities for northern Whigs, who could justly accuse their Democratic opponents of silencing discussions of slavery throughout the 1830s and early 1840s.

The Senate resumed its petition debates in March 1836, with Calhoun trying to unify the South using a test case: a motion that the Senate reject a Quaker anti-slavery petition. But he lost 36 to 10; even southern Democrats (not including those from border states) rejected him 4 to 3. All southern Whigs, on the other hand, joined Calhoun to reject the petition, while border-state and northern senators voted against rejection.249

Now that the petition was formally received, Pennsylvania Democratic Senator James Buchanan thought that he could achieve consensus by rejecting the petition’s prayer for DC abolition. Buchanan preferred rejection without explanation, but Henry Clay offered three explicit reasons: the petition did not come from DC residents, it would violate prior understandings among the US, Maryland, and Virginia concerning the territory ceded for the capital, and that “the injury which would be inflicted by exciting alarm and apprehension in the States tolerating slavery, and by disturbing the harmony between them and the other members of the confederacy, would far exceed any practical benefit which could possibly flow from the abolition of slavery within the

District.” Clay’s motion dodged the question – foremost on the minds of southern Whigs – of whether Congress had the power to abolish slavery in DC. Had he not, either pro-slavery southerners or anti-slavery northerners would have stopped the motion. The only way to move on was to pretend that petitions did not affect an immediately relevant policy. After two southern Whigs requested more time to consider the implications of his resolution, Clay agreed to delay a vote. The Senate then nearly unanimously rejected a similar resolution by a Pennsylvania Democrat, moving to a final vote of 34 to 6 to reject the petition’s request without explanation. Six anti-slavery northern Whigs voted nay – they wanted the petition sent to a committee.250

It was easy to miss the anti-slavery implications of northern Whigs’ approach to petitions. The editors of the Boston Courier, for instance, did not seem to have noticed at all, instead taking comfort in an apparent lack of will for further agitation; they appear to have missed the challenge to slavery hidden between the lines of northern Whigs’ carefully selected words. Massachusetts’s John Davis denied that abolitionists wished to make DC abolition “the stepping-stone to an attack upon the constitutional rights of the South.” Yet he also defended the propriety of seeing DC abolition as legal and disconnected from total abolition. Daniel Webster left the door open not only to DC abolition, but to abolishing slavery in territories. An alarmed Calhoun therefore refused to vote at all, insisting that the entire debate was constitutionally out of bounds. Calhoun was not alone in his dissatisfaction with the vote. Most southern Whigs believed that even considering petitions for DC abolition could give Congress new ideas about how it could act against slavery.251

As northern senators continued to present their constituents’ anti-slavery petitions, senators developed three responses. John C. Calhoun and many other southerners (mostly Whigs) wanted

251 Boston Courier, March 17, 21, 1836.
to refuse to receive them or to declare their object – DC abolition – to be unconstitutional. Many northern Democrats, led by Pennsylvania’s James Buchanan, supported the acceptance of petitions and the rejection of their prayers, in concert with southerners who saw this as the next-best option. Northern and border-state Whigs, led by Henry Clay, preferred to refer petitions to a committee for resolution. The Senate did not consider House Democrats’ strategy of tabling without discussion. The House had 242 members, and could not possibly discuss every issue under the sun, but the Senate’s 52 members were part of a tradition of thorough debate.

Petition debates continued during the 1830s, with many becoming some of the Senate’s greatest. Calhoun emerged as the greatest proponent of refusal to hear them, and Clay of receiving and denying. But debate after debate ended in resolutions for postponement. In one carefully planned and especially long oration, delivered on February 7, 1839, Clay explained that DC abolition was unfathomable to lovers of the Union and Constitution – again citing the intent of Maryland and Virginia in allowing for the capital’s creation – even if it was technically constitutional. Clay concluded that DC abolition petitions should nevertheless be accepted and treated in an ordinary manner.

Clay saw “no substantial difference between” refusing to receive petitions and refusing to accept their prayers. But he believed “that a neglect to observe established forms is often attended with more mischievous consequences than the infliction of a positive injury.” Abolitionists had successfully “acquired a considerable apparent force by blending with the object which they have in view a collateral and totally different question arising out of an alleged violation of the right of petition.” Clay knew that the Senate did not wish to violate the right of petition, but it had created

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253 Alexandria Gazette, February 11-12, 1839. Also see: Congressional Globe, February 7, 1839.
“injurious impressions upon the minds of a large portion of the community.” Abolitionists benefited from the opportunity to connect the First Amendment with opposition to slavery.\textsuperscript{254}

Clay’s speech was best remembered, however, for its next part, which largely consisted of attacks on abolitionists. Historians have debated the extent to which Clay was sincere in his claim that he “would rather be right” in attacking abolitionism than be the President with northern support; he may have been posturing for southern support for a presidential campaign the following year. But the first part of his speech, which was shorter and concerned petitions rather than abolition, was just as critical. Unlike the House, the Senate would not adopt a gag rule; instead it chose to receive abolitionist petitions and reject their requests.\textsuperscript{255}

\textbf{“BETWEEN THEIR RIGHTS AND OUR DUTIES”: Petitions in the Northern Whig Press}

Many historians have understood the debate over petitions as primarily one about the First Amendment, viewing slavery as at best a secondary issue. Indeed, this was the opinion expressed by many northern Whig newspaper men. But a close analysis of their editorials and columns will show us that it is easy to be misled by the evidence. Some northern Whigs were indeed primarily concerned about the First Amendment, but most saw the petition fight as directly relevant to the future of slavery and the prospects for its prohibition.

When Henry Pinckney sponsored the House’s first Gag Rule, even some of the more anti-slavery northern Whig newspapers adopted a conciliatory stance, characterizing the issue at hand in mostly First Amendment terms. From this standpoint, Congress could receive and bury the petitions. Some even adopted Pinckney’s approach: having the House declare that Congress would not abolish slavery in DC, thereby rendering abolition petitions receivable without harm.

\textsuperscript{254} Ibid. Also see: \textit{Congressional Globe}, February 7-8, 1839.
\textsuperscript{255} Alexandria \textit{Gazette}, February 11-12, 1839. Also see: \textit{Congressional Globe}, February 7-9, 1839.
The Albany *Evening Journal* led the way in 1835 and 1836, calling on Congress to uphold the First Amendment by receiving petitions. It thought the South had nothing to fear except overreaction against the First Amendment. Petitions ought to be received and then “quietly and without debate, laid on the table,” so that the issue would “soon cease to agitate the country.” The southern Whig rejectionist “attempt to usurp this right” by rejecting the receipt of petitions would only agitate otherwise conciliatory Americans against the South. The paper even backed the Pinckney Resolutions for receiving petitions while mollifying the South by rejecting their goals.

In February 1836, the Boston *Courier* also supported Pinckney’s relatively pro-slavery compromise. Characterizing it as Madisonian (high praise from any Whig) and criticizing southern Whig rejectionists for behaving in an “unconstitutional manner,” the paper saw the right of petition as inviolable, and slavery as a wholly secondary issue. Even in extremely anti-slavery and Whig Vermont, the Brattleboro-based *Phoenix* lauded Pinckney’s proposal as one that would “put an end to a world of trouble and excitement.” This perspective remained in some northern Whig papers for some time. But as we shall see, this approach faded, and even many journalists’ appeals to the First Amendment were transparent efforts to arouse sympathy for anti-slavery causes. John Quincy Adams, the chief agitator of petitions, took this approach, as we have seen.²⁵⁶

On February 6, 1837, Adams succeeded in causing an uproar in the House through a series of theatrics. He tried submit a petition purportedly from slaves, without disclosing that it was pro-slavery in character. After southerners angrily objected to its reception, they were embarrassed to hear of its anti-abolitionist request. Adams did little to calm southerners when he insisted that he was merely exploring the question of how far the right of petition extended. He cleverly claimed

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²⁵⁶ *Albany Evening Journal*, December 26, 1835, January 9, 1836, February 13, 1836; *Boston Courier*, February 29, 1836; *Vermont Phoenix*, March 4, 1836; *Cincinnati Gazette*, May 15, 1837. The *Gazette* “concede[d] to the South a liberal justice” over slavery but would “make no sordid concessions” to southerners’ “peculiar prejudices” by compromising the First Amendment.
to be confining himself to the innocent goal of protecting the First Amendment, while at the same
time demonstrating the untenability of a free nation allowing slavery. Outraged southerners from
both parties responded with an unsuccessful attempt to formally censure him.\(^{257}\) Adams clearly
spelled out his argument that day: “The Sultan of a despotic Government was bound to receive the
petitions of the vilest of his subjects, and he hoped that no distinction would be made in petitions
in a free Government, so long as they were in respectful language.” So, while some northern Whigs
focused exclusively on the right of petition, even this narrow ground could easily be turned against
slavery. Why, Adams implicitly asked, should a free nation suppress its own people?\(^{258}\)

While noting that it did not “approve of any thing calculated needlessly to aggravate the
feelings of the South,” the Vermont Phoenix could not help but enjoy this spectacle. It praised
Adams for showing southerners that “the right of petition is of too sacred a character to be
sacrificed, merely to appease the unwarrantable passion which agitates the southern members,
whenever the subject of Slavery is touched.”\(^{259}\)

This particular petition also addressed another issue: a woman’s place in politics. Adams
noted that “ladies” from Fredericksburg, Virginia had signed the petition he presented. It is
interesting to note that when Fredericksburg’s congressman, Virginia Democrat John Patton,
objected to Adams’s petition, he did not dismiss the propriety of receiving petitions from women
in general. He did seem to maintain a double-standard, attacking the credibility of these particular
women, saying that he knew them to be unworthy of the title of “ladies” and, perhaps implicitly,
therefore unworthy of having their petitions received. Adams agreed to amend his characterization
by calling these petitioners “women” and not “ladies,” and no one objected further on this basis.\(^{260}\)

\(^{257}\) See: Congressional Globe, February 6, 1837, 161-63; Alexandria Gazette, February 8, 1837.
\(^{258}\) Ibid.
\(^{259}\) Vermont Phoenix, February 17, 1837.
\(^{260}\) Congressional Globe, February 6, 1837, 161-62.
Similarly, when Adams had submitted a petition from 107 “ladies” from his own district the previous year, he had noted, apparently in order to fend off any accusation that women (or at least highly respected women) had no place in politics, added that it ought to be obvious that “every deference was due” to ladies’ petitions, just as with social graces. No one objected to receiving the petition on the basis of its female origin.261 It should not be surprising that it was John Patton, a southern Democrat, who made a tumult about the respectability of Adams’s lady petitioners. Whigs were, in general, more open to female participation in politics than Democrats.262

In any event, Adams’s attitude was gradually accepted by those northern Whig newspapers which were more cautious about antagonizing the South, and which therefore focused on the right of petition and not anti-slavery policies. Even they came to see petitions as linked with slavery’s future. Thus they shifted away from attacking extreme southern rejectionists (most of whom were southern Whigs) to supporting the reception of abolitionist petitions.263

When Adams unsuccessfully tried to repeal the Patton Resolution’s Gag Rule in December 1837, he declared that he was not bound by any gag, as the very notion of silencing debate was unconstitutional.264 After Adams’s failure, the Cincinnati Gazette condemned efforts to silence discussions of slavery as “attempts to put down…fundamental doctrines of free government.”265

The Albany Evening Journal and Boston Courier, which had previously defended Henry Pinckney’s quiet disposal of petitions in 1836, now turned against Patton’s 1837 gag. Noting that all eight New York Whigs voted against the rule while almost all New York Democrats voted for it, the Evening Journal called the gag a “tyrannical law” worse than “Turkish despotism”:

262 Much more could be said about this dynamic. Of course, women could not vote, but Whigs were more eager to allow them to participate in political activism. See, for instance: Howe, What Hath God Wrought, 603-09.
263 See: Cincinnati Gazette, May 12, 1837.
264 Alexandria Gazette, January 1, 1838. Also see: Congressional Globe, December 29, 1837.
265 Cincinnati Gazette, January 3, 1838.
What then is the right of petitioners under this resolution? It is to have their representatives crawl up to the Speaker’s table, and lay upon it in humble silence…and then to leave them open and unread! WILL THE FREEMEN OF NEW-YORK SUBMIT TO THIS?...Will they suffer their petitions to be consigned to the tomb of oblivion unread and unheard? Will they permit their representatives to sell this birth-right of freemen for a mess of pottage? Will they sanction a time-serving slavish subserviency which strikes at the foundation of our liberties?\textsuperscript{266}

Using typical Whig language about a hyperpartisan and corrupt Democratic Party, the paper declared that “the sacred right of petition, and of free debate, may not, with impunity, be made the dice of gaming politicians.” If one petition could be rejected, so could any other. Slavery was making an otherwise free people stifle a right. The Boston \textit{Atlas} drove this point home, accusing northern Democrats of acting like “collared slaves.”\textsuperscript{267}

Although northern Whig arguments in favor of the right of petition eventually became manifestly anti-slavery, many border-state Whigs used very different rhetoric. Indeed, their approach to the petition question has likely done much to lead historians astray; after all, these Whigs exerted much influence on the party, serving as the connective tissue that held it together. National party leadership tried to bridge the regional divide, both by defending the right of petition and by allaying southern fears that anti-slavery petitions could move Congress to lead the nation down a road to abolitionism. The Louisville \textit{Journal} backed Henry Clay’s attempt to refer abolition petitions to a committee for recommendations, arguing that southern Whigs could and ought to accept what the Constitution required. After all, while the country could not even agree on the constitutionality of Whigs’ national economic policies, even those southern Whigs opposed to a national bank and tariffs had not objected to Congress merely discussing these matters. Slavery ought to be no different. Insisting on rejecting petitions outright would only play into abolitionists’

\textsuperscript{266} \textit{Albany Evening Journal}, January 4, 1838.
\textsuperscript{267} Ibid.; \textit{Boston Courier}, September 27, 1838; \textit{Boston Atlas}, reprinted in the \textit{Albany Evening Journal}, January 22, 1838.
hands by radicalizing disaffected advocates for the abstract right of petition. Slavery was not threatened by “calm, candid, and enlightened” discussion. In Virginia’s heavily slave-populated tidewater region, the Norfolk and Portsmouth Herald added that Clay’s plan “would leave the abolitionists without a pretext for excitement and mischief, while it would effectually guard the South from all further molestation and cause of disquiet.”

Clay did not succeed in uniting his party behind his strategy. Most northern Whigs opposed his plan, and most southern Whigs continued to see abolition petitions as dangerous and unconstitutional complaints that, if even entertained by Congress, would lead northerners to adopt anti-slavery policies. If Congress entertained the petitions, Americans might think about the parameters of what it could actually do about slavery. The Democratic Party, which had a long history of bisectional unity, argued in the 1830s that there was no danger of the federal government adopting anti-slavery policies, since the party would block them. In the South, however, those who feared that not responding harshly to petitions could lead to greater anti-slavery attitudes tended to join the Whig opposition. In the North, on the contrary, anti-slavery Whigs dissented from what they saw as the national Democratic Party’s unprincipled attempts at compromise. Constructing arguments around the right of petition may have played a role in attempts to curry favor with the public. We will soon see, however, that a full consideration of the evidence demonstrates that most Whigs understood the abolition petitions as affecting the future of slavery.

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269 Ohio State Journal, February 26, 1839.
HUGH WHITE’S CASE AGAINST PETITIONS

There is overwhelming evidence that southern Whigs saw petitions as a threat to slavery’s future. We have already seen how southern Whigs conducted themselves in congressional debates and how they thought congressional suppression of abolitionist petitions necessary for protecting the institution. And we have seen how southern Whigs thought Congress must send a clear message that it had no constitutional power over slavery at all, even in the nation’s capital. Many southern Whigs believed that suppression meant rejecting abolition petitions outright, and, when this was no longer possible, joining southern Democrats in trying to table them without debate or referral.

During the first major House debate over an abolition petition in 1835, the Richmond Whig noted that most Virginia Whigs voted for rejection while most Democrats voted for tabling. Believing southerners to be unanimous in their pro-slavery views, the paper urged southern congressmen to support rejection. It believed that most northern congressmen were using petitions merely as a first step to attack slavery.270 Hugh White adopted this position during his presidential campaign the following year. Although he hailed from an Upper South state with a relatively small slave population, White performed well, winning close to 49 percent of the South’s popular vote and carrying Tennessee and Georgia.271 This was the first time that any presidential candidate from the Democratic-Republican or Democratic Parties had lost a southern state. White made his record on petitions part of his campaign, and it is doubtful that he would have achieved such success if he had not been able to galvanize voters with his hardline stance on the issue.272

270 Richmond Whig, December 29, 1835.
271 This vote total does not including Kentucky, Maryland and Delaware, in which William Henry Harrison was the Whig candidate. For a full statistical breakdown, see Walter Dean Burnham. Presidential Ballots, 1836-1892 (Baltimore: Johns Hopkins Univ. Press, 1955), 247-57.
272 Ibid.
White publicized his desire to reject abolition petitions in order to stifle any thought that Congress could legislate against slavery. Should this tactic fail, he was willing to consider Pennsylvania Democratic Senator James Buchanan’s proposal of receiving and rejecting the petitions’ requests. He preferred preemptive rejection, however, because the alternatives, whether Democrats’ tabling or Henry Clay’s preference of referral to a committee, would allow members to keep the issue alive by repeatedly presenting new petitions for consideration.\footnote{Tennessee National Banner & Nashville Whig, March 28, 1836.}

What was wrong with allowing anti-slavery petitions to be presented and discussed? Did not the right of petition require it? Hugh White provided two answers, both of which shed light on how southern Whigs understood abolition petitions. First, White maintained, northern citizens had no more right to petition for DC abolition than Europeans. The only people who could conceivably submit such petitions were DC residents, who were not doing so. Otherwise – and this was key – northerners might use the same rationale to abolish slavery in other parts of the country.\footnote{Ibid.}

White also believed that abolitionist activity endangered slaveholders by encouraging slaves to rebel. He therefore saw the right of petition as irrelevant, since the First Amendment could not be used to defend incitement to violence: “It is vain to reason with people about the liberty of speech and of the press, when their lives are put at hazard. When the domestic circle is invaded, when a man is afraid to eat his provision, lest his cook has been prevailed on to mix poison with his food, or dare not to go to sleep, lest the servants will cut the throats of himself, his wife and children before he awakes, he will not endure it;” a white man might turn to vigilante violence. This would lead to the “serious evil” of a lawless country. The former judge went so far
as to take a step toward justifying vigilantism as sometimes necessary, warning that if abolitionist agitation continued, it “must end in consequences to be forever regretted by all.”

White was claiming that in a nation that tolerated slavery, the only way to protect the First Amendment was to refuse to defend it in extreme cases. Here we can see why both northerners like Adams and pro-slavery southern Whigs like White thought that anti-slavery petitions threatened the institution’s future. For them, this was not an abstract question regarding the First Amendment: either the First Amendment or slavery could triumph, but not both. White and his fellow southern Whigs believed that in a conflict between the two, slavery must take precedence, because abolishing it would wreak havoc upon the South. For northern Whigs, the First Amendment must trump slavery, regardless of the consequences, since its demise would mean the destruction of any hope of eventually putting an end to slavery across the nation, and indeed the demise of the American national project itself.

While Hugh White attacked anti-slavery petitions in 1836, newly-elected Virginia Whig congressman Henry Wise sent a letter to the state’s Whig acting Governor, which was not meant to be kept secret, in which he opposed Democratic attempts to sidestep the need to reject abolition petitions outright. He insisted that such petitions could no longer be referred to a pro-slavery committee. The South had witnessed the abolition of slavery in the Caribbean, rising abolitionist sentiment, slave revolts throughout the South, and a flood of petitions to Congress. Other southern Whigs agreed with him. Wise suggested that, at a minimum, the South should demand a congressional declaration recognizing constitutional limits on federal power over slavery.

Wise’s reasoning was by no means farfetched. He understood that as the North continued its demographic overshadowing of the South, anti-slavery Americans would eventually constitute

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276 Milledgeville Southern Recorder, April 12, 1836; Savannah Republican, March 23, 1836.
a majority of the country’s population. Furthermore, he believed that abolitionism was gaining momentum in the North, where most people knew few if any slaveowners and were sympathetic to appeals “to the love of liberty and the love of God and man, in a land of civil liberty and christian religion!” Southern Democrats, whom Wise had abandoned to become a Whig, were therefore wrong in their assurances that slavery would not face grave danger in the future.277

Thus, according to White’s prescient reasoning, demographic shifts seemed to ensure that DC abolition would only be a temporary goal; abolitionists would eventually turn Americans’ sentiments against slavery while preparing for a northern President who would be more willing to act against the institution. The northern public, “a mass of material out of which abolition is formed as naturally as the sparks fly upwards,” would then make the easy jump from anti-slavery sentiment to outright abolitionism. Wise therefore tired of the Democratic strategy of not hearing abolition petitions. He wanted a congressional declaration of slaveholders’ “inviolable rights of private property in slaves.” Turning to the consensus view that Congress need not entertain disrespectful petitions, he argued that abolitionist petitions constituted “direct attacks upon the moral character of slave holders and their representatives” because the petitions accused them of being “men stealers and land pirates.” To Wise, congressional toleration of petitions pushed an uncomfortable truth into the open: the South depended on slavery in an otherwise free nation.278

Both White and Wise provided technical reasons as to why the right of petition should not require Congress to receive particular DC abolition petitions. Since they believed slavery to be built into the Constitution, it followed that protecting it might even override the First Amendment, since abolition would mean the collapse of the Union, “salus populi and the public weal.” Ultimately, they and other southern Whigs fell back on the argument that Congress must choose

277 Milledgeville Southern Recorder, April 12, 1836.
278 Ibid.
between a broad interpretation of the right of petition and slavery. As Wise put it, Congress “could not receive them (petitions) without impairing rights and interests as sacred as that of petition, and without assuming powers dangerous to the government and destructive of public harmony.”

County meetings throughout the South endorsed Whigs in the 1836 election because of their hardline stance on petitions. Georgia’s Representative Thomas Butler King thought Congress must reject petitions because abolitionists’ ultimate goal was to destroy the South. When he and other Whigs failed to prevent Van Buren’s 1836 election, they doubled down with more criticism. Since national Whig candidates won more popular votes than Van Buren, and because Whigs had fallen just short of a popular majority in the South, Whigs looked ahead to 1840. They echoed Georgia’s Julius Alford, who told the House of Representatives in February 1837 that if unchecked, debates over petitions would likely lead to abolitionist laws.

As we saw in the previous chapter, Whigs like Wise believed that the stability of society necessitated accepting the philosophically untenable notion of slave property. Many Democrats and Nullifiers disagreed, positing that individual whites needed no such special justification for owning black slaves. Whigs privileged social stability over individual rights; southern Whigs thought the natural rights of black slaves, the right of petition, and the right to freedom of speech must be subordinated to the preservation of slavery for society’s sake. Border-state Whigs like Henry Clay were stuck in between, trying to manage a party whose members shared a similar intellectual outlook, but who divided on how to apply it in the context of slavery policies.

Southern Whig papers, following their politicians, tried to outflank Democrats by adopting strong pro-slavery positions. Some favored rejecting, as opposed to tabling, abolition petitions.

279 Ibid.
280 Ibid., May 3, 1836.
281 Savannah Republican, November 17, 1836.
282 Milledgeville Southern Recorder, March 7, 1837.
Others were more realistic, accepting tabling as an acceptable fallback tactic should rejection prove to be impossible. Either way, they saw petitions as directly threatening the future of slavery.

Whig papers’ rhetoric likewise reflected that of the party’s leaders. Thus the Milledgeville *Southern Recorder*, warning the South not to be “humbugged” by Democrats, advocated for the rejection of petitions that effectively called for the “destruction” of the South.283 The right of petition was not relevant to “grossly insulting” petitions that threatened to bring “imminent peril, by their very presentation,” to white southerners’ safety. The paper believed that “the whole Van Buren party” should be exposed for displaying “hollow-hearted and inconsistent pretensions” to the South, since Democrats did “not hesitate to reject, constitution or no constitution, petitions which they may deem personally insulting to their honorable selves.” If rejection was constitutionally possible, and Democrats rejected insulting but not abolitionist petitions, they demonstrated that they were weak on slavery.284

While the Richmond *Whig* grew more comfortable with tabling petitions, it continued to harass Democrats for proposing the tactic as a compromise. In December 1838, after the short congressional debate over the Atherton Gag of that year, the *Whig* favorably printed correspondence indicating that the Democrat-controlled House had underhandedly used parliamentary tactics to pass the gag quickly, and that it had conspired “to silence the indignation of the Southern Whigs.” Far from an improvement, the Atherton Gag “surrendered” by acknowledging “the right of reception.” Moreover, through the use of vague language, the Gag, which was intended to seem pro-Southern, left open the possibility of “Abolition in the District— provided it be not done for the purpose of affecting slavery in the States.” The *Whig* emphasized how important the proper handling of abolition petitions was for slavery, noting how the southern

283 Ibid., March 15, 1836, August 28, December 25, 1838.
284 Ibid., January 22, 1839; Also see Alexandria *Gazette*, December 29, 1837.
Whig Party itself was largely a response to slavery concerns. The paper declared of the Democrats: “Thus they have surrendered all that we have been contending for, for four year—!” It was referring to Hugh White’s presidential campaign and to southern Whig efforts to clarify that Congress need not accept abolition petitions because it had no power over slavery in DC.  

**NORTHERN WHIG NEWSPAPERS AND THE PETITION QUESTION**

Northern Whigs shared the premise with their southern counterparts that slavery and the First Amendment were incompatible, but this thinking led them to the opposite conclusion: that slavery threatened the Constitution itself, which in turn was the bedrock of social stability. Whigs stuck together not only because they opposed Democrats, but also because they shared a socially-oriented political culture focused on a socially conservative outlook opposed to Democratic individualism. The convergence of Whig opinion on petitions can help us to understand how both sides were debating both rationally and presciently.

In the North, Whig papers were divided on precisely what petition policy ought to be. Some saw petitioning as pernicious, since no action could be taken against slavery at the moment. Others were supportive; even if they did not see petitioning as ideal, they linked their anti-slavery feelings to the right of petition, and wanted to allow discussions about slavery. Both groups, however, agreed that the debate over petitions would have ramifications for the future of slavery. Congressional northern Whigs were therefore virtually unanimous in voting to receive, rather than reject or table, abolitionist petitions.

Let us first consider those northern Whigs who wanted to quiet discussions of petitions for the sake of national unity. Less anti-slavery than some of its fellow Whig papers in heavily Whig

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285 See: Alexandria *Gazette*, March 11, June 3, 1836, January 12, 25, 1837, December 14, 17, 22, 1838, including material from the Richmond *Whig*.  

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and anti-slavery Vermont, the Burlington Free Press opposed the Atherton Gag of 1838. It labeled Atherton himself a dishonorable partisan hack who opposed debate, and accused Democrats of scoring political points by taking credit for his tabling strategy. But despite theoretically opposing the stifling of debate, the paper still preferred quietly avoiding it, believing that contentious fights over slavery threatened social stability. It did not hope to use petitions to agitate against slavery.\footnote{Burlington Free Press, December 21, 1838.}

In Connecticut, the Hartford Courant adopted a similar view. Reporting on Henry Clay’s famous February 7, 1839 speech on abolition, the paper supported his attempt to end slavery debates and to refer petitions to a committee for a reasoned response. The Connecticut Whig correspondent who listened to Clay’s speech reported that this “long and interesting speech” was “called every where ‘Clay’s greatest.’” He saw this attempt by the Whig Party’s leader as an effort to mollify sectional feelings and strengthen the Union.\footnote{Hartford Courant, February 11, 1839.}

Consider the argument that this correspondent was praising: Clay addressed abolitionist petitions and their aims, highlighting that many abolitionists were arguing not just for DC abolition, but for abolishing slavery in the Florida Territory and in interstate commerce. Florida abolition would bar the admission of the last currently possible slave state, thus ensuring that an expanding US would become politically lopsided against slavery. And abolishing the interstate slave trade would effectively destroy the institution’s economic viability. Abolitionists wanted more than to vindicate the right of petition; they wanted to rally the nation against slavery.\footnote{Ibid. Also see: Congressional Globe, February 7, 1839.}

The Boston Gazette was unusual in the extent of its sympathy for the South. It opposed Adams’s presentation of petitions, questioning whether the First Amendment required Congress to receive petitions opposed to the Union and Constitution. But it also understood the reception of
petitions to be an abolitionist “signal triumph.”289 Like the Courier, it assumed that abolitionist tactics would have long-term effects if they continued unopposed. Isaac Orr, the Boston paper’s correspondent who wrote under the penname “Timoleon,” described the “angry debate” surrounding petitions.290 Outlining what he perceived to be a clever Democratic strategy aimed at currying favor from pro-slavery southerners and avoiding criticism from anti-slavery northerners, he explained that northern Democrats were no different than northern Whigs when it came to their belief that petitions must at least be received. Henry Pinckney had tried to save the Democrats by referring abolition petitions to a pro-slavery committee that would shut down debates. This strategy would avoid embarrassing votes on reception in the House as a whole. (This committee eventually recommended tabling petitions as a way to avoid votes over slavery.) If these votes had been allowed, southerners would realize that northern Democrats were just as anti-slavery as northern Whigs on the question of receiving abolition petitions, and they might be motivated to support Whigs. What Timoleon did not explicitly write was that this was just what southern Whigs like Wise were arguing: that northerners from both parties were anti-slavery, and that the South therefore ought to use the right of secession as a threat and trust honorable Whig anti-slavery men over northern Democratic obfuscators. Regardless of what strategy would prevail, Timoleon understood the direct relationship between abolition petitions and anti-slavery policies.291

After the Patton Resolution of 1837, Timoleon thought abolitionists clearly demonstrated that they were interested in both the right of petition and undermining slavery. Otherwise they would only be petitioning to cancel the gag rule against petitions, not for anti-slavery policies.292

289 Boston Gazette, January 16, 1837.
290 Boston Courier, March 7, 1836; History of Bedford, New Hampshire from 1737 (Concord: Rumford Printing Company, 1903), 1025.
291 Boston Courier, March 10, 1836.
292 Ibid., January 8, 1838.
In January 1838 he added that the question concerned more than “merely…abstract rights,” since the South might be endangered by petitions. Here was a conservative Whiggish concern with stability, which required limiting liberty: “The whole fabric of law and government is built up on limitations of abstract and natural rights.”293 This rhetoric was present throughout Whig circles.294

Northern Whigs who supported aggressive efforts against slavery in the 1830s also saw petitions as relevant to slavery’s future. By the end of the decade, the Boston Courier had come into line with congressional northern Whigs and began to favor petitions. After the Patton Resolution went into effect, it published a letter from Massachusetts Whig Congressman and future Governor George Briggs, in which he presented abolition petitions and the right of petition as separate issues, in the sense that the right of petition was a “great principle, of an importance far transcending the subject of those particular petitions.” But a careful reader should suspect that this claim was merely a rhetorical move, and Briggs ultimately saw petitions as opening the door to abolition, at least in DC – which, in the same letter, he stated should happen “at a suitable time, and in a proper manner.” He also wanted to immediately abolish DC’s slave trade (as opposed to slavery itself). Since it was difficult to explain why slavery ought to be abolished in DC but not in the states, Briggs made a common qualification that he did not believe the Constitution allowed for such action. This sort of reasoning provided little comfort to southern Whigs. It served to show how northern Whigs could see petitions as leading to DC abolition.295

The Boston Courier agreed. In November 1838 its editors claimed that Whigs were more anti-slavery than Democrats, since northern Democrats allowed petitions to be tabled without debate, while northern Whigs fought to allow debate or referral to a committee. Thus it argued a

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293 Ibid., January 25, 1838.
294 See, for instance, Boston Courier, March 14, 1839.
295 Ibid., August 13, 1838.
very different position than its correspondent had maintained for many months. The paper believed that the right of petition was not an independent issue, but was critical to anti-slavery efforts.296

This was not a new perception among northern Whigs. More than two years earlier, after Pinckney preemptively tabled abolition petitions and silenced debates over slavery, the Boston Daily Atlas equated Democratic support for silencing petition debates and stopping abolition mail with support for slavery. Considering the prevailing issues of the day, the right of petition constituted a good gauge for measuring support for, or opposition to, slavery itself.297

The relationship between the two issues became clearer by May 1838. The Gazette, along with the New York American, reviewed a new biography of E.P. Lovejoy, an abolitionist who was lynched on November 7, 1837 in Alton, IL. These northern Whig papers printed a long excerpt from John Quincy Adams’s introduction to the book. Adams connected the future demise of slavery in the West to the security of the First Amendment and other rights. It was easy to see how abolition (even of the gradual sort) and the right of petition could go hand in hand.298

Vermont Whigs thought there was a stark choice between supporting the receipt of petitions and siding “with the slave holders.” They insisted on defending the “right of petition” by discussing the possibilities of DC abolition and preventing slave states from joining the Union, believing that petitions helped keep anti-slavery policies a real possibility in Congress.300 Vermont’s Whig convention connected the two, resolving both that the right of petition was essential and that “the institution of domestic slavery ought to be abolished.”301

296 Ibid., November 8, 1838.
297 Boston Daily Atlas, June 17, 1836. See also: Cincinnati Gazette, February 16, 1837.
298 Cincinnati Gazette, May 21, 1838.
299 Vermont Phoenix, August 4, 1837.
300 Ibid., December 29, 1837.
301 Vermont Phoenix 1-25-39
CONCLUSION

Most Whigs were not talking past each other. The party, from its very formation, opposed Democrats on slavery matters. On December 18, 1835, during the leadup to the Pinckney Resolution, the Boston Courier’s Washington correspondent noted that, when Senate Democrats tried to table an anti-slavery resolution, “it was made a party affair.” He described how:

the Nullifiers and Whigs, and all the opposition side of the House, got together; and by a species of address rarely practised, voted down the forces of the administration. After a world of discussion and bad blood had been spent, and every artifice had been resorted to, to dispose of the petition, a motion was made by the administration to lay it on the table. This, of course, would have given it a death-blow; but, strange as it may appear, the Southern members, opposed to the administration, voted in the negative; insisted on its reception, and demanded the immediate discussion of the power of Congress to abolish slavery in the District of Columbia. In this the Whigs united with them, and the plans of the administration were defeated.302

We have already seen the ferocity of these debates. At least one Whig correspondent perceived that this increased intensity was not coincidental. Whigs jumped to oppose Democrats even over slavery, where they were sectionally divided. Northern Whigs voted against Democrats’ tabling policy from an anti-slavery perspective, while southern Whigs opposed it from a pro-slavery one.

