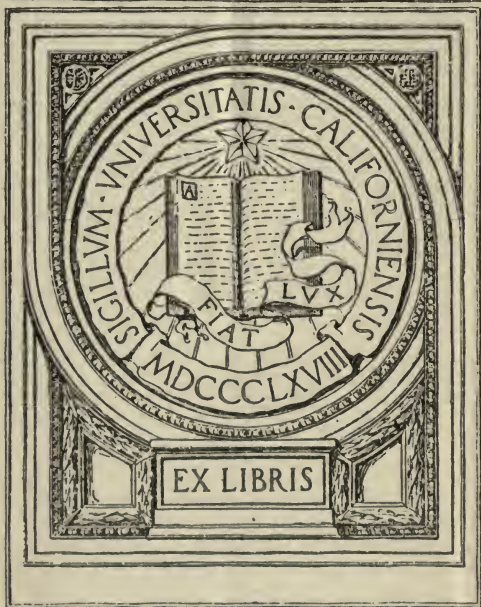




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HISTORY OF POLITICAL PARTIES  
IN THE UNITED STATES

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Political Parties in the U.  
United States

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1846-1861

BY

JESSE MACY, A.M., LL.D.

PROFESSOR OF POLITICAL SCIENCE IN IOWA COLLEGE  
AUTHOR OF "THE ENGLISH CONSTITUTION"



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## PREFACE

THIS book may be described as a study of the American party system. The references to the party systems in other States are for the purpose of making clear, in the first place, the relation of the political party to despotic governments, and, in the second place, to show that in each State where Democracy is far enough advanced to give rise to political parties the form of organization is determined by its political institutions. The peculiar American system arises from peculiar American institutions. The old Federal party died because it was un-American in the form of its organization. Under the party names of Whig and Democrat the system reached a high degree of perfection; but there was a maladjustment between the party machinery and public opinion, the parties went to pieces, and the Civil War was the result. This volume treats especially of the great Whig failure and its consequences. Since the disruption of the Union there have been two rather distinct periods of party history, equally deserving of special study. The first ends with the withdrawal of the troops from the last of the Confederate States in 1877. This is emphatically the abnormal period of our

party history. Armies were then substituted for party organizations, and a political party supported by an army ceases to be a normal political party. It was during this abnormal period that the spoils system reached perfection, and the control of the party organizations passed into the hands of professional managers, supported by special interests in more or less conscious conspiracy against the people. During the period following the end of "carpet-bag" rule in the South, our party history has been characterized by a series of efforts on the part of the people to regain possession of their parties as organs of public opinion.

There are many passages in this book that are sure to give the impression that I am an advocate of our party system. Nothing is farther from my purpose. Yet I do advocate the use of our parties to secure the ends of good government until some better agency is discovered.

In the preparation of the manuscript I have received many valuable suggestions from Professor Ely, the editor of the Series.

JESSE MACY.

GRINNELL, IOWA,  
September 5, 1900.

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POLITICAL PARTIES IN THE  
UNITED STATES





## CHAPTER I

### THE ORIGIN AND NATURE OF THE MODERN POLITICAL PARTY

POLITICAL parties are found only in democratic countries, or at least in countries where the principles of democracy are so far recognized as to lead to sustained effort to shape the policy of the government according to public opinion. The political party may be described as an organ of public opinion. In a pure despotism or in a government based upon force, political parties do not exist. In Russia there are no party organizations. Russian citizens who would protect themselves from tyranny or who would reform the government may form secret societies, or they may form revolutionary factions. They do not form a party and openly appeal to the opinion of their fellow-citizens for a redress of grievances. In a despotism there may be political factions contending for the chief place in the government. These factions may be of long duration; they may hold together with much tenacity, and they may exert an immense influence upon the policy of the government; yet they do not constitute political parties as the term is used in the modern democratic State. The political faction does not become the political party

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until there is an open, conscious appeal to the body of the citizens as the source of power and influence. When this stage has been reached, the despotic government is at an end, and the State is well advanced toward democracy.

As in the experience of States there have been all stages between despotism and democracy, so there are all gradations between the political faction and the political party. From the days of *Magna Carta* in England to the era of the Reform Act of 1832, there were at all times political factions contending for power. During all that time there was some sort of appeal to the masses of the people for support; but at no time was there a continuous, conscious recognition of the people as the ultimate source of power. The appeal was rather to the interest or to the prejudice of a class, or in support of some sort of special privilege, and not to a body politic conscious of supreme power. In this political contention there was much to suggest the political party, much that tended to develop the party; but the essential characteristic of the modern party was lacking. In the wars of the Red Rose against the White, opposing factions contended for power. If one was more popular than the other, it was not because there was an open, conscious appeal to a clearly defined popular demand. During the Tudor century England became divided between two hostile religious camps, Catholic and Protestant, each contending for the control of the government. While there was here much to suggest the modern



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party in the continuous appeal to religious opinion or religious prejudice, there was still little suggestion that the people were the source of power.

During the century of the Stuarts the approach toward the ideal of the modern party was much more marked. The recognition of religious opinion was continued and was more intelligent, and a distinct political issue was introduced. The divine right of kings was pitted against the contention that kings were subject to the laws of Parliament. During the heat of strife the distinct idea was introduced that the House of Commons, as representing the nation, was above kings and lords. Yet, notwithstanding all this, the strife of the century has in it much more to remind one of the earlier factious contests than of a modern appeal to the country upon the dissolution of Parliament. Cavaliers and Roundheads fought for power much as did the followers of the Red Rose and the White two hundred years earlier. Only most advanced thinkers seriously thought of leaving the settlement of political disputes to the peaceful count of the citizens of an enfranchised nation; yet there was political conduct which suggested such a possibility. At least, we get from this period the names of two great political parties which remain to the present day. During the later years of the reign of Charles II. intense excitement prevailed over the prospect of the succession of a Catholic king. The party opposed to the accession of James was anxious to have the king call a Parliament, that

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action might be taken to forestall that misfortune. So they persuaded the people to overwhelm the king with petitions for the assembling of Parliament. The friends of James likewise sent up petitions expressing disapproval of the conduct of their enemies. One class received the name "petitioners," and the other was called "abhor-  
rers." Later, the petitioners received the name of *Whigs*, and the abhorrrers were called *Tories*. We thus get the two great party names, and it is an interesting fact that the names came into use in connection with events that strongly resemble an appeal to the country.

It was many years, however, before these names were used to designate political parties in the modern sense. After the Revolution of 1688, Whig rule was almost continuous for seventy years. During all that time there was a disputed succession to the English crown. The Whigs were committed to the support of the house of Hanover, while many of the Tories favored the restoration of the Stuarts. Few citizens had the right to vote, and the great body of the nation were neither Whigs nor Tories. Whigs and Tories were simply hostile factions contending for power. While the monarchs were Whigs, Whigs for the most part held the offices. After the accession of George III., in 1760, the succession was no longer disputed. Now the monarchs were Tories, and for another seventy years there was almost continuous Tory rule. During this

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long period of a hundred and forty years, England was ruled first by a Whig oligarchy and then by a Tory oligarchy. Majorities were secured rather by bribery and corruption than by persuasion and appeal to public opinion. The organizations bearing the party names were not organs of public opinion. Not until liberal Tories united with liberal Whigs and made a successful appeal to public opinion for the enfranchisement of the nation did political parties in England assume their modern characteristics. The Reform Act of 1832 was really in its characteristics and results the Great Revolution. The so-called Revolution of 1688 was, as Burke maintained, a revolution prevented, or at least it was a revolution arrested. The Act of 1832 was a revolution accomplished. Since this act there is no longer a doubt that political power rests with the people. Only those may govern who are authorized to govern by conscious act of the people.

✓ The revolution of 1832 marks a fundamental change in the so-called political parties. They lose the characteristics of mere political factions contending for power and assume the characteristics of conscious organic agencies of the people for the attainment of good government. Coincident with this occurs a perceptible change in party organization. Liberal Tories become permanently united with Whigs. Conservative Whigs desert their party and go over to the opposition; while the alternate names, Liberal and Conserva-

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tive, are introduced. At the same time each party, by whatever name it is designated, comes more and more consciously to rest for support and authority for action upon the opinion of the people. It was the late Lord Randolph Churchill who, I believe, invented the phrase "Tory-Democracy." This phrase expresses and was intended to express the great revolution accomplished in English politics. The phrase links the name of the old political faction, whose members were willing to die for their faith in the divine right of kings, with the name which expresses the divine right of the people. And in this change the political faction has become the political party.

To say that the political party is an organ of public opinion is to give a very inadequate definition. The press, the pulpit, the platform, are all in their several ways organs of public opinion. Public opinion has organs innumerable. Hence, merely to call the political party such an organ, does not define it. It does, however, assist in distinguishing the political party from the political faction, and when this distinction has been made clear, we have gone a long way toward the true comprehension of the political party. The political faction relies upon force rather than upon public opinion. It is a characteristic of despotic government. The modern party cannot exist in a despotism, because in such a State there can be no field for the free play of public opinion. In so far as the party is developed in a State, the essen-

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tial principles of despotism have given place to the opposing principles of democracy. The political faction aims at the control of the powers of the State by the use of force: the appeal is to fear rather than to reason and conscience. Just as the modern party cannot exist in a despotism, so the political faction cannot exist in a fully developed and consistent democracy. The faction contradicts the fundamental principle of democracy as the party contradicts the fundamental principle of despotism. There is, however, one thing in common between the faction and the party. Each aims at the control of the supreme power of the State. The faction aims at supreme power from personal motives, and the triumphant faction is, in its very nature, a personal government. The party aims at the control of supreme power through the sacrifice of personal motives for the sake of the common weal. The party represents the entire State; it denies special privilege; it aims to do that which is best for all classes. If all in a State were of one opinion as to what was best, there would be neither faction nor party. Parties exist because men differ in opinion as to what policy is for the common good. The existence of a political party implies that there is at least one other body of similar organization, and that each organization is seeking to discover and to carry into effect the policy best adapted to promote the general welfare. On the other hand, it is quite natural that there should be at a given time only one

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political faction in a State. The faction, seeking power from personal motives, is naturally pitted against the government. The party, on the other hand, seeks power as an organ of public opinion, and its purpose is the control of the agencies of government in the interest of the common weal.

Political parties are peculiarly adapted to the transition stage from despotism to democracy. While the party cannot exist in a despotism, it comes into existence through the political faction, which is a characteristic of despotism. As the faction comes to look more and more to the people for support, it gradually makes itself an agency for the expression of the will of the people and it thus becomes a party. A government in the hands of a political faction holds power often at the risk of the lives and property of the chief officers. A government in the hands of a political party holds power at the risk of sacrificing the good opinion of the people. A government in the hands of a party is a perpetual notice to the public that all reasonable demands will be met or the officers will vacate their positions and give place to those who are assumed to be more nearly in harmony with the prevailing opinion in the State.

As compared with government by political faction, government by party accomplishes a great saving of human life and immense economies through accumulated experience and wisdom. The leaders of factions in despotic governments die young; they are often cut off when their experi-

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ence would be most valuable to the State. Under the political party it is possible for an officer to be many times politically decapitated while still living to a green old age, increasing in wisdom and discretion at every stage. Viewed, then, from the standpoint of that which it displaces, the political party is a great labor-saving as well as life-saving invention.

Many thousand years belong to the history of despotism. That of democracy has only a few decades. The political party may fill an important and a necessary place in the transition from despotism to democracy and may still form no essential part of a fully developed democracy.

The political party must be distinguished also from an organization devoted to the propagation of certain doctrines. Like the political faction, the party aims always at the exercise of governmental power. The Fabian Society of England is not a political party. The Socialists of Germany are organized to control elections and to gain control of the legislature; they, therefore, constitute one of the political parties of Germany. Here, again, it is not easy always to maintain the distinction between the party and an organization devoted to the promotion of political opinions. By imperceptible gradations the one organization may pass into the other. The Hebrew prophets stood, as a class, apart from the government, but they stood prepared to denounce the unlawful acts of kings and priests, and to lay down the law for their guidance.

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The prophet, as a prophet, was not a ruler and he could not become a ruler. The prophet was a man who held himself apart from the responsibilities of government: he was a preacher: it was his business to point out the iniquities of rulers and to warn the people of impending danger. If the prophet should himself become a ruler, then where would be the preacher? Yet, on rare occasions, this did actually happen. The prophet found himself so placed as actually to assume the responsibilities of governing. But the prophets, as a class, were political preachers. At all times they exerted an immense influence upon the government, and it was often a controlling influence. Schools of prophets were organized for the purpose of influencing political conduct, yet such an organization was neither a political faction nor was it a political party. It differed from the faction in that the prophets did not aim at the exercise of political power. It resembled the party in that the prophets did constantly appeal to public opinion for the purpose of influencing political conduct. In all progressive States there have been men who corresponded to the Hebrew prophets: men who have kept themselves aloof from the responsibilities of governing, and who have yet pointed out to the people the faults of rulers. In all progressive States it has likewise been the habit of rulers to kill their prophets, and in after years to curry favor with the people by garnishing their tombs.

During the later Hebrew history, there arose



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classes of citizens distinguished by definite and contradictory teachings. The most noted of these were the Pharisees and the Sadducees. These names represent neither political factions nor political parties. They designate, rather, bodies of men drawn together by common beliefs and opinions, which common beliefs and opinions greatly modified and often controlled their political conduct. The Pharisee was not chiefly concerned with the control of political power; he was chiefly concerned with the promotion of certain doctrines. The political party aims chiefly at the control of political power, and at the same time it aims to gain and hold power by giving effect to certain doctrines and beliefs. If you combine in one the political faction aiming at the control of political power, and the society aiming at the realization in the State of certain political views as expressing the prevailing wish of the citizens, you will have a political party.

The party should, moreover, be distinguished from a privileged class contending for its own class interests. Both in past history and in present political conduct may be discerned a close relation between the political party and the privileged class seeking its own interest. The political party, however, makes its appeal to the entire body politic while it aims to promote the general welfare. The history of special classes contending for privilege is a part of the history of political faction rather than of that of political parties. This

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struggle of the classes fighting on their own behalf has tended to develop the democratic State; but this has arisen chiefly from the realization of the deadly effects of class contests upon the welfare of all classes. On the other hand, the long training which large bodies of citizens have undergone in standing together for class privilege has been of no small advantage in enabling men to work together effectively for the promotion of the general welfare.