From the earliest petition crisis in 1835, petitions seemed like they might influence slavery’s future. A Boston Courier correspondent noted how northern Whigs were friendly with South Carolina’s Nullifier senators in late 1835, and how a common Democratic enemy created a Whig alliance of opposites. He also realized that this could be perilous for slavery. For even if all Whigs cooperated to end executive overreach and Democratic abuses of power, abolitionists could take advantage of the situation to advance their agenda. “It appears to be the policy of the party,” he wrote, “to keep up the strife till their ends are accomplished, or the Union is dissolved. How

302 Boston Courier, December 18, 1835.
long it will be before the latter object is accomplished, those who listened to the debates of to-day, will be best enabled to guess.” Here was a clear indication that petitions might be impactful.\(^{303}\)

As the years went by from the Pinckney Resolution to the last gag-rule debate in 1844, northern Whigs used this contrast to accuse Democrats of favoring slavery. And the northern Democratic caucus did indeed shift its votes against gag rules from 1840 onward. In the meantime, as northern Democrats helped southerners silence slavery debates, they could argue that petitions merely concerned the First Amendment, while northern Whigs accused Democrats of ignoring the First Amendment as well as being pro-slavery.

We have seen how throughout this controversy, most northern Whigs saw abolition petitions as a means to a future end – the eventual outlawing of slavery – no matter how distant that might be. Protecting the right of petition necessarily involved protecting the next possible anti-slavery policies. Southern Whigs feared this eventual path, so from 1835 to 1837 they tried to convince their fellow southerners to support rejecting abolition petitions, as opposed to merely referring or tabling them. When this effort failed, a bi-partisan alliance of southern and some northern Democratic representatives kept gag rules in place until 1844, when enough northern Democrats voted with (mainly northern) Whigs to eliminate them permanently.

Far from transcending slavery, the right of petition became thoroughly mired in the issue. Northern Whigs, along with some northern Democratic allies, invoked it stridently. They refused to go along with most Democrats, who wanted to silence discussions of petitions. Most southern Whigs preferred to refuse to receive petitions, but were willing to adopt a Democratic tabling solution if necessary. Each group understood the others quite well. The right of petition was

\(^{303}\) Ibid., December 24, 1835.
invoked to promote discussions of slavery policies. And while different groups used different arguments, all Whigs perceived, despite their different views, that slavery policies might change.

For the time being, an uneasy truce held. The Senate debated petitions or referred them to committee. The House gagged petitions until December 1844 and then voted to receive them. The Union moved on, although it had just begun to face a more serious crisis over slavery than petitions: the annexation of Texas, which John Tyler began to push for that very year. As long as southern Whigs could trust northern Whigs not to advocate actual DC abolition immediately, they were willing to continue efforts aimed at intraparty unity and cooperation, despite continuing divisions over a variety of slavery-related policies. And Tyler’s move to annex Texas only made this cooperation easier. Northern Whigs recoiled in opposition to adding a new slave state, and southern Whigs were not eager to jeopardize existing slavery with controversy over expansion; nor were they eager to add what seemed a ragtag group of Democratic Party frontier settlers to the American political equation. We will explore this development more in Chapter Five.

Whigs’ handling of DC abolition illustrates four points. The first is that some northern Whigs, unlike most northern Democrats, were willing to take a limited stance against slavery in the 1830s. Second, many southern Whigs had no qualms about denying federal power over DC slavery. Third, most northern Whigs opposed (immediate) abolition in the place they believed it most feasible. Finally, Whigs’ debates over DC abolition show how they used distinct language to frame their opposition or support. In most cases, their opposition was based on a common Whig fear of disrupting social conditions, as opposed to Democratic opposition based on property rights. Democrats were more easily able to say that DC abolition was merely inexpedient, since in a worst-case scenario slaveowners would be compensated, and that would be that. Southern Whigs had a
greater fear that society was threatened by a series of future actions against slavery at the hands of an untrustworthy government controlled by a political party eager for factional gain.

Yet, as much as the Whigs managed to stick together in the face of these debates, it is clear that slavery threatened Whig unity prior to the 1840s, contrary to what much of the current historiography maintains. What is noteworthy is how the party united around common causes in its formative years despite these differences, thus bolstering its common political culture. Slavery issues provided opportunities to attack political opponents: Democrats for refusing to address slavery, and Calhoun’s Nullifiers for being irresponsibly radical in its support. And just as slavery issues helped bring the party together in the 1830s, so too would they help keep it together behind anti-annexation and anti-war positions in the 1840s.

But first, the party would need to navigate a series of divisions over slavery that might have prevented it from surviving long enough to seize power and compete against Democrats from a position of strength. The first was DC abolition itself, which most anti-slavery petitions to Congress were seeking. Whigs differed concerning the extent to which this particular anti-slavery policy could or would lead to others, many of which seemed quite possible to enact.

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304 See: Cooper, *The South and the Politics of Slavery*; Holt, *The Rise and Fall of the American Whig Party*; Howe, *The Political Culture of the American Whigs*. While slavery debates were divisive, they also helped Whigs to coalesce and cooperate.
CHAPTER FOUR

PRACTICAL SLAVERY POLICIES

As we have seen in the previous chapter, abolitionist petitions made the question of DC the most immediate slavery-related issue facing the federal government. It was one of several major controversies that revived the specter (or dream) of abolition, which had lain dormant since 1820, and kept it at the center of national political life during the 1830s. Other controversies revolved around: whether Florida, Arkansas, or other western territories would enter the Union as slave states; Texas annexation; the status of fugitive slaves in the North; and the interstate slave trade. The public debates concerning these questions – both in Congress and in newspapers – reveal much about the political parties’ attitudes toward slavery; they also helped the developing Whig Party clarify its stance and, eventually, highlighted the tensions inherent in the tenuous North-South alliance that brought it into being. This chapter will analyze how these dynamics played out with respect to each of these specific issues.

In each case, Whigs had to resolve real policy divisions between the most polarized pro- and anti-slavery forces in the country. So long as they could agree to maintain the status quo, northern and southern Whigs could ally against the Democrats while agreeing to disagree over these slavery issues. At the same time, they displayed their sharp differences, with northerners for the most part wishing to keep open the option of eventual abolition, and southerners wishing to protect slavery against both current and future challenges.

Responding to the DC abolition petitions, northern Whigs, as discussed above, insisted that the federal government could abolish slavery in its capital city, and that it ought to eventually, but they almost uniformly opposed any immediate action. Southerners responded by opposing DC abolition as a potential gateway to imposing abolition on the South, but they were divided between
Democrats, on the one hand, who were willing merely to put off the issue, and Whigs and State Rights men on the other, who wanted Congress to declare such a measure categorically unconstitutional. Thus, although there was no significant partisan support for DC abolition, it nevertheless became a subject of pressing debate. Petitions were the proximate cause of this debate, but it became a major political flashpoint for three underlying reasons. First, the District of Columbia seemed to symbolize the nation’s priorities and values. Second, it was possibly the only settled area in the country where the federal government could directly control slavery. Third, DC abolition seemed like a small accomplishment that could lead to future national action against slavery in the territories or in interstate commerce. Indeed, many northern Whigs were already contemplating the possibility of territorial abolition. As for abolitionists, most were not calling for a constitutional amendment abolishing slavery in the 1830s. They focused on what could be done within constitutional limits. 305

SOUTHERN WHIGS AND DC ABOLITION

Two moments in 1836 brought the debate over DC to a critical point. The first was Henry Pinckney’s resolutions, which declared DC abolition to be inadvisable but constitutional; the second was Democratic presidential candidate Martin Van Buren’s declaration that the federal government could end slavery in the capital, but that doing so would be “inexpedient.” This view satisfied Democrats across the board, but southern Whigs either attacked Van Buren for having northern anti-slavery sympathies or simply for believing in federal power to implement abolition in DC. Whigs who denied this power could be found throughout the South, even in strongly

unionist North Carolina, where the Star opposed Van Buren because of his “assertion of the right of Congress to abolish slavery in the District of Columbia” despite the Constitution’s silence on the issue.\(^{306}\) The view that such a move would be unconstitutional was widely held among Virginia Old Republicans and State Rights supporters in the Deep South, and was one of the primary issues that moved both groups into the arms of the Whig Party. Thus, positions on DC abolition helped lay the foundations for southern Whiggery.

In Virginia, the Richmond Whig led the charge against federal power, complaining of the dangers the South could face if it conceded even this theoretical power to Congress. Most southern Democratic leaders, such as Senator Rufus King of Alabama, initially accepted this power. But over time, southern Whigs forced many Democrats to disavow it. Throughout the 1830s, Virginia Whigs ferociously attacked Van Buren and his fellow Democrats, insisting that the argument about “inexpediency” was not enough to protect the South. Over the course of a protracted interparty debate, most Democrats in the state’s House of Delegates finally bucked their party’s leadership, voting with most southern Whigs to deny the legal possibility of congressional DC abolition.\(^{307}\)

Urging southerners to vote against Van Buren in 1836, the Richmond Whig argued that the only obstacles to DC abolition could be a Whig President or a consensus that Congress possessed no such power. If elected, Van Buren might succumb to northern anti-slavery pressure and help end slavery in the capital. Better to support a southern Whig like Hugh White in the upcoming election, or at least a northern Whig like William Henry Harrison. A Democrat like Van Buren would share his party’s democratic ethos and support a majority in favor of DC abolition should one emerge. A Whig, on the other hand, could be expected to act as a statesman in opposing his own section for the sake of the Union. The Richmond Whig contended that it would be “most


\(^{307}\) Alexandria Gazette, January 25, 1836.
farcical and untenable, to suppose that this selfish intriguer [Van Buren] would sacrifice himself for any party or principle!” Harrison, however, would place principle and the Union before a congressional majority, just as he had supported slavery in Indiana against its democratic majority when he was its territorial Governor.308

Democrats, by and large, considered DC abolition to be an absurd issue to fight over, but Southern Whigs took little comfort in that because they understood the significance of DC as both symbol and precedent. In their view, the federal government had no business abolishing slavery anywhere, and that if it did so in DC, it could abolish it in the states by claiming that the Constitution did not explicitly prevent the federal government from doing so. They thought it was “an opening wedge” against slavery that abolitionists could use to alter the national debate. From overriding the right to slave property there, they might succeed in “procuring the abolition of slavery or deluging the whole land with blood” from slave revolts. Van Buren would surely prevent secession for the sake of his party and region, leaving the South with no escape.309

The Whig went on to counter the argument that abolition was like any other power that Congress possessed. It argued that DC was “a political non-entity” and “a mere municipal appendage.” Congress could not, therefore, exercise any power in the District that was not “expressly given, or strictly deducible” from the Constitution itself. Moreover, the Constitution explicitly protected slavery: “Property in slaves is guaranteed, and all property is forbidden to be taken from the possessor without equivalent. The power of abolition in the district … is expressly prohibited by the clauses referred to.” Making Jeffersonian “Old Republican” arguments that were

308 Richmond Whig, August 28, September 8, 1835, September 6, 1836.
309 Ibid., April 27, May 8, July 3, August 21, 25, September 25, 1835; Tennessee National Banner and Nashville Whig, April 6, 1836; Milledgeville Southern Recorder, March 8, 1836; Raleigh Register cited in Milledgeville Southern Recorder, April 26, 1836; Savannah Republican, September 21, 26, October 25, 28, November 5, 1836; Louisville Journal cited in Savannah Republican, November 11, 1835; Milledgeville Southern Recorder, August 14, September 18, 1838.
still popular among newly converted Whigs repulsed by Jackson’s use of national power, the paper ended by stating that only states could regulate slavery, not the federal government.  

Northern Whigs were careful to point out that they did not intend to move from DC abolition to abolition in the states. They had been “circumspect,” neither insulting southerners nor trying to cause them apprehension over the possibility of abolition. But southern Whigs thought this was a matter not of policy but of the “principle of protection of slave property.” Responding to an article in the New York American, itself a Whig paper, the Whig stated that there was “no principle in the Constitution better defined, more eagerly designed, or oftener repeated” than the right to own slaves, and if it were “assailed in the District, the Southern States would regard it as equally assailed as if Virginia had been selected as the scene for commencing the operation of abolition.” DC abolition was thus “the entering wedge” to wider abolition.

Wyndham Robertson, Virginia’s acting Whig Governor, fully agreed. He warned legislators in his annual address that abolitionist “agitators, through a treacherous and insidious measure, seemingly confined to the District of Columbia,” were “in truth levelling a deadly attack against the prosperity and peace – nay, the political existence itself, of the Southern States.” Abolition in the District seemed a mere pretext to the advancement of a much larger agenda.

The Alexandria Gazette concurred, emphasizing that a lack of federal power over abolition was the most essential point. Public acceptance of congressional power to act would mean an abolitionist victory that might “lead to ruinous results.” This aspect of the debate was made explicit in a public letter from Van Buren insisting that policy was key, not the abstract question of whether this power existed. Whigs responded that the extent of federal power was the fundamental issue:

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310 Richmond Whig, October 13, 1835.
311 Ibid., September 15, 1835.
312 Ibid., December 9, 1836.
This is not a mere abstraction. It is a subject which comes home to the business and bosoms of the people of this District, and to the citizens of all the slave-holding States. Mr. Van Buren’s smooth and oily letter, in which he denies the expediency and the policy, and the propriety of interference, (in all which we believe him to be sincere and honest) is not enough for us. We want our statesmen to deny the constitutional right of interference. 313

As a southerner and Whig, Hugh White offered an alternative to the “wire-drawn, smooth, plausible, two-sided” Van Buren. As for DC abolition, he denied “both the power of Congress and the propriety of its exercise if any such power existed.” He made this clear in an open letter disseminated on March 17, 1836. The Gazette published it alongside excerpts from Van Buren’s far longer appeal to northern and southern Democrats, believing one line of commentary sufficient to persuade pro-slavery southerners which way to vote: “Look on this picture! Then on that.” 314

After Van Buren’s inauguration, the continued arrival of petitions in Congress moved the Alexandria Gazette to wish that he would admit that when it came to DC abolition, the South was “shielded by the Constitution itself.” This position was still maintained during the debate over the “Atherton Gag Rule” that would shut down discussion of DC abolition at the end of 1838. 315

Many other southern Whigs in the Old Dominion and Deep South echoed this outlook and could thus claim to be more favorable to slavery than southern Democrats. This is not surprising, as older and wealthier plantation owners tended to be Whig leaders who dominated both Whig politics and most newspapers in their states, while owners of smaller numbers of slaves tended to be Democrats. And while fiercely pro-slavery in areas where the institution currently existed, they tended to oppose Democratic demands for additional western territory into which it might spread. 316

313 Alexandria Gazette, March 24, 1836.
314 Ibid., March 26, April 9, May 26, 1836.
315 Ibid., March 8, 1837, December 20, 1838.
In Georgia, Whigs’ State Rights allies also believed DC abolition to be unconstitutional. County nominating meetings for Hugh White resolved that Congress could not abolish slavery in DC even if it provided compensation, since Congress had no power to take property from citizens except for the public interest. The capital was in this respect no different than any state. DC abolition “would be but a harbinger of, and pretext for, other dangerous assumptions, destructive of the peace and harmony of the Union, and particularly fatal to the slave-holding states.”

The Savannah Republican published Van Buren’s and White’s letters as “A CONTRAST FOR THE SOUTHERN PEOPLE” in the 1836 campaign. In Georgia’s capital, the Milledgeville Southern Recorder believed that federal abolition in DC was unconstitutional, since it was “the known intention of the Constitution to enforce respect” for “vested rights” in “the master-slave relationship.” DC abolition would abolish property rights in an area ceded by two slaveholding states which never expected to have their property declared contraband. DC abolition was but a “harbinger of, and [a] pretext for” further concessions to abolitionism, such as ending the interstate slave trade. (This was an open goal of radical anti-slavery Ohio Democratic Senator Thomas Morris.) While a clear bipartisan majority believed such a move to be unconstitutional, DC abolition could change this perception.

Future Georgia Whig Representative Thomas Butler King proclaimed in 1836 that he would rather die than agree that the federal government could abolish slavery anywhere. Since Maryland and Virginia had not allowed abolition, he argued, the federal government never obtained such a power when it acquired the District of Columbia. In any event, the Constitution

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317 Savannah Republican, June 10, 1836; Milledgeville Southern Recorder, May 3, 1836.
318 Savannah Republican, September 11, 1835, June 10, October 14, 21, 1836; Milledgeville Southern Recorder, May 9, 1837, September 11, 1838.
only allowed the US to seize property for “public use,” which he did not believe included abolition. King suggested that since Van Buren believed in this power, he should effectively be considered an abolitionist, along with his supporters in Georgia. While King would not win a congressional seat until 1838, in 1836 Georgia switched from an overwhelmingly Jacksonian state to supporting Hugh White – a fact that demonstrates the power of this line of argumentation.\textsuperscript{319}

Not all southern Whigs, however, took this extreme position. Some agreed with Democrats and northern Whigs, accepting the constitutionality of DC abolition but opposing it as a policy. This approach had a persuasive argument to back it up: (1) the Constitution did not explicitly protect slave property across the board; (2) the federal government could conceivably invoke eminent domain and compensate DC slaveowners; (3) the Constitution gave the federal government control over DC.

Nashville’s main Whig paper was representative of Whig opinion in the Upper South in its support for compromise. Avoiding the question of property rights, it used a typically Whiggish conservative argument that avoided appeals to property rights and focused on preserving the status quo: “slavery is established in the District. We found it there. Let us not think of changing it, to the manifest injury of two States between whom you wish to establish a free territory – and of offending the prejudices of 11 out of the 24 states of this Union.” It saw DC abolition as dangerous and as offending the South’s honor by denying the legitimacy of its key institution.\textsuperscript{320}

Such relatively moderate attitudes were not confined to the Upper South and the border states. Georgia State Rights Congressman Thomas Glascock, for instance, conceded Congress’s

\textsuperscript{319} Savannah Republican, November 17, 1836.
\textsuperscript{320} Tennessee National Banner & Nashville Whig, December 3, 1834. Also see the Baltimore Gazette, December 25, 1837, cited in Alexandria Gazette, December 25, 1837. The former accepted the legality of DC abolition and suggested choosing a new capital city to make the controversy moot. While the idea may not have been realistic, it highlights the angst in slaveholding states over the potential for abolition, even in the capital alone.
authority over DC abolition.\textsuperscript{321} Even the Virginian Henry Wise, his more aggressive sparring partner on the floor of the House – who was then in the process of leaving the Democrats to join the Whigs – had to admit that much of the South believed that Congress had this power, although he blamed the Democrats for raising the question in the first place.\textsuperscript{322}

Those southern Whigs who agreed with Democrats over DC still towed the Whig line, however, when it came to the presidential election. In case Congress insisted on pursuing DC abolition, it was important to deny Democrats the presidency. National party leaders therefore decided to run White in the southern states (and Illinois), hoping to win enough votes to throw the election to the House of Representatives (with one vote per state delegation). Thanks to the dynamics of the Electoral College, a southerner was much more likely to be elected in such a situation. And even if White lost, southern Whigs were certain that Harrison would be preferable to the untrustworthy Van Buren and his equally untrustworthy fellow northern Democrats.\textsuperscript{323}

**NORTHERN WHIGS ON DC ABOLITION**

While northern Whigs opposed admitting new slave territories into the Union, most adopted a nuanced position concerning DC abolition. Sharing with their southern counterparts a cautious preference for the status quo, they were willing to tolerate slavery where it had long been established. They also wished to hold the Union – and their party – together. Most northern Whigs therefore adopted a similar position to Van Buren, maintaining that Congress could abolish slavery in DC but ought not to. While this difference of opinion was significant enough to encourage southern Whigs to support their own presidential candidate, it was not enough to split the party

\textsuperscript{321} Boston *Courier*, January 11, 1836.
\textsuperscript{322} Alexandria *Gazette*, March 25, 1836.
\textsuperscript{323} Holt, *The Rise and Fall of the American Whig Party*, 42-46.
asunder, primarily because southerners were confident in the sincerity of northern claims that they believed DC abolition to be imprudent. Following the 1836 election, sustained northern Whig opposition to immediate DC abolition helped reassure southern Whigs. To paraphrase one modern humorist, northern Whigs faced a moral dilemma, but not a real dilemma. They salved their consciences with rhetorical opposition to slavery, and then did what they had to do to appease their southern colleagues for the benefit of party unity. This was easy so long as southern Whigs continued to see Democrats as untrustworthy and northern Whigs as reliable. It was made easier still by the selection of Whig presidential candidates who seemed sympathetic to slavery and could be expected to veto any abolitionist measure that might get through Congress.

Still, northern Whigs had to be careful to distinguish themselves from their Democratic opponents. Believing that the nation should avoid complicity with slavery, they went on the record supporting DC abolition in theory. The implications of this position were mixed. Abolitionists attacked northern Whigs as insincere sellouts who were unwilling to do anything serious about slavery. Setting aside the question of sincerity, the abolitionists were quite correct that the Whigs were, in practical terms, pro-slavery. Nevertheless, northern Whigs could still easily see themselves as the true anti-slavery force in the country. They consistently voted against admitting new slave states to the Union and against efforts to declare DC abolition permanently undesirable. While abolitionists dismissed these differences as merely rhetorical, they nonetheless provided the basis for anti-slavery views that would develop during the 1840s and 1850s.

In early 1836, for instance, the anti-slavery Albany Evening Journal rejected abolition in the immediate future. When the country would develop further, it believed, the time would be ripe for Congress to abolish slavery in the nation’s capital. It did not spell out the precise nature of these circumstances and thought the most important need of the moment was convincing the South
that northern Whigs would not countenance DC abolition unless it would not harm the South’s stability. The *Evening Journal* thought the best way to do this was for Whigs to support the Pinckney Resolution, which declared that Congress could, but should not, abolish slavery in DC.324 The Boston *Courier*’s DC correspondent agreed. Although he, “as a northern man, and as a foe to slavery, in whatever shape it may be presented, would not subscribe” to all of the Pinckney Resolution’s language, he thought that, “taken as a whole, it must be found acceptable by the country.” This was mainly because it would likely “gratify the north and the south,” and “put an end to unnecessary agitation.”325

Because most northern Whigs tried to balance their anti-slavery principles with their unwillingness to act against it, they would not accept the Pinckney Resolution – congressional Whigs unanimously rejected it – and insisted on a theoretical willingness to act against slavery in DC, just not now. So even though they took anti-slavery positions against Pinckney, northern Whigs saw themselves as allied with southern Whigs, who likewise opposed Pinckney. And southern Whigs could point to northern Whig opposition to immediate DC abolition.326

Massachusetts shows us the extent and limits of northern Whig support for DC abolition in the 1830s. The Bay State’s congressmen opposed the policy but could sympathize with its supporters. Representative George Briggs had “little question of the propriety of exercising that power [of abolishing slavery in the capital], at a suitable time, and in a proper manner.” Yet for the time being, he wished to abolish only the trading of slaves in DC, thinking that most of the District’s free population would support such a measure.327 In March 1837, abolitionists

324 *Albany Evening Journal*, February 18, 1836.
325 *Boston Courier*, May 29, 1836.
326 *Hartford Courant*, October 22, 1836; Alexandria *Gazette*, February 7, 1837; Rhode Island *Manufacturers’ and Farmers’ Journal*, July 6, 1837.
327 *Boston Courier*, August 13, 1838. Also see: *Congressional Globe*, February 7, 1837; *Boston Courier*, February 27, 1837, August 13, 1838.
introduced an anti-slavery resolution in the Massachusetts legislature. After much haggling, the State Senate not only called on Congress to abolish slavery in DC, but also to outlaw the interstate slave trade.\textsuperscript{328} The Boston \textit{Courier} mocked these “omnipotent resolutions,” comparing their supporters to “benevolent and conscientious” members of the British Parliament who were busy “vaporizing on the subject of Slavery in the United States.” It concluded that taking such measures was unwise, at least now. Only later in 1839 would the \textit{Courier} begin to change its tune. Two days after this editorial, the state House resolved that Congress’s power to abolish slavery “should only be restrained by a regard to the public good.” John Quincy Adams, who wanted to abolish the interstate slave trade, tried to seem reasonable by opposing DC abolition. While he was surely insincere on the latter position, Adams felt compelled to conform to the mainstream northern Whig view: DC abolition should happen, albeit not yet.\textsuperscript{329}

While anti-slavery sentiment in Massachusetts did not immediately threaten slavery in the South, it played an important part in state elections. Massachusetts Whig congressmen continued to oppose immediate abolition, interpreting their state’s resolutions as expressing sentiments rather than true policy positions. But in the 1839 gubernatorial race, Whig candidate Edward Everett, commonly considered moderate, openly supported abolishing both slavery in DC and the interstate slave trade, adopting a position that went far beyond the then-typical Whig stance of simply refusing to admit new slave states in the West. The Whig candidate for Lieutenant Governor, George Hull, was more cautious. Unwilling to commit to immediate DC abolition, he was still open to it.\textsuperscript{330} The Boston \textit{Courier} became more aggressive, supporting Everett and Hull while

\textsuperscript{328} Ibid.; Boston \textit{Courier}, March 30, 1837, November 5, 1838.
\textsuperscript{330} Boston \textit{Courier}, October 31, 1839.
attacking their Democratic opponents’ refusal to use such as aggressive theoretical language as soft on slavery. While federal politics might remain relatively safe for the South, the gloves were off to prove which candidates for state office were most anti-slavery. The South had reason to worry about whether the northern Whigs would remain reliable partners in the long term.

In 1835, New York State’s House followed suit by declaring its theoretical support for DC abolition. Likewise, heavily Whig Vermont tried, from late 1836 through the end of 1837, to push anti-slavery politics as far as possible. After extensive debate and discussions concerning precise language, the Vermont legislature passed a pair of joint resolutions declaring that Congress could abolish slavery in DC but saying nothing about whether it should. The state’s federal representatives showed the same restraint by voting along with other Whigs against abolishing DC slavery and the interstate slave trade.331

Northern Whigs were therefore not willing to take real steps against slavery. At the same time, they were willing to go farther than Democrats in avowing their own moral superiority. The effect on national politics was minimal in the short run. States remained sovereign, and northern rhetoric by itself had no effect on states south of the Mason-Dixon line. But in the long run, this rhetoric helped set the stage for an intraparty rift with nervous southerners.332

The anti-slavery sentiments that New England legislators expressed increased southern fears. Developments in Massachusetts and Vermont led to two contradictory conclusions. First,

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331 Albany Evening Journal, December 26, 1835. Also see: Congressional Globe, December 22, 1835. The Vermont debate began on October 21, 1836, when a state senator introduced a resolution calling on Vermont’s federal representatives to “use their influence in favor of the abolition of slavery in the District of Columbia.” It continued with a prolonged effort in the Vermont House of Representatives, which passed a resolution to that effect. A back-and-forth ensued, with a weaker version being considered, one that would only declare the power and not the expediency of DC abolition. Also see: Vermont, Journal of the Senate of the State of Vermont, Montpelier: E.P. Walton & Son, October 21, 1836; Burlington Free Press, November 4, 1836; Vermont, Journal of the Senate of the State of Vermont, November 16, 1836; Burlington Free Press, November 18, 25, 1836, January 6, November 10, 1837.

332 Boston Courier, November 7, 1839.
southern Whigs had much to fear if anti-slavery northern Whigs got their way. Second, so long as northern Whigs opposed immediate DC abolition, the party could remain united. In years to come, the addition of new western territories would force new decisions on the party. For the moment, however, the possibility of maintaining some sort of sectional equilibrium seemed high. The foreshadowing of future intraparty conflict could still be discounted, as least by some.

**WHIG ATTEMPTS TO RECONCILE THEIR DIFFERING VIEWS ON DC ABOLITION**

Moderate Whigs on either side of the Mason-Dixon line split for the same reason as more radical party members, and both made their best efforts to reconcile despite real differences over DC abolition. Whig papers from Maryland to Indiana saw petitions for DC abolition as “agitation” better “left for Mr. Calhoun and his allies in the Senate.” Many Maryland Whigs, who were both pro-slavery and anti-Calhoun, strongly opposed abolition and supported Pinckney’s resolution. But Northern Whigs did not even wish to appear to reject the eventual possibility ending slavery in DC. In this respect they differed from northern Democrats. Indiana’s sole Whig congressman therefore broke with his delegation in opposing the Pinckney Resolution. At the same time, southern Whigs, while alarmed at northern anti-slavery sentiment, were confident that trustworthy northern Whigs, unlike dishonest Democrats, would not enact DC abolition.

Even the strongly pro-slavery Alexandria *Gazette* attempted the challenging task of looking past northern Whig support for DC abolition. It was disturbed by anti-slavery legislative resolutions and candidate statements in Massachusetts, Rhode Island and Vermont in the late 1830s. It saw trouble ahead for the Whig alliance, especially because some northern Whigs were insisting on their desire for DC abolition at some point. But it took solace in some northern Whig

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334 *Congressional Globe*, February 8, 1836, 170-72.
newspaper support and rejoiced when the Massachusetts House rejected its state’s Senate’s most radical anti-slavery resolutions. Besides, it could always look for positive northern news, like the Maine House’s denying an abolitionist group the use of its normally available public hall.\footnote{Alexandria Gazette, March 29, April 13, August 10, 1837, November 28, 1839; Washington National Intelligencer cited in Milledgeville Southern Recorder, May 2, 1837.} Whigs made some unsuccessful attempts to come to a \textit{modus vivendi} despite differences over DC slavery in the long run. The \textit{National Intelligencer}, the leading DC Whig paper, suggested that DC abolition was possible, but only with the consent of the District’s legislature. Most southern Whigs had not considered this possibility, since Congress effectively controlled DC. Even so, the editors argued, this congressional power might not extend to jurisdiction over slavery in DC, since Maryland and Virginia had implicitly wanted slavery protected there. Such a position would likely preserve DC slavery, since its many slaveholders would presumably prevent abolition, while denying the abolitionists the chance to claim that Congress could exercise any power over slavery. At the same time, northern Whigs could be satisfied by the possibility that DC’s legislature might eventually abolish slavery in the national capital.\footnote{Washington National Intelligencer cited in Milledgeville Southern Recorder, May 2, 1837.}

In February 1839, Henry Clay formulated a second argument in favor of the status quo. Clay believed that the Constitution technically allowed DC abolition, but that it was virtually impossible to enact without the consent of Virginia and Maryland. Abolition without their consent would involve a “violation of implied faith” by Congress to those who had donated their land for the capital. Clay offered two hypothetical comparisons to illustrate his point. First, it would have been absurd for Congress to introduce slavery into Philadelphia when it was the national capital, thereby fooling Pennsylvania, which had provided land under the assumption that it would not experience slavery. Second, Clay thought it equally absurd for an ambassador to use his authority
to negotiate treaties while violating the explicit instructions of the President. While theoretically possible, this would be morally absurd, and any such treaties would be rejected by the public. DC abolition therefore raised more than just a question of simple legality or expediency; it touched on a question of fundamental understandings behind the Constitution’s provision for a capital and the assumptions of the states that ceded their land.\textsuperscript{337}

These efforts by the Whigs’ leader, and by its national newspaper, had mixed results. They succeeded insofar as they provided a middle ground upon which Whigs might rally. Southerners could have faith that their party leadership would not allow DC abolition, even if it claimed to support a stronger stance against it. Clay, after all, believed that DC abolition was not a simple legal question. As for northern Whigs, they could vote against any congressional expression of opposition to DC abolition, while taking comfort that their leaders considered it to be a real possibility in the future. Finally, many border-state Whigs could rally behind Henry Clay and support the Pinckney Resolution, as most of Kentucky and Delaware Whigs did in 1836.

Clay’s compromise failed, and he seemed to understand why. Even if he was wrong, he wondered aloud, was “the affair of the liberation of six thousand negro slaves in this District, disconnected with the three millions of slaves in the United States, of sufficient magnitude to agitate, distract, and embitter this great Confederacy?”\textsuperscript{338} For Clay himself, the answer was no. But as the slavery question continued to agitate the nation, northern Whigs would be forced to translate their consistent anti-slavery stances into action, and to answer Clay’s question in the affirmative. To the extent that they believed in freedom, northern Whigs did not want to countenance the enslavement of anyone. Yet they felt obliged to do just that because they placed

\textsuperscript{338} Ibid., 19.
greater importance on preserving the Union than they did on opposing slavery. If northern Whigs could do so, they might have abolished slavery in the District of Columbia and then gone no further.

And as for southern Whigs, they thought abolitionists would argue in stages, with the northern public accepting their arguments one at a time. Most of the North seemed “infected with Abolition principles” and virtually all northerners above Pennsylvania were de facto abolitionists, since they believed in national power to abolish slavery in some regions. If unchecked, “the flame” of abolitionism would move from DC to the western territories, and then to the South itself. If the North wanted to preserve the Union, there was only one thing to do: “THE ABOLITIONISTS MUST BE PUT DOWN, OR THEY DESTROY THE UNION.”

WESTWARD SLAVERY EXPANSION: The Missouri Compromise, Arkansas, and Florida

Southern Whigs feared that DC abolition could lead to a total ban on slavery in the western territories, including in Arkansas, which was not admitted as a state until June 1836. Willing though northern Whigs were to accommodate slavery, they had their limits, and they would oppose southern Whigs over Arkansas, even though the Missouri Compromise permitted slavery there. Here too, Whigs’ fundamentally conservative outlook shaped their opinions. Ending slavery in southern states threatened the stability of society and the Union, but the creation of new slave states seemed unconscionable and a threat to the social fabric of a freedom-loving nation.

339 Richmond Whig, September 11, 15, 25, 29, 1835. Also see: Milledgeville Southern Recorder, April 12, 1836, in which Henry Wise explains his opposition to DC abolition with a prediction. “[A]dvocates of abolition” would, “sooner or later, be in a majority in the non-slaveholding States.” They would gain members by appealing to anti-slavery northerners. Northern Democrats would respond by “show[ing] their real sentiments, under the easy protest, that agitation has made them abolitionists.” Northerners were but “a mass of material” for abolitionists kindling “as naturally as the sparks fly upwards…”

340 Ohio State Journal, April 3, 1839.
and Florida could be put aside, Whigs could get beyond their disagreements by opposing the annexation of additional territory that might or might not be permitted to allow slavery.

While some southern Whigs believed that their economic and political success depended upon creating additional slave states, most believed slavery would not be feasible in many western territories or had confidence that the Constitution would protect slavery where it stood, even if the South lost relative political power. These southerners nonetheless believed that, as a point of honor, slavery must not to be barred from new territories; they therefore opposed adding any.

So long as southern honor was respected, most southern Whigs resisted slavery’s westward expansion beyond the territories where it was allowed. This was particularly true for large slaveholders on southeastern plantations, who tended to be Whigs.341 Most southern Democrats, on the other hand, championed the rights of small landowners and slaveholders to acquire slaves and to establish farms on cheap western lands. Many of them were eager to do so themselves. They therefore supported the western expansion of slavery. There was, however, a sizeable contingent of southern Whigs, particularly in the western state of Louisiana, who agreed with the Democrats on this issue. They would join their Democratic opponents in backing the Mexican-American War and pressing for pro-slavery terms when deciding the status of captured Mexican territories. Yet other southern Whigs, particularly in Georgia with its heavily slave-dependent economy, only wholeheartedly embraced the Whig Party label in the 1840s. Their primary concerns about slavery drove State Rights Party supporters to be more supportive of westward expansion than other elements of the anti-Jacksonian southern coalition during the 1830s.

Southern Whigs’ lack of enthusiasm for expansion put them on the same side of the issue as northern Whigs. In this respect, they were united not just by slavery-related interests, but by a political attitude that favored a well-developed and stable civil society. They thus supported nationally-sponsored industrial development and infrastructure in the North and West, and state-sponsored infrastructure and slave-based agricultural growth in the southeast. Only careful expansion with clear-cut prospects for development appealed to them, while they saw the addition of half-wild, undeveloped frontier territories as having potentially insalubrious effects on American society. We should not make the mistake of seeing Whig anti-expansionism in the 1830s as evidence of lackluster support for slavery.

The issue of westward expansion was part and parcel of Whig rhetoric in the 1836 electoral campaign. Southern Whigs repeatedly attacked Van Buren as a “Missouri Restrictionist, opponent of slavery, and execrable intriguer” because of his opposition to the admission of Missouri as a slave state in 1820.342 Already suspect for being a northerner, the fact that Van Buren’s voted “with the ABOLITIONISTS” regarding Missouri convinced southern Whigs he was a closet opponent of slavery. Who could know what he might do to sabotage the institution?343 Southern Whigs also linked him to the Federalist Party (universally hated in the South) by equating him with Rufus King, a Federalist who had also opposed Missouri’s admission. For years after, southern Whigs would continue to use Van Buren’s vote against him, dismissing the southern Democratic claim that he was a “northern man with southern feeling.”344

342 Richmond Whig, April 14, 1835.
343 Ibid., October 25, 1835.
344 Tennessee National Banner & Nashville Whig, May 4, 1836; Alexandria Gazette, August 2, 1839. Also see: Tuscaloosa Intelligencer, September 12, 1835.
William Henry Harrison, by contrast, had supported Missouri’s admission, even at the cost of his House seat in Ohio.\textsuperscript{345} Georgia’s State Rights Party supported Harrison against Van Buren for the same reason. It was also hopeful that Henry Clay, a slaveholder who had crafted the Missouri Compromise, might be a viable candidate.\textsuperscript{346}

As for Clay himself, the Whig leader successfully defended his famous Missouri Compromise of 1820 against aggressive pro-slavery detractors from the South. During the 1836 campaign, he responded to Senator William King, an Alabama Democrat who had been involved in the Compromise but then repudiated it on absolutist pro-slavery grounds, by maintaining that while territories south of Missouri could make their own constitutional provisions concerning slavery when they became states, prior to statehood the western territories were governed by the nation, which was therefore authorized to make laws concerning slavery. Thus, the states had to reach a compromise on the issue at the national level. Territories could not decide for themselves.\textsuperscript{347}

Although most southern Whigs acquiesced to their leader’s support for the Compromise, no small number criticized it for failing to protect slavery in more territories. But regardless of what they thought of the Compromise, Van Buren was incontrovertibly on the wrong side of it. The Richmond \textit{Whig} pointed to the ramifications of this issue, arguing that the power to restrict slavery in Missouri was similar to the power to abolish slavery in a preexisting state. It saw the territory of Missouri as having already established itself as a \textit{society}, regardless of its legal status. Missouri therefore had a “right” to admission as a slave state, and Van Buren had interfered with

\textsuperscript{345} Alexandria \textit{Gazette}, September 7, 1836.
\textsuperscript{346} Milledgeville \textit{Southern Recorder}, September 18, 1838. After Clay’s speech against abolitionism in February 1839, this State Rights paper adopted a position extreme even by southern Whig standards. Taking offense at Clay’s intense theoretical attack against slavery, it switched its support from Clay’s candidacy to George Troup for a time. Soon, however, along with nearly all other southern Whigs, the paper endorsed Harrison.
\textsuperscript{347} Congressional \textit{Globe}, April 12, 1836, 346-47.
Moreover, if Missouri could be restricted by the Compromise now that it was already a state, what was to prevent the federal government from restricting other slave states? In any event, Congress could do plenty of damage to the South merely by preventing the admission of slave states. While Arkansas seemed a safe bet to be admitted as a slave state, since the Missouri Compromise had settled slavery’s permissibility there, southern Whigs worried in 1835 that Martin Van Buren might veto its admission or try to stop Florida’s admission.349

On this issue, there was no getting around southern Whigs’ disagreement with northern Whigs, most of whom voted against admitting Arkansas. On April 4, 1836, the Senate voted 30 to 6 for admission. More than three quarters of Whigs voted in favor and two opponents – Henry Clay and Louisiana’s Alexander Porter – merely voted no on procedural grounds. Four northern Whigs opposed admission: those from Vermont and Rhode Island. In the House, however, where members were more directly accountable to the public (senators were elected by state legislatures) northern Whigs lined up against slavery expansion. John Quincy Adams proposed an amendment declaring congressional disapproval of slavery in Arkansas, which was rejected 98 to 32. It is difficult to assess this vote’s partisan composition, both because many congressmen were absent due to the late hour and because no final vote was ever scheduled. This type of divide between the Senate and House, with the latter providing a truer picture of public opinion than the compromise-oriented Senate, would again manifest itself during the debate over the Compromise of 1850.350

The final vote on admitting Arkansas as a slave state provides a clearer picture. On June 13, 1836, the House voted 143 to 50 for admission. Despite this lopsided tally, almost three-quarters of northern Whig Representatives voted against the new slave state’s admission. Two

348 Richmond Whig, October 30, 1835.
349 Ibid., September 18, 1835.
350 Ohio State Journal, June 18, 1836. Also see: Congressional Globe, April 4, June 9, 1836.
southern Whigs (five percent of the region’s delegation), one from Kentucky and one from North Carolina, voted against admission. Most southern Whigs, however, overlooked typical Whig concerns with bringing undeveloped societies into the Union, both because Arkansas seemed ready for admission – it was more densely populated than Missouri had been when it was admitted – and because its admission would immediately bolster the political power of the existing slave states. Only seven months earlier, in November 1835, the Richmond Whig had opposed admission. Arkansas’s “frontier habits,” its territorial governor’s complaints about an inability to enforce laws, and its population’s “practice of carrying arms” which had “been the cause of much bloodshed,” were all reasons for keeping Arkansas (and its likely Democratic representatives) out of the Union. By 1836, it had changed its tune in the interest of preserving slavery.\footnote{Richmond Whig, November 3, 1835. Also see: Congressional Globe, June 13, 1836.}

Democrats, by contrast, overwhelmingly supported admitting Arkansas without reservation. About 90 percent of northern Democrats voted for admission, along with every voting southern Democratic representative.\footnote{Congressional Globe, June 13, 1836, 551. A small group of eleven northern Anti-Masons, who were allied with the Whigs but remained a distinct group, also voted against the state’s admission.} Anti-slavery radical Thomas Morris of Ohio joined the moderate James Buchanan of Pennsylvania in supporting a policy that fit well with their common brand of Jacksonian Democratic individualism: bringing in as much territory as possible for individual American farmers. Buchanan voted to admit Arkansas simply because it had enough residents to justify admission. They “had a right to frame their own Constitution, and might prohibit or perpetuate slavery at their pleasure.”\footnote{Albany Evening Journal, April 7, 1836.} The Democratic Party would eventually call this outlook “popular sovereignty” and make it central to its platforms in the late 1840s and 1850s. Most Whigs, however, thought that the federal government ought to have the final say.
Florida would not become a state until 1845. There was a Whig consensus during the 1830s that it would need to wait. The US Army was clashing with Native American tribes, and the prospect of developing a social fabric among US citizens there seemed remote. The Senate’s Whig caucus therefore united against admission. Ongoing Indian wars provided adequate political cover from Democratic accusations that southern Whigs were opposing slavery.  

**SLAVERY IN WESTERN TERRITORIES: A FEDERAL OR LOCAL QUESTION?**

Once Arkansas was admitted on June 15, 1836, the Missouri Compromise meant that the rest of the Louisiana Purchase was effectively closed to slavery. But many northerners continued to wonder whether slavery should be allowed in future states, either because many wanted the Compromise repealed or because the US might acquire more territory from Texas or Mexico.

Southern Democrats thought the acquisition of more territory would benefit southerners’ economic prospects, but southern Whigs disagreed. While Democrats supported cheap federal land prices, Whigs wanted the government to sell western lands to settlers at market value. Most Whigs on both sides of the Mason-Dixon line, agreed with Henry Clay that an added benefit of market sales was that the proceeds could finance federally-run internal improvement projects, such as better roads and canals. Once again, then, Democrats favored the individual farmer and homesteader, whereas Whigs favored investments that would help society and foster trade. Some states’ rights-oriented Whigs preferred that these funds revert to the existing states for their own

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[354] Alexandria Gazette, February 22, 1839. Some Whigs still tried to score political points from the issue, such as when, in April 1835, the Lynchburg Virginian criticized Martin Van Buren’s vote as a Senator in 1822 for supporting a bill that would have made it more difficult to move slaves to Florida. (The bill restricted the importation of slaves into Florida. The only people who could bring slaves into the territory were US citizens who relocated there for permanent settlement. This policy would make it harder for outsiders to sell slaves in Florida.) The paper demanded that slavery policy be left entirely to the territorial government and offered Van Buren’s behavior as a reason why southerners should vote against him. See the Lynchburg Virginian, cited in the Richmond Whig on April 3, 1835.

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use, but they had the same underlying priorities in mind. Despite these differences, most Whigs agreed that no “true friend of the old States” would give cheap land to new ones, thereby encouraging migration and the decline of the East.\(^{355}\)

Their desire to slow the westward spread of the US population notwithstanding, Whigs could not avoid addressing slavery. When they did, it became clear that many southern Whigs disagreed with their northern counterparts concerning the power of Congress in territories. The Richmond \textit{Whig} argued that the Missouri Compromise was unconstitutional, since the federal government was not permitted to interfere with slavery in the territories.\(^{356}\) In September and October of 1835, the paper followed up by attacking Van Buren. While it was willing to “acquit Mr. Van Buren of Tappanism” – a reference to the abolitionist aims of Arthur Tappan – it charged him with “supporting the Missouri Restrictions, and thus with virtually supporting the doctrine that Congress can interfere with slavery in the territories, and by dictating the form of a Constitution to a state entering the Union, with the sovereign states themselves…”\(^{357}\) Southern Whig newspaper editors attacked Van Buren on the grounds that the Constitution did not explicitly grant the federal government this power, and that even asserting its constitutionality was potentially dangerous to the South, since it implied that Congress could ban slave states from entering the Union in the future. In other words, southern Whigs attacked Van Buren for opposing slavery anywhere in the Louisiana Territory, while they supported allowing slavery in more of it.

To most southern Whig congressmen – who, unlike newspapermen, had to make actual policies – this argument seemed far-fetched; they were willing to use federal power to restrict slavery in parts of the West to preserve the Union. Henry Clay decided to set up a bellwether

\(^{355}\) Richmond \textit{Whig}, October 16, 1835. \\
\(^{356}\) Ibid., August 28, 1835. \\
\(^{357}\) Ibid., September 22, October 9, 1835.
debate on this issue in January 1838. After John C. Calhoun proposed a resolution denying that the federal government could ban slavery in the West, Clay countered by fundamentally modifying Calhoun’s resolution to declare that federal abolition in territories might technically be legal but would without a doubt constitute “a violation of good faith.” Territories could be assumed to possess the power to “decide that question exclusively for themselves.”

Clay’s amendment passed 35 to 9, although it did reveal some divisions. All but one voting Democrat joined southern and border state Whigs to pass it, while eight of nine northern Whigs opposed it. Clay effectively shifted the terms of debate towards achieving national consensus, albeit one that divided his Whigs. Some northern Whigs thought he was dissenting from their nationalist leanings by maintaining that the “General Government” was constitutionally “one of limited and specified powers, reserving to the States or the People all power not specifically enumerated in the Constitution…” Yet if we pay close attention to his words, we can see that the great champion of nationally-directed banking, internal improvements, and western landholdings was not arguing for strict limitations on applying power in the territories.

While it is true that Clay sometimes suggested western slavery policies resembling “popular sovereignty” that relied on territorial residents’ decisions, eventually he became consistent in his Whiggish belief that, when establishing new societies in the West, the federal government retained the authority to determine slavery policy. He had done so when the US acquired the Louisiana Purchase, and would do so again after the Mexican War. In typical Whig fashion, Clay supported the nation’s prerogative over slavery in its territories, just as he supported the sale of public lands to raise funds for internal improvements. Democrats, who prioritized the distribution of land to individuals, begged to differ.

358 Congressional Globe, January 11, 1838, 96-97.
359 Wabash Courier, January 25, 1838.
Clay thus thought the nation could prohibit slavery in some territories, while allowing it in others. Where slavery was allowed, it would be subject to territories’ own decisions. Ultimately, however, the federal government had discretion. Clay and many other southern Whigs thereby repudiated those southern Whig outlets, like the Richmond Whig, which argued that there was no national power over slavery in the territories at all. Clay made his view clear in the Senate in April 1836, insisting that “new States admitted into the Union were bound by the terms of the Missouri Compromise.” Virtually all southern Whigs supported him, along with Democrats from all the southern and nine of the northern ones.\(^{360}\)

Most northern Whigs, on the other hand, thought the Missouri Compromise was not binding, arguing that it only allowed slavery during the territorial phase, but did not prevent a ban on enslaving newly born or imported slaves after statehood.\(^{361}\) Eight of nine northern Whig senators voted against the bill, either because they misunderstood Clay, thinking he was defending an absolute right to slavery in some territories, or because they objected to the Missouri Compromise’s allowance of slavery in some of them. As for the possibility that Clay was misunderstood, his remarks were indeed mischaracterized by both hostile and friendly newspapers. One inaccurately characterized him as claiming “that the inhabitants of a territory had a right to make such provisions in their Constitution, as they themselves thought proper…”\(^{362}\)

Still, most northern Whig senators probably understood Clay accurately, especially after he clarified his remarks. The national Whig Party did not oppose western slavery during the 1830s. Both southern and border-state Whigs supported Clay’s defense of the Missouri Compromise,

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\(^{360}\) *Congressional Globe*, April 12, 1836, 346. (One Pennsylvania Democrat was opposed, and some Democrats did not vote.)

\(^{361}\) See *Congressional Globe*, June 9, 1836, 542-43, where Vermont Congressman William Slade tries to limit the future growth of slavery in the soon-to-be admitted state of Arkansas.

\(^{362}\) *Boston Courier*, April 18, 1836 (Emphasis added).
which granted some existing territories the power to permit slavery and seemed to require the US to admit these states with slavery intact. At the same time, as early as the 1830s, northern Whigs were ready to refuse admission to any state unless it banned slavery. In 1838, for instance, Massachusetts’s entirely Whig Senate unanimously asked the federal government to refuse admission to any new slave state.363

Most northern Whigs therefore shared John Quincy Adams’s desire to abolish the Missouri Compromise and ban the expansion of slavery in the West. Unlike northern Democrats, they voted against Clay, opposing Arkansas’s admission. But the Whig Party was not anti-slavery, as it tolerated an arrangement whereby slavery issues were usually reconciled.

THE QUESTION OF TEXAS ANNEXATION

The 1830s also saw Congress delay resolving the question of annexing the Republic of Texas. While southerners strongly supported Texas’s struggle for independence against Mexico, Whigs were generally ambivalent about or opposed to annexation. Border-state Whigs tended to follow their normal course of compromise, urging delay for the sake of the Union. Indiana’s Wabash Courier favorably cited the Baltimore Patriot’s DC correspondent, who castigated Calhoun and his nullifier allies for promoting “agitation” over slavery in the Senate while the House continued repeatedly to table petitions concerning Texas annexation. In September 1837, only about a year after Texan independence, the “ultra” pro-slavery Alexandria Gazette wanted the question debated “temperately and discreetly,” since there were good reasons both for and against annexation. Texas would be safe for slavery regardless of annexation: the same number of slaves would remain in a territory governed by white Americans; the only question was whether

363 Ibid., November 5, 1838.
they would be US or Texan citizens. While the Gazette’s editors suspected that northerners opposed annexation for anti-slavery reasons, they still felt it was bad policy. Only a few southern Whigs supported annexation, such as William Preston from radical South Carolina.364

Northern Whigs were even more unified against annexation. Some feared that Texas would become “a vast slave market” for a rapidly reproducing slave population, thereby subjecting the North and West “forever to the domination of the slave-holding states.” A large territory that could be divided into smaller states and filled with slaves, Texas could alter the nation’s political composition and help the South dominate the continent’s agriculture. Northern states might become “mere colonies” with “no more weight in Congress than the provinces of Canada and Nova Scotia [had] in the British Parliament.” Northerners were genuinely concerned about a power shift. Massachusetts Whig leaders, led by the moderate Robert C. Winthrop, who enjoyed southern support as Speaker of the House, roundly condemned annexation.365

William Ellery Channing was one of America’s most eminent theologians during the 1830s, and his writings on slavery in Texas typified (and perhaps influenced) the northern Whig view. Like many northern Whigs, he gradually adopted a stronger stance against slavery over the course of the decade, a position he clarified in a series of missives on Texas annexation and slavery in general. In a letter to Henry Clay that soon became public, he apologized for entering politics as a clergyman, but insisted that Texas was “more than a political question.” Using arguments that enjoyed bisectional Whig support up until the Mexican-American War, Channing contended that the US should not support revolts in the territory of other countries, should avoid endangering the integrity of American society by absorbing too much foreign territory, and should not revive

365 Boston Courier, June 6, August 4, 1836, October 18, 1838; Cincinnati Gazette, January 3, 1838.
slavery as a major national question. While these arguments would have appealed to southern as well as northern Whigs, he added one more that would not: the cause of liberty required the US to deny slavery any additional sanctuary.\textsuperscript{366}

Typical as Channing was, not all northern Whigs opposed annexation during the 1830s. The New York \textit{Courier & Enquirer} – the largest Whig newspaper in New York City during the 1830s – and the most respected by the city’s businessmen – declared its support for annexation in August 1837, as did the New York \textit{Star}, a smaller paper often sympathetic to the South. But two of the city’s most important Whig papers, the \textit{Journal of Commerce} and the \textit{American}, opposed annexation. So did the Albany \textit{Evening Journal}, the most important upstate Whig paper, which cited the \textit{American}’s scathing attack on northerners intimidated by “the angry scowl of the demon of slavery of the South.” Northern Whigs would, however, unite against annexation in the 1840s.\textsuperscript{367}

While most northern Whigs opposed Texas annexation in the 1830s, some thought southern Whigs would join the Democrats in supporting it. In September 1837 the Boston \textit{Courier}’s Washington correspondent was certain this would be the position taken by southern Congressmen of both parties. He expected a vote on annexation to take place by early 1839.\textsuperscript{368}

But contrary to this journalist’s prediction, southern Whigs stood strong, helping to keep Texas out of the Union until 1845. Some wanted to annex Texas as a counterbalance to new states from the vast northwest, thereby preventing a constitutional amendment to abolish slavery. But most were persuaded by the generically Whiggish arguments made by Channing and others. While they understood that annexation could bolster slavery, they prioritized stability, especially since

\textsuperscript{366} Boston \textit{Courier}, August 28, 1837; William E. Channing, \textit{A Letter to the Honorable Henry Clay on the Annexation of Texas to the United States}, Boston: James Munroe, 1837.


\textsuperscript{368} Boston \textit{Courier}, September 21, 1837, January 1, 1838.
they believed Texans could preserve slavery without US help. Especially considering how most Democrats (including most northern Democrats) supported annexation, the Texas question helped hold the Whig Party together even as it elevated tensions over slavery on a national level.  

**FUGITIVE SLAVES IN THE NORTH**

Beyond the federal government, individual states could undermine slavery by banning southerners from bringing slaves to the North and by refusing to return fugitive slaves. So long as slaves could free themselves by running away, the institution was precarious. Runaways cost their owners money both directly and in the form of the additional security measures that owners would take following an escape. Beyond their immediate impact, fugitive slaves also represented a threat to the viability of slavery as a system. Southerners wanted to feel confident that northerners would accept slavery; refusal to respect southerners’ rights to their slaves suggested that they did not. And if northerners would not return runaways, slaves might revolt and flee to the North *en masse.*

Whigs were divided over fugitive-slave policies in the 1830s. Southern Whigs demanded that northerners return fugitive slaves and allow southerners to travel about the country with slaves. They condemned Massachusetts’s high court for allowing runaways to remain there so long as the federal government did not remove them. Northern Whigs tended to use judicial obstacles to avoid returning fugitive slaves when possible. They also believed that northern states could free slaves who were temporarily brought to the North. By contrast, northern Democrats tended to support efforts to return fugitive slaves, such as Ohio’s Fugitive Slave Bill of 1839. Northern Whigs did

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accept the Constitution’s requirement that the federal government return fugitive slaves. But they believed that states need not support it, and many tried to circumvent it through judicial means, such as requiring jury trials to determine that a slave ought to be returned. Some northern Whigs dissented, however, and were willing to extradite fugitives and their accomplices. Thus, while southern Democrats could count on support on this issue from their northern counterparts, Whigs did not achieve consensus on the issue.371

Northern judges were the first to threaten slavery during the 1830s, when some began to rule that any slave brought to the North, even temporarily, was immediately rendered free. Their reasoning was as follows: because northern laws did not recognize the legitimacy of property in human beings, any attempt to restrict the liberty of law-abiding Americans within the boundaries of northern states was tantamount to kidnapping. A southern master had just as much right to coerce his own slave in the North as he had to coerce a white wage-earner. Southern Whigs disputed the constitutionality of these rulings. If slaveholders could not bring slaves to the North temporarily, northerners would succeed in delegitimizing the South’s socioeconomic system and abrogating the Constitution’s protection of slavery.372 But in the North, unsurprisingly, this argument had little traction. And even if the law was clear-cut, following it was politically difficult. Merely extraditing an accused criminal to a southern state was a fraught process; politicians saw returning runaway slaves to bondage as toxic. Northern Whigs would turn strongly against extraditions in the late 1830s and early 1840s, arguing that state authorities were not responsible for assisting federal enforcement efforts.

372 Alexandria Gazette, September 2, 1836.
The debates over this issue in Ohio prove illustrative. Since Ohio was a free state that shared a lengthy border with Kentucky, the question of fugitive slaves there was far from theoretical. In one publicized 1838 case, Ohio’s Whig governor authorized the extradition to Kentucky of a man accused of enticing slaves to flee to the North. Southern Whig papers praised Governor Joseph Vance’s decision, but the resultant lost anti-slavery votes may have cost the Whigs Ohio’s 1838 election.373

Yet rather than push the state in a more anti-slavery direction, the election had the opposite effect. Early in the next year, the Democrat-controlled Ohio legislature debated and easily passed a fugitive-slave law that made it considerably easier for southern masters to recover runaway slaves in Ohio. Whig legislators were divided on the issue. Some supported it, believing it to be necessary because of both the Constitution’s Fugitive Slave Clause and the Fugitive Slave Bill of 1793. Many Ohio Whigs fought hard against the bill, however, refusing to be complicit in slavery at all. It seems that the experiences of extradition forced them to face the reality of its moral implications. In 1843, Whig pressure would play a critical role in repealing the law.374

Because the refusal to return fugitive slaves threatened the viability of slavery, it considerably raised sectional tensions. Ohio’s debate over its 1839 bill shows how tense the situation had become. State Representative John W. Andrews spoke for many Whigs who joined Democrats in supporting the bill, who opposed slavery but were more concerned with preserving the Union. No “apologist” for slavery, Andrews saw the institution as “evil” and a “calamity” that the nation was struggling with. Nevertheless, he insisted Ohio must uphold “the spirit of the

373 Freidrichsburg Political Arena, cited in Milledgeville Southern Recorder, December 11, 1838.  
“Constitution” and its requirement to return runaways. For Ohio to conduct itself with “good faith,” it must either “fulfil all the provisions of the Constitution” or “give it up.”