During the Middle Ages the constant strife between clergy and feudal lords, between lords and kings, between landlords and tenants, and between lords and townspeople, all resulted in drilling large bodies of citizens to habits of coöperation for the attainment of political ends, and in this way was of great and far-reaching importance in the preparation of the world for modern democracy. Out of the struggle for class interests arose the guilds of the Middle Ages in towns and rural districts, as well as the many religious societies and other organizations. These all gave men experience in voluntary coöperation for a common end; they were of immense value in political education. A famous contest arose in Italy and Germany which strongly suggests the modern political party. I refer to that between Guelphs and Ghibellines. At times these names undoubtedly represented opposing principles in politics, certain phases in the contest between Church and State. Yet for the most part the conflict was

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between rival dynasties, or between conflicting classes, or between rival sections of the country. Or the names Guelphs and Ghibellines degenerated into mere factional terms with no meaning at all except as names of opposing bodies of men contending for power.

The political party, therefore, is not a political faction and it is not an organization for the propagation of political doctrines, though it has much in common with both these. Neither is the party to be confused with the class organized for the promotion of class interests. The ideal party aims at the equal advantage of all classes.

The political party, as the term is now used, is an institution of recent development. Party life in America began during the closing years of the eighteenth century. In England what we know as the political party cannot be assigned to an earlier date than that of the Reform Act of 1832. National parties appear in Switzerland with the working of the democratic constitution of 1848. In the other States of western Europe political parties have arisen as the States have one by one modelled their constitutions after that of England.

The form of party organization is in each State determined by local and peculiar conditions. In the States of Europe, apart from England and Switzerland, appears a party system having certain characteristics common to all. It may be described as the group system of party organization. In the legislature no one party ever controls a majority

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of the votes of various party groups. The Cabinet does not represent a party; it represents a group of parties which for the time being agree to act in harmony. When the Cabinet is no longer able to obtain its necessary majorities, it resigns office and another is formed capable of combining the party groups in such a way as to secure majorities. There may be a dozen organizations, each with its own party name and each standing for some special political opinion or for some special class interest. The groups, however, tend to divide into two main combinations, so that when the Cabinet resigns, the premiership is likely to go to the leader of the chief party in the group accustomed to vote against the retiring government. The premier who resigns office is likely to appear as the leader of the opposition to the new government.

In the States where these party groups prevail, democracy has attained only a limited recognition. The so-called political party has in these States a strong resemblance to the political class contending for class interests. The majorities are made up by appeals to class interest, by balancing class against class, though there is also a constant reference to the general welfare and at all times a more or less conscious appeal to public opinion. Each member in the representative assembly is chosen by a body of voters composed of various classes in a given district. The best illustrations of the group system of party organization are found in France, Italy, and Germany.

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The simplest type of party government has been developed in England. Here the people had the longest continuous training in habits of coöperation to resist the encroachments of opposing political factions, in the practice of standing together in defence of the peculiar privileges of the various classes, in the formation of societies to promote common opinions. After the Norman Conquest two political factions always existed: one in league with foreign powers, in France or at Rome, and the other opposing foreign interference. These factions naturally appealed for support to the various classes. *Magna Carta* was the result of the triumph of the national over the alien faction. The distinctively factious warfare broke its force in the Wars of the Roses. In the meantime the centuries of training on the part of the various industrial and religious classes in their contests for class privileges had developed among the people an unsuspected quality which was now to count for much.

The feudal system was late in its advent into England, and it never became thoroughly established there as it did in France. There was conscious unceasing resistance to its requirements on the part of every distinct industrial class. Instead, then, of crushing out political freedom by its brutalities, the system in England tended to promote political debate and to develop a consciousness of political power in the various classes. The Great Charter is itself a catalogue of the various grounds

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of conscious resistance to feudal tyranny. As compared with other European States, England is peculiar in this: the political factions were evenly balanced; no faction, no power, was allowed to become so firmly established as to maintain a continuous despotism. There were always classes which more or less understandingly held the balance of power.

Societies for the propagation of special views were more advanced in England than on the Continent. The teaching of Wycliff preceded by a hundred and fifty years the teaching of Luther, and during all of this time the teaching of the doctrines of the Reformation was kept alive by secret societies of religious advocates. Thus centuries of training in industrial, political, and religious controversy preceded the division of the ruling classes in England into Whigs and Tories. No sooner did the masses of the people become Protestant,—as they did during the reign of Elizabeth,—than they became divided into warring sects. There was always a High Church party which tended to revert to Rome, and an extreme radical party which tended to exalt the position of the individual believer.

The Whig and Tory parties arose from the fierce controversy between the House of Commons and the Stuart monarchs, yet they did but give new form to ancient factional and class strife. After the Wars of the Roses which closed with the accession of Henry VII., 1485, there were no

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longer dukes and earls who were strong enough to lead armies against the king. The early Tudor monarchs looked for support to the middle-class folk in the country, called the squirarchy, while they completed the political degradation of the higher nobility and the higher clergy. The old military leaders of faction disappeared, and the squire, the parson, and the wealthier classes in towns and cities came into positions of greater political importance. The power of the early Stuarts was broken by conflict with these middle-class folk, who were represented in the House of Commons. After the Puritan Revolution, during the reigns of the later Stuarts, there was a distinct revival of political leadership in the hands of great lords in opposition to the king. The Earl of Shaftesbury was at the head of these, and he was the first great Whig leader. The appearance, then, of the Whig party may be viewed as in a sense a revival of the factious leadership in the hands of great lords which had been destroyed by the Wars of the Roses. The great Whig lords looked for support to the commercial classes in the cities and to the middle classes upon their own estates; while the Tories were supported by the Established Church and the great body of the squirarchy. But all this is a history of faction and class conflicts rather than a history of political parties.

That which has given its distinctive feature to English party organization is the institution known as the English Cabinet. Upon the suggestion of

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Sunderland, William III. gave the Whig statesmen the leading places in his ministry, because at the time a majority of the House of Commons were Whigs and it thus became easier to secure the coöperation of that House. Later, when the House became Tory, the ministry was modified to please the Tories. During the reign of Queen Anne the same thing happened. With the advent of the house of Hanover, both Houses of Parliament were Whig. The monarchs were Whigs because many of the Tories favored the restoration of the Stuarts. George I. did not understand the English language, and therefore contracted a habit of absenting himself from the meetings of his chief ministers. The government thus fell into the hands of a Whig oligarchy who in secret meeting apart from the king determined upon the policy of the government, and then through the prime minister secured the coöperation of the king and the two Houses. In this way the powers of government, both executive and legislative, came to be centred in the hands of a secret body of the high executive officers of State. The first two Georges were Whigs by necessity, because there was a continuous threat of Tory revolution in favor of the Stuarts. During this entire time the House of Lords was kept Whig, since the kings had unlimited power to create new peers. The House of Commons was likewise kept continuously Whig, because the Cabinet had unlimited power and means of bribery.



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In its origin, then, Cabinet government meant a government of a political faction by the use of corrupt means. The Cabinet is a secret body of the chief officers of State, who mutually agree to stand or fall together in the administration of public affairs. They all belong to the same party or faction, and the government of the Cabinet is therefore a party government, or a government of a faction. George III. was a Tory, and he wished to destroy the Cabinet system of government. He was, however, unable to do this, though he was able through his control of the means of corruption to keep in power a Tory Cabinet during the greater part of his reign. As few persons had a right to vote, it was comparatively easy to make the House of Commons either Whig or Tory by means of office or money.

We thus see that the English Cabinet was formed by a Whig faction contending for the continued possession of power. The Cabinet was continued by a Tory faction likewise contending for the possession of power. During this entire period of a hundred and forty years, majorities were secured in the two Houses by means of bribery and by various forms of corrupt practice. The Whig faction restrained and controlled the monarch by the secret organization called the Cabinet. The organization of the faction and the organization of the government were one and the same thing. Cabinet government was a government by a compact, organized faction. Under

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the last two Georges the Whig machine passed into the hands of a Tory faction. It no longer restrained the monarch; on the contrary it vastly increased his power. The monarch at the head of a Tory faction could control the majorities in the two Houses by corrupt means and thus make himself absolute. It was the realization of this fact that induced liberal Tories to unite with liberal Whigs in a movement to create a large incorruptible voting constituency. By this act the old Whig and Tory factions became the Liberal and Conservative parties.

It should be observed that there was no change in party organization. The organization of the party remained identical with the organization of the faction. When the Liberal party is in power, the Cabinet is the party machine. At the same time the party machine of the Conservatives consists of a like number of statesmen who face the Cabinet members in the two Houses, criticise their conduct, and seek to persuade the voting constituency in England that they could themselves do the work of governing more acceptably. Cabinet government as understood in England is party government. The Cabinet machine is the party machine. All power is centred in the Cabinet, and the Cabinet as the head of a political party continues to govern so long as it can persuade the voters to keep its party in control of the House of Commons. When it fails to do this, it resigns office in a body and the leading states-

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men in the opposite party form a Cabinet. Thus the actual government and the actual party organization become one and the same thing. The party is an organ of public opinion because the Cabinet holds office only as it wins the support of the voting constituency. In no other country is party organization so simple, so easily understood.

The English or Cabinet System of party government has been transplanted to Canada and to the Australian states. The group system, also, which prevails upon the European Continent, has borrowed some of its features from England. But on the Continent the Cabinet does not govern, as in England. The party leaders organized as a Cabinet assist a monarch or some permanent unchanging executive to govern. The various party groups, therefore, are organized not to govern, as in England, but to influence the government.

Switzerland is the one highly democratic State which furnishes ground for believing that party organization may ultimately be dispensed with in the free State. True, political parties have appeared and have played a prominent part in the transition from aristocracy to democracy; but nothing like the Cabinet system of government has appeared in Switzerland. There being no Cabinet, there could be no Cabinet organization of party leaders. On the other hand, Switzerland has created no elaborate system of party machinery for nominating and electing officers, as in the United States. As the Swiss have

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become more consciously democratic, they have given less prominence to party organizations. They have created other organs of public opinion, which in a sense serve as a substitute for political parties. The most important of these is the *referendum*. By means of the referendum the people themselves, with little reference to party organization, have conducted their own affairs. Again and again has it happened that the people have continued to send to their national legislature a majority of one political party, while they, at the same time, by means of the referendum, approved the policy of another political party. Closely associated with the referendum is the popular initiative. By these processes the people rule with little reference to party organization. As democracy grows stronger party influence grows weaker. Some of the Swiss cantons have adopted a system of proportional representation which does indeed recognize party organization; but one of the chief arguments in favor of this policy is that it tends to diminish party prejudices and thus to remove the curse of partisanship.

Party organization is therefore as multiform as is the organization of the various States.

## CHAPTER II

### ORIGIN OF THE AMERICAN PARTY SYSTEM

✓ POLITICAL institutions in the United States are to a considerable extent the result of conscious acts of a self-conscious people. There are many theories as to the origin of the New England town, but there can be no dispute about the fact that this political institution was set up nearly three hundred years ago by people who knew what they were doing. The same is true of the institutions of our counties, parishes, and cities. The first Americans were far advanced in political education and experience, and they had a clear field in which to work out their own ideas. From the beginning there were two main lines of political activity. There was, first, some sort of supervisory control exercised by the mother country, ✓ which exerted an influence over the central government in each colony. Then, the people in each colony, with little control or guidance from any outside source, established and managed their own local institutions in their own way. From the central authority came efforts to impose political institutions from above; these were successfully resisted through efforts of the people to

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establish and maintain institutions of their own choice. When the colonies became independent, they created for themselves state governments, and, as a crowning act, they organized a government for the people of all the states. So that at every stage, from the central government down and from the local governments up, there was the conscious activity of a self-conscious people. The result has been a complicated system of artificial governmental machinery.

The American party system, both as to the manner of its formation and as to its form of organization, bears a close analogy to the governmental system. In the evolution of the party system, there were movements from the central authority which were resisted by local organizations of the people. The result has been a vast system of artificial party machinery corresponding in its chief outlines to the governmental machinery. The American party is characterized by a complicated organization, as is the government, and both have a common origin.

The most spectacular part of our party organization grew out of the obligation to choose, once in four years, a President and a Vice-President of the United States. The framers of the Federal Constitution adopted a plan for the accomplishment of this work which was utterly irrational and impractical. Washington was made President by common consent; the definite action was merely formal. But at the third presidential election sharp differ-

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ences of opinion arose, and the necessity for some sort of conduct not contemplated by the Constitution was clearly manifest. At the fourth election, in 1800, machinery had already been devised to supplement the Constitution in the choosing of President and Vice-President. The Congressional Caucus — composed of the groups of members in the two Houses, and representing the opposing political opinions of the day — had appeared. These caucuses nominated candidates for President and Vice-President. They persuaded their political friends in each state to choose presidential electors who were pledged to vote for the candidates nominated by the caucus. So well was this plan carried out that in the Republican party the caucus candidates, Jefferson and Burr, each received all the votes of the electors chosen by the party. But, while each had a large majority of all the electors, neither was chosen President. The method of action adopted by the Constitution had broken down at the first real trial. The Constitution made it impossible for the people to choose a President. An amendment was adopted to remedy this defect. Under the amended Constitution, congressional caucuses continued to make nominations until 1824.

The congressional caucus did a work which had to be done in some way. Unless some previous understanding had been reached, the presidential electors who met in their several states to elect the President would usually fail to accomplish

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their task. It would be a mere accident if any one candidate received a majority of the votes. The election would hence, according to the Constitution, devolve upon the House of Representatives. But it was not the intention of the framers of the Constitution that the Executive should be chosen by the legislature; neither was it their intention that the Chief Magistrate should be chosen by popular vote. Yet, out of the plan proposed, one or the other of these results was inevitable. By means of the organization of political parties and party nominating machinery, the choice of the President is now determined by popular election. Had the people been content to leave the selection of candidates for the presidency in the hands of the congressional caucus, the final result of the method would have been wholly different. That state of mind which would be implied by satisfaction with the congressional nomination would naturally have resulted in the avoiding of a popular election for the choosing of the presidential electors. The result would have been candidates nominated by members of the national legislature and the electors chosen by the legislatures of the various states. The popular election would have been avoided; but this would have been a revolution equally at variance with the intention of the framers of the Constitution. It would have threatened the position of the independent Executive. The growth in the various states of the habit of choosing electors



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by popular vote implied dissatisfaction with the method of congressional nomination.