Andrews rejected the claim that a jury trial was required to return a fugitive slave. He argued that the Constitution required merely an administrative hearing to determine whether a suspect was free or a slave. A jury trial, if necessary, could take place in the state from which the slave had fled, and northerners must give such a trial “full faith and credit” under the Constitution, regardless of how unfavorable a southern jury might be towards a suspected fugitive. It was imperative for Ohio to act for four additional reasons: because states shared “concurrent jurisdiction” with the federal government, because they were practically responsible for returning fugitive slaves in an era in which the federal government was tiny, because many legal scholars argued that the Constitution gave states alone the responsibility of returning fugitive slaves, and because actions by a few northern states bordering the South would be preferable to the contentious national action which might be necessary if northern states did not uphold the Constitution.

Andrews offered a conservative perspective. “Shall we,” he asked, “from a dislike of our Government as it is, cut loose from our moorings, and embark upon the fathomless and shoreless ocean of political speculation, that has swallowed up every republic before us, or shall we, with all its defects, still cling to the Constitution of our country?” Andrews thought the Union was the best vehicle for eliminating slavery. The institution would, he hoped, eventually dissolve. But in the meantime, his priority was ensuring that the nation remain intact.

This cautious outlook led much of the northern Whig Party to defend a distasteful institution. It also contributed to the viability of a unified party that opposed Democrats on

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375 Ohio State Journal, March 8, 1839.
376 Ibid.
377 Ibid.
conservative grounds. In formulating an argument based on the Whig view that social and political institutions, while often flawed, were necessary to uphold society, they could argue in favor of preserving property rights and slavery, particularly in the context of fugitive slaves. “In the formation of the Constitution of the United States,” one Ohio Whig paper argued, “the condition of slavery, as existing among us, is distinctly recognized. This condition implies absolute property of one man in the person of another. In implying this, it guaranties the protection of that species of property as fully as any other. Every citizen of the United States is bound to respect this guaranty; and to recognize the right of the master to the service and to the control of the person of his slave.” These words describe the attitude of most northern Whigs of the 1830s.378

But conservative views could cut both ways. A substantial minority of Ohio Whigs responded to conservative arguments for the new fugitive-slave law by adopting conservative arguments against it. They urged the state not to cooperate in returning fugitives, noting that the Constitution merely stipulated that slaves may not be rendered automatically free upon flight to free states, not that they should be returned. Whig Representative Orramel Fitch argued that the power to return slaves either belonged to Congress – in which case the Fugitive Slave Bill of 1793 precluded any state action – or to the states, in which case Ohio should reject an “unequal, oppressive and unjust” state law that would be “an outrage upon the rights of a free people” as well as a violation of Ohio’s constitution and the Northwest Ordinance of 1787. Fitch saw no reason to honor Kentucky’s request that Ohio pass a fugitive-slave law. Since the people of Ohio opposed the law, Fitch believed, the legislature should refuse the request of “southern slaveholders” who were not “disposed to do justice” to accused runaways.379

378 Ibid., March 21, 1837.
379 Ibid., March 12, 1839.
In Ohio’s Senate, a bloc of anti-slavery Whigs filibustered the bill all night long. Led by Ben Wade from the Western Reserve (in Ohio’s northeast), they called it unconstitutional and unjust. Ohio had its own rights, Wade argued, and its people need not “accommodate [their] consciences” to “peculiar institutions’… steeped in robbery, misery, and oppression.” Already, a “weak, and unmanly servility in the North” had allowed the South to spread slavery beyond its “original boundaries” in the thirteen colonies. Now southerners were “encroaching upon the rights of the free States” with their demands of free northerners to catch slaves. If the North did not insist upon defending its own states’ rights, slavery would “soon overwhelm the whole country with its baleful influence.” It was “inconsistent with the rights of a free people” for free states to be compelled “to become the active agents in support of a system that they detest and abhor.” Better for the South to secede than to permanently entangle free northern states in the sin of slavery.380

Wade was using conservative arguments to promote a relatively radical policy view. He would eventually join the “radical” Republicans of the 1850s and 1860s, and his 1839 speech was extreme for the time. But his method of argument was conservative. He focused on protecting his society’s characteristics (or its “constitution” as Aristotle would say). Wade and other anti-slavery Whigs wanted to defend northern states’ rights just as fiercely as the southerners defended theirs. Northerners were free to avoid corrupting their own virtues by enforcing the laws of slave states.

Ohio’s 1839 law passed but did not settle matters. Outside of Ohio, many northern Whigs responded more aggressively, refusing to cooperate in the return of fugitive slaves. When Maine declared that it would not return runaways from Georgia, Georgia’s State Rights governor recommended to his legislature that it presume that any citizens of Maine present in Georgia had come to free slaves. In New York, Whig Governor William Seward enjoyed the support of the

380 Ibid.
Albany *Evening Journal* for his refusal to return fugitive slaves to South Carolina. Seward claimed that because New York did not recognize slavery, only the federal government had the authority to return fugitive slaves. South Carolina responded indignantly, but in these and similar cases, so long as the South did not feel that slave flight was poised to bring down slavery, the Union was able to go on relatively undisturbed.\textsuperscript{381}

In *Prigg v. Pennsylvania* (1842), the US Supreme Court set out some parameters for what states could and could not do in relation to fugitive slaves. It invalidated an 1826 Pennsylvania law that rendered fugitive slaves free within Pennsylvania, thereby prohibiting their recapture within the state. The plaintiff successfully argued that the Constitution and the federal Fugitive Slave Act of 1793 protected southerners’ authority to pursue fugitives into the North. Nevertheless, most northern Whigs, along with many northern Democrats, continued to support barriers to the easy return of slaves, such as withholding state cooperation in efforts to capture fugitive slaves.\textsuperscript{382}

Despite northern Whig efforts to avoid complicity in slavery during the 1830s and 1840s, they continued to accommodate slavery so long as it remained in the South. Southern Whigs were dissatisfied with the status quo, but they tolerated it, while northern Whigs sought to oppose slavery while accepting compromise for the sake of the Union. A common conservative outlook unified the party, while at the same time laying the seeds for conflicts over slavery that would arise during the late-1840s and 1850s. The prospect of changing fugitive-slave policy by strengthening federal enforcement would divide Whigs by pushing them to opposite positions in 1850, with southerners supporting stronger federal enforcement and northerners opposing it.

\textsuperscript{381} Milledgeville *Southern Recorder*, November 5, 1839; Albany *Evening Journal*, December 23, 1839.

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THE POSSIBILITY OF ABOLISHING THE INTERSTATE SLAVE TRADE

While other slavery issues saw more debate in the 1830s, the most powerful policy to be considered during this period – abolishing the trading of slaves across state lines – was also the least talked about. Some abolitionists and other anti-slavery advocates thought they could destroy slavery by using federal power to regulate interstate commerce to ban the interstate slave trade. Since such a move would not technically abolish slavery in any place, its advocates argued that it was constitutional. Whether or not the Constitution intended this trade to be regulated, and irrespective of how effective lobbying for this policy was, here was a tangible legal way for northerners to fight slavery using the federal government. Southern fear of this possibility was quite rational.383

After technological developments allowed for massive new cotton cultivation in the southwest, the movement of slaves from the over-farmed “Old South” to the more sparsely populated “New South” became critical to the development of the southern economy’s slave-produced crops. Without the interstate trade in slaves, the institution would cease to meet market demands and would become economically unsustainable. Southerners would not be able to move slaves from overused eastern lands to underutilized western ones, and the South would stagnate and perhaps even lose residents and the economic ability to employ growing numbers of slaves. The natural growth of the slave population would become an economic burden if members of each successive generation could not be sold westward. The southern economic status quo depended on the movement of slaves. Southwestern settlers used them to cultivate cotton in new lands, and southeastern owners benefited from the income that slave sales provided.384

384 This situation is discussed at length in Oakes, The Ruling Race and Oakes, Slavery and Freedom.
For this reason, most Americans seem to have dismissed the idea as unconstitutional. David Lightner has argued that the Constitution’s framers most likely thought there was no constitutional power to abolish the interstate slave trade, dismissing an argument to the contrary as far-fetched. And even if such a belief existed at the time of the founding, Lightner notes, few Americans besides outright abolitionists held it in the 1830s. John Quincy Adams was one exception.385

At the same time, however, because not all northerners agreed with southerners that the federal government could not prohibit the interstate slave trade, the issue remained in the background of national debates. It helps explain the desperation that we have seen from southern Whig warnings that DC abolition could begin a trend leading to effective abolition in the states.

Congress overwhelmingly thought that it possessed no power to abolish the interstate slave trade – that would be pushing interference with slavery too far. In 1836, a nearly unanimous House rejected the constitutionality of abolishing the trade. Three of the nays were southerners who protested against even entertaining the possibility of this policy’s constitutionality. Only four northern congressmen voted to acknowledge its constitutionality: John Quincy Adams, two Whigs from Vermont and Massachusetts, and one Pennsylvania Anti-Mason.386

Other efforts to promote the abolition of the interstate slave trade met with failure in the 1830s. Late in 1837, Vermont’s Whig-controlled legislature resolved that Congress possessed the power to abolish the interstate slave trade. Yet this symbolic move was an outlier, drawing even northern Whig criticism and few imitators.387 Congress was unmoved. And in mid-1839, the Whig-controlled Connecticut legislature resolved that restricting interstate commerce in slaves was

385 Lightner, Slavery and the Commerce Power, 18-36, 54, 74. For an argument that the Constitution’s framers (or at least many of them) believed that the Constitution allowed the federal government to abolish the interstate slave trade, see: Walter Berns, “The Constitution and the Migration of Slaves,” Yale Law Journal 78 (December 1968): 198-228.
386 Congressional Globe, February 8, 1836, 172.
387 Boston Courier, December 28, 1837.
unconstitutional. The Savannah Republican favorably cited this resolution as an example of support from northern Whigs for upholding the institution of slavery.\textsuperscript{388}

Few mainstream efforts against the interstate slave trade arose during the 1840s. The Supreme Court seemed to put the issue to rest in 1841, with its decision in \textit{Groves v. Slaughter}. Lawyers for both sides of a complicated case, including Whig leaders Henry Clay and Daniel Webster, argued that Congress had no power to abolish the interstate slave trade. Of the eight justices deciding the case, five explicitly took the view that Congress had no such power, while the other three strongly implied the same. The only further efforts against the interstate slave trade occurred in both 1842 and 1849, when Vermont’s legislature resolved that Congress had the right to abolish the trade, and in 1846, when New Hampshire’s legislature passed a resolution urging Congress to act against it. These efforts went nowhere. An attempt to change the Massachusetts Whig Party’s platform to this effect in 1846 was an utter failure.\textsuperscript{389}

It is therefore easy to construe anti-slavery politics in Vermont and Connecticut, and similar attitudes in Massachusetts, as political posturing or grandstanding. It seemed unlikely that these policies would be enacted, at least not right away. Yet at the same time, the potential for abolition through interstate trade restriction did exist, and because some Americans advocated it, southerners had reason to fear. After all, if the Constitution gave Congress the power to either abolish slavery in DC either or ban the interstate slave trade, was it so hard to imagine that both were permissible?\textsuperscript{390}

\textsuperscript{388} Savannah Republican, July 1, 1839.
\textsuperscript{389} Lightner, 74-75, 88-89, 115-16. Also see: Groves v. Slaughter 40 U.S. 449 (1841).
\textsuperscript{390} Regarding Massachusetts, we have already seen how Edward Everett, the 1839 Whig gubernatorial candidate, favored abolishing the interstate slave trade. His running mate for Lieutenant Governor did not agree, yet he conceded that the federal government had the power to enact ban it. A Boston Courier correspondent had dismissed a Vermont anti-interstate-slave-trade resolution as “unconstitutional” and irresponsible, yet its editors praised Everett’s clear position, which contrasted with Democrats’ deliberately vague stances. See: Boston Courier, October 31, November 7, 1839.
Indeed, this is just what John Quincy Adams, the most prominent congressional opponent of the interstate slave trade, thought about the matter. Without deviating from his stance that DC abolition was inexpedient, Adams said he would vote to ban the interstate slave trade. With this clever position, Adams acquiesced to the South on DC abolition, which was the most debated policy issue concerning slavery during the middle and late 1830s. At the same time, however, by opposing the interstate slave trade, he showed his desire to collapse the entire system of slavery with a policy that was considered radical and unconstitutional, even in most of the North.\footnote{Boston \textit{Courier}, January 28, 1839.}

Many southerners therefore worried about what the future might bring. Georgia’s Whig-allied State Rights men spread a rumor that the Van Buren administration was considering just such a ban. As additional proof of Democratic unreliability, they noted that the Democratic candidate for Governor in Ohio enjoyed the support of abolitionists.\footnote{Milledgeville \textit{Southern Recorder}, April 24, 1838.} State Rights supporters also connected DC abolition with the interstate slave trade. The Milledgeville \textit{Southern Recorder} attacked Ohio Democrat Thomas Morris for his support for the latter, noting how the Vermont legislature had linked its support for actual DC abolition together with its belief that Congress had the power to ban the sale of slaves across state lines.\footnote{Ibid., September 11, 1838.}

The Supreme Court and Congress might have put the issue of banning the interstate slave trade to rest for the time being, but southern Whigs’ vigilance in protecting the future viability of the trade helped motivate them to deny the constitutionality of federal interference with slavery in general. They felt that slavery must be off limits to federal power, even in the capital. Southern Whigs, who understood the power of government intervention in the economy, and who believed it was important in many respects, had even more reason to create a special exception for slavery
that would render it inviolable. Democrats, who believed in smaller government, were more comfortable entertaining the theoretical possibility of DC abolition, since they were confident that they would remain the dominant party and could continue to check the federal government’s power. For Southern Whigs, however, it was insufficient to merely fight such policies; preemptive measures were required to ensure that they could not be enacted in the future. Southern Whigs’ willingness to fight tooth-and-nail to do so explains their appeal in the South during the Van Buren years, and how they managed to convince their constituents that it was better to ally with northern Whigs than to trust the fate of slavery to the Democrats.
CHAPTER FIVE

HOW WHIGS UNIFIED DESPITE DIFFERENCES OVER SLAVERY

There was no truly organized Whig Party during the presidential election of 1836, only a loose network opposing the ruling Democrats. William Henry Harrison, Hugh White, and Daniel Webster ran as separate Whig candidates to try to prevent Martin Van Buren from winning an Electoral College majority, in which case the election would be decided by House delegations with equal weight. In this case, there was a good chance that enough states would support a Whig. The new party won almost 49 percent of the popular vote in both the North and South.\footnote{Walter Dean Burnham, \textit{Presidential Ballots, 1836-1892} (Baltimore: Johns Hopkins University Press, 1955), 247-57.}

Understanding how and why the party stayed together provides insight into how its anti-individualist or “conservative” political culture could serve as a unifying force between disparate elements. Over the course of four presidential elections from 1836 to 1848, not only did the Whigs’ odd alliance remain intact, it gained tremendous popularity. Its success hinged on a delicate balancing act between core values and sectional imperatives.

Whig unity was especially strong in the border states, which stood in the middle of the Union and prioritized reconciliation. The party won Tennessee and Kentucky in every presidential election from 1836 to 1852. It enjoyed particularly staunch support in Delaware and Maryland as well.\footnote{Maryland voted for Whig presidential candidates in 1836, 1840, 1844, 1848 and for ex-Whig Millard Fillmore in 1856. It also supported Henry Clay for President when he was a National Republican in 1832. Even if we discount 1832 and 1856 as being outside the history of the Whig Party, only four states voted for Whigs more times than Maryland: border states Kentucky and Tennessee, and strongly northern Whig states Vermont and Massachusetts.} Deep South Whigs did their best, trying to balance between criticism of Democrats for insufficient loyalty to states’ rights (the ability to secede) and rejecting radical disunionist calls for economic “non-intercourse” with the North. They knew that the South needed the North, for both
practical defensive purposes and as a trading partner, and hoped most northerners were friends, or could be made more supportive of the South through commercial ties.396

THE ELECTION OF 1836 AND WHIG OPPOSITION TO MARTIN VAN BUREN

Whigs were something more than mere allies in 1836; southern Whigs felt some responsibility for northern Whig views. The alliance was solidifying, and Democrats could accuse each wing of the coalescing party as guilty of association with the other when it came to slavery. Instead of distancing themselves from each other, however, Whigs ran separate campaigns in both sections and backed each other as preferable to their Democratic foes. Faced with accusations that southern Whigs were members of the same party that nominated an alleged abolitionist, Francis Granger, as the vice-presidential running mate of William Henry Harrison, southern Whigs defended Granger. They demonstrated that not only had he denounced abolitionism in Congress, but that he would be less likely to oppose slavery than Van Buren. Whereas Van Buren believed that the federal government could legally abolish slavery in DC, Granger was unsure. Thus, while they ran a decentralized campaign, Whigs presented a common front against Democrats.397

Both parties had a lot invested in interregional cooperation, and they tried to avoid disunion over slavery. Southern Whigs worried that while Democrats held out the possibility of expanding slavery to the West through Texas annexation or war with Mexico, they also might betray the institution to secure northern anti-slavery votes. Southern Whigs trusted northern Whigs to be consistent: opposing slavery expansion while supporting it where it was. Since southern Whigs did not want the agitation over slavery that expansion would bring, they felt more comfortable

396 Alabama Intelligencer and State Rights Expositor, October 10, 1835; Richmond Whig, September 1, 1835.
397 Alexandria Gazette, November 18, 1836; Nashville National Banner and Daily Advertiser, December 23, 1836.
with northern Whigs than with southern Democrats, who supported westward expansion. Large slaveholders and anti-slavery activists therefore built mutual trust in the 1836 election.

Contentious questions about slavery threatened Van Buren’s status as the candidate from the established political party; he unsuccessfully tried to avoid them. Northern Whigs attacked him because he threatened to veto anti-slavery laws. Calling him a traitor to the North, a two-faced “magician” and an enemy of freedom, they portrayed him as a hypocrite, having opposed new slave states in 1820 before embracing the South. Southern Whigs attacked him because he believed that Congress could legally abolish slavery in DC, and because of his anti-slavery past. They supported Hugh White in the South and urged northerners to vote for Harrison.

Southern Whigs used biting parody to break through longstanding southern feelings of trust towards the Democratic Party. One article, purporting to be a Van Buren campaign letter, asked voters to please ignore his equivocating about slavery and other issues. Another incited racist sentiment against Van Buren and Democratic Vice-Presidential nominee Richard M. Johnson, noting the latter’s black family. Set eight years into the future in January 1844, it also reported on Van Buren’s decision to remain President indefinitely, as well as on Democrats’ decision to expunge all opposition from the congressional record. (Democrats had expunged Henry Clay’s censorship resolution of Andrew Jackson.) The article closed with a report that the Vice President’s mixed-race son (based on Vice President Richard Johnson’s actual family) was made ambassador to Haiti, which Van Buren decided to recognize despite its formation by a slave revolt.

398 Burlington Free Press, April 1, July 22, 1836; Vermont Phoenix, November 10, 1837, August 9, 1839; Boston Courier, September 8, 1836.
399 Alexandria Gazette, November 15, 1836; Alabama Intelligencer and State Rights Expositor, September 12, November 14, 1835; Louisville Journal cited in Savannah Republican, November 5, 1836; Savannah Republican, September 21, 26, 30, October 25, 28, 29, November 5, 1836; Milledgeville Southern Recorder, March 8, 29, April 19, 26, June 21, November 1, 1836; Richmond Whig, April 28, May 8, July 3, August 21, 25, September 25, 1835; Tennessee National Banner and Nashville Whig, April 6, 1836; Raleigh Register cited in Milledgeville Southern Recorder, April 26, 1836.
400 Savannah Republican, May 28, 1835; Tennessee National Banner and Nashville Whig, September 30, 1836.
In only two years, the new and barely organized Whigs broke Democrats’ lock on power and made American politics competitive once again. Whig candidates won more than 49 percent of the popular vote, translating into 124 electoral votes to the Democrats’ 170. This compared to Andrew Jackson’s 54 percent popular vote and 219 electoral votes against a hopelessly divided field in 1832, and to his 56 percent and 178-83 electoral victory in 1828. Harrison won four of 12 free states: Vermont, New Jersey, Ohio, and Indiana. (Massachusetts went for Daniel Webster, who ran on a separate Whig ticket in his home state.) Three of the four Border States – Delaware, Maryland, and Kentucky – also voted for him in 1836. Hugh White won Tennessee and Georgia.401

Rather than despair, Whigs looked at the 1836 election campaign as a learning opportunity. Many of the South’s strongest Hugh White supporters had begun to consider Harrison as possibly sympathetic enough to the South and slavery. While he was suspect as a northerner, he had, as the governor of Indiana Territory, supported allowing new residents to bring slaves with them (within limits). Some thought he ought not to be “stigmatized as an abolitionist” and might be “orthodox” enough on slavery, opposing both abolition and voluntary emancipation. While not ideal, southern Whigs would “gladly acquiesce” in his triumph over a Democrat.402 If Whigs could build enough trust to unite behind Harrison as a viable alternative in 1840, they might fare far better.

**SOUTHERN WHIGS FIND UNITY: William Henry Harrison becomes a national candidate**

Between 1836 and 1840, Whigs tried their best to build mutual trust. They continued to attack both Democrats and John C. Calhoun’s call for sectional southern politics. It was important

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401 This includes South Carolina’s 11 electoral votes for Willie Mangum in 1836. He soon became a Whig. South Carolina was exceptional in 1836 insofar as its legislature chose its electors, and in its choice of a protest vote. For more on the election of 1836, see: Richard P. McCormick, "Was There a "Whig Strategy" in 1836?" *Journal of the Early Republic* 4, no. 1 (1984): 47-70.

to dispose of Calhoun’s alternative for defeated southern Whigs: leaving the two-party system.

Whig papers circulated sarcastic mixed-up timelines portraying Calhoun's erratic and disunionist behavior and compared him to a jumping and twirling "Jim Crow" character from a minstrel play.

Here are two examples, one from each section:

![Figure 1: Northern and Southern Whig Parodies of John C. Calhoun](image)

Far from fulfilling his desire to unify the South, Calhoun was rejected by both Democrats and Whigs in the South. Both thought themselves to be the most pro-slavery party in the region.403

Southern Whigs explained their 1836 loss by pointing to Democratic dishonesty. According to the Savannah Republican, Van Buren supposedly “calculated to enlist the feelings of the unthinking portion of the Southern People in his behalf…”404 Southern Democrats successfully reversed the party leaders’ positions:


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403 Alexandria Gazette, January 20, 1838; Albany Evening Journal, January 29, 1838.

404 Savannah Republican, March 17, 1837.
**Anti-Abolitionist.** – A resident of a State where slavery is prohibited—a man who endeavored to exclude Missouri from the Union, *because she tolerated slavery*, viz: Martin Van Buren.⁴⁰⁵

Northern Whigs agreed fundamentally agreed. The New York *Herald* ran a parody letter from “Martin Van Humbug,” who waffled on the “very knotty subject” of abolitionism:

> Addressing myself to the religious voters of the North, I am clearly of opinion that the General Government has the right and authority to abolish slavery in the District of Columbia—but—looking with the other eye at the state of our friends in the South, I am not sure but that if Congress were to attempt it, it would be a gross violation of the constitution. It might and it might not—but until public opinion has developed itself more fully, I think our Southern friends ought to be satisfied with the riots at New-York, Philadelphia, and elsewhere, by which the property of the blacks were destroyed, their lives put in jeopardy, and their supporters outraged, by the awful energies and wholesome practices of the Democratic party. If it is necessary to give further satisfaction to our friends at the South, before the next election, we shall let off a few more riots at the North. During the ascendency of the Democratic party, we have always a liberal stock on hand, and can fully supply any demand.

The *Herald* went on to warn that Democrats were neither anti nor pro slavery, but pro-power.⁴⁰⁶

Smarting from their 1836 election defeat, Whigs grew closer. By the late 1830s, southerners supported northerners in federal and state contests.⁴⁰⁷ Many northerners, hoping to attract southerners, dismissed slavery issues as but “minor considerations” compared to “duty to the Whig party” and its broader aims.⁴⁰⁸ Both sides seemed willing to try to forge a closer alliance.

**TIPPECANOE AND SLAVERY TOO: The Whig Campaign of 1840**

Whig differences over slavery persisted in 1840. The party explored different possibilities for the nomination, including Henry Clay. But it settled on trying to win votes by rallying behind

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⁴⁰⁷ Milledgeville *Southern Recorder*, April 24, 1838.
⁴⁰⁸ Cincinnati *Gazette*, June 24, 1837; Tennessee *National Banner and Nashville Whig*, December 7, 1836; Ohio *State Journal*, April 17, July 3, December 4, 1839.
William Henry Harrison and characterizing his views on slavery in opposite ways on different sides of the Mason-Dixon Line. This was not a centralized strategy – unlike the Democrats, Whigs had no central apparatus – but it seemed to make sense to an opposition that saw separate ways to argue for Harrison as an alternative to Van Buren.\(^\text{409}\)

Whigs from northern and border states were relatively quiet on the issue of slavery, hoping to use Harrison’s Whiggish opposition to executive power to pass economic legislation including tariffs, internal improvements, and a new charter for the Bank of the United States. When the issue of slavery did arise, they tried to portray him as anti-slavery due to his northern residence and an anti-slavery comment he made in an Ohio speech in 1833. At the time, Harrison had defended the legality of slavery in the southern states, while hoping that Congress could use tax surpluses to incrementally buy the freedom of the South’s slaves. “By a zealous prosecution of a plan formed upon that basis,” he hoped, America “might look forward to a day, not very distant, when a North American sun would not look down upon a slave.”\(^\text{410}\)

If anti-slavery Whigs had any qualms because of Harrison’s past support for slavery, they did their best to hide them. The Burlington Free Press celebrated Harrison’s prospects in the 1840 campaign, going so far as to repeatedly print on its masthead a detailed painting of a log cabin – the symbol of Harrison’s campaign which was meant to recall his past as a frontiersman – not as a slaveholder. The Vermont Phoenix often tried to outflank the Free Press with a more anti-slavery stance, but it agreed about Harrison, designing its own log cabin imprint to decorate its mastheads. The Phoenix cited a Whig resolution that saw Harrison as more anti-slavery than Van Buren,\(^\text{410}\)

\(^{409}\) Cooper, The South and the Politics of Slavery, 147-81.
whose election would “likely” ensure “the perpetual slavery of three millions of human beings and all their descendants, the annihilation of the right of petition” and a great deal of economic damage at the hands of Democrats. As for border-state Whigs, they could take comfort in Harrison’s former status as a slaveholder and in his prior efforts to protect slavery in Indiana. 411

Southerners also had good reason to support Harrison: unlike Van Buren, he seemed to understand the southern way of life, thanks to his prior desire to own slaves in Indiana. Surely, he would not sell out the region for political advantages in the North. 412

In 1838, Harrison tried to gain further southern support with a well-publicized address in Vincennes, Indiana’s capital, in which he addressed the issues of slavery and abolition. Harrison conceded the evil of slavery, admitting that abolitionists used “arguments and propositions which in the abstract no one can deny.” Yet even if their intension were pure, abolitionists would bring “mischief to the whole Union,” create “horrors” in the South, and ultimately lead to either harsher slavery or a losing race war for blacks. Harrison questioned the desires of some abolitionists who wished to amend the Constitution to prohibit slavery. He said that the history surrounding the framing of the Constitution was relevant, along with the revered document’s actual text. Southerners brought their slave rights into the new republic, and it was therefore unclear that even a constitutional amendment could abolish slavery without southern consent. Harrison also believed that the First Amendment was not a good defense for abolitionists who encouraged abolition and slave revolts. Even though abolitionists might technically be allowed to advocate their positions, they were violating “the principles of the Constitution.” The writers of the First Amendment never

“expected that it would be used by the citizens of one portion of the States for the purpose of depriving those of another portion, of the rights which they had reserved at the adoption of the Constitution, and in the exercise of which, none but themselves have any concern or interest.”

Addressing the argument that slavery ought to be opposed along with all other evils, Harrison took the perspective of a northerner who advocated non-interference for the sake of the social fabric of a unified American nation: “If slavery is an evil, the evil is with them [southerners]. If there is guilt in it, the guilt is theirs, not ours, since neither the States where it does not exist, nor the Government of the United States can, without usurpation of power, and the violation of the solemn compact, do anything to remove it without the consent of those who are immediately interested.” Harrison thought that abolitionism “should be stopped immediately.” This could “only be done by the force of public opinion,” which would hopefully be mustered against an abolitionist movement that, “if persisted in, must in the end eradicate those feelings of attachment and affection between the citizens of all the States which was produced” during the American Revolution.

Despite Harrison’s anti-abolitionist speech, southern Whigs initially preferred Henry Clay, who continued to own slaves. Southern Whig papers boosted him for President throughout 1838 and 1839. When the national Whig convention met in Harrisburg, Pennsylvania, in December 1839, Clay won a plurality of nominating votes on the first ballot thanks to unanimous southern support. The tally was 103 votes for Clay, 94 for Harrison, and 57 for dark horse candidate General Winfield Scott. But the party, just like the rest of the country, had more northerners than southerners; northern Whigs combined their votes to put Harrison over the top.

413 Savannah Republican, January 17, 1840.
414 Ibid.
415 Cooper, The South and the Politics of Slavery, 121, 124-25.
416 Ibid., 125-26
The national party set out to appease the South following the nomination, giving it the consolation prize of John Tyler, a former Virginia Whig Senator and solid states’ rights man, as the vice-presidential nominee. This tempted even the most ardently pro-slavery southern Whigs into supporting the national ticket.\footnote{Ibid., 126-27.}

Throughout 1840, southern supporters painted Harrison in a pro-slavery light and contrasted him with Van Buren. This was not difficult, since Harrison had owned slaves, advocated for slavery in Indiana, voted for allowing slavery in Missouri when he was in Congress, and was voted out of office by an anti-slavery constituency for this last action. Add to this his anti-abolitionist speech at Vincennes, and southern Whig supporters had many reasons to feel comfortable. Southern newspapers throughout the region covered the campaign largely by repeating 1836 campaign accusations against Van Buren on the issue of slavery. Their basic message was the same: Harrison was safe on slavery, having proven so with his career and words. Unlike the principled and honorable soldier, governor, and congressman who voted his pro-slavery conscience against his own anti-slavery constituents, Van Buren was a slippery politician, always ready to embrace whatever political position was expedient at the moment. He had voted to ban slavery in Missouri to appease his New York constituents, whereas Harrison had voted to maintain slavery there despite his own anti-slavery Indiana constituents.

Georgia’s State Rights men, while initially dissatisfied with the extent of Harrison’s support for slavery, began shifting towards supporting him in January 1840. The Savannah Republican reprinted an editorial from the Charleston Courier and noted that the South Carolina paper had repeatedly attacked Harrison for a speech concerning slavery, deeming it to be friendly to abolitionists because of its openness to the federal government buying the freedom of slaves.
Subsequently, the Raleigh Register, a North Carolina Whig paper, discovered a transcript of Harrison’s anti-abolitionist Vincennes speech. Harrison’s words seemed to be “in doctrine and sentiment every thing that the South could wish,” particularly his apparent belief that abolition discussions were an “unconstitutional abuse of the privileges of speech and the press.” (Harrison was actually more nuanced than this, arguing that this speech was technically permissible but a violation of the Constitution’s spirit.) While the Savannah Republic was not yet ready to endorse Harrison, it believed that if he continued to denounce abolitionism and quarrel with abolitionists, he would compete with Van Buren in the South.\(^{418}\)

The Savannah Republic was ready to formally endorse Harrison by April 1840, following his nomination by a national Whig convention. The paper emblazoned the names of Harrison and Tyler on its masthead beginning on April 2, 1840. Only someone “obstinately blind to facts and conviction,” it believed, could support Van Buren. Whigs would be more supportive of commerce than Democrats, and Harrison had shown himself to be safe on slavery. Even a “Loco Foco” radical Democrat who would “listen to reason and look at facts” could realize “that Gen. HARRISON” had always been “a determined, decided and uncompromising foe to Abolition.”\(^{419}\)

The Milledgeville Southern Recorder continued to stubbornly endorse former Governor George Troup as a protest vote. Even if Troup could not possibly win, the paper believed he was the only candidate who could defeat Martin Van Buren in Georgia, thereby helping an opposition candidate like Harrison by siphoning electoral votes away from Van Buren.\(^ {420}\)

But the Southern Recorder could not resist long. On May 19, 1840, its editors published an enormous hagiographic “sketch” of Harrison’s life and career. One week later, they favorably

\(^{418}\) Savannah Republican, January 17, 1840. See also: Milledgeville Southern Recorder, April 3, May 8, December 4, 1838, May 28, July 30, December 17, 1839, February 26, 1839.
\(^{419}\) Savannah Republican, April 2, 6, 11, 1840.
\(^{420}\) Milledgeville Southern Recorder, April 21, 1840.
compared his slavery views with those of Van Buren’s and followed with pro-Harrison material for weeks. The editors started calling themselves “anti-Van Buremites” and considered that Harrison would be preferable to Van Buren on the issue of slavery, particularly because of the contrast between Harrison’s rebuke of abolitionist speech and the Democratic Party’s insistence, on First Amendment grounds, that Congress receive abolition petitions. The Savannah Republican finally endorsed Harrison and Tyler on June 9, 1840, in time for Georgia’s Whig convention.\footnote{Ibid., May 19, 26, June 2, 1840.}

The results of the 1840 election were resounding. Harrison won 53 percent of the popular vote. Whigs tried to win votes from both sections based on Harrison’s supposed preferability over slavery. They succeeded, spreading their votes across the country and obtaining a 234-60 victory in the Electoral College. Only seven of 26 states voted Democratic, breaking a trend of nine victories in the last ten presidential elections.\footnote{For full election results, see: Walter Dean Burnham, \textit{Presidential Ballots, 1836-1892} (Johns Hopkins Univ. Press, 1955), 247-57.}

There is nothing quite so unifying as the elation of victory. While short-lived, Harrison’s presidency ensured that Whigs would unify to a greater degree than ever before – or ever again. At his inaugural address, the President laid out a policy platform that congressional Whigs could, and did, rally behind, despite previous sectional differences. Harrison had campaigned on a relatively (and deliberately) vague agenda, promising the general Whig commitment to defer to the legislative branch, avoid excessive executive power, and provide honest and lawful government to the people. Now, he hinted at his desire to provide for typical Whig policies: central and impartial banking supervision at the national level, raising tariffs, and funding internal improvements to roads, canals, rivers, and harbors.\footnote{William Henry Harrison, “Inaugural Address” (speech, Washington, DC, March 4, 1841), The Avalon Project: Documents in Law, History and Diplomacy, http://avalon.law.yale.edu/19th_century/harrison.asp.}
Southern and northern Whigs rallied behind Harrison’s agenda from 1841 to the middle of 1844. Slavery discussions mostly disappeared from newspapers, as economic issues dominated the headlines after his death from pneumonia on April 4, 1841, after only thirty-two days in office.

Whigs had become so cooperative that almost none of them went along with now-President John Tyler’s decision to oppose most of the Whig economic agenda on states’ rights grounds, having come to see the benefits of a nationalist agenda and bisectional party for the South. Unlike Harrison, who had promised to defer to Congress, Tyler proceeded to veto legislation that he believed violated states’ rights. Tyler directed his most important veto against re-chartering the Bank of the United States. Congressional Whigs were infuriated by his actions, which utilized the hated Jacksonian executive power. Tyler’s stance characterized southern Whig economic views, until recently: they wanted to promote banking but at the state level, and they opposed high tariffs. But unity had changed the Whig political calculus, moving southerners closer to northern positions. Aside from a small “Corporal’s Guard” of congressional supporters led by Henry Wise, almost the entire Whig congressional delegation rallied against Tyler. From 1841 to mid-1844, nearly all southern Whigs supported internal improvements, a national bank and higher tariffs. Tyler was isolated. He attempted to form an alliance with Democrats to position himself to run for President as a Democrat or independent candidate for the presidency in 1844, but to no avail.424

William Cooper maintains that southern Whigs went along with northern Whig economic plans mostly due to political reasons. Southern Whigs could support Tyler, but this would be political suicide, since their numbers were too small to compete on a national scale. They could either support the Democrats and lose the Whig identity they had built up since 1834, or they could support Henry Clay, their longtime leader and favorite candidate in 1840. Most southern Whigs

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therefore made a political calculation to join two smaller groups of southern Whigs: former National Republicans who supported Clay’s economic plans from the beginning, and southern Whigs who honestly became persuaded of the soundness of northern Whig economic policies during the prolonged recession that began with the Panic of 1837.425

It is true that political calculations were important in southern Whigs’ shifting economic opinions, but it is also true that a developing Whig political culture moved voters together. William Cooper notes that before the Panic of 1837, banking played only a small role in southern politics. In 1838 and 1839, however, southern Whigs responded to the deep recession by supporting state charters to stabilize and expand the banking industry throughout the region. They lined up against Democrats, who time and again fought efforts to allow banks to even exist in southern states, because they saw them as corrupt centers of ill-begotten wealth. Most southern Whigs did not support a national bank during the 1840 election, but it was easy to jump from supporting state banking to supporting national banking, since Whigs appreciated (and Democrats castigated) both. During and after 1844, when southern Whig priorities shifted back to slavery after a three-year focus on economics, southern Whigs remained positive about banking and internal improvements, at least at the state level, while Democrats continued to oppose them.426

While Whigs had placed Tyler on their ticket for his southern states’ rights bona fides, they did not expect him to behave in such a radical manner as he did, vetoing his party’s entire agenda. Unlike Tyler, most southern Whigs were concerned with states’ rights because they wished to defend slavery, not because they were purists who opposed federal power on principle. If federal efforts would strengthen the economy or protect slavery, they were quite willing to entertain federal measures to support banking, internal improvements, and even tariffs, which were usually

426 Ibid., 157-62.
unpopular in the South. As Cooper himself notes but does not emphasize enough, the Richmond Whig hedged on its lukewarm approach to a national bank during the campaign of 1840. It was willing to countenance a re-chartering of the Bank of the United States if the institution could “be shown to be absolutely necessary for the management of the nation’s finances.” 427

In other words, a bank was not a promising idea, unless it became one. Southern Whigs were flexible. The New Orleans Bee supported a national bank during the campaign. Cooper minimizes this support, noting that it prioritized slavery as the most prominent issue by far. 428 But precisely because slavery was so important, southern Whigs were willing to consider adjusting their economic thinking to protect the institution and the economy that it serviced. They did so while becoming more integrated into a national Whig political culture that had previously been dominant among northern and border-state Whigs. Southern Whigs would have at least two opportunities to show that they shared this political culture. The first was the opportunity to join with northern and border-state Whigs to fight John Tyler on economic issues. The second opportunity involved joining with these same Whig allies to fight Tyler on a different issue, one both economically and geographically close to the South: westward territorial expansion.

**THE ELECTION OF 1844: Whigs Unite Against Texas Annexation and War with Mexico**

By 1844, President John Tyler was under siege and in search of an achievement. He had no major accomplishments and few allies, having vetoed Congress’s passage of a Whig economic agenda. Moreover, in doing so, Tyler had failed to attract southern Whigs to his states’ rights cause. Most of them felt that he was going too far; instead of defending slavery, he was acting against southern political and economic interests. Tyler had also tried but failed to attract Democrats to

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427 Ibid., 133; Richmond Whig, June 12, 1840.
428 Cooper, *The South and the Politics of Slavery*, 133.
his side; they were not interested in supporting a Whig. The President therefore switched gears, moving from economics to a potentially more effective pair of issues: the annexation of Texas and the expansion of slavery. Tyler tried to accomplish what Presidents Andrew Jackson and Martin Van Buren had considered but refused to do: the annexation of the Republic of Texas, a breakaway nation formed by American slaveholding settlers living in Mexico.429

By pursuing annexation, Tyler and his small band of congressional supporters could appeal to three groups: southern Democrats, southern Whigs, and northern Democrats. Southern Democrats might be overjoyed at the possibility of adding more slave territory to the country for the use of aspiring farmers. Southern Whigs were less interested in expansion and more interested in shoring up slavery and wealth in the more developed southeast. It seemed, however, that the prospect of annexing a fully developed slave state might prove to be an issue of overriding importance for them. Finally, northern Democrats might be interested in annexation because expansion bolstered Democrats’ egalitarian ideology (for white men), which relied on providing cheap land for farmers. With enough support, Tyler felt that he might be able to run for reelection in 1844. He was certainly not going to run as a Whig; northern and border-state Whigs despised him for frustrating their economic program. Nor had southern Whigs seen fit to join him. But his Texas policy might gain enough allies to win the presidency as a Democrat or independent.430

Although Tyler did not end up running himself, his 1844 attempt to annex Texas changed an economic election campaign into one about slavery, particularly in the South. Though neither party supported him personally, both needed to reorient their campaign messages around Texas.431

429 Howe, What God Hath Wrought, 671-82.
430 Ibid.
As the Whig candidate, Henry Clay found it easy to oppose annexation, seeing as his likely opponent, Martin Van Buren, was a northerner and was therefore unlikely to support annexing a slave state. Clay therefore thought there would be no distinction between the parties on Texas. He toured the South in early 1844 and, in a public letter from North Carolina, explicitly opposed annexation. Some pro-slavery southern Whigs objected, particularly in Louisiana, but most were content. Once Van Buren came out against annexation, thereby embracing a position against expanding slavery, southern Democrats would not be able to argue that the Whig candidate was weak on slavery. Clay might as well adopt the same anti-annexation position, which he truly supported in any event, and try to win the election on economic issues.\textsuperscript{432}

When Democrats nominated Tennessee’s James Polk instead of Van Buren, Polk’s support for annexation created a challenging distinction between Democrats and Whigs. On the one hand, Clay’s position against annexation now seemed likely to garner northern anti-slavery votes. On the other, Polk’s support of annexation might win him southerners eager for more slave territory, thereby threatening Whigs in the South. Polk could secure victory by winning all the slave states and two or three northwestern states (which leaned Democratic and towards expansion in general).

Whigs remained united against annexation, soundly refusing to ratify Tyler’s annexation treaty in May and June of 1844. All northern Whigs and eight of nine southern Whigs opposed annexation. Both wings of the party could agree that expansion was the wrong move.\textsuperscript{433}

Fearful of alienating their pro-slavery and pro-annexation constituents, however, some southern Whigs began to hedge and shift on the issue. From the late spring to the early summer of 1844, some claimed that they were not absolutely opposed to annexing Texas. Rather, they merely wished to postpone its consideration until a more opportune time. They also had to respond to the

\textsuperscript{432} Cooper, \textit{The South and the Politics of Slavery}, 207-08.

\textsuperscript{433} Ibid., 208-09.
arguments of southern Democrats, who understood the value that annexing Texas represented for supporters of slavery and had therefore made it their top priority.434

Southern Whigs riposted with three arguments: (1) Expansion would have a negative socio-economic effect on the country because the vast expanse of cheap land available in the West would lead Americans to spread themselves thin, leaving the nation undeveloped and backward. The country should instead concentrate on developing existing states. (2) Annexation and debates over it would destabilize the Union and the security that the South enjoyed as part of it. (3) The moment was not right, as it would cause diplomatic problems with Mexico and might lead to war.435

Southern Whigs also needed an additional response: to southern criticism that northerners opposed annexation to halt the spread of slavery. They retorted that as a slaveholder, Henry Clay would never agree to harm the South. But Clay himself buckled under this pressure; he softened his opposition to annexation, saying he only opposed it for the immediate future.436

Southern Whigs believed that Clay’s status as both a slaveholder and a respected statesman would make him a better defender of slavery. This seemed reasonable, considering that abolitionists often attacked Clay for being a southern slaveholder, and because Democrats in Maine and Ohio were busy defeating Whigs in state races by allying with Free Soilers. Southern Whig papers followed the custom of the day, cooperating with the local Whig campaign apparatus and highlighting Whig political meetings. They editorialized about Clay in glowing terms, referring to him as “the great statesman of the West” and the “glorious leader” of his party, and concurred with his opposition to annexing Texas, at least right away. (One paper saw the enterprise as fraught with dishonest and radical “Loco-foco” Democratic tactics meant to trick voters into

434 Ibid., 209-10.
436 Ibid., 214, 216-17.
thinking that rapid annexation would have no negative consequences, financial or otherwise.) Some southern Whigs recognized that northern Whigs were playing a similar two-faced game, but they excused it as half-hearted, pragmatic, and honest (Democrats denied it). Another argument in Clay’s favor was that “THAT HIS GREAT TALENTS [would] MAKE HIM DANGEROUS TO ABOLITION.” Although Polk was also a slaveholder, he would not be a capable leader.437

Whigs and Democrats in the South still thought about slavery somewhat differently, with the former wary of expansion and the latter supporting it. Both were concerned about slavery’s viability. Democrats wanted to extend it over as much land as possible, while Whigs believed its expansion would cause problems that would threaten slavery where it already existed. Their top priority was protecting slavery where it stood, as opposed to expanding it. Annexation could not be reduced to a question of “slavery or no slavery,” since Texas could either be gained through “honorable acquisition” or an unjustified war with Mexico over its rebellious province. Whigs’ main priority “as slave holders” was “not to put the security of our property upon the issue of so miserable a humbug” like a risky and potentially destabilizing war on the South’s border. Whigs also expressed “confidence” in Clay’s personal abilities and support of slavery, arguing that he would eventually achieve the proper annexation of Texas when it could “be secured in a peaceable and honorable manner.” Finally, they noted that there were “other great questions” besides Texas in 1844 that ought to move southerners to vote Whig. The Democrats may have been running a slaveholder candidate as well, but unlike Clay, he would likely carry on Democratic corruption.438

Northern Whigs looked at Clay differently, supporting his opposition to annexation as a check on slavery’s spread. Whatever rationale Clay used, northern Whigs were happy to accept

437 Savannah Republican, August 12, 17, September 23, 25, October 31, 1844; Richmond Whig, October 15, 1844; Milledgeville Southern Recorder, October 22, 1844; Richmond Whig, October 15, 17, 19, 1844.
438 Milledgeville Southern Recorder, May 18, 1844.
his policy as their own. And although Clay owned slaves, he had made numerous anti-slavery comments. These included his earlier support for Kentucky emancipation, his characterization of slavery as evil, and his opposition to annexing Texas into the Union as a slave state.

Most northern Whigs saw Democratic calls for Texas annexation as effectively pro-slavery. In New Hampshire, the Portsmouth Journal noted that Texas had “the accursed institution of Negro Slavery indelibly woven into its very existence.” While slavery was disappearing around the world, Democrats wanted “to commence a crusade in favor of slavery, and for the express, avowed and only purpose of extending, enlarging and fortifying it.” Democrats wanted to negotiate to annex Texas, as opposed to Canada, because they were interested not in expansion, but in slavery: “It is for the sake of Slavery, and of increasing the market for slaves,—and thus of making the owning of slaves and the breeding of slaves profitable, which makes the South so anxious for annexation, and renders the ‘dough faces’ of the North so ready to throw up their caps, and huzza for ‘Polk and Dallas,’ ‘Texas and Slavery!’” The Journal concluded that a Henry Clay would prioritize the welfare of American citizens and liberty above slavery and war with Mexico.439

Across the North, Whigs feared that annexing Texas would increase the South’s political and economic power. They slammed “the slave-power” that would primarily benefit Democratic pro-expansion slaveholders hungry for more land. They noted that for three decades Henry Clay had called slavery evil, that he had “unparalleled qualifications for the Presidency,” and predicted he would use his skills to stop Democrats’ “direct attempt to extend and perpetuate the accursed institution of negro bondage.” Internal Whig divisions over slavery were “a mere difference of opinion” and irrelevant to the real issue: unlike Democrats, Whigs opposed expansion. It was unsurprising that “a party the most uncompromisingly hostile to liberty, and to the interests of the

439 Portsmouth Journal, July 13, 1844.
free States,” would nominate not a responsible slaveholder like Clay, but the expansionist Polk: “the Slavery candidate for President.” Northern Whigs warned that annexing Texas, with its power and potential for growth, could tie a “servile chain” on the Union in “perpetuity.”

This common focus on opposition to expansion and war allowed Whigs to remain in a united political front. From 1834 to 1840, the two factions of the party had campaigned on slavery from opposite perspectives, both believing that Whig candidates were more favorable to their interests. From 1841 until the 1844 election, Whigs united around economic issues and downplayed their divisions over slavery. In 1844, they returned to emphasizing slavery issues from their own perspectives, running opposite campaigns for the same party and presidential candidate.

Despite a national environment that seemed to favor the respected Clay over the little-known Polk, Democrats eked out an upset of 49.5 to 48.1 percent in the 1844 election. Whigs across the country were devastated, particularly in the North, where they blamed the abolitionist Liberty Party for siphoning off votes, especially in New York. 15,825 voters cast their ballots for the Liberty Party in New York, constituting 3.25 percent of the state’s votes. Had but 5,107 of them voted for the relatively anti-slavery Whigs, they would have won the Electoral College.

Many southern Whigs, on the other hand, believed that opposition to Texas annexation caused the party to lose both the South and the general election. In 1840, Whigs had won eight of thirteen slave states; in 1844, they won only five. If Whigs had held onto Georgia, Mississippi, and Louisiana, which they had won in 1840, and added Virginia, which they had lost by one point in 1840, they would have won in 1844. Southern Democrats had clearly won on Texas.

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440 Portland Advertiser, October 15, 1844; Boston Courier, November 7, 1844; Vermont Phoenix, September 20, 1844; Albany Evening Journal, November 2, 1844; Philadelphia North American and Daily Advertiser, October 26, 1844.


442 Cooper, The South and the Politics of Slavery, 217.
John Tyler, seeking to cement a legacy for himself in the South, proceeded to take advantage of southern demoralization by trying to annex Texas in a new way. Instead of submitting another treaty, which could not garner the necessary two-thirds vote in the Senate, Tyler proposed that Congress vote on a joint resolution for annexation, which would require only a simple majority in each house. Northern Whigs and some southern Whigs slammed this move as unconstitutional, noting that Congress possessed no explicit power to annex territory and that prior annexation had taken place through treaty ratification. In the aftermath of the election, however, some southern Whigs became pro-annexation and decided to support even this method to accomplish it. In the Senate, two southern Whigs voted for annexation, while seven remained opposed. In the House, where members could more readily feel the heat of voters in the form of direct elections every two years, eight members – half of the southern Whig delegation – voted for annexation. Seven opposed it and one abstained. This divide illustrated the Whig challenge of formulating a slavery policy that could win support in both sections of the country.443

Following the annexation of Texas, Whigs unified by opposing war with Mexico, a likely outcome after the US had antagonized the nation that still claimed Texas as its own. From 1845 to 1848, they strongly opposed starting and continuing a war. Once Democrats started the war and victory seemed likely, they opposed the acquisition of any territory. The “No Territory” policy position allowed Whigs to remain united. Northerners could oppose the war for traditional reasons of Whig aversion to expansion, as well as out of anti-slavery considerations. Southern Whigs could oppose the war and the annexation of territory out of fear of destructive war, national dishonor, destabilization and economic harm. It was tempting for many southern Whigs to support the acquisition of more territory, and some decided to do so. But in general, opposing war and

443 Ibid., 221-224
annexation allowed the two sections of the party to remain united and avoid the explosive issue of what should be done about slavery in additional territory that the US might annex.444

On August 8, 1846, three months into the Mexican War, Pennsylvania Democratic Congressman David Wilmot made slavery a contentious issue again by proposing a resolution to ban slavery in any territory that the US would acquire from the war. The “Wilmot Proviso,” as this resolution came to be known, sparked fierce debate within Congress and the nation. It divided northern and southern congressional delegations in the House of Representatives along sectional lines. The House passed the resolution twice, in 1846 and 1847; each time it was defeated in the Senate by a combination of a solid South and some northern Democratic allies.

From 1846 until the Compromise of 1850, southerners of both parties made opposition to the Wilmot Proviso central to their politics. Both parties campaigned against it, accused each other of supporting it, and emphasized its damaging effects on the South. Southern Democrats emphasized the Proviso’s damage to slavery by bottling up the institution; southern Whigs emphasized its insult to southern honor. In the North, Whigs rallied behind the Proviso, while most northern Democrats, like Michigan Senator Lewis Cass, rejected it in favor of popular sovereignty in the western territories. The slaveholding President Polk promised to veto the law if it passed.445

THE ELECTION OF 1848

In 1848, anti-slavery northern Whigs and pro-slavery southern Whigs nominated a war hero, General Zachary Taylor, as the best man to unify the party. Northern Whigs sensed an opportunity to support an honorable war hero against the supposedly corrupt Democrats. Southern Whigs supported Taylor because he was a slaveholder. There can be little doubt that Taylor was

444 Freehling, The Road to Disunion Volume 1, 510.
445 Cooper, The South and the Politics of Slavery, 238-44.
personally supportive of slavery. His words in an 1847 letter to Jefferson Davis are telling: “So far as slavery is concerned, we of the south must throw ourselves on the constitution & defend our rights under it to the last, & when arguments will no longer suffice, we will appeal to the sword, if necessary to do so. I will be the last to yield one inch.”

Southern support for Taylor grew after Clay, his main opponent, gave a speech in November 1847 calling slavery “a great evil” and once again advocating a “No Territory” policy for the Mexican War. This position might have been politically tenable earlier in the year, but as the election of 1848 approached, southern Democrats were insisting that the South must acquire a sizable portion of Mexican land as slave territory and attacked southern Whigs for their anti-expansionism. Southern newspapers, legislators and convention delegates united to give Taylor the support he needed to defeat Clay at the Whig convention of 1848, with limited support from northern Whigs. Taylor’s northern Whig support came from congressmen (including Abraham Lincoln) who believed that he would be a more attractive candidate than Clay, and that despite his support for slavery, he would not necessarily support its expansion.

Unlike the Democrats, Whigs had no centrally organized campaign; there was no unified Whig campaign apparatus. This enabled them to characterize Taylor as they saw fit in their respective sections. Vice Presidential candidate Millard Fillmore repeatedly announced that Taylor would not allow slavery to expand into the Mexican Cession. In a campaign characterized by opposite claims about an elusive candidate, Fillmore took on the role of being the split ticket’s

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northern voice. As a northern Whig congressman, he had repeatedly voted against slavery and written anti-slavery campaign literature.448

The presidential election of 1848 marked the fourth time in a row that Whigs nominated a slaveholding candidate. At the time, Zachary Taylor owned more than 150 slaves and a large Mississippi plantation. Southern Whigs were therefore able to claim that Taylor was safe on slavery.449

Taylor’s slaveholding almost pushed the northern Whigs past the breaking point. He began his campaign as a non-partisan candidate who was content to let others campaign for him and who was willing, as a statesman above the party fray, to accept support from all sources. But he made a serious error by accepting the South Carolina Democratic Party’s support. New York’s William Seward and Thurlow Weed responded by organizing an anti-slavery effort to replace Taylor. By splitting Whig voters between different northern candidates, Seward and Weed were threatening to spoil the election. Vice-Presidential candidate Millard Fillmore, also from New York, successfully intervened with both Weed and Taylor, convincing Taylor to publish a second public letter dissociating himself from South Carolina’s pro-slavery radicalism.450

Throughout the campaign of 1848, northern and southern Whigs could read opposite arguments in favor of their presidential nominee. Many Whig editors understood that the Democratic Party was running a similar anti-slavery campaign in favor of its nominee, Michigan Democratic Senator Lewis Cass. Whigs in both sections felt that their party had an advantage over the Democrats, since they were open to accusations of hypocrisy for actually organizing a dual-faced campaign. Whigs, who were far less organized, and who ran a candidate without an official

448 Elbert Smith, The Presidencies of Zachary Taylor & Millard Fillmore (Lawrence: Univ. of Kansas Press, 1988), 47.
449 Ibid., 47-48.
450 Ibid.
platform, could more easily believe that they had a candidate who would govern according to his honest assessment of what the country required. Whigs of both sections had reason to believe that Taylor would prove to be on their side when it came to slavery. Democrats seemed to be conniving.

Southern Whigs took advantage of Taylor’s slaveholder status throughout the 1848 campaign. In July of 1848 the Richmond Whig gleefully cited a DC Democratic newspaper that attacked Whigs for letting southerners select “a slaveholder as their candidate.” It pointed to abolitionist opposition to Taylor and support for Martin Van Buren, the candidate of the Free Soil Party, who now supported banning slavery in all western territories. Taking aim at southern Democrats, the Richmond Whig noted that they had previously supported Van Buren, a man whom they had claimed was a great friend of the South. Now the Democrat had turned out to be just what Whigs had thought: a lying traitor who flipped to the Free Soil camp. If Cass were to be elected in 1848, the editors warned, he would end up making the same move against the South. Indeed, Cass had gone so far as to support the Wilmot Proviso as a Michigan Senator, only repudiating this support when he needed the South’s votes to win a presidential election.451

Unlike the northern non-slaveholder Cass, Taylor would not betray the South by supporting “the Free Soil Barnburners of the North.” Beyond self-interest as a slaveholder, he was an honorable General who would “prove true to the compromises of the Constitution, which he swears to support.” Whigs could perhaps unite against extreme anti-slavery views in favor of a mainstream candidate. Southern Whigs, who disproportionately included large landowners, had a more refined gentlemanly culture. They had long championed honorable slaveholding men as leaders, whether in presidential races or as congressional leaders. Taylor was one of several examples.452

451 Richmond Whig, July 18, September 5, 8, 15, 1848.
452 Ibid., October 6, 10, 17, 1848. For Henry Clay as another such leader, see: Baltimore Chronicle cited in Richmond Whig, December 24, 1835, Missouri Republican cited in Alexandria Gazette, January 18, 1838, and Alexandria Gazette, June 30, 1838. For southern honor, see: Bertram Wyatt-Brown, Southern Honor: Ethics &
As for the Vice-Presidential nominee, Millard Fillmore seemed relatively safe for the South. He was “conservative” in his slavery views, meaning that he was not an abolitionist. This was good enough for the Richmond Whig, which saw him as preferable to Cass, someone who might very well turn out to be like Van Buren by becoming a supporter of Free Soil.453

The Taylor-Fillmore ticket might even secure northern support for slavery. One Whig county meeting thought that “the nomination of Gen. Taylor for the Presidency—a citizen of a slave-holding State, and a large slaveholder himself,” gave the South “a pledge that the Whigs of the North recognize the rights of the South” regarding slavery. After all, his nomination “could not have been effected without the aid of Northern Whigs” including Abraham Lincoln.454

With a reliable president, southerners could be reassured that they had a vital friend against anti-slavery measures. Since the House had repeatedly passed the Wilmot Proviso, they feared that a growing northern majority might secure its final passage. Taylor could be expected to act as a “southern patriot” and not “legislate himself (or the people of his section) into inferiority in his rights as a citizen of a common country.” Southern Whigs reassured themselves when they saw common northern Democratic attacks on Taylor for favoring the South and feared northern Democratic portrayals of Lewis Cass as relatively anti-slavery. By contrast, southern Whig papers like the Milledgeville Southern Recorder cherry-picked favorable northern Whig portrayals of Taylor which omitted northern hopes that he would block the spread of slavery.

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453 Richmond Whig, October 20, 1848.
454 Milledgeville Southern Recorder, August 8, 1848.
Whigs were finally able to point to evidence of organized duplicity when a sensitive Democratic National Committee letter leaked to the press shortly before the election. It outlined a deliberate and coordinated strategy to attack Taylor over slavery from opposite directions in Pennsylvania and Virginia. Above the Mason-Dixon Line, Democrats were to argue that Taylor was anti-slavery; below it, that he was pro-slavery. Here was a single document showing the Democratic Party’s “double position” on slavery, as Whigs had suspected all along.455

Whigs had also been making opposite arguments in the North and South. But there was no centralized Whig campaign, so the “party” was shielded from allegations of hypocrisy. It simply responded that its ranks included different perceptions of what their presidential candidate might do. An editorial from DC’s National Intelligencer warned Whig voters of “The Double Game” that Democrats were playing with slavery by lining up a dual strategy in the North and South. The country was safer in the hands of a slaveholder like Taylor than it was in the hands of Lewis Cass, the candidate of a conniving party that believed it could deliberately contradict itself.456

The main reason northern Whigs supported Taylor was because his victory would be the best opportunity to stop slavery’s spread to the West via the Democratic Party’s policy of “popular sovereignty.” This policy called for allowing citizens of territories to decide to allow or prohibit slavery themselves, thereby obviating the need for contentious federal decisions. Northern Whigs objected, since this would make the nation complicit in allowing slavery to spread throughout the Mexican Cession. They opposed placing the future of new societies in the hands of a few frontier settlers, both because they opposed slavery and due to orthodox Whig concerns with national responsibility for undeveloped areas that were not yet capable of self-government.

455 Ibid., September 5, October 3, 10, 17, 24, November 7, 1848; Savannah Republican, June 27, July 10, 27, 28, August 23, September 2, 13, October 21, 27, 1848; Richmond Whig, October 27, 1848.
456 Richmond Whig, November 7, 1848.
Northern Whigs thought that while Taylor was a slaveholder, he might oppose slavery’s further westward expansion, or at least refrain from vetoing most legislation in good Whig fashion. Either way, he could be no worse than Lewis Cass. Most northern Whigs had preferred a non-slaveholder candidate like General Winfield Scott, but they saw Taylor in a more anti-slavery light than southern Whigs did. They hoped that Taylor would oppose popular sovereignty, or that he would at least allow Congress to do so by signing legislation to ban slavery in the Mexican Cession.