There was from the beginning decided opposition to the caucus. In the year 1800, when both of the parties made their nominations by caucus, the act was done in secret and the opposition press branded it as conspiracy. So well was the secret kept that in the case of one of the parties there was a doubt as to the fact until confession was made twenty-four years later. At the next election the proceedings were more open, but there was still decided opposition to the method. In 1808, when the chairman of the Republican nominating caucus for 1804 assumed the duty of issuing a call for a like caucus, he incurred severe criticism from his own party. The caucus was seen by this act to be becoming an established institution. The decaying Federal party tried to fasten odium upon the Republican party by seeking to create the impression that the caucus was a peculiar and characteristic feature of that party. In 1812 disaffected Republicans who were opposed to the war with England united with Federalists in the support of DeWitt Clinton as against Madison. In the interests of this candidacy a conference of Federalist leaders from eleven states was held in the city of New York, in which some historians have seen a prophecy of the future nominating convention. This conference, however, was not a nominating convention. Clinton had already been placed in nomination by a caucus in

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the New York legislature. The aim was to secure the more cordial support of Federalists who had made no nomination.

Before the congressional caucus was held in 1816, the understanding had already been reached that Monroe was the accepted candidate of the Republican party. When a call for a caucus was issued, the friends of Monroe viewed the act as opposed to his interests, and some of his supporters absented themselves from the meeting. Monroe, however, received the caucus nomination over Crawford. He was reelected four years later without a caucus nomination, and the last nominating caucus, that of 1824, put forward the name of William H. Crawford.

The system was never popular. It was tolerated merely because it accomplished a necessary work for which no better way had been agreed upon. It was, moreover, well adapted to the time in which it originated. The consciousness of party life was at first not generally diffused. Only members of Congress were then sharply divided into parties. It was but natural that they should initiate measures for the selection of candidates in harmony with their own views.

Along with the congressional caucus for nominating candidates for the presidency, state legislative caucuses arose in the various states for the nomination of state officers. There were no railways; population was sparse and the roads were bad. It was natural under all the circumstances that mem-

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bers of the legislatures should take a leading part in the nomination of candidates. It was likewise natural that there should be decided and increasing objection to this method as the sense of democracy and the sense of party responsibility became more widely diffused. In a state legislative caucus for the nomination of a state officer, the district which at the time was represented by a member of the opposite party would have no share in the nomination. This defect was early perceived in some of the states, and special delegates from such districts were admitted to membership in the caucus. Such a meeting would naturally suggest the nominating convention of a later date. The legislative nominating caucus did not, either in the state or in the general government, attain to the dignity of an established institution. The caucus which nominated Monroe did, indeed, by a small majority, carry a resolution approving the practice of nominating candidates by members of Congress, and declared that it ought to be continued. It was not continued, however, and for many years there was no regular official way for making nominations.

The congressional nominating caucus failed at a time when party organization was itself in a state of confusion. The Federal party ceased to exist at the close of the war with England, and no clearly defined party appeared to take its place. Candidates for the presidency were now put in nomination by caucuses in state legislatures.

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In some instances nominations were made by joint resolution of the two houses of the state legislature. Nominations were also made by local conventions, by public meetings, by individuals, by newspapers. These acts were each and all informal and inconclusive. For a time the congressional nomination was accepted as a conclusive act. It was so far regular and had the stamp of party official approval. During the period of confusion in party organization after the disbanding of the Federal party, there was no recognizable system of presidential nomination. But with the new alignment of parties, a new method of nomination made its appearance. During the year 1831, the Anti-Masons held a national convention for the purpose of nominating candidates for President and Vice-President. During the following year such conventions were held by the National Republicans and by the Democrats.

To understand the origin of the national nominating convention demands a knowledge of a wholly new set of facts. The legislative caucus grew out of the fact that party strife first manifested itself in the legislatures. The caucus was an attempt to give the party organic form from above, from the standpoint of central authority. This attempt failed. Enduring party organization grew as the government grew; it began with the town and county and proceeded step by step to the central government. Intelligent and liberty-loving peoples in all lands have

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been accustomed to form local and voluntary organizations for the promotion of the common weal. There are Nihilists in Russia; before the French Revolution the people had become organic through Jacobin Clubs, and before the American Revolution the American people had grown in the sense of organic union through a system of local Patriot Societies. Enduring party organization in America has arisen out of the habit of the local association of the common people for the promotion of common ends.) Strangely enough the word caucus which congressmen used to designate their meeting was first applied to a local voluntary association in the town of Boston. There is doubt as to the etymology of the term, but the commonly accepted theory traces its origin to the father of Samuel Adams, who was engaged in ship-building. It is said that he was wont to meet with twenty or more of the laboring men (calkers), to deliberate as to the interests of the town and agree upon nominations for local offices. This was the original *caucus*. This story may be accepted as giving a satisfactory account of the origin of the name. It should be borne in mind that the sort of conduct here described grows naturally out of a system of choosing officers by popular election with an extended suffrage. Men interested in the promotion of certain measures and policies band themselves together to accomplish their purpose. It was a cardinal duty of the Patriot Societies before the Revolutionary War

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to see to it that the most trustworthy men were placed in charge of the local offices.

The local caucus grew naturally, and to a great extent without observation. No reliable history of the process can ever be written. It is a necessary incident to the development of a people driven to rely upon themselves while without a reliable and trusted central government. The Americans had no central government of any kind. Their colonial governments were in the hands of their enemies, or, at least, they were not to be depended upon. The people could always control their counties, towns, and cities. They could band themselves together in local voluntary associations whereby they could hold their local governments against a hostile colonial government. So soon as they got control of the central colonial governments in all departments they transformed each colony into a "free and independent state." With the creation of the free state the local habits and associations which had accomplished the task did not cease to exist. The enduring feature in American party organization came from these habits and associations.

When Thomas Jefferson found himself in serious and protracted controversy with the administration of Washington, he encouraged the formation of Democratic Clubs to resist the encroachments of the central government upon local governments and upon personal liberties. These clubs were similar to the Jacobin Clubs in France and to the Patriot Societies in America. The supporters of

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the administration did not, to any considerable extent, organize local societies to strengthen their policy. The result was that the Republicans or the party of Jefferson became locally organized throughout the land, while the Federal party never was thus locally organized. It was largely because of this local organization that the Republican party endured and the Federal party became extinct. All permanent party organizations have arisen out of the party of Jefferson. When, during the administration of John Quincy Adams, a party began to be formed called National Republicans, its members were denounced as Federalists by their political enemies; and when, in 1834, the same party took the name Whig, it was still denounced as Federal. This was because of the popular prejudice which was associated with the name Federalist. "To revive the ghost of Federalism" was the easiest method of bringing a party into reproach. But the Whig party was organized by men who had had long training in the party of Jefferson. The Whigs first called themselves Republicans, and when the party went out in confusion, twenty years later, its members again found themselves enrolled either in a Republican or a Democratic party, and each of these parties claimed descent from the party of Jefferson. Jefferson was both a Democrat and a Republican. From the beginning of party organization he was stigmatized by his enemies as a Democrat. He called himself a Republican or a Democratic-

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Republican. As the term Democrat became a mark of honor rather than of reproach, it gradually superseded the earlier term. When Jefferson died, in 1826, that branch of his party which was crystallizing around the leadership of Andrew Jackson and Martin Van Buren commonly bore the name Democrat. The Whigs always stoutly maintained that this was not the party of Jefferson. It was in their eyes a new and dangerous party which had filched the name of the party of Jefferson. The Whigs themselves gloried in their alleged political descent from Jefferson. They repudiated with scorn the term Federal, which their enemies sought to fasten upon them. They looked with envious eyes upon the more popular name of their opponents. The first national Whig convention, in 1839, assumed the official title of "Democratic Whig Convention." From this it would seem that the Whigs also wished to filch the name Democrat; but it was not long before the great body of the northern Whigs found themselves in full possession of the good old Jeffersonian name, Republican.

It would be a great mistake, however, to conclude that the party of Jefferson endured because it was more fortunate in the selection of names. It endured because it took organic form in harmony with its political environment. The Federal party died because it created no organs in touch with the people. John Adams, writing in 1814, about the time of the disbanding of the Fed-



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eral party, said, referring to the political conduct of the day, "They have invented a balance of all balance in their caucuses. We have congressional caucuses, state caucuses, county caucuses, city caucuses, district caucuses, town caucuses, parish caucuses, and Sunday caucuses at church doors; and in these aristocratic caucuses elections have been determined." We may substitute the word "convention" for the word "caucus" in this passage and accept it as a prophecy of the permanent form for party organization in the United States. The word "convention" was already in use. Caucus, as applied to a legislative body assuming the nominating function, was already a term of reproach.

The nominating convention differs from the legislative nominating caucus in that it rests upon local organization and is an authorized agent of the members of the party chosen for the purpose. The legislative caucus was an unauthorized body. So long as its acts were pleasing to the body of the party it was endured. As soon as there was developed intense dissatisfaction in the party itself, alternate methods of action were called into use. In 1812 there was strong disapproval of the war policy of the administration. This was felt by Republicans as well as by Federalists. Madison was the caucus nominee; De Witt Clinton was nominated by other agencies. Peace conventions were called in various states, and at several of these nominations were made for presidential electors in the state.

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Local conventions had grown up out of efforts to secure harmonious party action between different wards of a city, different townships in a county, and different counties in a district. As early as 1813 an extreme Democratic faction in New York City put forward a definite proposition to call a state nominating convention to take the place of the legislative caucus in the nomination of a candidate for governor. A few years later such a convention was called, and a similar system grew up in other states.

At the time Mr. Adams wrote the description of party machinery given above there would soon have been created a complete system of nominating conventions for choosing candidates for all offices, from that of road-master to president, had there not been an arrest of the normal development of party life. One party completely collapsed. There was an "era of good feeling," followed by factional strife for the presidency in 1824. As normal party life began again to appear under the leadership of Jackson and Van Buren on one side, and Clay and J. Q. Adams on the other, it was found that there had been already developed in the various states a nominating system to take the place of the legislative caucus. In 1828 there was no need of formal nominations. Jackson had been continually a candidate for eight years, and Adams, by common consent in harmony with uniform custom up to that date, was a candidate for reelection. When the Anti-Masons called a

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national convention in 1831, for the purpose of nominating candidates for the presidency and vice-presidency, they did not call into existence a new nominating agency. They simply applied to federal politics an agency already in use in the states. Each of the regular parties held conventions the following year. Since 1832 the Democrats have uniformly made nominations for the presidency by National Convention. The Whigs nominated by other agencies for the election of 1836, but used the convention method ever after.

Thus it appears that the American party organization is the result of two movements: one from the central government down, and the other from the local institutions up. The ideal perfected system includes all the people as members of one or other of two great national organizations with local agents in every township and ward in the country.

The party organs resemble the governmental institutions in that each is the creation of a self-conscious people seeking to manage its own affairs, and each important governmental institution has its corresponding party agency. For the general government there is the national committee in each national party. This committee is appointed by the National Convention which meets once in four years to nominate the national candidates. A corresponding state committee is appointed in each state by a state convention

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whose duty it is to look after the interests of the party within the state and to coöperate with the national committee in the promotion of party harmony. Then, in each county, township, and ward are corresponding local party committees to look after local party interests and to coöperate with state and national committees. Between the states and the general government there have been rivalry and conflict, but between the state party organization and the national party organization there has always been harmony and coöperation. The political parties have been the great uniting and binding factors of the nation. Each of the great parties has had its organs in every neighborhood, watching over each other for the common good, to make it sure that the commonwealth shall not suffer serious harm.

This development of the party machinery has required much time. The Federal party failed, as we have seen, to become locally organized, and it therefore ceased to be a party. It was not until 1852 that a National Whig Convention was called in the now recognized, regular official way; and no sooner did the party become thoroughly organized, with a perfected system of national, state, and local conventions, than it, too, through the perversity of circumstances, went to pieces. The first Republican Convention, that of 1856, lacked much of official regularity. The Democratic party has experienced a regular, continuous progress toward the perfection of its party

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machinery. The Civil War was a seriously disturbing factor in respect to the evolution of party machinery. Yet in the face of every obstacle party organization has gone on growing more and more perfect, more and more indispensable.

## CHAPTER III

### PARTY ISSUES

CITIZENS differ in opinion as to what is best for the State. This fact is fundamental in the formation of political parties. There are shades of opinion corresponding to each independent observer and thinker. The dividing of many millions of persons into two parties does not enable the individual to see his own views prevail, but it does enable the great body of the citizens to exercise a more or less effective choice as to certain prevailing tendencies which may be deemed, at the time, of primary importance. No individual gets his will, but all in each party may have a modifying influence over the result.

The bases for differences are innumerable. Some are subjective, some are objective.

Some men are controlled by what goes on in their own minds: they live a predominantly subjective life. They are the poets, the dreamers, the enthusiasts, the prophets, and the fanatics. Others live an objective life. They are slow to believe in the reality of anything which they do not touch, and taste, and handle. The dreamers and the materialists do not understand each other. Extreme types in these diverse classes

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are utterly incapable of reaching a basis of agreement or of mutual understanding. This difference in the human type is never consciously a cause of party division, and it is well that this is so. A state divided into two hostile parties, the conduct of one partly controlled by experiences drawn from the inner consciousness of its members, and the conduct of the other guided wholly by external appearances, would be an intolerable bedlam. Long before that condition of society is reached in which the democratic State becomes possible or even thinkable, a large body of citizens have been trained to habits of recognizing distinct and characteristic virtues in each of these types. No actual party is ever formed which does not contain a fair proportion of both the dreamers and the men of affairs.

While this separation of men into two classes, those who are predominantly subjective and those who are predominantly objective, can never become consciously a basis for party division, the fact of this difference has much to do with actual party organization. The tyrannies of earth have been resisted and broken by men who have agreed in holding some religious conviction in the face of every external appearance; or by the individual prophet and preacher, who, careless of everything but his deep sense of integrity, has defied torture and death. The introspective man is naturally an individualist. He is careless of institutions. He may be a giant in the work of destroying venerable evils, while in the equally necessary

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work of setting up a more righteous order he may be an obstructionist. Elijah the Tishbite was a preacher and only that. He actually believed that he was himself the only righteous man in his nation. In the setting up of a righteous State on this earth such a man is an obstacle. He has to be gotten out of the way before the first step can be taken in righteous institutional State-building. The Lord told Elijah that the sort of men that he needed for the work of the hour were Haziël, and Jehu, and Elisha; the last a prophet with a much more accommodating and adjustable conscience.