Northern Whigs had plenty of justifications for Taylor’s status as a slaveholder. They thought southern Whigs to be acceptable allies because they “manifested no wish to acquire territory or extend slavery,” which northern Whigs insisted was the real political issue at hand. Moreover, most Whigs in both sections could agree with Henry Clay that slavery was “a great moral and political evil.” Finally, many otherwise great Americans had owned slaves. What truly mattered was opposition to Texas annexation and the Mexican War, policies designed to spread slavery to the West. Taylor claimed he would have supported Henry Clay’s anti-annexation policies in 1844, and he also publicly wrote that Presidents must defer to Congress on the question of slavery policy in the West. Cass, on the other hand, used to support the Proviso as a Democratic Senator, but now threatened to veto it. The only hope of stopping the spread of slavery therefore lay in electing Taylor, who would hopefully allow Congress to ban western slavery. Let us consider, then, how Whigs in different regions regarded Taylor during his campaign.457

New England Whigs cast Taylor as anti-slavery and likely to act against the institution. Northerners ought not fixate on his slaveholder status, they urged, since the country desperately needed “an end of executive usurpations” and “a PRESIDENT, instead of a DESPOT—a conservative instead of a faithless tyrant, to guard the best interests of the whole people.” They

457 Portland Advertiser, June 20, 1848.
could note southern attacks on Taylor as less “sound on the subject of slavery as General Cass,” and remind their readers that Taylor regarded “slavery as a sin and an evil, while General Cass does not so regard it.” The Vermont Phoenix also pointed out that some of America’s most anti-slavery moves had been made by slaveholders, and that this was no reason to withhold support from Taylor. Thomas Jefferson had supported the Northwest Ordinance’s ban on slavery in the Midwest. Southern Whigs had fought against the expansion of slave territory. Besides, the Boston Daily Atlas argued, Whigs, more than Democrats, had “opposed slavery, and slave extension, and war and annexation.” There was a distinction to be made between southern Democrats and John C. Calhoun, most of whom saw slavery as a “blessing” and wished to extend it, in comparison to southern Whigs like Henry Clay (and, they hoped, Taylor too), who saw slavery as an evil and wished “to curtail and finally abolish it.” A Massachusetts Whig convention pointed out that Taylor had clearly “taken the high ground” by promising to “leave legislation to the representatives of the people, untrammeled by his own pre-expressed opinions, unobstructed by the use of the veto power” – a promise that would enable Congress to ban western slavery if he were elected.458

From an anti-slavery perspective, there seemed to be no choice besides Taylor; voting for the third-party Free Soil ticket would “bring about the worst possible consequences, the election of Lewis Cass.” It was headed by Van Buren, who had flip-flopped on slavery, and now opposed it for the purpose of throwing the election to the Democrats. Those cognizant “of the real duties of true Christians” would support the lesser problematic candidate in Taylor.459

Taylor enjoyed the same support in mid-Atlantic states. The Albany Evening Journal noted southern Democratic attacks on Taylor and Fillmore for opposing slavery expansion. The most

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458 Ibid., August 25, 29, September 12, 22, 26, October 3, 10, 17, 1848; Boston Daily Atlas, September 23, October 27, 1848; Portsmouth Journal, July 8, 1848; Boston Daily Atlas, October 7, 1848; Vermont Phoenix, October 20, 1848; Boston Daily Atlas, September 23, 1848.
459 Vermont Phoenix, October 20, 1848.
prominent Whig newspaper in Pennsylvania attacked Lewis Cass for being more pro-slavery than Taylor, citing southern “Loco Foco” newspapers as evidence. Cass’s election would likely constitute a “calamity” for stopping the spread of slavery. Even if he gave up his platform of popular sovereignty, the shifty Democrat, who had taken contrary positions on slavery, might be a secret radical who would join Van Buren in embracing the Free Soil cause, which was too radical. Taylor seemed safer; he was probably more opposed to slavery, and certainly not irresponsible. Moreover, Cass was as bad as could be, having pledged to veto the Wilmot Proviso.\(^{460}\)

Indiana’s Wabash Courier noted Taylor’s pledge not to veto most congressional legislation, presumably including slavery laws. He seemed to be a reluctant slaveholder who “did not hesitate to pronounce slavery an evil,” an institution that caused “the decay of Virginia” and was still “blighting in its effects upon the agricultural and commercial prosperity of the South.”\(^{461}\)

Numerous prominent anti-slavery men lined up to defend Taylor. Free Soil (and ex-Whig) Rep. Joshua Giddings thought Taylor would stop slavery’s spread. Ex-New York Governor William Seward supported choosing the better of two flawed candidates. Voting for a third party would mean pursuing “the unattainable” while “overlooking the attainable,” since Americans were “conservative in their political divisions” and would not destabilize the republic by joining a third party. It would also mean supporting the hated and untrustworthy Van Buren. Seward saw Taylor as helping the forces of freedom fight the “party of slavery.” He wanted Whigs to spur a gradual unfolding of freedom in the US, just as Christianity had gradually spread over time. Seward trusted southern Whigs over “a Northern doughface” like Cass, noting that southern Whigs had opposed Texas annexation and the Mexican War. Abraham Lincoln also made similar arguments.\(^{462}\)

\(^{460}\) Albany Evening Journal, October 10, 1848; Philadelphia North American & United States Gazette, October 12, November 4, 1848.
\(^{461}\) Wabash Courier, October 7, 14, 28, 1848.
\(^{462}\) Albany Evening Journal, October 31, 1848; Boston Daily Atlas, September 23, 1848.
The Whig Party’s selection of Taylor proved to be quite effective, culminating in a five-point popular vote victory and 36-point electoral victory.\footnote{For a comprehensive statistical discussion of the 1848 election, see: Burnham, \textit{Presidential Ballots}, 247-57.} The general was attractive as a war hero and could appeal to both sections on the issue of slavery. For the North, Taylor’s opposition to popular sovereignty, support for a national settlement in the West, and Whiggish opposition to presidential vetoes all meant that he was likely to favor a congressional plan that would at best bar slavery from the West and would at least put an end to sectional bickering. Either way, northern Whigs united against the Democratic notion of popular sovereignty, which maintained that unsettled western inhabitants could decide themselves whether to allow slavery in the territories. Meanwhile, southern Whigs could proudly tout Taylor’s slaveholder status, arguing that he would never abandon his own region and interests. The Whig Party had not only survived; it succeeded in the face of another controversy over slavery. A common anti-individualist political culture made southern and northern Whigs more comfortable with each other than with Democrats. In promoting social stability and prosperity above individualism, Whigs hoped to prevent the acquisition of new land over which slavery arguments would arise. Their strategy of supporting slaveholders who were concerned with national unity was quite successful. In 1849 and 1850, however, this political culture would be put to the test in a crisis over slavery that threatened to revive into a force that posed the greatest challenge to the Union since the Missouri Compromise of 1820.

\textbf{CONCLUSION}

Several factors allowed Whigs to work together despite seemingly irreconcilable differences over slavery, the most critical southern issue and a vital northern one.
The first was a common enemy in the Democrats, along with a lack of anything like the centralized national committee possessed by “the Democracy.” It was relatively easy to paper over differences when there was no need to oversee a single centralized campaign, and when the alternative to cooperation seemed so much worse. Northern Whigs were fed up with the Democrats’ embrace of slavery. Southern Whigs thought Democrats were so untrustworthy that it was only a matter of time before Martin Van Buren, a northerner with an anti-slavery past, would pursue political advantage in the North by fighting against slavery. After all, Andrew Jackson had gained political favor by uniting the North behind his Force Bill against South Carolina during the Nullification Crisis that immediately preceded the formation of the Whig Party. The search for a better alternative led Whigs to field three candidates in an attempt to deny Van Buren an Electoral College victory. Any of their candidates would be preferable.

The second factor, which was even more important, was the connection between a common political culture based on shared principles, the development of shared policies that translated this culture into policies, and a sense of mutual trust that neither section of the party would push its views on slavery too far. Whigs were the “conservative” party, believing in the importance of protecting the social fabric from strife, taking national responsibility for the development of fledging frontier societies, and compromising when appropriate. The best policies for such a culture were opposition to rapid expansion – which would allow for healthier development in the East and lessen the possibility of strife over slavery in the West – and economic integration through a national bank, internal improvements and a protective tariff. From 1836 to 1841, southern Whigs moved from ambivalence about some of these policies into agreement with their northern counterparts. This agreement was made possible by the mutual trust that developed between the two sides of the party, mainly over slavery. Because the North seemed willing to cooperate with
the South over slavery, despite its strong anti-slavery views, southerners felt more inclined to slide from support of state banking and internal improvements to the support of federal action. In 1844, Whigs unified behind a policy of no expansion, and until 1848 they hoped that a “no territory” policy would allow them to agree on a stance against the Democrats that fit their political culture.

By 1848, Whig political culture and mutual trust had strengthened to the degree that the party could rely on ambiguity, leaving the North and South to interpret a common presidential candidate in their own ways. Democrats were unified behind a policy: popular sovereignty. Whigs did not approve. But they could agree that Zachary Taylor might prove to be better than Lewis Cass, who would allow each territory to decide its slavery policy on its own. The general made it clear that he opposed both popular sovereignty and the excessive use of the veto. Northern Whigs hoped that Taylor would therefore allow Congress (with a northern House majority and a split Senate with a northern Vice-Presidential tie-breaker) to ban slavery in the West. Southern Whigs hoped that as a slaveholder, Taylor would veto any such ban. Both sides could agree that defeating the Democrats was the most important task at hand; they could work out their differences later. Better to win first and worry about governing from the winning side of an election.

Finally, there was the importance of a trusted leader. This is particularly ironic, since the Democrats had gained their notoriety among Whigs through their boosting of Andrew Jackson as a charismatic champion of the people. But Whig political culture allowed for a response in the form of a classical republican disinterested man, one above the political fray who would champion honorable policies regardless of the passions of the moment. He would also unify a nation deeply divided over slavery. Whigs could not agree on such a figure in 1836, and they fell short partially as a result. In four successive elections, they chose men who had or did own slaves, but who had also expressed opposition to aggressive expansion and a nationalist desire to achieve reconciliation.
through compromise – not the desire to let individual settlers decide issues that would remain open sores. With this model, they won in 1840, almost won in 1844, and won in 1848. Yet the Compromise of 1850 would put the Whigs’ unique political culture and mutual trust to the test, ultimately contributing to the shattering of their alliance.
CHAPTER SIX

UNITY DESPITE TENSION: THE WHIG PARTY FROM 1849 TO 1850

After Zachary Taylor’s victory in November 1848, all eyes turned to the President-elect to see what he would propose for the newly acquired Mexican Cession. It was now up to a Whig President with no political experience and a Democratic Congress to deal with slavery, a southern institution with national implications. Slavery cast a shadow over California’s future admission and the establishment of territorial governments in the other lands acquired from Mexico. Whigs, who had held together despite slavery disputes, would be tested like never before. The acquisition of additional territory from the Mexican War meant that opposing expansion as a way of avoiding conflict was no longer an option. The Taylor administration and Whig congressmen would attempt to apply Whig principles to a challenging new political situation in the lead-up to the Compromise of 1850. This would be the final compromise over slavery before the Kansas-Nebraska Act of 1854 reignited debates over western slavery and set the nation on a course to disunion.

Whigs would face numerous challenges in addressing the challenge of slavery in America’s new West. The Whig Party had opposed acquiring new land ever since the debates over the Missouri Compromise had threatened the Union in 1820. Now that there was new land on the table and a dispute about whether it would be slave or free, the party struggled to develop a unified position; it quickly split into factions. Most of its northerners opposed the spread of slavery to any additional territory. Some northern and most southern Whigs wanted to compromise for the sake of the Union. And a few southerners were sliding towards the radical southern Democrats, who were insisting not only on a land acquisition, but on a large one. Younger northern Whigs like William Seward had a similar political culture but different priorities than the previous generation: they prioritized avoiding national complicity in slavery over national comity and compromise.
Whigs’ best hope for internal unity died with Zachary Taylor’s untimely passing less than a year and a half after he took office, although it is unclear that even he could have reconciled the party’s members. House debates over compromise were more rancorous than those in the Senate, exposing differences of opinion that Whigs had managed to avoid for years with an anti-expansion but pro-slavery policy, alignment behind a common political culture, and mutual trust cultivated between gentlemen. All of this threatened to destroy the party’s unity.

Southern Whigs, for their part, continued to be frightened over the possibility of slave revolts and concerned about the economic and political viability of slavery where it existed. The prospect of future legislation to free slaves, for instance in the national capital, seemed like it might invite further rebellion and bloodshed against white southerners on the part of hopeful slaves, just as prior southern legislative debates over gradual emancipation had supposedly triggered Nat Turner’s revolt only 18 years prior. At the same time, slavery seemed to be threatened: its economic viability by the persistent flight of fugitive slaves to the North, and its political viability by the potential for a US version of the British abolitionist movement in the Caribbean that had begun shortly after Nat Turner’s revolt. To stem the tide of economic and political threats to slavery where it stood, southern Whigs were willing to sacrifice significant westward expansion for a broad package that would protect slavery, particularly by establishing that it would not be banned in DC and that the national government would enforce the return of fugitive slaves. Southern Whigs hoped to act as the responsible party over slavery in the South, convincing expansion-hungry Democrats that it was more important to protect the institution as it was.

As holders of the presidency, the ball was in the Whigs’ hands, and after months of silence, President Taylor finally presented a plan for dealing with slavery in the West. It was quite simple: resolve all questions immediately. His supporters embraced it, while his opponents saw it as naïve
and potentially divisive. In December 1849 and January 1850, Taylor delivered two messages to Congress about his plans. He would have Congress simply bypass the contentious question of how California and New Mexico would treat slavery as territories… by not allowing them to become territories. Congress should immediately admit California as a free state, under an anti-slavery constitution that some of its citizens had hastily drafted under legally dubious circumstances. He envisioned California as massive, stretching all the way to modern Utah. The President thought that Congress should then immediately admit sparsely-populated New Mexico as a free state. Finally, he proposed that the Supreme Court resolve a dispute between New Mexico and Texas concerning their boundaries, which Congress was ill-equipped to deal with because of competing legal claims.464

Taylor’s plan would effectively resolve the Mexican Cession’s future without creating any territorial governments. With this plan, Congress would avoid making a direct decision to ban or permit slavery in the West. At the same time, there would be no protracted struggle within western territories over whether to allow slavery. Congress would effectively decide that no decision was necessary, since California and New Mexico were prepared for statehood and happened to be territories free of slavery. If further conflicts did occur, Congress could handle them individually.

Throughout the early months of Taylor’s presidency, southern Whigs and national Democrats wrongly accused him of relying on New York’s William Seward, who helped lead northern Whigs, most of whom prioritized keeping slavery out the West. Seward, who had started his career as an Anti-Mason and would become a leader of the Republican Party’s anti-slavery efforts, opposed Vice President Millard Fillmore both within New York and within the party when it came to assessing the wisdom of compromise. Taylor was indeed friendly towards Seward,

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which likely sparked these allegations, but did not consider him an advisor, let alone a close confidant. Taylor opposed slavery in the Mexican Cession less than the Wilmot Proviso but more than the “popular sovereignty” doctrine of the Democratic Party and Lewis Cass, which would have acquiesced to territorial legislatures. But because of his association with Seward and anti-slavery northern Whigs, southern Whigs were suspicious of the President’s intentions.\footnote{Smith, \textit{The Presidencies of Zachary Taylor \\& Millard Fillmore}, 63. As we shall see, some southerners argued that slavery was viable in southwestern gold mines. But it had far less potential in arid deserts. The only promising areas were in central California, but it seemed highly unlikely that Congress would allow slavery there.}

Elbert Smith argues that Taylor was a “realist” who thought that slavery was not viable in the new southwest. From this perspective, it was Calhoun and die-hard southern Democratic expansionists who were undermining slavery by fomenting sectional unrest for no reason.\footnote{Ibid., 192.}

For years, most southern Whigs shunned expansion and protected slavery where it existed. To prevent sectional conflict, they had opposed Texas annexation, the Mexican War, and the acquisition of any territory from Mexico. Now that new land would be annexed anyway, however, most southern Whigs wanted some of it set aside for slavery. They charged Taylor with giving up too much. He was not setting aside any annexed territory for slavery, nor was he recommending other pro-slavery policies that the South would benefit from: a stronger Fugitive Slave Bill and a boundary dispute resolution that was more favorable to Texas than New Mexico, which had no slaves. Some southern Whigs wanted Congress to allow at least the possibility of legalized slavery in part of the Mexican Cession. Although they thought its largely desert climate made slave-based agriculture impossible, this would at least preserve the South’s honor. Taylor’s proposal was simply not good enough, as it did not resolve the full gamut of slavery issues, from boundaries to

\footnote{\textit{\textsuperscript{465}} Smith, \textit{The Presidencies of Zachary Taylor \\& Millard Fillmore}, 63. As we shall see, some southerners argued that slavery was viable in southwestern gold mines. But it had far less potential in arid deserts. The only promising areas were in central California, but it seemed highly unlikely that Congress would allow slavery there.\textit{\textsuperscript{466}} Ibid., 192.}

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the apparently increasing problem of fugitive slaves fleeing to safety in the North, the latter issue one that could undermine the economic viability of slavery in the long run.\textsuperscript{467}

Northern Whigs did not see Taylor’s plan as ideal, but they were willing to support it if necessary. They had lined up behind banning slavery in the West ever since the Wilmot Proviso passed the House in 1846. Nevertheless, despite their opposition to slavery anywhere in the West, most northern Whigs, including Seward, were willing to support immediately admitting California and New Mexico as free states without immediately addressing the remaining land.\textsuperscript{468}

The Senate’s compromise attempts produced some of the best-known oratory in US history. We will examine the upper house first, since it began the compromise process, followed by the House, which has been less prominent in the historiography.

\textbf{THE SENATE CRAFTS A COMPROMISE}

After Congress convened on December 3, 1849, southern and border state Whigs began the Senate’s compromise debates by proposing two alternative plans, each purporting to favor the South. Tennessee Senator John Bell’s plan – to admit California as a free state in exchange for creating two new slave states from Texan land – received hardly any support. Henry Clay’s plan, on the other hand, would dominate Senate discussions for months.\textsuperscript{469}

On January 29, Henry Clay proposed a grand compromise using multiple issues. Along with other southern Whigs, his main concern was protecting southern honor from an outright western slavery ban, especially since climate would likely prevent slavery from spreading there

\textsuperscript{467} Ibid. For the issue of fugitive slaves, which was of growing concern to southerners, see: Blackett, \textit{The Captive’s Quest for Freedom}, 3-18; Stanley W. Campbell, \textit{The Slave Catchers: Enforcement of the Fugitive Slave Law, 1850-1860} (Chapel Hill: Univ. of North Carolina Press, 2011), 3-25.

\textsuperscript{468} Ibid.

\textsuperscript{469} Holt, \textit{The Rise and Fall of the American Whig Party}, 482.
anyway. Besides, even if slavery could spread there, Clay agreed with most northerners that Mexican laws were legally binding in the Cession without new laws to the contrary. Since Mexico had banned slavery, it was not clear that southerners could bring their slaves westward. Clay was therefore content to make a deal that could satisfy both sides. He would set Texas’s permanent boundary far to the east of where the South preferred, yet west of where the North preferred. To compensate the South, the federal government would assume the debts held by bondholders who had lent Texas money, but who were now in a precarious position as the state struggled. This would help the South by shoring up Texan credit and the North by bailing out the (mostly) northeasterners who held Texan bonds. New Mexico could have most of the territory that Texas disputed, since slavery would not prosper in the desert. The South’s honor would be preserved, slavery would not realistically spread much, and there would be no sectional strife over creating more slave territory by enlarging Texas. While he publicly claimed that he wished to settle matters more in the South’s favor, since it was the weaker section (in terms of population, growth and vulnerability to slave revolts), Clay’s proposal favored the North.470

This package deal was also attractive to northeastern Texas bondholders, since Texas was in poor financial shape. If Congress would pay the full value of Texas’s now-undervalued bonds, these bondholders would have an enormous incentive to lobby for a settlement of its boundaries.471

Clay’s haste highlighted his priorities: honor and stability over land. He concocted his plan so quickly that he accidentally excluded a large amount of central Texas that contained thousands of slaves. He revised his proposal but was apparently willing to accept a severely truncated Texas. In the following map, we can see Texas’s claim and Clay’s final proposal, as well as the rejected

plans of Tennessee Whig John Bell and Missouri Democrat Thomas Hart Benton. Maryland Whig James Pearce’s plan was of course the source of the final resolution for Texas’s boundary. We should bear in mind that Bell and Clay were willing to accept no further extension of slavery beyond Texas. (Although Bell’s plan would have created additional slave states out of Texan land.) Most southern Whigs could not accept such a proposal, however; they insisted that New Mexico Territory be allowed to vote on whether to allow slavery.472

While many southern Whigs might have been able to live with Clay’s plan, almost none could accept it under the circumstances. While it addressed southern Whigs’ typical main concerns of honor and protecting existing slavery, they could not survive politically if they made the

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sacrifice of passing over such an enormous territorial acquisition. And even if they could, there were far more Democratic than Whig Senators from the South. (17-5 in the southern states, 19-11 including border states.) If all 11 northern Whigs and two Free Soilers voted against Clay’s plan in order to prevent any slavery expansion, and the 19 slave-state Democrats voted against it because they wanted more expansion, the plan would fail, receiving only 28 out of 60 votes.473

Looking for vital Democratic support, Clay reached out to Thomas Ritchie, Editor of the Richmond Enquirer and a key Democratic leader. In a private meeting, they agreed to garner support from most northern and some southern Democrats. Ritchie wanted an “omnibus” bill that would combine and settle the nation’s various slavery disputes. Clay therefore agreed to modify his bill by addressing the admission of California as a free state, drawing Texas’s western boundary more generously than before, transferring Texas’s debt to the federal government, establishing territorial governments for New Mexico and Utah that might allow slavery when they applied for statehood, and enacting a strong Fugitive Slave Bill to apprehend slaves who ran to the North. Clay also added a provision to abolish the slave trade in DC (but not slavery itself).474

Thus began one of the most famous debates in American history. The futures of Texas, California, the remainder of the Mexican Cession, fugitive slave laws and the DC slave market all hung in the balance. Would the Senate support Clay’s compromise package, or would it support Taylor’s plan of avoiding pressing slavery issues and dealing with others later? Would California be admitted as a single free state? These were the questions at stake.

What followed were three of most famous speeches in Senate history, delivered by Clay, Daniel Webster of Massachusetts, and William Seward. Most historians have focused on the

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473 Holt, The Rise and Fall of the American Whig Party, 482-83.
differences between them, and particularly the differences between Clay and Webster, who supported compromise, and Seward, who opposed it. Clay and Webster wanted compromise in the form of an omnibus bill, while Seward wanted each slavery issue handled one at a time, which seemed likely to allow the North more dominance, since the northern House majority would likely pass individual anti-slavery measures but not pro-slavery ones.\footnote{For a discussion of the roles that key senators played, see: Fergus M. Bordewich, America's Great Debate: Henry Clay, Stephen A. Douglas, and the Compromise That Preserved the Union (New York: Simon & Schuster, 2012).}

Despite their differences, these speeches shared Whig principles, applying them to two different priorities. Whigs in both sections wished to preserve a stable Union. But northern Whigs would not be complicit in altering the social fabric by allowing slavery on nationally controlled western territorial land, even if this meant upsetting the South.

For his part, just as he had with the Missouri Compromise of 1820 and his attempt at compromise over DC abolition in 1839, Clay utilized his old southern Whig conciliatory approach. He saw slavery as encompassing a broad array of issues beyond mere expansion, and therefore attempted to resolve controversy with compromise. For Clay, the viability of slavery hinged not merely on expansion, but on Texas’s territorial and financial viability, the protection of slavery in every part of the nation to include DC, the elimination of the offensive slave trade that was permissible in the seat of a free nation’s government, and, increasingly importantly, the growing flight of slaves to the North, a trend that could threaten the profitability of slavery if it continued.\footnote{R. J. M. Blackett argues that the fugitive slave issue was critically important to southerners because it threatened the economic viability of their slave labor. He also shows the extent of northern outrage over the Fugitive Slave Act of 1850 and its draconian attempts to stem the flight of slaves from the South. This clash between sections, Blackett argues, spurred on by the attempts of courageous slaves to escape bondage, played a vital role in bringing on the Civil War and the end of slavery. See: Blackett, The Captive’s Quest for Freedom.}

But while Clay wished he could use another grand compromise to shut down heated debates, just as he had in 1820, in fact the issue had never been truly settled. Just as southern Whigs had abandoned Clay’s “No Territory” proposal concerning the Mexican War, they turned against
him once again, seeing him as effectively favoring the North. Opposing expansion had worked before western land was in play. Now, popular opinion in the South seemed to favor taking as much land for slavery as it could. Southern Whigs were not expansionists, but they thought they could wring further concessions from the North. Clay was trying to vindicate southern honor by giving it some of the extra slave territory claimed by Texas, along payment for Texan debts. Southern Whigs thought they could do better.477

Clay was also forced to respond to northern Whig and southern Democratic criticism. The former complained that he gave Texas disputed territory without banning slavery in the Mexican Cession. The latter thought he was shortchanging the South. Clay replied that “other subjects equally important” as California’s admission required resolution to restore “once more peace, harmony, and fraternal affection” to the American people, who had become “distracted” by slavery debates. Besides, compromise would help the Union by making California’s admission easier.478

Whigs had long argued that social stability came before the uncompromising pursuit of principles, and this case was no different. As the Senate debated, Clay appealed to compromise on principle, declaring: “All legislation, all government, all society, is formed upon the principle of mutual concession, politeness, comity, courtesy; upon these, everything is based.” He also noted that compromise allowed for the formation of the United States and its Constitution, deeming it “peculiarly” appropriate for republican citizens, since unlike subjects, they relate to one other, and must accommodate each other, like “one common family.”479

477 Holt, The Rise and Fall of the American Whig Party, 481. We have already noted how Clay was more concerned about vindicating southern honor than about the precise amount of territory the region gained. This was likely responsible for a careless error in his original plan, which failed to include a substantial portion of settled Texan territory. He corrected this error, but it was a telling one.
479 Ibid., 25.
Opposed to John C. Calhoun’s uncompromising pro-slavery position, Daniel Webster advocated for compromise on March 7, 1850. Instead of a family, he described the Union as a ship in danger of wrecking over slavery. Speaking “for the good of the whole, and the preservation of the whole,” he declared: “I speak to-day for the preservation of the Union. ‘Hear me for my cause.’” Webster hoped that the country could achieve what he remembered as “that quiet and that harmony” which it had enjoyed before the rancor over slavery of the late 1840s. (He made no mention of slaves themselves.)

Webster would avoid slavery fights and focus on national unity, since the institution was a “natural impossibility” in the Mexican Cession anyway. He thought a ban to be but a gratuitous “taunt” to the South. Slavery was legal, and compromise was ethical for the sake of social stability. The Constitution required anti-slavery men like himself to be complicit with slavery by returning fugitive slaves. The alternative was secession and war, peaceful disunion being an “utter impossibility.” “Sir,” he exclaimed, “he who sees these States, now revolving in harmony around a common centre, and expects to see them quit their places and fly off without convulsion, may look the next hour to see the heavenly bodies rush from their spheres, and jostle against each other in the realms of space, without producing the crush of the universe.” Only compromise could preserve one polity that contained differences over slavery. Webster concluded with a fervent call: “To break up! To break up this great Government!... No, sir! no, sir! There will be no secession. Gentlemen are not serious when they talk of secession.”

Most northern Whigs, however, were not willing to compromise over slavery expansion. One explanation historians have given is that northern Whigs followed a “radical” approach in

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481 Ibid., 35-36, 39-41.
seeking to change existing institutions, such as when William Seward argued that a “higher law” should impel northerners to stand against slavery’s westward expansion. Seward and his allies are said to have rejected “conservative” compromise over slavery.\(^{482}\)

In fact, however, there were two “conservative” approaches to the 1850 crisis, both informed by Whig principles (and opposed to Democratic ones). One was compromise for the sake of social stability, which had allowed northern and southern Whigs to overcome their differences for years. But Seward and most northern Whigs believed that conservative considerations demanded a strong stance towards the establishment of new slave societies. This view had been percolating for some time. In 1847, Indiana Whig Congressman Richard Thompson described what he saw as the truly “conservative position.” It involved “denouncing Slavery as an evil, on the one hand, and admitting all the constitutional rights of the Slave States on the other.” In the context of refusing to be complicit in slavery’s establishment, Seward declared “All legislative compromises” that sacrificed moral principles to be “radically wrong and essentially vicious.” Slavery expansion should be defeated, not made the price of California’s admission.\(^{483}\)

Seward explained that northern Whigs must oppose slavery expansion, even if this stance agitated southern states, since they had a moral duty to avoid complicity in expanding the institution whenever possible. He claimed that he would support admitting California as a slave state if this was necessary to bring it into the Union. But it was not. The real question was whether “the Constitution recognizes property in man.” Seward denied it. Slave states established slavery

\(^{482}\) It is important to realize that both the “Sewardite” and “conservative” factions considered themselves to be “conservative.” While one faction may have been more radical than the other, they did not hold fundamental ideological differences, but had different priorities. Both thought that the national government, and not individual settlers, must decide slavery questions in the emerging societies that were the western territories.

with their laws and were protected by the Constitution. But western territories were different, and Americans were free to act to ensure that nationally controlled territory remained free soil.\textsuperscript{484}

Like Clay and Webster, Seward saw the US as a unified polity, but he drew a more anti-slavery policy conclusion than older Whig statesmen. Having quoted Edmund Burke and John Jay, two thinkers from the Anglo-American conservative tradition, Seward articulated another conservative argument. Slavery was “only one of many institutions” recognized by the Constitution. But slavery was “only a temporary, accidental, partial, and incongruous one; freedom, on the contrary, is a perpetual, organic, universal one, in harmony with the Constitution of the United States.” Consequently, “[t]he slaveholder himself stands under the protection of the latter, in common with all the free citizens of the State; but it is, moreover, an indispensable institution. You may separate slavery from South Carolina, and the State will still remain; but if you subvert freedom there, the State will cease to exist.”\textsuperscript{485}

In other words, freedom was the basis of American social institutions, even in the South, where it was limited to whites. Freedom ought to inform the country’s “stewardship” over the Mexican Cession. The Constitution favored devotion not to slavery, but “to union, to justice, to defence, to welfare, and to liberty.” It might recognize slavery indirectly through its recognition of states’ laws, but it did not recognize or favor slavery in the national domain. Why, then, should the national government do anything other than ban slavery in the West? As James Oakes has pointed out, Seward’s thinking was in line with the abolitionist promotion of freedom in every space where the nation operated for the common good (like the western territories), since slavery was but a local institution. While many northern Whig conservatives like Millard Fillmore rejected

\textsuperscript{484} Appendix, Congressional Globe, XXII, Part 1, 1\textsuperscript{st} session, 31\textsuperscript{st} Congress, 1849-50, from pages 262-65, in Rozwenc, \textit{The Compromise of 1850}, 43-45.

\textsuperscript{485} Ibid., 45.
Seward’s speech as too radical, he was still using conservative Whig understandings to frame his arguments. I would add that this opposition to slavery was but a question of degree, not a fundamental difference in outlook. Indeed, most northern Whigs had voted against admitting Arkansas as a free state back in 1836. As we have seen in Chapter One, Whigs generally accepted the municipal theory of slavery, according to which slavery was understood to be a fundamentally local institution. They therefore tried to avoid making the nation complicit in its spread, unless the threat of disunion overrode this concern. Against the backdrop of a threat of disunion in 1850, cautious northern Whigs may have seen Seward as irresponsible, but they would not generally say that he was wrong. And in any event, most of them voted with Seward and against compromise.486

Seward then made his famous appeal to a “higher law,” which has often been interpreted as radical but was actually quite conservative. According to Seward, although the Constitution technically allowed slavery’s expansion into the West through the medium of new state laws, there was a “higher law” than the Constitution that ought to prevent Americans from allowing slavery’s spread. Here is the full passage:

“But there is a higher law than the Constitution, which regulates our authority over the domain, and devotes it to the same noble purposes. The territory is a part—no inconsiderable part—of the common heritage of mankind, bestowed upon them by the Creator of the universe. We are his stewards, and must so discharge our trust as to secure, in the highest attainable degree, their happiness.”

This quote and its accompanying line of reasoning was preceded by quotations from the conservatives Burke and Jay. It was immediately followed by a quotation from Francis Bacon concerning the great power of human governments, much more so than individuals, to introduce “such ordinances, constitutions, and customs as are wise,” to “sow greatness to their posterity and successors.” Seward did not use this quotation in a radical manner. He did not believe that human

486 Ibid., 46; Oakes, Freedom National, 2-9, 29-32.
laws could simply override well-developed customs and habits that were ingrained in a society. He also drew a contrast between slavery as it then existed in the US on one hand, and slavery as it might be established in new western states on the other. “This is a State,” he said of the Mexican Cession, “and we are deliberating for it, just as our fathers deliberated in establishing the institutions we enjoy.” Americans had once faced the task of establishing a new society out of British possessions in the New World. Seward believed they had succeeded by applying Bacon’s radical advice to create a new society, albeit in a conservative manner (dependent on the nature of the social fabric that the society was founded upon). Since American colonists had lived (as John Locke argued) in something resembling a state of nature, they created new laws according to their wisdom. Now they would do the same once again.487

There seemed to be only two possible answers to the “simple, bold, and even awful question” of what to do about slavery: spread it or stop it. Seward thought the real question was: “Shall we, who are founding institutions, social and political, for countless millions—shall we, who know by experience the wise and the just, and are free to choose them, and to reject the erroneous and unjust—shall we establish human bondage, or permit it, by our sufferance, to be established?” Notice the conservative appeal to human experience, wisdom and justice. Faced with the opportunity to establish new political societies, America’s “forefathers would not have hesitated an hour. They found slavery existing here, and they left it only because they could not remove it.” Slavery had only been established in some states when they were British colonies. Free states would not establish slavery, and slave states only formed because they were burdened with the institution from prior years under the British. (Note that southern Whigs, and southerners generally, repeatedly blamed the British for slavery, just as the Declaration of Independence had

done.) Hence the founders, in “establishing an organic law, under which the States of Ohio, Michigan, Illinois, Wisconsin, and Iowa” would enter the Union, “repudiated and excluded slavery from those States forever.”

Seward argued that the establishment of organic law in a new society, as opposed to the thorny question of what to do with established slavery, was an easy one to address. He thought it was a sign of “degeneracy” that Americans were even engaged in a debate over this question.

These beliefs and sentiments formed the background to the end of Seward’s speech, which also appears to be more radical than it was. “We cannot establish slavery,” he concluded, “because there are certain elements of the security, welfare, and greatness of nations, which we all admit, or ought to admit, and recognize as essential; and these are the security of natural rights, the diffusion of knowledge, and the freedom of industry.” The institution of slavery must not be implemented in new western societies because it was “incompatible with all of these, and just in proportion to the extent that it prevails and controls in any republican State, just to that extent it subverts the principle of democracy, and converts the State into an aristocracy or a despotism.”

The existing slave states were stuck; it was up to the nation to avoid creating new ones.

Clay, Webster, and some other old-line Whigs disagreed. They thought national stability was more important than opposing slavery’s spread.

Southern Whigs joined them. They wanted a better deal for slavery than Clay initially proposed, but they favored a compromise that would bolster slavery’s legitimacy.

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488 Ibid., 46-47.
489 Ibid.
490 As for Seward’s qualification that all “ought to admit” the existence of natural rights, we have explained earlier that Whigs were united in sharing assumptions here, while Nullifiers and many southern Democrats were not.
A bipartisan Senate coalition therefore repeatedly modified Clay’s compromise package. It tried to obtain support from southern Whigs, some southern Democrats, and many northern Democrats. Clay eventually lost control over the process, but he led it for some time.

When President Taylor unexpectedly passed away on July 9, 1850, the only apparent alternative to a negotiated compromise died with him. His plan to immediately admit most of the West as free states had not really gained traction in Congress, and it is unclear whether it could have succeeded. Whether Taylor’s veto, or the threat of his veto, would have motivated Congress’s path is uncertain. But the new president, New York’s Millard Fillmore, supported a compromise and rallied his supporters behind an omnibus package that Clay supported.492

It was easy to imagine Taylor taking advantage of Clay’s fragile compromise. Maryland Whig Senator James Pearce, a backer of Clay’s basic proposal, successfully detached part of the omnibus that he disfavored. But then an avalanche ensued, as multiple senators stripped the omnibus of its components one by one until there was nothing left.493

However, with President Millard Fillmore ready to sign compromise legislation, Illinois Democrat Stephen Douglas came to the rescue of the omnibus. After an exhausted Clay felt compelled to leave the sweltering capital and travel to Newport, Rhode Island for health reasons, Douglas shepherded it through the Senate piece by piece. Each anti-slavery section received enough northern votes to pass, while each pro-slavery section received the votes of a solid South, votes from Border States, and some votes from northern Democrats. Clay, who was in ill health, departed Washington for Newport, while this was happening. But Douglas succeeded in passing the various omnibus items on his own. He thereby successfully carried to conclusion the pact that Clay had effectively orchestrated together with Democratic leaders. The final vote in the Senate

493 Hamilton, Prologue to Conflict, 110-11.
involved an alliance between most northern Democrats, most southern Whigs, and almost all border Senators from both parties. Clay’s original goal was essentially accomplished in the Senate: “to compromise all the differences that arise out of the subject of slavery.”

Clay’s original compromise plan was different from Taylor’s idea of avoiding compromise by admitting most of the Mexican Cession as two free states. It did indeed differ considerably when it came to procedure. Taylor had wanted to admit California and New Mexico as free states and worry about Texas later. Clay’s original bill settled the Texas issue at the beginning, thereby preventing any further strife over slavery. However, both plans fundamentally reflected a southern Whig approach: protecting slavery where it stood. Southern Whigs would be satisfied if they could avoid dishonor, stabilize the country, and ensure the spread of slavery to the extent that existing states like Texas (as opposed to territories) had additional opportunities. The President and Senate leader differed on methods. In the end, Clay, with Democratic input, adjusted his plan, which Stephen Douglas eventually pushed through. It relied on two separate doctrines. It was Whiggish in admitting California as a free state, but Democratic in utilizing the old Democratic doctrine of “popular sovereignty” to determine the future of slavery in the rest of the West.

After compromise won the day in the Senate, it was left to the House to act. This would prove to be a tall order.

THE HOUSE OF REPRESENTATIVES DEBATES COMPROMISE

Most writing on the Compromise of 1850 has focused on the Senate. This is understandable, not only because the upper house initiated compromise discussions, but because its split between slave and free states made it more likely to decide a sectional compromise than

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494 Ibid., 133-44.
the northern-dominated House. Michael Holt has noted that the House could have easily passed a
bill admitting California as a free state with no preconditions, if only Howell Cobb, the Georgia
Democrat who was the Speaker of the House, had not scuttled it. But even if the House had done
so, it is not clear that the Senate would have acquiesced.495

There has been little focus on the House debates that took place after the Senate passed its
series of compromise bills. Historians have generally tended to analyze voting patterns and tried
to determine external motivating factors. There was pressure from lobbyists for Texas
bondholders, the Fillmore administration’s patronage distribution, and factional rivalries between
Whigs in different states. There are various possible political reasons why some northern Whigs
voted for compromise instead of choosing to oppose slavery’s westward expansion.496

While these factors may have been important, however, they should not lead us away from
analyzing House speeches. Unlike senators, representatives were directly responsible to voters
(senators were elected by state legislatures) and stood for re-election every two years. Whig House
speeches show how the party’s political culture influenced the debates over compromise and
slavery. They also help explain why many northern Whigs felt that compromising was the right
thing to do, as well as why a few southern Whigs joined pro-expansion Democrats. More
interesting than external pressures is how representatives constructed viable political arguments to
justify their decisions to their constituents, who would determine whether they would continue to
hold public office.

Unlike in the Senate, the aggressiveness of younger House members made compromise
excruciatingly difficult, exposing Whig differences over slavery. Many months saw many

495 Holt, The Rise and Fall of the American Whig Party, 483-84.
496 Hamilton, Prologue to Conflict, 66-67, 118-32; Holt, The Rise and Fall of the American Whig Party
proposals; more than fifty members delivered speeches that were at least an hour long.497 The House then considered a motion to begin to implement President Taylor’s plan by admitting California as a free state. This stand-alone bill enjoyed broad support while clearing its first procedural vote, with a large northern majority carrying the day. But this development threatened the South’s desire to secure larger boundaries for the established slave state of Texas in contrast with New Mexico, since the South would no longer be able to use California’s admission as leverage. House Speaker Howell Cobb, a Georgia Democrat, used the power of his position to essentially shelve the vote; he recognized only southern speakers who opposed the bill. No northerner could make a motion to move it forward, so the bill simply died.

There now seemed to be only three possible results: (1) a compromise on slavery issues to secure California’s admission; (2) Speaker Cobb would allow an up-or-down vote on admitting California; (3) Congress would not act, and the Golden State’s admission would become an election issue that would help decide the composition of the next Congress.

On August 28, 1850, the House began nine days of highly unusual and sensational pandemonium in which it heatedly and passionately debated and voted on compromise proposals. American congressional debates tended to be relatively tame and respectful affairs, almost always calm enough for observers to transcribe speeches. Not now, however, with such high stakes; the survival or defeat of slavery and the Union hung in the balance. Representatives interrupted each other, shouted points of order, motioned to adjourn, offered amendments to amendments, proposed different ideas, and made so much commotion that the Speaker repeatedly tried, often unsuccessfully, to bring the room to order. The Congressional Globe is filled with lines such as:

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497 Waugh, On the Brink of Civil War, 180-81.
“Some time passed in the effort of the Speaker to restore order” and “Great confusion in the Hall.” The Speaker repeatedly called out “Order!” but often to no avail.498

The House’s final marathon debate, between compromisers and hard-liners, featured groups of three allies on each side. Some of these groups were divided, but they all weighed heavily in one direction or another. A coalition of border-state representatives from both parties, southern Whigs, and northern Democrats supported compromise. On the other side were northern Free Soilers, most northern Whigs, and most southern Democrats. We will first explore the arguments of these groups, before turning to their dissenters and to those representatives who changed arguments mid-debate.

*Border-state representatives* from Missouri, Kentucky, Maryland and Delaware, which allowed slavery but had relatively few slaves, formed a bi-partisan bloc (19 of 20) for compromise. Democrats, who controlled the House, led the way in trying to strike a deal. Kentucky’s Linn Boyd proposed a single bill to immediately settle the boundaries of Texas and New Mexico along with Texas’s financial debts. He argued that since a decision had to be made, the best course of action was to admit California as a free state (since it already had a substantial and free population) and practice “non-intervention” with other territorial legislatures. Southerners would assume that the Constitution overrode Mexican anti-slavery laws, northerners would assume they still applied, and popular sovereignty would allow territorial legislatures to reach decisions.499 Maryland Democrat Robert McLane spoke for other border-state representatives when he said that he did not care exactly what the compromise looked like; he (and they) wanted action to save the Union.500

499 Ibid., August 28-29, 1850, 1696-97.
500 Ibid., September 4, 1850, 1746-47.
North Carolina’s Thomas Clingman was unable to convince any of his fellow southern Whigs to join most southern Democrats in opposing compromise. Since 1848, he had been trying to organize a faction of North Carolinians to leave the Whigs for the Democrats.\textsuperscript{501} His arguments for making the lower third of California a slave state fell on deaf ears. He urged Whigs not to compromise by accepting the Democrats’ hated idea of popular sovereignty for some of the West, pointed out that California seemed unwieldy in its massive size and small population, and conjectured that its Mexican farmers did not want to be dominated by white Americans from San Francisco and Gold Rush areas. Clingman questioned the Whig consensus that slavery was not viable in the West anyway, suggesting that it could work in agriculture and gold mining.\textsuperscript{502}

*Southern Whigs* collectively decided (17 of 18) to compromise. Alabama’s Henry Hilliard explained that while southerners would appreciate slave state allies in the West, he preferred to focus on protecting slavery within its existing limits and in the context of a strong Union, rather than hopelessly trying to expand it to an inhospitable climate. Compromise could resolve Texas’s boundary, create a strong Fugitive Slave Act, while also ensuring a harmonious Union that would settle the issue of slavery and leave the South alone. (The argument that slavery was viable in California seemed absurd. Gold mining employed a small number of people, and, before the days of modern water projects, southern California was largely desert.)\textsuperscript{503}

*Most Northern Democrats* moved towards reconciliation with the South: over 70 percent (32 of 45) voted for compromise. Certainly, some northern Democrats felt pressure from anti-slavery constituents to oppose allowing slavery in the West; but the majority worked hard to appeal to northern Whigs. They agreed with southern Whigs that climate prevented the economic viability

\textsuperscript{502} *Congressional Globe*, August 29, 1850, 1697-98.
\textsuperscript{503} Ibid., August 28, 1850, 1682; *Appendix to the Congressional Globe*, August 28, 1850, 1189-93.
of slavery in the Mexican Cession and that Mexican anti-slavery laws might still be controlling in any event. Illinois Democrat John McClernand, cognizant of the anti-slavery pressure that some in his own party faced, urged northern Whigs to ignore public pressure and imitate the Roman statesmen by working together to save the republic. Northern Whigs might be moved by this appeal to act, as statesmen, in a disinterested manner for the sake of the common good.  

As individuals, we are but atoms in the great frame and motion of the universe; existing, as it were, for a day, and then giving place to the beings that are to follow us. Not so, let it be understood, with government—civil government, which, as a law and a necessity of human society, must exist, in some form, for good or for evil, coeval with the existence of society itself. Let us rush, then, to the rescue of our wise and free and happy Government from the perils that beleaguer it. Let no man stand back; but let men of all parties, of all sections—from the North and the South—the East and the West—from the slaveholding and non-slaveholding States—let all patriots come forward in a spirit of conciliation and compromise, and make common sacrifices upon the altar of their beloved country for her preservation and glory.

Here was Whig political thinking: society was greater than its individuals and national bonds were more important than virtually any particular policy. A ban on western slavery could threaten the Union, without which there could be no national politics at all, including anti-slavery policies.

Indiana’s Willis Gorman added that Texas had legitimate claims in its dispute with New Mexico. He attacked the Wilmot Proviso as “productive of nothing but mischief.” Popular sovereignty – “the doctrine that the people were capable of self-government everywhere” – seemed preferable to making “anti-republican” national rules.

A substantial minority of northern Whigs agreed with pro-compromise Democrats. New York Whig Congressman James Brooks made their case. While he once supported the Wilmot Proviso, whose purpose he saw as discouraging expansion for the sake of slavery, he thought new

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504 Congressional Globe, August 29, 1850, 1700.
505 Ibid.
506 Congressional Globe, August 30, 1850, 1716.
circumstances rendered it a “useless, mischievous abstraction” with no practical application.\footnote{507} To save the Union, Brooks was “willing to become a convert” to Democrats’ “doctrine of non-intervention” everywhere in the Mexican Cession outside of California. This could save the Union without betraying anti-slavery politics, since climate would probably prevent the spread of slavery anyway. He would not give up any free land from California, whose “social polity” was “fixed beyond the power of [the federal] Government to change it.” Its gold seekers wanted “equality” and would not bear the indignity of working with black slaves.\footnote{508}

In trying to convince anti-slavery northern Whigs to compromise, Brooks acknowledged the pure motivations that tempted northern Whigs to be free from any complicity. He too hated those who “oppresse[d] the African in the comforts of life, the consolations of religion, or in the rupture of the social ties that consecrate a home.” He considered anti-slavery advocates’ efforts to enact an “unnecessary” slavery ban to “provoke, to annoy [and] excite a portion of countrymen…‘to set their tails on fire to see how they run’” to be just as irresponsible as southern Democrats who opposed compromise, because they would “rend the Union” to spread slavery.\footnote{509}

A third of northern Whigs were moved to support compromise for the sake of unity, but the rest still refused to be complicit in slavery’s spread. Upstate New York’s Charles Clarke made their case by attacking James Brooks, who hailed from commercially-oriented New York City. Clarke’s colleagues approved of his speech and urged him to speak beyond his allotted hour.\footnote{510}

Most northern Whigs made the case was that Congress’s “first and foremost” consideration should be “that the area of slavery must not be extended.” While the Texas-New Mexico border dispute was relatively small, any compromise that gave up land to slavery or paid Texas for false

\footnote{507}{Ibid., August 29, 1850, 1701.}
\footnote{508}{Ibid.}
\footnote{509}{Ibid., August 29, 1850, 1701-02.}
\footnote{510}{For the full context, see: \textit{Appendix to the Congressional Globe}, August 29, 1850, 1273-75.}
claims was immoral and must be attacked until it was “dead, dead, dead.” While God would keep the West free, whether through climate or Providence, human laws were “part and parcel of the means decreed” for freedom. Liberty required a ban on slavery because “sad experience taught” that “wherever the question of the existence of slavery is left… to God’s undisturbed decrees,” the institution “has invariably and ever will find its way.” Whigs had understood this during the 1848 election, when they united against the spread of slavery through popular sovereignty. If northern Whigs would betray this cause, what “Whig principle” would they discard next?511

Northern Whigs were not solely concerned with abstract values of political liberty; they were also still resentful of what they saw as a lack of appreciation for moves to meet southern demands. If given a free pass now, southerners would try to spread slavery further (perhaps by invading Jamaica or Cuba). When South Carolina nullified the “Tariff of Abominations” in 1832, National Republicans opted for compromise, lowering tariffs at the expense of northern industry. Shortly afterwards, Georgia successfully demanded (against National Republican opposition) that the federal government unjustly expel Native Americans so Georgians could have their land. Then the South had demanded Texas annexation. Texas’s outsized allotment of two congressmen (made possible by the Three-Fifths Clause’s counting of its slave population) and two senators was decisive in the congressional repeal of Whig tariffs. The time for appeasement was over. The national government should settle the southwestern dispute in favor of a free state of New Mexico. Democrats had forced Whigs into the Mexican War, and now the entire nation ought to administer its new lands in the national interest. The nation would stop any secession, just as it had during the Nullification Crisis of 1832-1833.512

511 Ibid., August 30, 1850, 1273-77.
Finally, Whig understandings of government meant that Congress needed to make territorial decisions concerning “the great questions of human freedom.” Preserving freedom was a “parental” concern of government, one which overrode the atomizing forces of individualism. And although compromise might be good for American harmony, it was especially inexcusable to introduce slavery into territories that had been previously free under Mexico.513

Northern anti-compromise Whigs secured two-thirds support from their group for what the Free Soil third-party movement had been arguing since 1848: there must be no expansion of slavery for any reason. Free Soilers also opposed providing any benefit to slavery interests. New York Free Soil Congressman Preston King opposed acting in the interest of Texas bondholders. Ohio’s Joseph Root pushed for another vote on the Wilmot Proviso and tried to use parliamentary maneuvering to oppose Linn Boyd’s compromise bill. All nine Free Soilers opposed the effort.514

Most southern Democrats (28 of 44) opposed compromise from a pro-slavery perspective, since they wanted to spread slavery to the West. Mississippi’s Albert G. Brown presented their case, insisting that the South “would be satisfied with nothing less” than the ability “to be permitted to go into these newly-acquired Territories, and to carry her property with her, as the North does.” They were “not disposed to permit any portion” of the territory disputed by Texas and New Mexico “to be surrendered for the purpose of being made free soil.” North Carolina’s John Daniel and Virginia’s James McDowell added that as much as they supported the Union, they would never tolerate the “dismemberment” of Texas for the sake of a free New Mexico.515

As for California, Brown demanded that the South have “an equal participation in the enjoyment of all the common property; and if this be denied, she demands a fair division.”

513 Ibid., August 30, 1850, 1279.
514 Congressional Globe, September 4, 1850, 1700, 1746-47.
515 Ibid., September 3, 1850, 1703, 1736-37.
Admitting a free California was the same thing as banning slavery from the only area where it would likely thrive in the West (they thought it was viable there), which was unacceptable. Compromise was only possible without the swift admission of California as a free state, a transparently premature action meant to practically keep southerners out of the West.516

Isaac Holmes, a South Carolina Democrat, gave the last long speech of the session, making a radical case against compromise. The real cause of sectional strife, he insisted, was “the conflict between the capital of wealth in the North and the capital of labor in the South.” Holmes thought that not only did the North and South have different types of economies, but that the South’s was independent. (He was partially correct. The South took most of its loans and imports from Europe and grew its own food.) Holmes thought the South was economically independent and would continue to grow. It exported 140 million dollars of goods a year to Europe and imported goods worth 130 million dollars, while importing about 25 million dollars of northern goods that it could do without. The North supposedly had much to fear from secession, since its shipping would suffer from competition with Europe and its tax base would collapse. (The South disproportionately paid import duties, which constituted the bulk of federal taxes.) Holmes thought the South could use militias to defend itself and could invade California and Mexico for more land. The North could not or would not subdue the South, he thought; it had the choice between secession or subjection.517

Ultimately, most southern Democrats were not willing to adopt Holmes’s secessionist radicalism. But they would not compromise for less than some slavery in California. Whigs would.

516 Congressional Globe, August 29, 1850, 1703-04.
The differences between Whigs and Democrats partly derived from their theoretical outlooks on slavery. We saw in Chapter One that Whigs’ theoretical opposition to slavery did not reduce their support for the institution. We also explained how the basis of their support for slavery – upholding a stable social fabric – led many southern Whigs to a willingness to accept a “municipal” theory of slavery as opposed to the “federal consensus” that had operated for so long. While such an alternative was tenuous in the 1830s, it was more realistic in 1850. We have already shown how in the 1830s, a Georgia State Rights paper described slavery as based in “municipal laws.” James L. Huston notes that by 1849, many southern Whigs accepted the new municipal theory of slavery, seeing the institution as established by laws and not the Constitution. This meant that they accepted the possibility of federal prohibition in the territories and hoped to protect slavery where it stood in the East. Southern Whigs were fine with California refusing to establish slavery. They hoped that other western territories in the Mexican Cession would decide to establish slavery; but if not, they could accept free western territories too. For southern Whigs, it was a question of negotiating the best possible settlement. Southern Democrats, in keeping with the “federal” theory, saw slavery as “recognized by the constitution.” They therefore rejected a ban in federally-held territory and insisted on dividing California between the sections.

With these propositions set forward, the House embarked on a long and acrimonious series of debates and amendment proposals, before proceeding to final voting. Before we discuss this final vote, let us first recapitulate and analyze the major political groupings during the House debates.

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518 Savannah Republican, January 8, 1834.
519 Huston, Calculating the Value of the Union, 137-38.
520 Oakes, Slavery and Freedom, 72.
521 Congressional Globe, September 4, 1850, 1747-58, 1764.
A. THE COMPROMISERS AND THEIR OPPONENTS

1. BORDER STATE DEMOCRATS AND WHIGS: Both parties favored compromise to minimize strife, save the Union, and avoid seemingly intractable and divisive debates.

2. SOUTHERN WHIGS: They supported compromise to protect slavery where it existed, so long as the South could preserve its dignity by gaining some slave territory in resolving Texas’s boundary dispute, as well as some potential albeit unpromising slave territory in New Mexico.

3. NORTHERN DEMOCRATS: Like Illinois’s John McClernand and Indiana’s Willis Gorman, most favored compromise, arguing that popular sovereignty would end arguments over slavery and ensure that residents exercised maximum autonomy. McClernand appealed to northern Whigs, calling on them to abandon anti-slavery principles and support compromise for the sake of social stability. No northern anti-compromise Democrats spoke up during the debate over the “Little Omnibus,” but those who opposed compromise did so on anti-slavery grounds that were similar to those of northern advocates of Free Soil.

B. THE HARDLINERS AND THEIR OPPONENTS

1. NORTHERN FREE SOILERS: All nine members opposed compromise on anti-slavery grounds. They wanted to protect individual liberty on any new land that the national government established as a territory or state. While this was a mixed group, its rhetoric was often Democratic, emphasizing the individual rights of laborers over society’s responsibilities for maintaining social conventions.

2. NORTHERN WHIGS: Two-thirds of northern Whigs opposed compromise, so as to avoid complicity in the spread of slavery. Like William Seward in the Senate, they relied
on Whig thinking to explain that, while they might tolerate slavery where it existed, they could never agree to establish it in a fresh territory or state. One-third, like James Brooks of New York, sided with President Millard Fillmore (another New York Whig) in supporting compromise to preserve the Union. They too opposed new slave societies but prioritized the social stability of the Union; many of them shifted their votes only after compromise failed the first time. Unlike most northern Whigs, these compromisers feared that fights over slavery could rend the union. They therefore joined northern Democrats in supporting compromise.

3. SOUTHERN DEMOCRATS: Most southern Democrats, like Albert G. Brown of Mississippi and Isaac Holmes of South Carolina, opposed compromise for the opposite reason. They would not surrender what they perceived to be the right of southerners to settle in the West. They wanted southerners to be able to bring their slaves anywhere. While they were willing to consider settling for a national guarantee that slavery would be permitted in the southwest, they rejected the Compromise of 1850.

During these debates, Boyd’s proposed compromise, dubbed the “Little Omnibus” because it combined several issues, was broken down into a smaller and narrower bill, one confined to resolving the dispute over the boundary and debts of Texas. This was the only obstacle to a broader compromise, since there were majorities to be had for every other compromise measure. Boyd’s compromise effort was first defeated by a combination of mostly northern Whigs, northern Free Soilers, and southern Democrats. But Boyd succeeded in bringing it up for reconsideration by the slimmest of margins. On this second attempt, some northern Whigs broke in favor of compromise, just as Massachusetts Senators John Davis and John Winthrop had previously done on the other
side of the Capitol. The final vote took place amid more chaos on September 6, 1850. Such was the chaos that rules of propriety were cast to the wind, as lobbyists for northeastern Texas bondholders mingled with congressmen. (They were trying to obtain a vote for the omnibus compromise so that the federal government would assume Texas’s obligations to pay the full value of its devalued bonds.) During the vote, anti-compromise Ohio Democrat Jonathan Morris noted this unethical (and perhaps illegal) presence of lobbyists. He successfully appealed to the Speaker to order them to leave, but it is not clear if they complied.

Morris could not stem the House’s enthusiasm for compromise. The critical vote for a third reading of Boyd’s bill won 108 to 98. The Congressional Globe reporter who observed the reactions of pro-compromise congressmen wrote the following: “The announcement of the result was received with manifestations of applause of various kinds, the most peculiar and attractive of which was a sort of unpremeditated allegro whistle, which the Reporter does not remember to have heard before, (certainly never in the House of Representatives.) The other tokens of glorification were of a less musical order…. The hall was in an uproar.” After a South Carolina Democrat unsuccessfully tried to stop the bill by tabling it for later discussion, it secured final passage by a margin of 108 to 97. The breakdown in this final vote to compromise was as follows:

<table>
<thead>
<tr>
<th>Category</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Border-State Representatives</td>
<td>19</td>
<td>1</td>
</tr>
<tr>
<td>Southern Whigs</td>
<td>17</td>
<td>1</td>
</tr>
<tr>
<td>Northern Democrats</td>
<td>32</td>
<td>1</td>
</tr>
<tr>
<td>Southern Democrats</td>
<td>16</td>
<td>17</td>
</tr>
<tr>
<td>Northern Whigs</td>
<td>23</td>
<td>45</td>
</tr>
<tr>
<td>Free Soilers</td>
<td>0</td>
<td>9</td>
</tr>
<tr>
<td>Independent (nativist)</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

522 Winthrop replaced Daniel Webster on July 30, 1850, after Webster became Secretary of State.
523 Congressional Globe, September 6, 1850, 1763.
524 Ibid., September 6, 1850, 1764.
The Senate’s other compromise measures were handled one by one. The question of Texas was settled with relative ease. California was admitted by a vote of 150 to 56. Many northern Democrats joined the South in voting to create a territorial government in Utah with the power to allow slavery, thereby allowing the possibility of admitting another slave state in the future. The House passed a Fugitive Slave Bill, another one of the Senate’s compromise pieces, with a similar coalition, essentially bipartisan in the South and Democratic in the North. Finally, a bill to end the slave trade (but not slavery) in DC passed by a margin of more than two to one.  

THE AFTERMATH OF THE COMPROMISE OF 1850

The Compromise of 1850 did not end acrimony over slavery. On September 18, 1850, after both the Senate and House had passed all of the compromise measures, Ohio Free Soil Senator Salmon Chase put forward a motion to ban slavery in the western territories. Henry Clay vehemently protested, insisting that disagreements over slavery had been settled. He was joined by Lewis Cass, the Democrats’ presidential candidate from 1848, who made a motion to table the bill. Chase, realizing that he would meet with bipartisan defeat, said that he did not intend to prolong debate, only to convey his view that slavery issues were not settled. He then withdrew his own bill. The Compromise of 1850 was now in place, and it seemed that it just might settle slavery questions, at least for some time.  

How can we make sense of the relationship between Whigs and the Compromise of 1850 considering the existing historiography? David Potter argues that the “Compromise” did not really deserve its name, since the only close votes concerned Texas and New Mexico, while coalitions provided wide margins for all other issues. There was little in the way of concession and more in

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525 Ibid., September 7, 12, 17, 1850, 1771-76, 1806-07, 1837.
526 Ibid., September 18, 1850, 1858.
the way of strategic maneuvering to achieve consensus on each issue. It would be more appropriate, Potter argues, to refer to a “truce” or a “settlement” – or perhaps an “armistice.” Since nothing was truly resolved, the issue could be – and would be – revived.527

Several observations support Potter’s analysis. Different Americans were alarmed at the possibility of not getting their way on different measures. Although majorities could agree on most slavery issues, this did not necessarily mean that a friendly compromise was reachable. The question of Texas’s boundary was quite contentious. It was only resolved by the slimmest of margins and after great debate, rather than by a single great compromise. Henry Clay’s omnibus approach failed. In the House, Linn Boyd could not even hold a “Little Omnibus” together. Both houses passed each compromise measure separately.

In any event, we must consider why, if the Compromise of 1850 did not resolve slavery divisions, the Second Party System not only continued, but strengthened in its aftermath. Why did most Free Soil supporters return to their native Democratic Party during the 1852 election and vote for the pro-southern Franklin Pierce? If slavery was the most critical issue in national politics, why would a mere “truce” or “armistice” produce an immediate return to conventional politics? Why did Free Soilers continue their fight against slavery? The answer lies in the parties’ durable political cultures, which informed how they approached both slavery and other issues.