The prophet or the preacher who, without reference to any external condition or fact, gives utterance to his vision of a more righteous order, leads the way to reform. The immediate and positive work of the preacher is that of a destroyer of evil, yet the preacher draws to himself men who live in the actual, external world, and who are interested in the establishment of improved external conditions. Thus the preacher and the men of affairs are found in close alliance. They may constitute the active element in the more radical political party of the day. The prophet, the preacher, and the poet come naturally to be associated with radicalism in politics. One or the other of the political parties is more sensitive to the need of change, less closely wedded to the established order. To such a party men who are burdened with a new idea more properly belong. This is one of the oldest and most fundamental of party



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✓ distinctions, the party of change is the radical, or liberal party; the party devoted to the established order is described as conservative. But in any actual conservative party there are idealists as well as realists: there are conservative fanatics as well as radical fanatics. The fanatical conservative is likely to draw more largely from some imaginary past condition; the conservative worships more naturally with his face to the east. It not infrequently happens that the same individual may at different stages in his life be an aggressive radical and a bigoted conservative. As a young man he may become possessed of the new ideas of the day in Church or State, and he may give himself to the new doctrines in the face of persecution. Later in life he may come to take a personal satisfaction in a new external order which he imagines is in part the workmanship of his own hands. When this new external order comes to be interfered with by other young men with new ideas, the whilom radical appears as a bigot and a persecutor. This phenomenon is so common that radicalism is associated with youth and conservatism with old age. ✓ The youth has not yet projected his personality into actual institutions. The old man has done so, or at least imagines that he has.

There is an analogous tendency in party organizations. A party of reform becomes identified with an external condition of its own creation, and it readily changes to a party of defence



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and resistance of change. After the Civil War the Republican party became identified with a policy of reconstruction. When that policy fell into disrepute the party resisted change. In an old country like England, where there are venerable institutions, such as the Crown, the House of Lords, and the Church, which have for centuries been the objects of attack and encroachment on the part of a growing constituency, it seems quite natural that one of the parties should be known as a party of defence and the other as a party of aggression. This, in the main, has been the case, yet there have been many instances of confusion at this point; Conservatives have promoted radical measures and Liberals have stood for the established order. In the United States it is still more difficult to array political parties against each other on the basis of conservatism and radicalism. A few years ago I received a letter from a lecturer in Edinburgh University asking me which of the two great American parties ought to be classified as the conservative party after the English analogy. I was wholly unable to answer the question myself and, appealing to my neighbors, I found them, one and all, in a state of equal ignorance. I felt, however, that I was on firm ground in stating that the old Federal party of a century ago bore obvious analogy to the English conservative party of to-day, while the party of Jefferson was analogous to the liberal party. It is traditional to associate some such

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relation with the Whig party and the Democratic party of Jackson. But since the Civil War who can say which party is conservative and which is radical?

There are many personal qualities which are to be taken account of in the study of political parties. Some men are by nature timid, some are courageous; some are selfish, others are public-spirited; some are conscientious, others are unscrupulous. Though these and many other qualities have much to do with party life, still, parties are not formed chiefly through the influence of the mere personal qualities of their members. It can never happen that the good men will all be found in one party and the bad men in another. The attempt to form parties upon the basis of abstract righteousness is an irrational proceeding which tends to engender prejudice and promote corruption. Parties arise chiefly out of the honest differences of opinion in regard to some political institution or some line of State policy.

In a federal government like that of the United States, the very structure of the government forms a basis for party division. The business of governing is partitioned into two parts and distributed to two separate and independent agencies. This is the theory of the case, but the government of an actual State does not admit of any clear and positive line of partition of functions. One governing agency is sure to encroach upon the other.

Our first great national debate was upon the

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question of adopting the Constitution proposed by the Convention of 1787. On the one side were arrayed those who believed in a strong central government; against them were pitted those who believed that their well-trying local and state governments were in danger. This difference of opinion grew inevitably out of the very nature of the government proposed. The friends of the Constitution were called Federalists and its enemies were called Anti-Federalists. These are not names of political parties; they are names of two parties to a great national debate over a specific question.

With the adoption of the Constitution ten amendments were added guarding the independence of the states and the rights of the people. Now, those who had been Anti-Federalists naturally became identified with the Republican party which sprang up during Washington's administration. Anti-Federalists had opposed the adoption of the Constitution, because they feared encroachment upon their local liberties; but the Republicans were the peculiar friends and supporters of the Constitution, because they looked to the written document as a defence for their state rights. The Federalists, who had secured the adoption of the Constitution, attached less importance to the letter of the Constitution, because they believed in a strong central government which could be best attained by a liberal construction of the words of the document.

This broad line of party distinction has persisted

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throughout our entire history. It was especially prominent before the Civil War. The written Constitution was made a party platform for one of the parties, while the other party supported a policy which involved the exercise of many powers not named in the document. The Virginia and Kentucky Resolutions gave a specific interpretation of the Constitution from the old Republican or state rights standpoint. These resolutions were made a part of the platform of the Democratic party in 1856 and of that of the secession party four years later. Since the Civil War the question of state rights has ceased to be a dominant issue. The time may even come when it will be impossible to detect any difference even in the prevailing tendencies in the two parties on this question.

The issue which grew out of the character of the American federal system of government had, in the beginning, obvious relations to clearly distinguishable subjective conditions. During the great debate over the adoption of the Constitution the Anti-Federalists stood for the established order. The local governments which they defended were old and familiar. The proposed strong central government was an innovation. From this point of view Anti-Federalists were conservative. The will of the nation having been declared, Anti-Federalists immediately accepted the Constitution and assumed a positive and aggressive attitude as to the interpretation of the document. Party organi-

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zation grew out of this aggressive attitude. The old Republican party has never been called conservative, or at least it was not so regarded during its lifetime. Its leaders sympathized with the French Revolution; they sympathized with the extreme democratic doctrines of the day. Jefferson's party was regarded as the radical party. It believed in a wide, even a revolutionary, departure from past ideals in government; it represented a new order in society. The Federalists, on the other hand, were admirers of the English Constitution. They opposed both the theory and the practices of the French Revolutionists. They were essentially conservative. The party stood for the older ideas of government by the few, the strong, and the capable. Federalists feared the masses; they did not believe in government by the mob.

A hundred years ago the modern idea of government by the people consciously acting in an organic capacity scarcely existed. Democrats as well as conservatives looked upon government as a thing of force and repression. Democracy was then a sort of negation of government. The followers of Jefferson opposed a strong central government, because they looked with suspicion upon all government. They defined liberty as the absence of government. They believed in local coöperation in town and county because this was not government; it was not a thing imposed by an outside force. Government being defined as something imposed upon the people from with-

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out, there should be as little of it as possible. The widest possible range should be reserved for the individual, for the voluntary coöperation of the people. This *laissez faire* view of government has had a marked influence upon our party history.

In 1896 the party calling itself the party of Jefferson held two conventions. The one which met in Chicago adopted a platform in favor of making large use of governmental power in doing things for the benefit of people. Mr. Bryan was made the candidate of this aggressive wing of the party. Later, a convention of Democrats was called at Indianapolis with the avowed intention of defeating Mr. Bryan. The Indianapolis convention represented the good old Jeffersonian doctrine, that government should keep out of the way of the people and let them do what they wished for themselves. Jefferson was a radical and a revolutionist because his views were comparatively new and out of harmony with the established order in the older states of his day. The Indianapolis Convention, in so far as it reflected the views of Jefferson, was ultra conservative, because individual initiative and voluntary association are now in possession of a large field in the industrial world, and it is that condition which is now being seriously challenged. Jefferson represented the masses as against the wealthy, the aristocratic, and the privileged classes. The Jeffersonian survivor stands hand in glove with wealth and privilege. In the

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meantime, there have been great changes in the theory of government. Government is viewed, not as an agency of repression, but rather as an agency to enable the people to accomplish more easily and more perfectly the things they desire. The people desire universal education; they turn to the one voluntary society which includes them all, namely, the State, and by means of the State they accomplish their purpose.

In the time of Jefferson the democrat was almost compelled to take the *laissez faire* view of government, because government was defined as repression. But if government is itself made an essential and effective agency for the creation of the perfect man, then one can be a democrat and still believe in an enlarged sphere for the State. Democrats therefore actually hold absolutely contradictory views as to the policy of the State, because they adopt contradictory definitions of government. There are those who still define government as repression. To be a democrat with such a definition one must become an anarchist. This principle is clearly illustrated by Mr. Franklin Smith, in an article in the *Popular Science Monthly* for November, 1899. The writer believes in liberty and defines government as tyranny. He therefore finds that the public school system of the United States is the most dangerous of our institutions, and almost equally perilous is the postal system. If the people are to gain their liberties they must wrest both of these institutions



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from the hand of the State. In an unguarded moment, Mr. Smith admits that the State may exercise some police power, yet, as he recovers himself, he sees that this too would be better attended to by voluntary association. Then there would be in the State no law but conscience. This, it will be observed, is the position of the philosophic anarchist. The socialist goes to the opposite extreme. He is less individualistic, less subjective. He sees that the progress of man toward righteousness must be through the attainment of more just external relations. Every change which increases coöperation and the interdependence of the members of society is, from the socialist's point of view, a clear gain. The State is the one all-embracing agency for mutual coöperation. Man approaches perfection as he becomes absorbed and satisfied in a harmonious State. Between the extreme anarchist and the extreme socialist views there are many possible shades of opinion which the democrat may hold. The fact that believers in democracy hold such contradictory views certainly lends weight to the assumption that the Greeks were right in maintaining that in some way the individual man and the State are linked together, and that the perfect man involves the perfect State.

Our federal system of government is itself the result of a compromise between men who took extreme views in favor of, or in opposition to, strong and centralized government. Thus, differences in

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natural temperament expressed themselves in institutions. Until the outbreak of the Civil War political differences turned largely upon efforts to harmonize the institutions. From that time this factor disappears from politics, or manifests itself in a disposition to enlarge or to restrict the field of government.

Party life has also been much affected by class differences. In the great debate over the adoption of the Constitution, the rural, agricultural population was pitted against the commercial classes in the cities; it was country against city. The ruling class in the centres of population favored the Constitution along with a strong central government, while the farmers resisted them and looked with suspicion upon the growing wealth of townspeople. The money power was already feared and dreaded. Jefferson formed his party out of the suspicious rural population. There has never been a time in our history when this feeling toward wealth has not been a perceptible factor in party divisions. How much of our party history has been determined by the question of United States banks or by some form of the money question. And in all the episodes of party history there has been a manifest tendency to divide along the early lines of trading communities against farming communities. The original Republicans were enemies of the United States bank. When the party was revived under the leadership of Jackson it was still the question of a United States

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bank that overshadowed all others. Jackson had the support of the farmers; the friends of the bank were chiefly from the commercial classes.

The division between country and city has been a good deal confused by the rise of a distinct manufacturing interest. When the Constitution was adopted there was no important manufacturing class. When, later, manufacturers, as a distinct class, began to make an impression upon politics, they favored protective tariffs. This policy was opposed by some belonging to the commercial class who favored free trade. The manufacturers succeeded to a remarkable degree in winning the support of the agricultural class in the free states. The introduction of the tariff question thus tended to divide the agricultural classes, and also to divide the wealthy classes in the centres of population.

Before the War, however, the tariff question was presented as a temporary issue. Protection was advocated as a temporary measure in order to diversify industry, and was intended to be followed by a policy of free trade; this forecast was in process of fulfilment when the War broke out. After the close of the War a new doctrine of protection was invented. Manufacture became more and more centralized in the hands of great corporations. Previously to the War wage-earners as a class had made little impression upon our national politics, but with the advent of the great business corporation there appears a distinct wage-earning class to be reckoned with. Protectionists have won the

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support of large sections of laborers by the advocacy of high wages and by maintaining at the same time that a protective tariff is necessary to shield the American laborer from competition with the pauper labor of the Old World. This position gave rise to a new doctrine of protection. Protection to diversify industry must quickly pass away, but protection to give to the laborer higher wages is a different matter. No date can be fixed when this object will not be desirable. Again, the protection which was advocated before the War applied to only a few lines of production which had been selected for the purpose of localizing new industries; but protection to raise wages applies equally to all lines of production in which there is competition with other countries. The new doctrine, therefore, involves the advocacy of a universal and perpetual policy of protection. At the end of the century there is some tendency to a recurrence to the cleavage between the rural population and the cities. At least there has been kept up throughout the century an active prejudice against banks and other commercial institutions.

It would be easy to extend the list of occasions for party divisions. There has, for instance, always been a North and a South whose diverse conditions have had a manifest effect upon party life. But under a dual party system the bases for division cannot be numerous. The great national organizations are formed from a very few lasting distinctions. As to the multitude of minor ques-

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tions, either one party or the other becomes committed to a particular policy by accident, as it were. There was no reason in itself why the party of Jefferson should have excelled in friendship for France. It happened, however, just at the time of the rise of that party that the Revolution was in progress in France. France was "doing" radical politics for the world, and the sympathy of the radical party in America was therefore drawn to her.

To recapitulate: America is committed to the dual party system. This arises from the elaborateness of party organization. There is room for the two machines only. The one personal condition which goes farthest in explaining the basis of dual party division is the tendency of some men to live a subjective life, and of others to live an objective life. The subjective man is by nature an individualist. The objective man has a preferred tendency to exalt the importance of the visible, institutional, or governmental agency. Each class of men made a decided impression upon the Constitution of 1787. There was a central government for the man who attached much importance to visible authority. There were the guarded local institutions to placate those who attached supreme importance to personal liberty. Traditionally, one party has ever stood for the defence of the central government, and the other party has been the guardian of local liberties. Originally, the commercial classes stood for cen-

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tral authority; but so far as the commercial class became devoted to free trade it tended to the support of the opposite party. The manufacturers have naturally been in alliance with the party most favorable to central authority. With the appearance of a distinct laboring class since the Civil War the protectionists have modified their theory, and have been fairly successful in securing the votes of the working people under the plea that protection tends to maintain high wages.

## CHAPTER IV

### THE SPOILS SYSTEM AND PARTY ORGANIZATION

IN a despotic government offices belong to the ruler. Taxation is for the support of a ruling class. A despotic government is by its very nature a perpetual conspiracy against the people. All the offices, all the patronage of the State, is directed to the one supreme task of keeping the people in subjection. A successful despotism is in a state of perpetual victory over the people, and all the spoils of office belong to the victors. In such a government the people may be better off than they would be without it. They may be wholly incapable of governing themselves. In a given condition it may be better that the people should be compelled to support such a government rather than submit to the alternative condition of cutthroat anarchy.

But a despotism is unstable. It either tends to destroy itself by dehumanizing its subjects, or it tends to educate a larger and larger portion of the people to habits of participation in the responsibilities of government. In a progressive despotism there arise factions of influential subjects who influence the policy of the State. Often such a fac-

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tion will succeed in wresting the offices from former occupants. In that case the perquisites of office are the legitimate spoils of the victors. This is well illustrated in the history of the Whig and the Tory governments of England previously to 1832. Elections were carried and votes were secured in Parliament by the bribery of office. But with the extension of the franchise a new principle was introduced. It was clearly seen that the use of the offices to carry elections could not coexist with an independent voting constituency. The two parties then by common consent exercised restraint in the use of patronage until a law was passed entirely removing the offices in the civil service from political influence. So long as the spoils system prevailed, an election which involved a change of party was almost equal to a civil war. When the parties appealed in earnest to the democracy of England, the bribery of office was necessarily surrendered.

Early in Washington's administration a debate arose over the power of the President to remove from office in the civil service. One of the speakers, opposed to leaving this power in the hands of the President, argued that the power might fall into the hands of one who would use it to put in office his personal and political friends. To this James Madison replied that for such an abuse of power the Constitution provided an adequate remedy. A President who should thus abuse his position would be subject to impeach-



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ment and removal from office. This sentiment controlled, in the main, the conduct of our Chief Magistrates until the advent of Andrew Jackson, in 1829. The spoils system came into American politics along with a more radical type of democracy. In England the spoils system went out of politics with the coming in of democracy, but in America the advancement of the masses to a more conscious participation in politics is associated with the introduction of the bribery of office. The explanation of this contrast between American and English democracy is to be found chiefly in the differences in party organization in the two countries.

In England party grew directly out of faction. The victorious Whig faction organized itself into a secret government unknown to the laws of England. This secret body received the name "Cabinet." It drew to itself all the powers of government. The organization of the government and the organization of the faction or party were one and the same thing. There was no party organization apart from the organization of the government. The Whig faction in power was the government, including all the offices in the civil service, and supported by a continuous majority in the two Houses of Parliament. The Whig faction out of office was nothing at all save as leading statesmen held together as critics of the government, with the hope of regaining control of the offices. The Cabinet, in the hands of a faction,

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was an organized despotism. It required the continued coöperation of the monarch to maintain the faction in power, and the system tended more and more to make the power of the monarch absolute. From this conclusion there was no escape but to appeal to the democracy. To do this the spoils of office must be taken out of the hands of the monarch. The Cabinet knew no way of removing patronage from the hands of the monarch and retaining it themselves. It was forced, therefore, to remove that power altogether from the domain of politics. With the civil service regulated by law, the party in power had no more control over voters than had the party not in power. Each had an equal chance to persuade the voting constituency to vote for its members. In England, the one party machine which monopolizes public attention is the Cabinet. Opposed to this there is a well-understood group of statesmen, who expect at the next election to become the government. Apart from this there is no elaborate and important party machinery.

In America the case is different. When Jackson introduced the spoils system, there had been long years of experience in building and perfecting local party machinery. The convention system for the nomination of state and local officers was already well developed. This involved the maintenance of permanent state, county, and township party committees. The party was becoming a great organism of State, corresponding to the older

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institutions of government. In state politics surely the spoils of office did belong to the victors. Nearly all offices were filled by election. To these offices the candidates were named in party caucus or party convention. They were elected by a party vote. The most obvious purpose of the party machinery was to gain control of the offices. It was therefore not unnatural that as the state party machinery began to be extended to the national party organization, there should arise a strong tendency to demand, for the party which carried the election, all the offices in the general government.

This is indeed what happened. Jackson did not do an unpopular thing when he gave the offices at his disposal to members of his own party. The act was immensely popular. The *prima facie* appearance of the system was quite in harmony with the events of the day. The people were captivated by the idea of democracy. The common people were at last coming into possession of their own. In the states, offices formerly filled by appointment were made elective. The party machinery used in the filling of these offices seemed to be in harmony with true democracy. Each of two parties had a fair opportunity to hold conventions and make nominations. Each had a fair chance to win a greater number of votes. To the victorious party, therefore, the offices should belong. This was the case in state politics, why not in federal politics? Philosophers and states-

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men saw good reasons why this should not be so, but these reasons did not greatly affect the masses of the people. To discover good reasons for condemning the spoils system in federal politics required a considerable degree of sustained attention to the difference between the federal government and that of a state. Besides, the one sort of business which rendered the federal government familiar to the great masses of the people tended rather to promote the impression that in the federal as well as in the state government the offices belong of right to the party which carries the election. If the voter feels better satisfied when the assessor or the mayor of his town is a member of his own party, this feeling is no less acute when the man who hands to him his letters has likewise been known to him as a co-worker in a glorious national campaign. To the ordinary citizen, the post-office is a large part of the federal government, and that part of the postal business with which the people are familiar is not mysterious and it is not difficult; one man can do it about as well as another, and a change once in four years or once in eight years does not seem a great calamity.

The spoils system grew up in the party of Jefferson and Jackson. The strength of this party was in the rural districts, apart from the great centres of population. The Federalists and, later, the Whigs were stronger in the centres of population. Party organization in the rural districts included all the people. The party organization

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itself became a great and efficient agency for binding the people together, and developing a sense of unity in sparsely settled communities. This it was better fitted to do than was any other organization. The two parties pitted against each other tended to develop a sense of unity enlivened by a wholesome sense of diversity of opinion. This relative importance of party organism arose in large part from the very fact that the people were so widely scattered, and that there was little in the government, in its normal working, to give to them a sense of common interest. Thus the party organizations themselves became great and important democratic institutions. The party represented the democracy in action. Whichever party could at the time muster the greater number of voters became by that fact the agent of all the people in the administration of the government.

In England, on the other hand, the party has at no time been viewed as a distinct organization expressing the democratic unity of the people. In the first place, the so-called party was a political faction contending for the spoils of office, or the party in power was a political faction maintaining possession of the offices by means of force and fraud and corruption. With the advent of democracy party organization was not changed. The Cabinet, and those who at the next election expected to constitute the Cabinet, still continued to be the sum and substance of party organization. There was no demand, there was no place, for an

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elaborate system of local party machinery such as prevailed in America. For centuries government had been centralized in the hands of King and Parliament, viewed as one institution. This one institution could do anything it pleased. It could make and unmake municipal corporations; it acted as a special providence in matters of religion, education, the care of the poor, the building of roads, sanitation, everything that any government could do. The people could not think of government apart from the one institution representing all power. Through the Cabinet system this one institution became organized as a political party. In its origin and in its organization there was nothing democratic. With the Cabinet organized and acting as a political party, the people could not think of themselves as constituting an organic corporate party apart from and independent of the government. As a matter of fact, democracy did not come to England through local organization among the people. Such organizations did, indeed, spring up in England as they did in France, but they were crushed out and destroyed. Democracy was conferred upon the people by the joint action of the leaders of the two parties as the only visible means of escaping perpetual and absolute despotism. In order to appeal to the people, the two parties were compelled to surrender the ancient habit of securing votes through the bribery of office. They were compelled to make offices in the civil service equally accessible to men of all parties.

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When James Madison said, more than a hundred years ago, that a President who should attempt to fill the offices in our civil service with his own personal and political friends would be impeached and removed from office, he spoke as an Englishman. At that time a political party meant nothing more than a political faction contending for the spoils of office. For the President of the United States to use the patronage of government, as the English Cabinet was wont to do at that time, would be revolutionary and destructive to the fundamental principles of our government. That is, it would be the setting up of a personal government. But forty years later, when President Jackson actually did this, the act was not revolutionary. On the contrary, it was quite in harmony with the democratic institutions of the day. In the meantime there had sprung up from among the people great organic parties. When Jackson put only Democrats in office, he was not acting in his personal capacity as a ruler: he was acting as the agent of a great party organization, and the party was viewed as a means of giving a voice to the whole people.

When the spoils system was introduced there were many of the learned who still looked upon it through the eyes of James Madison. It was viewed as revolutionary and corrupting in the extreme. Early in its history Horace Bushnell said of it, "Such a system would corrupt a nation of angels." This should be accepted as exceedingly

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complimentary to the rural population in America. The system sprang up among them; for several generations it has been maintained, and the rural population has not been greatly corrupted by it. The baleful influence of the system arises from its relation to city rather than to rural politics, and its evils will be more successfully met if the difference between city politics and rural politics is fully recognized.

In the country the government does nothing which the people do not readily understand. All is simple and obvious. Party organization in the country is likewise simple and obvious. To the primary party machine belong all who favor the policy of a given party. They are neighbors and friends who are all personally acquainted one with another. The rural party primary may be easily deceived, but its members are all deceived alike; there is no select few engaged in conscious conspiracy against the rest of the community. The organizations of the two parties include the entire community. There is no organic party machine within the party and separate from it.

The contrast between the spoils system in England and that in America appears only when we view the subject from the standpoint of American party organization in the rural districts. In the early part of the century, when the system originated, city population was comparatively limited. City politics, however, had even then an immense influence over general party politics. The use of



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the offices for the control of elections appeared first in the city. There the members of the same political party were for the most part strangers to each other, and party organization therefore was not a binding and uniting force as it was in the country. In the city the few, who were strangers to the mass, did the work of party management. Party organization included only the few who were in the secret of the party business, and not the entire population, as in the country. City government also was much more extensive; a much larger class was supported by office; a much larger proportion of the offices was filled by appointment. City enterprises involved the employment of many laborers, many servants of various grades. The few party managers who made the nominations and carried the elections had the spending of a large sum of money. The offices were filled by the managers and their friends, who thus gained control of the power of taxation. Valuable franchises were distributed to personal friends. Contracts were let on favorable terms to those who were within the inner circle. The party organization and the city government tended to become one and the same body. A large proportion of the party workers filled offices legally established; others received money legally appropriated. But the exigencies of party business required the continuous services of a large class who had no connection with legally established offices. Voters were to be registered. Ignorant foreigners were

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to be drilled in the art of brute voting according to party dictation. Large classes of voters who were outside of party secrets were to be conciliated. All this required the labors of experts who had no other occupation. For the support of these the party must provide a fund. A simple method for providing this fund was to require those who received money legally appropriated to hand over a portion of it to the non-office-holding party workers. Candidates were expected or required to make liberal contributions. The receivers of franchises or privileges also aided the party by liberal contributions. Those who would ward off obnoxious legislation or inconvenient police interference were likewise induced to take a financial interest in party politics.

In the city, therefore, party organization partook of the nature of a faction in more or less conscious conspiracy against the people. There was nothing democratic about it. It tended directly to the establishment of an oligarchy or a despotism. In such a government official patronage tends to promote fraud and corruption and various forms of tyranny and oppression.

The true political party cannot survive in a despotism. City politics has ever tended to destroy party life and party spirit. In any party there is a larger number who wish to share in party spoils than can be accommodated. Among these are those skilled in party intrigue. They organize a faction to displace the ruling faction.

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Such factional strife is intensely bitter and relentless. As to which of two factions shall rule, there is ordinarily no means of determining save sheer brute force or foxlike cunning. A ruling faction may be outvoted many times and still hold the dominant position. Riotous contests between contending factions deter the order-loving citizens from participation in party management. The most daring and unscrupulous of the factions gain and hold the place of power. All this tends to destroy true party organization and party spirit, and to substitute instead a faction dominant in conspiracy against the people.

Ordinarily a ruling faction in city politics lives in greater fear of factions or hostile classes within its own party than of the opposite political party. Each of the two great parties in the city has a factional machine in conspiracy against the rest of the party members. These two party machines, while nominally representing opposite parties, often work together, each obtaining an equitable division of the spoils; or at least a division of the party funds. The whole system tends to destroy political parties and to concentrate all power in the hands of two party bosses who organize and manipulate the two party factions, so that together they may always deceive a majority of the voters, or at least may render the majority helpless. It was thus that in the cities the spoils system tended to obliterate political parties and to substitute a ruling faction conspiring against the people.

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The history of political parties cannot be understood unless these two points of view be kept constantly in mind, party organization from the standpoint of rural politics and from the standpoint of city politics. In the early part of the century the rural point of view is especially important. New York and Philadelphia were the first cities to make a decided impression upon general politics. When Andrew Jackson was contemplating the virtues of the spoils system as applied to federal politics, he remarked, "I am no politician, but, if I were one, I would be a New York politician."

Jackson learned his New York politics from Martin Van Buren, who was a leading spirit in the so-called Albany Regency. This was a small group of Democratic statesmen who managed the politics of the state from the capital. They had undoubtedly become versed in some of the methods of city politics. They knew that it was not difficult to deceive the unsuspecting voter. By occult methods it was easy to make or to mar the career of aspiring statesmen. The Regency controlled a state newspaper organ. In secret conclave the Regency would determine that a particular aspirant should be made the Democratic candidate for governor of the state. The name would be first announced in a local paper in a remote rural district. In due time it would appear in another section. Other papers in different sections would announce the name of the selected

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candidate, and every appearance of a spontaneous demand of the people would be given to the movement. The voice of the people would apparently reverberate from one end of the state to the other. Finally, the organ of the Regency in a few well-chosen words would announce that, however much the editor might have preferred some one else for governor, it is evident that Mr. X is the people's choice. And since it seems a foregone conclusion that he is to be the candidate, it is the duty of all good Democrats to see to it that he is not only nominated but elected. In all this there is no overt act that is corrupt. It would be difficult to prove deliberate intention to deceive. All who participate in the movement may believe the candidate worthy of their support. All may believe themselves to be acting freely and spontaneously. It is not at all strange that Jackson, viewing the system from the standpoint of rural politics, should greatly admire it. There was the appearance of military discipline directed to the accomplishment of definite political results.

In the eyes of the city spoils politician, however, the facts have a different look. The city spoilsman is a conscious conspirator. He is accustomed to perpetrate intentional acts of deception. If a particular candidate is being promoted for a special place of importance, there are, to his mind, definite relations to valuable franchises to be disposed of. There are jobs to be let on terms especially favorable. There are offices to be given

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out according to agreement. When, therefore, the city politician manipulates the country vote, he is more or less a conscious corrupter. We have no reason to suppose, however, that at the time the spoils system was extended to federal politics, corruption in city politics had reached anything approaching modern proportions. All the germs were there, but they were not fully developed.