Elbert Smith demonstrates how Whigs differed less than we might think on slavery. They focused on tactics. Taylor favored a “peaceful compromise” along the lines of Henry Clay’s proposal. Taylor was merely insisting that Clay’s measures be taken up one at a time, rather than together in an omnibus bill, since this would be more likely to secure a compromise. The President was a southern slaveholder who knew how to look past his own immediate interests and avoid

many southerners’ “unrealistic demands” to defend slavery. Smith notes that this is indeed how the Senate passed its compromise legislation in 1850. Some pro-compromise Whigs tried to connect their support for an omnibus bill with what they saw as Taylor’s desire for a compromise. These included Maryland’s James Pearce, Tennessee’s John Bell, and New Jersey’s Jacob Miller. Smith also argues that after Taylor’s death, Millard Fillmore did not turn away from his predecessor’s policies when he decided to support Clay’s omnibus bill. Fillmore was simply open to whatever compromise seemed most effective. Whereas Taylor had held out for a compromise of individual measures, Fillmore supported an omnibus package. Once it became clear that such a bill could not pass, Fillmore was willing to go ahead with separate measures, supporting whichever needed to go first to achieve comity. Unlike Taylor, he would not insist on sidestepping all slavery issues by avoiding the creation of territorial governments and immediately admitting nearly all of the Mexican Cession as free states. Smith believes Taylor would have adopted the same course.\(^{528}\)

Michael Holt, on the other hand, believes that Taylor was never interested in a compromise in the first place. He notes that, unlike Fillmore, Taylor did not agree to support Clay’s omnibus package at any point. Holt does not see Taylor’s plan – immediately admitting an enlarged California and New Mexico as free states – as a compromise at all. Taylor was doing just the opposite of what Clay wanted. The President was refusing to allow pro-slavery issues to be tied to the question of admitting western states without slavery as soon as possible. He did not want the question of Texas’s western boundary to be attached to the admission of California; he wanted to entirely avoid contentions over slavery. To achieve this goal, the President was willing to promote artificially rapid means to carve out virtually the entire Mexican Cession as states that would immediately exclude slavery from their limits. This would have satisfied northern Whigs, who

were more numerous in the party. The way Holt sees it, if the Taylor administration had succeeded in admitting California as a free state, and perhaps New Mexico as well, the Whig Party would have prospered. Northern Whigs could have fought against pro-slavery measures later. They could have fought the extension of Texas’s western boundary, the payment of Texas’s debts, and a new Fugitive Slave Bill. They might have defeated northern Democrats using antislavery politics and taken credit for California’s admission, campaigning as opponents of a pro-slavery South.\textsuperscript{529}

It seems likely, however, that southern Whigs would have left the party if enough northern Whigs would have insisted on pursuing Taylor’s policies and opposing compromise. Two critical factors influenced national Whig calculations. The party would have found it very difficult, if not impossible, to win elections without southern support. The only way to make up for such a loss would be to pull northern Democrats in an anti-slavery direction. But this would disrupt the stability of the Union. The country would divide along sectional lines, which most Americans did not want. Northern Democrats might then support the stability of the Union over a sectional rift, allowing them to carry the South together with pro-compromise northerners. Since most of the northern public did not want the Union to split, Democrats could dominate. Moreover, partisan loyalties were still high, so much so that Free Soil Democrats supported Franklin Pierce in the election of 1852, despite Whig candidate Winfield Scott’s seemingly clear northern orientation. Democrats achieved similar success in 1856. Finally, David Potter points out that the compromise measures passed individually. It is quite possible, perhaps even likely, that most of them would have passed even if Taylor had succeeded in admitting California as a free state.\textsuperscript{530}

While gathering northern support using anti-slavery politics worked in 1860, it may very well have failed in 1850. Indeed, they took time to develop even in 1856, when the Republican

\textsuperscript{529} Holt, \textit{The Rise and Fall of the American Whig Party}, 517-20.
\textsuperscript{530} Ibid., 661-775; Potter, \textit{The Impending Crisis}, 113-14.
Party first tried. Most of the country supported either compromise or a more pro-slavery position. The only group that supported banning slavery in the West even in the face of disunion was a majority – perhaps two-thirds – of northern Whigs. This group was not large enough to win national elections against a bloc consisting of most northern Democrats, a minority of northern Whigs, and a united South. This situation also explains why some northern Whigs, like John Davis and John Winthrop of Massachusetts, as well as President Fillmore, felt compelled to support compromise despite their anti-slavery principles. There may have been financial, personal, political and tactical reasons for these votes, but we have no solid evidence that any explained the switch. Regardless, it seems to make sense based on what we saw from many members in the House: a swath of northern Whigs wanted to prohibit slavery in the West, but they were willing to change their votes to prevent a compromise from failing. Consider Abbott Lawrence, then ambassador to the United Kingdom and the leading man in Massachusetts Whig politics. When he had been a congressman, Lawrence had joined most northern Whigs in voting against admitting Arkansas as a slave state in 1836. Now, however, with the integrity of the Union on the line, he remained silent about the Compromise of 1850 and then supported its enforcement.531

Consider what happened in the House. When it defeated Linn Boyd’s compromise bill by the slimmest of margins, northern Whigs provided the votes to reconsider and pass the bill. Why the change of heart? Texas bondholders hired lobbyists who tried to get Congress to assume their debt obligations, and this effort may have played a role. Internal political rivalries may have been important as well. But considering the emphasis on compromise that had held the party and the nation together, it should not be surprising that older Whigs wanted compromise. Some first voted against compromise to oppose slavery, only to rethink their votes when it was about to fail.

The simplest explanation is likely the best: new western lands fractured Whigs by forcing them to choose between several alternatives. They could support the spread of slavery (only one did), support compromise with Democrats and popular sovereignty for the sake of the Union (95 percent of southerners and one-third of northerners) or take national responsibility for new societies in the West by opposing slavery there (two-thirds of northerners). There was also Tennessee Whig John Bell’s option of a national settlement that established slavery in some of the West but not most of it; however, hardly any senator supported this plan and it went nowhere. While it is difficult to imagine anti-slavery northern Whigs supporting compromise, their Whig political culture informed both their anti-slavery views and desire to save the social fabric from disunion. Even a hawk like William Seward shared these priorities. (He stopped pressing against anti-slavery views at the point where he believed that they might provoke the South to secede, supporting compromise on the eve of the Civil War.) And while most northern Whigs did not support compromise in 1850, they were willing to tolerate it, even if they hoped to modify or repeal it. The dissolution of the Whig Party would not happen until the Kansas-Nebraska Act of 1854 disrupted the Compromise of 1850. The continuous agitation over slavery caused by fugitive slaves played a major role, since it pitted southern efforts to secure supposed human property against northern liberties.532 As for expansion, the Kansas-Nebraska Act lured most southern Whigs to vote to expand slavery. It thereby shattered Whigs’ mutual trust, which in 1850 moved 17 southern Whigs and 23 northern Whigs to support compromise and 45 northern Whigs to accept it. Most northern Whigs would help form the Republican Party, while most from the South would constitute the core southern opponents of secession. Controversy over slavery had never been able to be shut down for long – not in 1820 with the Missouri Compromise, nor in 1839 with Henry

532 See: Blackett, The Captive’s Quest for Freedom.
Clay’s attempt to finesse the problem of DC abolition. The Compromise of 1850 was not able to end the controversy over fugitive slaves. It did suppress discussions of expansion – for four years.

**CONCLUSION**

The Mexican War, and the new western lands it provided, disrupted the situation that had allowed Whigs to paper over their differences over slavery for years. House debates concerning what to do about these territorial acquisitions exposed rifts between Whigs over their main priorities: compromising for the sake of the social fabric and taking national responsibility for the fabrics of new societies (or existing Mexican ones). Zachary Taylor might have been able to settle the party’s differences with his plan, but it is not clear that even he, with the respect he commanded, could have succeeded. Younger Whigs like William Seward and most Whig House members would not budge from their commitment to avoid complicity in the establishment of slavery in new societies (or, as some would have it, in pre-existing free Mexican ones).

As for southern Whigs, their great hope was to keep the party united (and perhaps win over at least some southern Democrats) by ensuring that the Fugitive Slave Act was enforced by the national government with northern cooperation. Compromise was the great southern Whig hope, compromise that would establish a satisfactory status for slavery in the West, which would secure an acceptable settlement for slavery in the national capital (slavery would be allowed, the slave trade prohibited), and finally, a Fugitive Slave Act, which would supposedly bind the country together through northern cooperation in stemming the traffic of slaves to freedom that threatened to undermine slavery’s economic viability in the South. President Millard Fillmore and a minority of southern Whigs bought into this southern Whig hope, but most northern Whigs, by far, did not.
When considering why the Compromise of 1850 generated a split within the Whig Party, the House debates over compromise deserve closer scrutiny than historians have given them. Unlike the Senate, where compromise between older statesman was relatively easy, the younger and hotter House demonstrated that there was no easy solution to the country’s problems. It presaged what Democrats understood quite well: the Compromise of 1850 was a last-ditch effort to keep the Whig Party together behind a compromise that most Whigs did not really support. If Democrats could dangle additional slave land in front of southern Whigs and get most of them to bite, northern Whigs would probably walk away from the party. And this would prove to be especially easy if southerners remained nervous about a continuing flow of slaves to northern freedom, even in the face of a new Fugitive Slave Act that was supposed to put an end to it.

This is exactly what happened with the Kansas-Nebraska Act in 1854. During the first few years of the Compromise of 1850’s enforcement, southern nerves were frayed by widespread northern refusal to help enforce the Fugitive Slave Act. Northerners were outraged by what they saw as an unconstitutional assault on their liberties. The Kansas-Nebraska Act was a national Democratic attempt to break up the Whigs by eroding what mutual trust remained among them over slavery, particularly when it came to compromise over its expansion. But when Democrats sowed the wind, they reaped the whirlwind. Many Democrats were so upset about the spread of slavery that they broke with their party, joining the new Republican Party in the late 1850s and giving it national political dominance by 1860. There were already warning signs of this potential shift in 1850, when 29 percent of anti-slavery northern Democrats opposed compromise, alongside mainly ex-Democratic Free Soilers. But national Democrats, used to the dynamics of a centralized party, did not take this development seriously enough. Northern ex-Whigs proved far more flexible, absorbing Democratic defectors into a new party created to fight for freedom.
In the end, then, there was no true compromise over slavery, only the appearance of one in the eyes of most southern Whigs, some northern Whigs, some southern Democrats and most northern Democrats. This was a recipe for a political realignment, which is just what happened from 1854 to 1860. In the end, the Compromise of 1850 led not to a settlement that allowed for slavery within limits, but to the triumph of an anti-slavery politics that broke the Second Party System itself. That system was unable to reach an arrangement whereby slavery controversies could be kept out of national politics, and this proved to be its undoing.
CONCLUSION

Despite disagreements over slavery, northern and southern Whigs strengthened their unlikely alliance, both by taking advantage of their mutual dissatisfaction with Democrats and by forming a shared political culture. They generally emphasized the goal of government as not merely securing individual freedoms, but also as preserving the social fabric. On economic matters, Whigs tended to be capitalists, and, in both the North and South, saw slavery as an acceptable part of an integrated national economy – even though northerners hoped for abolition in the distant future. Whigs’ common political culture helped to develop a mutual trust that was stronger than opposing views over slavery.

The new political party was characterized by pragmatic calculations from the start. Southern Whigs believed that northern Whigs would prove to be more trustworthy on slavery than Democrats, since they could be relied upon not to go beyond what they pledged, at least in the short-run. While Democrats claimed to support the status quo on slavery, it was a southern Democratic president who supported the Force Bill and threatened the South with invasion in 1833 over a tariff dispute. There was no telling what a northern president like Van Buren might do for political gain, especially considering his vote, as a state legislator, to ban slavery in Missouri. He might try to use the anti-slavery cause to unify the North behind the Democratic Party.

Southern Whigs understood the likely long-term impact of northern support for federal anti-slavery policies, especially considering their awareness that the Whigs were the more anti-slavery party in the North. Southern Whig newspapers eagerly cited pro-slavery allies in the North, like James Watson Webb’s New York Courier & Enquirer and the New York Star, but southern Democratic papers regularly pointed out that most northern Whig papers generally adopted strong stances against slavery. Henry Clay, in his abolition speech of 1839, admitted that the Democratic
Party had “profited much more [from], and been injured much less” by, anti-abolitionism than the Whig Party. Southern Democrats often tarred southern Whigs with guilt by association. But southern Whigs saw the rejection of a corrupt Democratic administration as critical for the long-term preservation of slavery. They feared that Democratic power would be turned against slavery, even as northern Whigs complained that Democrats were currently supporting slavery. In the party’s early years in opposition during the 1830s, it was easy to cooperate against a common enemy.

When it comes to the seemingly small debates over concrete slavery policies that characterized the 1830s, it is easy to dismiss southern alarm and northern determination as mere posturing or empty rhetoric. It is even possible to see antebellum slavery debates as foils for other issues, such as economics, expansion, or sectional honor. This would also explain how the Whig Party could form from groups that were so diametrically opposed over slavery. I have tried to demonstrate, however, that the participants in these debates understood what they were doing. They were concerned with consequential precedents, and we should not dismiss their passion and energy.

**CAPITALISM COMES APART**

The Whig dream of a thriving and unified national economy remained alive into the 1840s. Daniel Webster strongly opposed slavery and fought for anti-slavery petitioners’ right to be heard,

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534 See, for instance, Morrison, *Slavery and the American West*. 

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but he prioritized the Whig vision of integrating free farms, slave plantations, manufacturing and commerce. He described the economy as “a great national, I may say a family, concern.”

The Panic of 1837 and its after-effects would challenge this assumption. Beginning with the bursting of a speculative bubble on southwestern slave-cultivated lands along the Mississippi River, this massive recession led to bank failures throughout the nation. Americans tried to insulate themselves against market fluctuations in the future. Northerners stopped investing in southern cotton. (They had sent $100 million dollars to Mississippi alone.) Instead they chose northern crops, lumber, manufacturing, and railroads. Southern plantations eliminated their dependency on northern foodstuffs. As southern production picked up again, cotton became more of an export crop. Returns from Europe would not go primarily to the North, as many northern Whigs had hoped, but back to the South, in the form of greater purchases of western lands and southeastern slaves. The southeast thrived, in turn, on the sale of slaves to the southwest.

It is ironic that the Panic of 1837, which enabled Whigs to win the 1840 election and try to implement their policies, also made their goals more difficult to achieve. Whig plans were predicated on the situation before the recession. Once the North and South devised separate trading arrangements, it was difficult to reunify them. And the threat of secession, southern Whigs’ favorite tool, was not as effective against a more independent North.

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537 Edward Baptist argues that the South continued to influence northern development but admits that “diversification” in the North gave it more economic prosperity and independence than the South. Gavin Wright, Diane Lindstrom, and William Cronon see northern growth as largely independent of the South. See: Baptist, *The Half Has Ever Been Told*, 322-28; Gavin Wright. *Slavery and American Economic Development* (Baton Rouge:
For years, the Whig Party had tried to avoid what Sven Beckert describes as a clash between two types of capitalist systems that would compete for dominance. To paraphrase Abraham Lincoln, America’s economic house could not stand half slave and half free. As a Whig politician in the 1830s and early 1840s, however, he did not yet make such arguments – because, until well into the 1840s, when the economic bifurcation of the country became clearer and Americans fought over the fate of new western lands, a divided house did seem viable. In the late 1840s, Lincoln became one of the first Whigs to question this assumption. Many more would soon follow.

Over the course of the 1840s, some Whig advocates of free labor, like Ohio’s Joshua Giddings, left to join the “Free Soil” cause. Consisting mostly of individualistic Democrats, like John Hale of New Hampshire and Salmon P. Chase of Ohio, they repudiated both the individualistic and racist Democratic defenses of slavery. Seeking to ban slavery from the West, they adopted an individualistic concern for white settlers and their opportunity to settle without unfair competition from slave labor. They also maintained an individualistic commitment to freedom as the entitlement of every human being. Their radicalism was quite important to the development of the Republican Party.

Most northern Whigs left to join (and constitute the bulk of) the nascent Republican Party after the passage of the Kansas-Nebraska Act in 1854, seeing no reason to fight for a unified economy if it involved complicity in forming new slave societies. Southern Whigs joined the

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538 William Cooper points out that this effort was more of a northern Whig priority, and this is true, but even he admits that southern Whigs fully supported all of the national Whig economic agenda between 1841 and 1843. See: Cooper, The South and the Politics of Slavery; Sven Beckert, Empire of Cotton: A Global History (New York: Vintage Books, 2015), 196-98.

American Party and then the Constitutional Union Party, in fruitless attempts to keep the Union together for the sake of slavery.

So long as Whigs had hoped for economic integration, it made sense for northern Whigs to limit their anti-slavery politics. Southern Whigs, for their part, promoted unionism against nullification and secession. As the nation’s economic divergence became more evident, northern Whigs became less interested in integration and more concerned with keeping slavery out of free territories. Southern Whigs, who began as states’ rights men fighting against “Unionist” Democrats who supported Andrew Jackson’s actions against South Carolina, now opposed secession, which seemed more likely over slavery in the West. Yet Democrats, who had supported the Union but frowned no economic integration, saw most of their southern members threaten secession if slavery were not adequately protected. In the end, Whigs, who used secession as a threat to protect slavery where it stood, would oppose it and prefer stability. Southern Democrats, who had always wanted expansion, would support secession.540

EXPLAINING WHIGS’ SHIFTING VIEWS ON SLAVERY

In Chapter Five, we discussed the struggle between strongly anti-slavery northern Whigs and pro-compromise northern Whigs. This division would be reflected in the northern Whig Party’s remnants after its collapse in 1854. Most northern Whigs, belonging to the firmly anti-slavery majority, would form the base of the new Republican Party. Most of the pro-compromise wing would vote for the new nativist and pro-compromise American Party (or “Know-Nothings”) and Millard Fillmore in the election of 1856.

540 For greater coverage of this issue, see: William Freehling, The South vs. the South: How Anti-Confederate Southerners Shaped the Course of the Civil War (New York: Oxford Univ. Press, 2001).
Yet we should not exaggerate northern Whig differences. While they had different views, northern Whigs were more cautious than Free Soil advocates. Zachary Taylor, who is frequently characterized as a more radical Whig since he opposed compromise and effectively wanted to ban slavery in the West, was a southern slaveholder and no revolutionary. The same was true of Henry Clay, whose original proposal for the Mexican territories would have effectively banned slavery in the Mexican Cession. Taylor and Clay believed that the country could develop the West without slaves, while slavery continued, at least for the foreseeable future, in the South. Most northern Whigs went further, supporting the Wilmot Proviso’s explicit and immediate ban on all territorial slavery. They were no revolutionaries either, but they refused to be complicit in a sinful institution through any proactive measure, including allowing for its expansion. Northern Whigs had voted for anti-slavery positions since the 1830s. Three-quarters of northern Whigs had gone so far as to oppose admitting Arkansas as a slave state in the mid-1830s, despite the Missouri Compromise. After the Compromise of 1850 was overturned by the pro-slavery Kansas-Nebraska Act, which allowed any western territory to allow slavery, most northern Whigs responded by forming the Republican Party. They did not suddenly radicalize; the political terrain had shifted around them.

It is true that pro-compromise Whigs accused Sewardites of being abolitionists. For their part, Sewardites called cautious Whigs southern sympathizers. But this was a political fight, not a philosophical one. The country had a more vibrant economy, a freer labor pool, and a demographically stronger North that seemed capable of banning western slavery. Southern secession seemed less threatening, as it not would not disrupt a now split economy. The question was whether the country was ready for more anti-slavery steps. More cautious northern Whigs

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541 Michael Holt, in *The Rise and Fall of the American Whig Party*, emphasizes the difference between Whig factions. While I do not dismiss the existence of important differences, I think the Whig factions were relatively close together in sharing common beliefs.
thought not. Far more Whigs thought it was. Both were still “conservative” insofar as they leaned further toward a society-oriented politics than toward Democratic individualism.

Consider how supposedly irreconcilable men acted in the immediate lead-up to the Civil War, when the threat of secession seemed imminent. William Seward and Thurlow Weed, his main newspaper editor ally, advocated the same cautious and conciliatory approach that Fillmore had endorsed as President. To compromise with the South, Seward sponsored the 1861 “Corwin Amendment” in the Senate, which would have permanently protected slavery from Federal intervention. Congress passed Seward’s constitutional amendment by a majority of over two-thirds, even without the congressional delegations from the seven states that had just seceded. To appease the South, Seward advocated bolstering the Fugitive Slave Act and limiting states’ powers to protect fugitive slaves with personal-liberty laws, and was willing to allow at least some western slavery. This is not to say that there were no differences among Whigs and ex-Whigs in the North. But they were differences of degree. Whigs wanted to end slavery as soon as possible, but they disagreed over what “as soon as possible” meant.542

The arrival of many northern Democrats into the Republican Party, both immediately and especially in 1857, began to change ex-Whig thinking. The new party, at its outset, was already more radical in its policies than the Whigs. As it welcomed ex-Democrats and as it coalesced, the Republican Party adopted an increasingly radical and individualistic anti-slavery outlook.

As for southern Whigs, they defended slavery for the sake of social stability, seeing no other way to preserve the South as a functional society. Southern Whigs tried to defend states’ rights and the option of secession, while also supporting a strong national government that would boost the economy and defend slaveholders from insurrections and abolitionism.

542 For the similarities between the former combatants, see: Smith, The Presidencies of Zachary Taylor and Millard Fillmore, 254-55.
Most southern opponents of secession were ex-Whigs, although some joined pro-secession Democrats because they too thought abolition would destroy the South. Once the South voted to secede, southern independence seemed to be the only way to protect slavery from the anti-slavery views held mostly by former Whigs in the North. The Civil War was more than merely the result of a misunderstanding between the sections. Indeed, the only fundamental misunderstanding may have concerned the war’s eventual costs. Northern Republicans and most southerners had clear goals for the future of the country: freedom versus slavery. Northern ex-Whigs, who constituted most Republicans, insisted on two things: a national political vision for the country and opposition to slavery both in any new territory and whenever peacefully feasible across the nation. These demands were not qualitatively different from past northern Whig demands. They were, however, different in terms of extent and speed.

Southern Democrats, for their part, were not willing to accept a Republican Party that existed primarily to attack slavery. Southern Whigs, who had held out the right of secession for so long, balked at pursuing it merely because of the threat of northern action against slavery. Ironically, while they were looser in yielding secession as a threat, their appreciation for national power made them hesitate. But Democrats had always been a majority in the South, and once it became clear that their expansionist vision for slavery would be reversed, they led the region to secede.543

Unlike Democrats, most of whom supported “popular sovereignty” as the best means of deciding western slavery policies, northern Whigs emphasized the social fabric over individualism. They therefore easily came to reject a federal theory of slavery in favor of a municipal one; national

543 Michael Morrison, in Slavery and the American West, emphasizes misunderstandings between the sections as a cause of the Civil War. While I do not discount that there were misunderstandings, I am seeking to add additional context to explain how each side was capable of understanding the different views of the other.
support for an inherently local institution seemed tantamount to complicity. William Seward, in his “higher law” speech against compromising on slavery in the West, would not allow the nation to establish slave territories. President Taylor, a southerner, was sensitive to this northern concern in his efforts to avoid disunion by simply admitting the lands of the Mexican Cession immediately.

In articulating a relatively radical anti-slavery vision in the 1850s, one involving an imperative for the national government to reject complicity with slavery, Abraham Lincoln was doing more than merely using relatively traditional and cautious rhetoric to dress up radical ideas. It is tempting to explain Lincoln’s position as resulting from Whigs’ newfound comfort with radical anti-slavery rhetoric that anti-slavery Democrats brought to the new Republican Party, or to see it as a product of a nation that was overwhelmingly conservative in its rhetoric. But Lincoln had used particularly Whig rhetoric for some time, and even in the mid-1850s he considered himself to be carrying on the traditional northern Whig legacy. It is true that the party, as part of the Second Party System, had helped keep slavery out of national politics to a great degree. It is just as true, however, that when controversial issues had necessitated taking a position, northern Whigs had displayed an anti-slavery political culture that was nationalistic, capitalistic, anti-expansionist and opposed to the radicalism of the anti-slavery wing of the Democratic Party, while at the same time refusing to tolerate slavery in new societies and hoping to advance its demise as soon as practically possible. Even the most pro-compromise northern Whigs, when faced with a binary choice between anti-slavery Republicans and pro-slavery Democrats, mostly joined the former. A Whig alliance with a much smaller minority of more radical Democrats would finally

produce results against slavery. But it was built on the foundation of a vision of society that emphasized an organic social fabric and an imperative for national action.

**CHARACTERIZING THE WHIG PARTY’S STANCE CONCERNING SLAVERY**

How, then, did the Whig Party see slavery? Was it only unified by opposition to the Democrats – merely a coalition of the disaffected taking advantage of changing political circumstances to build shaky alliances of convenience? A party of optimists who thought slavery could fit into the social fabric? Were Whigs merely compromisers seeking to avoid conflict? Or were they opponents of slavery, with northerners openly opposing it and southerners taking a more moderate pro-slavery position than southern Democrats?

While the Whig Party, which came into being as an opposition party, was often reacting to Democratic policies, we have seen how Whigs set their own agenda when it came to a number of matters, slavery among them. Northern Whig theoretical opposition to slavery, combined with a tolerance of it, was indeed linked to a desire to diversify and grow the national economy. Southern Whig support for slavery and opposition to expansion were not mere reactions to the Democrats, but the result of the same social concerns that northern Whigs possessed, albeit in a different context: believing that the social fabric of the South could only be preserved if slavery continued to exist for the foreseeable future.

Some historians have pointed out that many Whigs were optimistic about slavery, either trying to ignore it as a problem or attempting to reconcile it with Whig views of progress and social

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Others have argued that Whigs were not truly opposed to slavery, but sought to prevent disunity by reaching compromises and keeping it out of national political debates. It is true that many Whigs tried to keep slavery out of national politics whenever possible, trying to adopt an optimistic view that would either downplay the institution or incorporate it into a hopeful view of the country that would grow in terms of progress and social order. At the same time, however, we have seen that northern Whigs also felt that complicity in the expansion of slavery was inherently incompatible with their desire to promote a free nation.

The split over slavery within the Whig Party has not gone unnoticed in the historiography. Southern Whigs were pro-slavery while northern Whigs were anti-slavery. What I have attempted to add is a picture of the southern Whigs as genuinely pro-slavery in a manner at least as passionate as southern Democrats, if not more so. Indeed, southern Democrats constantly accused southern Whigs of being soft on slavery, leading the latter to respond defensively by shoring up their pro-slavery bona-fides. It is easy to see southern Whigs as relatively anti-slavery by the standards of the South, not only because of Democratic accusations, but because Whigs and ex-Whigs ended up opposing expansion, (in many cases) supporting free-black voting rights and focusing their defenses of slavery on social rather than property grounds. Couple this with southern Whig fascination with industry and economic diversification, which caused them to focus on issues other than slavery to a greater degree than southern Democrats, and we have even more reason to see the entire Whig Party as relatively anti-slavery. Finally, when we add the fact that southern Whigs were more willing than southern Democrats to compromise on slavery expansion for the sake of the Union, we have a recipe for understanding southern Whigs as relatively anti-slavery.

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546 See, for instance: Barkan, Portrait of a Party; Brown, Politics and Statesmanship; Thornton III, Politics and Power in a Slave Society.
547 See, for instance, Sewell, Ballots for Freedom; Earle, Jacksonian Anti-Slavery and the Politics of Free Soil, 1824-1854; Smith, Anti-Jacksonian Politics Along the Chesapeake.
As I have shown, however, such a conclusion would be false. Southern Whigs were just as pro-slavery as southern Democrats, and southern Whigs broke from the Democratic Party not because they lacked its support for slavery, but because they did not trust it to defend slavery. Thus, despite southern Whigs’ interest in preserving slavery rather than expanding it, their relative friendliness to the rights of free blacks, their tendency to prefer justifying slavery on social rather than property grounds, and their preference for compromise, southern Whigs’ primary rallying cry was the defense of slavery against Democrats, whom they saw as the real threat to the peculiar institution during the formative years of the Second Party System.548

The political culture that the Whigs built together helped them sustain unified party operations throughout the 1830s and 1840s, when southerners wanted to protect slavery and northern Whigs were willing to live with a party structure that effectively banished the subject from national politics, at least so long as they would not be complicit in its spread. Economic issues greatly helped hold the two parties together when tensions surfaced over expansion to the West, as did Whigs’ cultural opposition to expansion and social disorder. So long as the problem of slavery in the West could be seen as one of expansion, rather than a question of what land should be slave or free, Whigs could remain mostly united, as they did during the debates over Texas annexation and the Mexican War. They could engage in theoretical fights over individual slavery issues, such as whether Congress could abolish slavery in the District of Columbia and whether Congress must receive anti-slavery petitions. But so long as these political scuffles brought no results, Whigs were able to hold together. As economic differences between the parties faded

548 For treatments of the split within the Whig Party over slavery, including the passionate pro-slavery views of its southerners, see: O’Connor, Lords of the Loom; Simms, The Rise of the Whigs in Virginia 1824-1840; Mering, The Whig Party in Missouri; Robertson, In the Habit of Acting Together; Murray, The Whig Party in Georgia, 1825-1853; Pegg, The Whig Party in North Carolina; Cooper, The South and the Politics of Slavery, 1828-1856. For historians who see the national Whig Party as relatively anti-slavery, see: Howe, The Political Culture of the American Whigs; Howe, What Hath God Wrought; Ashworth, Slavery, Capitalism and Politics in the Antebellum Republic.
during the 1840s, however, and as the conclusion of the Mexican War forced Americans to decide what western land would be slave or free, the issue of slavery, which had always involved many theoretical issues that might be made relevant should events change, rose to prominence as the nation’s top issue from 1848 to the Compromise of 1850.

To protect the compromise, however, a wide variety of slavery issues had to be forced out of sight, including western expansion, what to do with fugitive slaves, and the future status of slavery in the national capital. Southern Whigs were committed to keeping these issues out of national politics forever. Northern Whigs were interested in bringing them back, but so long as many northern and southern Democrats cooperated with southern Whigs in keeping them buried, most northern Whigs remained in their party, even after their loss in the election of 1852. The victorious Democrats could not resist reviving the issue, however, and anti-slavery sentiment, which was mostly kept bubbling by eager northern Whigs, simply spilled over once the Kansas-Nebraska Act allowed for further slavery expansion in 1854. Now, mutual distrust of Democrats seemed far less important than the divide between Whigs over slavery. Northern Whigs had enough, creating the anti-slavery Republican Party. Southern Whigs no longer had a clear home. Seven years later, ex-southern Whigs formed the bulk of those southerners who opposed secession. But it was hopeless. Northerners would no longer bury the slavery issue, and most southerners, taking northerners at their word, were eager to go to war to defend the peculiar – and doomed – institution.
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