The extension of the spoils system to federal politics immensely increased the corruption funds in the large cities and the number of the offices at the disposal of the local bosses of the party in power. Many local party workers could be provided for by sinecure federal offices. A great army of federal officers became subject to party assessment. This was not at all confined to city offices. All the federal officers were subject to assessment. Many acts of the federal government transferred immense values. Such were the protective tariffs, the grants of lands to railways, regulations as to forests and mining. All these facts tended to increase the number of citizens who were willing to make large contributions to irresponsible party committees. And this in turn tended to increase the corruption in the already corrupt city government, and greatly to extend the area of conscious party fraud. But it required a long while to work out the natural results of the system. It was introduced thirty years before the Civil War, and was adopted with-

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out hesitation by both political parties, yet its corrupting influence was for long not widespread and apparent. The rural point of view continued to be the prevailing one. There were real issues which rose so far above the desire for office that the field for the spoilsman was limited. The spoils system is, however, to be reckoned with as one of the factors which tended to paralyze efficient party action, tended to destroy parties by promoting faction, tended to introduce confusion into the working of parties as organs of public opinion, and thus tended to confuse and destroy the parties and to leave no recourse in the settlement of difficulties but brute force. It is surely too much to say that the system caused the War; but it is not too much to say that it was one of the factors leading to the great tragedy.

## CHAPTER V

### ANTE-BELLUM *VS.* PRESENT POLITICS

To gain a knowledge of the working of the American party system, no better period can be selected for study than that which intervenes between the Mexican and the Civil wars. Party machinery was not fully developed at a much earlier date, and to that period belongs the first testing of the perfected party machine. To understand this time, however, it is necessary to hold in mind the essential facts in party history previously to the period, as well as in that of after years. History is not rightly read by taking a limited period out of its relations, but rather by a study of the relations of a selected era to the complete life of the nation. To study party politics during the years before the Civil War is to study the politics of to-day. The American party system is a unit; no one period in its history will be understood until all are understood.

It would be difficult to name a single factor which has been so efficient in developing and maintaining a sense of conscious unity in the nation as has the party system. It was when the old Whig party before the Revolution became



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organic through local Patriot Societies that Americans began consciously to breathe together as a nation. The Democratic Clubs of the party of Jefferson were institutions eminently successful in uniting all sections in the defence of local liberties. The old Federal party failed to survive because it was English rather than American in the form of its organization. It did not become rooted to the local institutions of the country; it became the party of a section rather than a party of the nation, and as an organization it tended to disunion rather than to union.

The Whig party of 1834 was not a reorganized Federal party. It was rather a new party organized on the model of the party of Jefferson, and its leading members had had long training in the old Republican party. The Whig campaign of 1840 is a phenomenal exemplification of the fusing power of a truly national political party. When the Whig party failed to hold the field as a national party, the Union was disrupted. Yet all through the trying events before the War, during the War, and since the War, the Democratic party has survived without an essential break. Throughout the darkest hours of the Civil War, Democrats of the North were willing to endure much suffering on account of their sympathy with their brethren in arms in support of the "lost cause." Does any one suppose that such an achievement as the reuniting of the disrupted Republic could have been possible had it not been for the tie between the sections

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furnished by unbroken continuity of the Democratic party? After the surrender of Lee, those Confederates who had been Democrats before the War were Democrats still. Their brethren at the North were ready to extend the right hand of fellowship.

The Confederates who were Whigs before the War experienced some of the pangs of political orphanage. There is strong probability that, if the Whig party had held the field, the disruption would not have occurred. But even if the Whig party had fulfilled its possible destiny, and disunion had come nevertheless, we may say there is a moral certainty that the task of reunion would have been much simplified. Who does not know that our most serious political difficulties since the War have arisen from the fact that the triumphant party has represented only one section of the country? Substitute for Republican the name Whig, and the Confederate who before the War was a Whig would have had a strong tendency to be a Whig still. If his old party friends at the North could not appeal to observable acts of suffering on account of sympathy for the lost cause, they could assure their former party friend upon the honor of gentlemen that every pain inflicted was at the same time a pain suffered. Even as it was, there was after the War an obvious tendency in the South to divide along the old party lines. Had the Whig name remained, it would not have been necessary to wait for a generation to die before the attainment of normal political conditions in the South could become pos-

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sible. Thus the great national parties are seen to be unifying institutions. A faction or a party representing a section is a divisive institution.

In former chapters some leading facts in party history previous to the Mexican War have been noticed. To understand the period, it is equally important to read the history backward and eliminate from consideration many factors which have entered our politics at a later date. It requires an effort for us to imagine a state of political life in which there was no telegraph. During the period under discussion the telegraph was coming into use. It did not, as now, extend to every hamlet in the land, and the generation was wholly untrained in its use. The people had not learned to think together by means of telegraphic communication. The daily newspaper was already a powerful factor in the centres of population, but the extension of the daily paper to the rural districts has been a matter of considerable time. This fact alone makes an immense difference in the ordinary working of party politics. In 1850 it required an immense effort to work up a lively interest throughout the land over such a question as the admission of California to the Union. When we read the excited language of the political discussion of that date, we are apt entirely to misunderstand it and misjudge the situation. A few persons were indeed greatly excited, and honestly believed that dire calamities were pending. The masses, however, knew little of current events. To judge of the situation rightly,

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we must eliminate to a considerable extent our present familiarity with the telegraph and the daily press.

Without the telegraph, what we now know as the railway system would be an impossibility. During the decade preceding the Civil War our modern railway system was being rapidly created, but it had not yet been developed. Much less had there grown up a generation of men trained to think and act in harmony with the system. In order to think rightly of political movement in the middle of the century, we should think of the rate of movement of to-day and divide that rate by ten. Then, also, care should be taken to apply the dictum of John Stuart Mill, that, in matters political and social, little things not only exert little influence, they often exert no influence at all. In the slow movement of public opinion at the middle of the century, events which to-day would at least have a perceptible effect upon general politics had little or no effect. It is difficult for the student of present-day politics to understand how so many independent political movements could coexist. If we attend to one body of political literature, we are led to believe that during the first half of the sixth decade of the century the nation was rocked to its foundation over the single question of slavery. Yet during the same five years a new party was organized and extended into all the states over a question which had nothing whatever to do with slavery. The Know-nothing party arose from

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opposition to foreigners and the dread of Roman Catholic domination. In course of a few years it became a great national party, and carried the elections in many states. The Maine Liquor Law bears the date of 1851, and the movement for prohibition extended into many states. If one should attend simply to the literature on that subject, he would get the impression that the suppression of intemperance was the one political issue of importance; and this question also has no connection whatever with either slavery or Know-nothingism. At the same time there were wise men not a few, who honestly believed that the only political issue of great and immediate importance was the question of free trade and protection. The years from 1850 to 1855 are rich in *doctrinaire* productions on the relation of the State to industry.

All this appears to be so much like the political movements and the political events of the present day that the untrained student is sure to misunderstand and misinterpret. Did not the rapid spread of Know-nothingism indicate rapid political changes? In one sense it did. In a much more important sense it did not. The railway, the telegraph, and the daily paper all existed in 1850. They were all exerting a decided influence upon political movements. But the telegraph was for the first time being inflicted upon a generation which had not yet learned to think in terms of electricity. It is not the speed of a railway train, or the speed of a telegraphic message, which must

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be divided by ten in order to understand political movement fifty years ago. It is the speed of the effective diffusion of public sentiment among the masses of the people. If the generation of 1850-1855 had been trained as has the generation of 1900, the coexistence of two such national movements as the Free Soil and the Know-nothing propaganda would have been impossible. The great Whig party went out in darkness, largely because of the coexistence of a number of distinct political worlds. These distinct political worlds existed, in part, because new instruments of political movement were being imposed upon a generation untrained to their use.

By the close of the Mexican War, the two great national party organizations had reached a high degree of perfection. The system of nominating conventions, reaching from the primaries of town or ward to the great national conventions with their corresponding permanent party committees, existed then much as they exist to-day. The spoils system had also been introduced, and had become the established order in both of the parties. The spoils system had not, however, run its course and shown its power for evil as it has to-day. It had not even been seriously challenged at the hands of public opinion as it has been since the establishment of the Civil Service Commission. True, a few individuals had criticised the system, sometimes for the sake of party advantage, sometimes from intelligent conviction as to its

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inherent evils. But in the main the system was absent from public consciousness. This of itself involves a marked difference in the relation of party machinery to public opinion.

The spoils system, as now known, we have seen to be a divisive factor in politics. It tends to substitute faction in place of the older and broader party spirit. It tends to create a limited class who gain control of the party organization, and who shut out the masses from any real share in party management. The result is that, with the development of the spoils system, and the challenge which it has received at the hands of an aroused public, the very words "party" and "party machinery" have come to have a new meaning.

The party machine now denotes a conspiracy whereby a few corrupt and designing politicians gain and hold political power for the sake of public plunder. The taint of the corrupt party machine, in the mind of a large section of the public, has extended to the entire party. These look upon parties as in themselves corrupt and corrupting. In their eyes, to be virtuous requires that one should hold oneself altogether aloof from party. There has grown up since the War a large class of men who look upon politics, upon the holding of office, as in itself occasion for presumption of bad character. The word "politician" has about it a bad odor. To understand ante-bellum politics, it is necessary to read out all this from our thoughts.

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There was corruption then, but it attached to men rather than to parties. There existed no large and respectable class who felt themselves too virtuous to be identified with a political party. It was not then an occasion for suspicion to be identified with political management. Only the few looked upon the party as the organ of a disreputable machine in the hands of conspirators. In the eyes of the great public the party still stood for a method of honorable political action for the entire body politic. The maladjustment of party organization to public opinion, which the spoils system involves, had not yet become evident to the people in general.



## CHAPTER VI

### SCIENCE AND POLITICS

OTHER changes more difficult to recognize than those wrought by the railway and the telegraph have affected the life and thought of the last half of the nineteenth century.

A State without a railway may be easily imagined, but a State actuated by an essentially different principle of morality is conceived with difficulty. The age of science and the diffusion of scientific education have laid the foundation for a new and higher principle of morality.

In the spirit and method of scientific instruction a marked revolution has taken place. Former generations have not been entirely free to believe and teach according to evidence respecting the phenomena of the universe. Theological conditions were imposed upon investigators in the material realm. Questions of science, as well as of religion, were determined by the authority of the Scriptures or by that of great names. Even when men were no longer imprisoned for scientific beliefs, the masses were still bound no less effectively by the bonds of prejudice. Until very recent times, prejudice has dominated science as it still dominates

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politics. Darwin's *Origin of Species* was published in 1859, and Spencer's *First Principles* appeared three years later. Thus the promulgation of the theory of evolution coincided with our Civil War, and its general acceptance by the reading world took place during the following twenty years. This marks the advent of the new age.

Throughout the earlier age the human mind was more or less trammelled and bound in all fields of thought by superstition and prejudice. Science peered timidly into the wide world of material phenomena. Did scientific observations seem to contradict the Scriptures and the beliefs of the fathers, Scripture teachings and time-honored theories must stand, regardless of evidence.

Our African preacher who still maintains that the world is flat is not really so peculiar as he appears. It is not long since the great body of educated and intelligent persons manifested a like spirit. It is true that after Magellan actually sailed around the world it became unpopular to profess the former belief as to its shape; but multitudes have continued to believe according to prejudice where the evidence has been less conclusive. I have, myself, known an intelligent Presbyterian elder, who was a practical geologist, a coal prospector of wide experience, and an interested observer of the fossil remains found in the various strata. Yet the theologian dominated the scientific student, and the man believed and taught that the coal, the fossils, and the strata were all made in

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their present form about six thousand years ago. He was but a normal product of the prevailing education before the advent of the new age of science. Multitudes yet live whose memories reach back to a time when the salvation of the soul was made to rest upon a belief in certain selected doctrines. If any sort of teaching seemed to imperil the soul it was to be rejected, regardless of evidence. Before accepting new revelations from science, their relations to the selected theological dogmas must be canvassed. A dominant moral imperative forestalled and prevented freedom in the advancement of science.

All this has now passed away. According to the new ideal a saved soul is one that has attained unto a spirit of open-mindedness to all truth. Not only is there no longer any moral obstacle to the acceptance of scientific truth, but there is instead a distinct moral obligation to observe according to ability and to believe according to evidence. In all that pertains to physical science something like moral perfection has been reached. Prejudice has disappeared. All classes are ready to accept all that science can reveal.

Men of science, it is true, are not always agreed. They become committed to certain theories; controversy arises between supporters of conflicting theories. But seldom indeed does it happen that a partisan in science is suspected of coloring his observations or distorting his reports in support of a favorite theory. Even in the heat of scientific debate,

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men of science are wont to maintain the high moral attitude of complete open-mindedness; they see according to ability, and they report fully all that is seen. In the scientific world prejudice and falsehood are almost extinct. The moral pressure upon belief which characterized the former age is now accounted grossly immoral.

So great a moral transformation cannot take place in one field of human experience without deeply affecting the whole life. Politics have already been greatly modified by the advent of the age of science. Changes there are as real and as significant as in the realm of physical science, but in politics the revolution is not yet complete. Falsehood has not disappeared from the field; partisans to a political debate do not observe and see according to ability, and they do not report without color all that is seen. Yet in politics also, as in science, a new and revolutionary moral sense has appeared.

Machiavelli has put in classic form the observation that despotic government, as it has appeared in past history, is founded upon force, supplemented by falsehood and deception. The supporter of despotism is morally bound to practise deception. This is the foundation for the long conflict between theology and science. Theology was allied to despotic government, and such a government could be maintained only by the forcible imposition upon the masses of the people of the teachings of their masters. A discoverer

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of new truth was an intruder who threatened the very foundations of society. The real conflict was not between science and religion; it was between science and despotic politics.

During the ages of conflict between despotisms and the voluntary organizations of the people, the people have themselves been victims of despotic education; they have themselves been trained to believe, not according to evidence, but according to impulse or feeling. In such a State there could be no moral support for the scientific or the Christian spirit in politics. All who could be induced to act with the people were by the people accounted righteous; all the supporters of governments which the people had determined to destroy were by them accounted enemies of righteousness. The same was true of the supporters of the despotic government. The fair-minded man, or the man who would strive to form an unprejudiced opinion upon the merits of questions in dispute, would be universally reprobated; he would be accounted immoral, because acting in violation of the moral sense of his age. This condition grows naturally out of despotic government and the education which such a government involves. So long as popular uprisings were chiefly destructive in their nature, there could be no place for the modern scientific spirit in politics, and equally out of place were modern conceptions of the Christian spirit. A new phrase has appeared to designate the worthies of earlier generations who ventured

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their all to break the neck of tyranny; they are called "Old Testament Christians"; they were men who held without wavering to the highest moral standards of their day, while at the same time they were ignorant of the higher moral standards of a later day.

So much of prejudice and falsehood still remain in the politics of to-day, that it is extremely difficult to realize the moral transformation already accomplished. This difficulty is increased by the fact that the exemplars of the earlier and lower moral teaching are still admired. The moral war against slavery is still presented as a model in political and social reform, and the extremest type of antislavery agitation is still put forward as that to be admired and imitated. But all this is misleading. It is not the real man, but an imaginary Garrison, who is traditionally worshipped to-day. Here is a typical quotation from his pen in the *Liberator* of January 27, 1843. Judge whether the language is the utterance of the hero, the saint, the lover of his kind, such as the modern apotheosis of Garrison represents him: "Below is an article as full of falsehood, misrepresentation, caricature, hypocrisy, cant, and fiendish malignity as Beelzebub, the prince of devils." Garrison is here commenting upon a temperate editorial article in the *New York Observer*, in which abolitionists are criticised for their extravagances. Moderation was the one thing which the agitator could not abide. The abolitionist looked with no favor upon

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the Northern man who attempted to study the institution of slavery through Southern eyes. The morality of the antislavery agitator was that of the crusades of the Middle Ages. Occasionally an anti-saloon agitator of the present day, or one who seeks to draw public attention to the evils wrought by the money power, or by "soulless corporations," or the great employers of labor, follows the same model; but they, one and all, weaken the cause which they attempt to serve by violating the moral sense of their age. Strangely enough, even those who would rouse their fellow-men to a realizing sense of the dangers inseparable from the methods of the professional agitator are sometimes betrayed into the use of his very temper and manner. They too exemplify the lower and discarded moral standard, and from the standpoint of practical politics they do but aggravate the evils they would restrain.

But this must be said for the combatants upon both sides of the bitter controversy leading to our Civil War. They were, after all, in harmony with the spirit of their age as corresponding classes to-day are not. The history of that period can never be read aright until this fact is appreciated. The astute John C. Calhoun looked upon Northern abolitionists as malignant and unprovoked aggressors, yet he admired their methods of procedure, and urged the South to like conduct.

Even the so-called moderate men yielded to the prevailing spirit and method. In the *Democratic*

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*Review* for June, 1851, a writer pours out pages of virile abuse upon the abolitionists, of which the following may serve as an inadequate sample: "We have endured too long the epithet of Northern doughface. The name has adhered to us because it has been justly given. We deserve it, not as applied, as cringing to slaveholders, but because we have not faced down these slanderers and forced all the world to know how much we abhor their characters. The ardent Southron sees that we do not lash these hounds back to their kennels; he imagines that we are bitten with the same rabies. This ignoble cowardice of ours is one grand cause of Southern irritation. Twenty years we have been criminally passive." This passage may be accepted as the language of a moderate man repenting of his sins and coming into harmony with the spirit of his age.

By the processes of political agitation which prevailed the South did come to look upon the Northern people as "bitten with the same rabies"; they were all "black abolitionists." And in like manner the North came to look upon the South as peopled by "fire-eaters." The two sections misunderstood each other with tragic effect. The Northern doughface did not succeed in retaining the confidence of his Southern friends. The great body of men of moderate views on each side of the line, who should have drawn together, failed to do so, and became in both sections victims to the leadership of extremists.



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The revolution already wrought through the scientific spirit and method is manifest in the existence of a distinct moral sense, generally diffused throughout the community, which is against political prejudice and in favor of a fair and truthful exposition of all political and social phenomena. And by this new and nobler spirit the older moral impulse, once equally diffused and more insistent, in favor of political prejudice and against giving a fair and truthful exposition to political phenomena involving partisan interest, is being displaced.

The claim is, nevertheless, sure to be made that our age is peculiarly immoral, since, notwithstanding the advent of this higher moral sense, political prejudice and partisan misrepresentation still prevail.

I have no interest in trying to prove that the present generation is either more or less delinquent than the generation before the war. What I wish to make clear is that it is different. The new moral sense has wrought a change. A single fact of common observation may be cited in illustration. Many a man of high moral ideals, sensitive to the moral bearings of public questions and to the influence of the accepted political methods, is to-day deterred thereby from political association and political action. Such an attitude was rare before the war. Hardly a man could have been found who felt himself too virtuous to "go into politics." The sensitively moral were not

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repelled by political methods which to-day are regarded as disgraceful.

As the higher political morality becomes more pervasive it will be more difficult to judge the earlier age fairly. It is even now difficult for us to understand the capacity of intelligent men in former generations to believe conscientiously that which was at the time obviously false. The first effect of the injection of the modern scientific spirit into politics has been to enlarge greatly the field of conscious deception and hypocrisy. By carrying back the new standard to the earlier age, the upright politician of former times may be unjustly made to appear to be consciously playing a part for political effect. It is easy to forget that, from the very nature of moral progress, it often happens that intelligent moral leaders of one generation will in all good conscience say and do things which only the conscious hypocrite or the knave of a later generation can do.

## CHAPTER VII

### SLAVERY AS A PARTY ISSUE

AT no time before the Mexican War had the slavery question greatly affected the organization of political parties. The Missouri Compromise was enacted in the midst of the Era of Good Feeling, and while the debate over the admission of Missouri revealed a marked difference between the North and the South on the slavery question, it in no way associated that question with the name of any political party. A few years later, when the old Republican party, which had already become known as the Democratic party, was confronted by an organized opposition which assumed the name of the National Republican party, the issues were not in any especial sense associated with slavery. One may say that the National Republican party had a preponderance of support in the North, and the Democratic party a preponderance of support in the South.

The National Republicans gave adherence to the protective policy, and it was understood that the industries immediately benefited by that policy were located in the North. There did indeed grow up between the Southern portion of the Democratic party and the supporters of the

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protective policy a very sharp contest which threatened for a time the dissolution of the Union. But in the eyes of the public slavery was not directly associated with the controversy.

When the National Republican party assumed the name "Whig," there was no perceptible change in party issues. During the early years of the Whig party a movement was on foot for the acquisition of Texas. This movement had large support in the South; in the North it was little recognized. When, however, in 1844, there was a definite proposition for the annexation of Texas, the people of all parts of the country became interested in the matter. In the main the people of the North were opposed to annexation, and very largely this opposition rested upon objections to the further extension of slave territory. Before Texas became independent, Mexico had abolished slavery. But Texas had been occupied by immigrants from the Southern states who had carried their slaves with them, so that as a state independent of Mexico it was maintaining the institution of slavery, and it was assumed that if Texas were annexed to the United States it would come in as a slave state. In the nature of the case, therefore, the discussion of the question of the admission of Texas involved very definitely the extension or non-extension of slavery.

The Whig party, whose support in the North was stronger than in the South, became committed to the policy opposed to annexation, and hence, by inference, opposed to the extension

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of slavery. In the election of 1844 the question of annexation was the chief issue. The Whig party was defeated, and that defeat was accepted as an approval of the policy of annexation. It should be understood, however, that the annexation of the independent state of Texas did not in itself involve the policy of the annexation of additional Mexican territory. In all other Mexican territory slavery had been abolished by law. The Whigs maintained and the Democrats denied, in the campaign of 1844, that annexation involved a war with Mexico. Incidental to the acquisition of Texas, the United States was led into a war with Mexico, and there was a general impression that a war with Mexico would involve the acquisition of additional Mexican territory. Hence, when, in 1846, a bill was introduced for the appropriation of money to enable the executive government to conclude a treaty with Mexico, David A. Wilmot of Pennsylvania introduced a proviso to the effect that slavery should forever be prohibited from all territory which might be acquired from Mexico. It should be understood that at this time Texas was already a part of the United States. Wilmot's Proviso, therefore, had reference only to additional territory which might be acquired. It may be said that this proviso, introduced by a Democrat from the state of Pennsylvania, led to the first important discussion involving the question of slavery which had a marked effect upon the organization of political parties.

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In one sense the policy involved in the Wilmot Proviso was already old. Before the formation of the Constitution the Continental Congress passed the Ordinance of 1787, providing for the organization of the territory north of the Ohio river, in which document was a proviso forever prohibiting slavery in the territory involved. To this ordinance all the states gave their assent, so that the question did not involve even a sectional difference. Thomas Jefferson manifested in various ways the wish that a general policy might be maintained confining the institution of slavery within the states where it already existed. The acquisition of the Louisiana Purchase during his term of office did, however, involve a slight extension of slave territory. Slavery already existed in the settled portion, now known as the state of Louisiana, and by the treaty with Spain our government was bound to respect all rights of Spanish subjects living in the territory. This carried with it the obligation to maintain the institution of slavery.

Missouri was the first state to be made out of the unoccupied territory of the Louisiana Purchase, and, as noted above, the admission of Missouri did involve a contest over the question of slavery which revealed a difference of sentiment between the North and the South. Owing, however, to the peculiar conditions of our political parties at the time, no party organization was in any way involved in the controversy.

In the act providing for the admission of Mis-

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souri provision was made for a permanent settlement of this vexed question. All the territory north of the southern line of Missouri was made by this law permanently free. The only territory south of this line then belonging to the United States was that now known as the state of Arkansas and a part of the Indian Territory, and it was assumed by the supporters of the Missouri Compromise, that this small territory south of the line would be open to slavery, although there was no positive law to that effect, while the immense territory to the north would be made into free states. The fact that the Southern statesmen saw that the territory open to the making of free states was large, while the territory that could be made into slave states was small, led to the adoption of a policy with respect to Texas that secured first its independence from Mexico and finally its annexation to the United States.

The introduction, therefore, of the Wilmot Proviso was a signal for an animated debate over the whole question of the further extension of slavery. This debate arose at a time when political parties were fully organized. There was the great Democratic party, having a perfect system of local organization in every part of the country, while the Whig party was almost equally perfect in its organization and extent. These two parties embraced almost the whole of the American people. A third party was represented during the campaign of 1844 by James G. Birney, who was the

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candidate of the newly organized Liberty party. This party had for the first time presented a candidate in 1840; and while the vote received in 1844 was larger than that in the previous election, it represented an insignificant fraction of the American people.

Over the tariff question and the doctrine of nullification a portion of the Southern people had become united under the leadership of John C. Calhoun. They were known as "Nullifiers," and they acted independently of the regular Democratic party, in some cases having even united with the Whigs against the Democrats. It was on this account that John Tyler of Virginia became the Whig nominee for the vice-presidency in 1840, he being a member of the Calhoun party, commonly called Nullifiers. Upon the question of the annexation of Texas the Nullifiers and the regular Democrats of the South were united, John C. Calhoun having in every way a leading part in securing the annexation. But so soon as it became manifest that the annexation of Texas was likely to lead to a war with Mexico, and especially as it appeared that the war would result in the acquisition of free territory, John C. Calhoun became earnestly opposed to it. In this policy he had at first little support in the South.

The Mexican War as it progressed received the support of nearly all classes, North and South, and before its close it had become as much a Whig as a Democratic war. So, also, the policy of securing



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the cession of California and the territory to the east was supported by all classes, North and South. Only gradually did the slaveholding element in the South come to realize the difficulty of securing any part of this territory for the extension of slavery.

The vote on the Wilmot Proviso in Congress, which occurred in August, 1846, showed a very large preponderance of sentiment in its favor, especially in the North. An amendment was introduced to the effect that only the territory north of the Missouri Compromise line should be included in the restrictions of the proviso. This was voted down by a considerable majority, and the proviso was allowed to stand as originally presented. In the Senate it was understood that there was in its favor a decided majority, and it was defeated only by the adjournment of that House before reaching a vote. At this time the general feeling of the country appeared to be overwhelmingly favorable to the proviso. But the extreme proslavery party of the South soon began to think as did John C. Calhoun, that the acquisition of the free territory from Mexico was a mistake. Calhoun himself distrusted all parties in the North, and looked upon them as essentially devoted to antislavery. The Southern slaveholders took, at this time, a gloomy view of the prospects of their own section, and the war commenced only a year or two before by the slave power with the expectation of strengthening the

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institution of slavery was now looked upon as, in its results, laying the foundation for the destruction of slavery or the destruction of the Union.

Before the end of the Mexican War preparation was made for the presidential campaign of 1848. In fact, quite early in the history of the war, the selection of the candidates for the Whig party began to be made. The leading generals of the army were Whigs, and both Taylor and Scott were named as suitable candidates for the presidency. Taylor's party affiliations were not definitely known, since he had never voted at a presidential election; yet, on account of his popularity as a soldier, he became generally regarded as the available Whig candidate. Before the meeting of the Whig convention in 1848, General Taylor had been nominated so many times, and in so many ways, by different bodies of Whigs and citizens irrespective of party affiliations, that the convention was induced to accept him as the Whig candidate.

The selection of a satisfactory Democratic candidate was not so easily accomplished. There had been in the convention four years before a serious rupture in the party in the state of New York. The faction in New York state politics known as the Barnburners, led by Martin Van Buren, withdrew from the convention, and this rupture in the Democratic party of the state of New York had not been healed. So, when the party selected as its candidate, in 1848, Lewis

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Cass of Michigan, the bitter rival of Martin Van Buren, the Barnburners in New York were not inclined to support the candidate. In the meantime the issue raised by the Wilmot Proviso had grown in importance and interest throughout the country, and men were everywhere taking sides upon it. Nevertheless, both of the great parties were disposed to ignore this issue in their party platforms. There was, therefore, a very strong tendency to disunion in the Democratic party, and an equally strong tendency also among the Northern Whigs to repudiate the action of their party.

On account of this political situation Martin Van Buren, as the leader of a strong faction in the state of New York, was induced to become the candidate for the presidency of a party calling itself the Free Democracy. He was nominated in the first place by a convention of his political friends, held at Utica, New York, and later by a National Convention held at Buffalo. In this convention were members representing the Liberty party, Antislavery Whigs, and Free Soil Democrats. Thus the debate growing out of the Wilmot Proviso had already become the occasion for a serious split in the regular Democratic party. The support given to the Buffalo platform and candidates, while not sufficient to carry the election in any state, was large enough to change the result of the election, and to secure the triumph of the Whigs.



## CHAPTER VIII

### CAUSES OF THE CIVIL WAR

WHEN the question is raised as to the cause of the disruption of the Union in 1861, two distinct answers are at hand: One, that it arose from a dispute about slavery; the other, that it was caused by a dispute about state rights. The close relation of these two causes may be so clearly pointed out as virtually to reduce them to one; but in order to understand the whole course of the history it is quite important to recognize their distinct and separate character.

The doctrine of state rights was formulated and became a factor in our politics without any reference to the slavery question. Surely Jefferson was not anxious to secure a large field for the independent power of the state that he might gain a more effective agency for the defence of slavery. He had a well-defined fear of centralized power as a possible menace to the liberty of citizens, irrespective of the peculiar institution. Jefferson attacked the Federal party because, as he alleged, its principles were inimical to free institutions. In his eyes the Federalists were monarchists who were engaged in setting up in this country a tyranny which would be far more

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dangerous to the liberties of the people than could be the tyranny of any monarchy whose seat was in Europe. Therefore he labored unweariedly to destroy the Federal party root and branch.

Even after the Federal party had passed away and the Federal name had been repudiated by statesmen of every sort, Jefferson still declared that the principles of Federalism remained. He admitted that its advocates were no longer aiming at monarchy in form, but he averred that they were still seeking to accomplish the same results by a process of centralization. One power after another was to be filched from the states and centralized in the general government. He believed that such a government would be in its very nature a despotism. The states would be degraded to subject provinces, and the people would be gradually reduced to slavery. The only reliable bulwark against this threatened tyranny Jefferson believed to be found in the independent power of the separate states, and he called upon the people, as they loved their liberties, to maintain full control of their local governments.

We need always to remember that this doctrine was formulated and gained a powerful hold upon the minds of the people, both North and South, at a time when the institution of slavery was not a recognized issue in our national politics. They were white men who went to jail in the process of the execution of the Sedition Law, because, as they alleged, they had exercised their

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constitutional duty of criticising their public servants. Even the Federalists themselves, who had enacted the Alien and Sedition Laws, were quite inclined to look to the states as a bulwark against federal aggression when they saw that their local commercial interests were imperilled by the Embargo Act and by the maintenance of a war which they did not approve.

A jealous attachment to local liberties and the rights of the individual states has always been an important factor in our political history, without any necessary connection with the institution of slavery. It may be allied to the peculiar sensitiveness to criticism which is characteristic of a new country. There are yet places in the United States where it is scarcely safe to make disparaging remarks about the climate. Even the weather is accepted as a local institution to be defended. Certain it is that a sensitive resentment of fault-finding had much to do in uniting the South against the North. Southerners were not so much devoted to slavery as they were devoted to the South. An attack upon slavery from the North was resented as foreign aggression. This local pride should be borne in mind as of equal importance with the doctrine of state rights, in considering the growth of the sectional division. The South was not always peculiar in its relations to slavery. In colonial days North and South alike introduced negro slavery, and both sections were alike affected by the general antislavery senti-

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ment of the period of the Revolutionary War. In both sections provisions were made for gradual emancipation. When the Constitution was framed the impression was general that slavery would ere long disappear. So great were the demands for labor that slavery was tolerated as a temporary convenience or necessity. With the initial labors accomplished and the land prepared for cultivation, free labor was expected to be adequate to after needs. In this view the South shared with the North. There was, indeed, a marked difference in climatic conditions and in the agricultural resources of the two sections. The plantation system of the South made it more difficult to execute plans for the abolition of slavery, and in all states north of the tobacco plantations slavery gradually disappeared, while it remained in every state south of Pennsylvania.

The institution became linked to the production of cotton. The cotton gin was invented in 1793, and during the thirty years following, the demand for slaves to enlarge the area for the production of cotton enormously increased. Slave property doubled in value. The planters suddenly became rich, and the power of wealth reënforced that which they had previously possessed as men of intelligence, cultivation, and virtue. They became inevitably the ruling class. During the thirty years in which the most striking effects of the new invention and the new product were running their course in the South, there was a remarkable

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absence of any general agitation of the slavery question. The invention of the cotton gin occurred at the time of the reaction of sentiment which followed the horrors of the French Revolution. North and South had been alike affected by the aspirations for liberty which led to the great upheaval; they had become alike possessed of a general antislavery sentiment. Then, for the long period of thirty or forty years they alike shared in a general indifference to the moral side of the slavery question. We shall never understand the causes of the Civil War unless we take full account of the experiences of these two long periods which were common to the two sections.

When, after this long period of similar ways of thinking respecting slavery throughout the country and of a general absence of agitation upon the subject, a "slavery question" did emerge, it was from the beginning accompanied by the recognition in the South of a serious race problem. The year 1831 is marked by the occurrence of two events of especial significance in respect to this discussion. One of these belongs to the North, the other to the South. In January of that year William Lloyd Garrison issued, in the city of Boston, the first number of the *Liberator*, devoted to the advocacy of the immediate abolition of slavery throughout the Union. Shortly after, a frightful slave insurrection, instigated by Nat Turner, a negro fanatic, took place in Virginia. About sixty white persons were massacred, and an inten-



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sified feeling of insecurity and dread was implanted throughout the slave states, which was never afterward wholly overcome. In large portions of the South the negroes greatly outnumbered the whites, and the ever present fear of an uprising of the slaves influenced more strongly than before the mental attitude of the slaveholders toward the blacks. The slavery question became a race question. Many Southerners were opposed to slavery, but there were none who favored a war of races.

This alteration of feeling in respect to slavery is illustrated by the acrimonious dispute which broke out many years later, shortly before the opening of the Civil War. A fierce war of words was waged over the meaning of the phrase "all men" as used in the Declaration of Independence. One party maintained that the words meant "all white men," while the other argued that all men of every race and color were of necessity included. Both appealed with equal loyalty and fervor to the acts and teachings of the Revolutionary fathers. Now, it is easy for those of the present generation to see that the quarrel was over a question which hardly entered into the consciousness of those who framed and adopted the Declaration. Nothing had yet occurred to bring race problems into prominence. The minds of men were full of the teachings of the powerful literature of the period of the French Revolution. These were broadly humanitarian in spirit. They dealt with the rights of man as man, taking no account of race questions or any other

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limiting details. White slaves were to be found in America as well as black ones, and clearly defined problems of race and color had not arisen. Upon questions of that sort the Declaration of Independence made no statement whatever, and its writers intended to make none, simply because they were not present to their thought. We may have our own opinions as to what the fathers would have said had they been asked to define "all men," but they actually said nothing at all.

In all political contests there is a natural tendency for persons of extreme views to gain the leadership. Extreme and positive convictions may be easily described and understood. Men of discreet and careful judgment and of moderate opinions often do not understand themselves. They are not in a position to impress their convictions upon the masses. It became manifest early in the new antislavery agitation which sprang up during Jackson's administration that it was to be guided by those who held strongly pronounced views. Garrison's convictions were such as everybody could understand. He not only knew what he believed, but he knew what he was going to do about it. "I will be heard," he said, and heard he was, while thousands of men of equal determination, equal moral earnestness, equal intensity of conviction, have called when none would listen. The times and circumstances, and especially the state of Southern sentiment, gave Garrison a hearing. He was not a transcendently wise and

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able leader of thought. He was a man of obvious, even glaring, intellectual and moral defects, but those very defects had something to do with making him the hero of an important national epoch.

The views of public questions advanced by the editor of the *Liberator*, and the course of conduct urged upon its readers, were not such as to commend themselves to cool and rational minds or to truly patriotic citizens anywhere. If Garrison and his paper had been simply let alone, if no movement savoring of persecution had arisen, their teachings and exhortations would have had little effect. But there were excitable slaveholders who were disposed to take seriously the Garrisonian literature of denunciation and violence which, after a time, came to their hands. Their indignation was boundless. They believed the whole North to be engaged in a conspiracy to sow discontent and incite insurrection among the negroes. They must strike for the safety of their firesides, and for their rights before the law. They rashly struck at the freedom of the mails. A demand was made that the *Liberator* and all other anti-slavery publications should be excluded from the privileges of the postal service. Books, papers, and tracts suspected of abolition purposes were seized at the post-office and publicly burned in the city of Charleston, South Carolina. Federal laws were disregarded and the sanctity of the mails repeatedly violated, while an effort was made

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to legalize by federal enactment the exclusion of all antislavery matter from the mails.

This movement in the South it was which first gave real significance and force to the Northern agitation against slavery. It called attention in a most effective way to the obnoxious publications. Few had hitherto taken much interest in abolition literature, but every man, of whatever political or moral inclination, was naturally disposed to take a profound interest in a policy of interference with the United States mails. Not only was the bill brought before Congress to establish a censorship of the mails in the interest of Southern slave-owners quickly defeated, but still more stringent laws were passed for guarding the integrity of the postal service. The abolitionists had thus a victory forced upon them by the attitude and action of their more extreme opponents. Abolition literature could be scattered broadcast over the country without making any apparent impression upon the busy world; but when mob after mob gathered on the banks of the Mississippi, to destroy the printing-presses of the determined antislavery publisher, Elijah Lovejoy, and finally murdered the proprietor himself; and when similar lawless and violent deeds were done in many places under like inspiration, — then at last public attention was secured. Men of moderate and rational views as to slavery began to appear as immoderate and intensely partisan advocates of one side or the other of the bitter contest. The abolitionists, who

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had long seemed to be but a feeble folk, became through the mistakes of their enemies invincible. Yet not many were willing to enroll themselves as abolitionists, and the more radical group, who held themselves aloof from all political affiliations and would act only with those who were ready to go to extremes, was always small. The advocates of slavery had quickly put themselves in the wrong, and constantly fought a losing battle. Great numbers or powerful influences are never necessary in order to vindicate the right of free speech against mob violence.

The same arguments which convinced Southern planters that manufactures could not be maintained with slave labor in competition with free labor tended to convince the most discerning among them that the institution itself could not be maintained within restricted limits. The phenomenal advancement in the South during the early years of the century was due, as has been already pointed out, to a unique series of circumstances directly affecting her industrial condition. As years passed the planters saw that immense areas of fertile land to be exploited at enormous profit by slave labor lay no longer at their doors. The marvellous effects upon Southern industries of the invention of the cotton gin, which had worked a revolution in the production of that staple of which the South had a monopoly, were passing away. Southern agriculture required large tracts of land for its successful practice. New lands suitable for the

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staple crops were becoming scarce, and upon the worn-out plantations slave labor was unprofitable.

Meantime the Northern states, with free labor and diversified industries, with a rapidly increasing native and immigrant population, were growing daily richer and stronger, and the South saw herself forced into a position of relative if not actual decline. Conscious of the weakness of their position, proud, public-spirited, devoted to the interests of their beloved South, the intelligent Southern leaders became abnormally sensitive to everything affecting their relations to the more prosperous rival section; they stood constantly and consciously upon the defensive.

All these facts help to explain the readiness with which Southern feeling flamed up against the abolition movement. Against the intense moral earnestness of their Northern aggressors the exasperated Southern leaders pitted their experience and skill in political management and their power as moulders of public opinion. The abolitionists labored to awaken the national conscience. The Southern leaders formed and executed elaborate, statesmanlike political plans.

A peculiar watchfulness and sensitiveness respecting an equitable balance of power between the slave and the free states dates from the time of the Missouri Compromise, and Southern statesmen soon began to scheme for the acquisition of Texas. Their overweening anxiety for Southern domination and their quick resentment of any

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federal policy which they believed likely to affect unfavorably their section plunged them into the abortive attempt at nullification, with threatened secession, over the obnoxious tariff act of 1832. Nullification having failed, it was determined that the South should control the personnel of the Supreme Court of the United States. Cool, calculating politicians proceeded deliberately to the packing of the Court with reference to future decisions favorable to the South.<sup>1</sup>

The abolitionists formed no plots, devised no political schemes. They fought in the open, and their appeal was ever to the nobler sentiments of mankind. The Southern movement in opposition to antislavery agitation was not guided by irrational passion. Its leaders were never the victims of mere sentiment, however great was the popular excitement and however deep the general indignation against the abolitionists. They laid deep and far-reaching plans, and their action was always controlled by a rational purpose in harmony with the general plan. This policy won them some important successes. Texas was gained and the Supreme Court secured. When the attempt to unite the South in resistance to the tariff acts proved a failure, Southern statesmen deliberately planned to accomplish the same object by stirring up enmity toward the antislavery agitators; and well did the abolitionists play into their hands.

Certain elements which entered into the spirit

<sup>1</sup> Von Holst's *Constitutional History*, Vol. VI., p. 19.

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and methods of the Northern opponents of slavery were peculiarly calculated to unite all classes in the South in a common feeling of exasperation and resentment. Abolition utterances manifested the deepest sympathy for the oppressed and suffering negro; they treated him with respect and consideration. But for no other class in Southern society had the most radical of the abolitionists anything but contempt and disdain. They spoke scornfully of "slave-drivers" and "poor white trash," as if those two classes constituted the whole of the Southern white population, and they exalted the despised African as far worthier of regard than either. Thus the large class of Southern whites who had never held slaves and who were disposed to a rational opposition to the peculiar institution were driven to join heartily with the slaveholders in resistance to the unseemly attacks from the North.

Direct political action in the North against slavery dates from the year 1840, and they were the more moderate of the abolitionists who then formed a political party. These assumed that the Constitution gave to the general government no power to abolish slavery in the states, and they proposed for federal action only its abolition in the District of Columbia and in the territories; as to slavery in the states, they would persuade the people in each state to do as the Northern states had already done. Great care was taken to respect the law and to avoid all unnecessarily irritating



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action and utterance. The vote cast in 1840 was small — only about seven thousand. In the next presidential campaign the Liberty party took advanced ground, incited thereto, as it would seem, by the position of the more radical of their enemies. As the slave power had placed the preservation of their cherished institutions above the law, so the abolitionists now announced the discovery of a "higher law" than the Constitution of the United States. They declared that any legal enactment, however ample were its sanctions, which commanded an immoral act was void. They pronounced that clause of the Constitution which provided for the return of a slave to bondage to be such a law. "No human law can be enacted," said they, "which binds a man to violate the law of God or the natural rights of man." Even this position did not satisfy the Garrisonian abolitionists. The *Liberator* placed at the head of its columns, about this time, the defiant declaration, "The Constitution of the United States is a covenant with Death and an agreement with Hell." These words appeared in every subsequent issue of the paper until, in 1862, they were replaced by the joyful call to "Proclaim liberty throughout the land to all the inhabitants thereof!" The vote polled by the Liberty party in its second campaign, though insignificant in actual numbers, was still sufficient to defeat Clay and insure the election of Polk.

In 1848 the Free-soil party gathered to itself most of the antislavery forces which favored

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political action. Their position was almost exactly that of the political abolitionists of 1840. They acknowledged the legality of slavery in the states, and assumed that the general government had no right to interfere with it there. The vote cast by the Free-soilers was large enough to surprise and to demoralize, to some extent, both the old parties; but of more real consequence to our immediate subject of study were the attitude and action of a very small group of members of the old Liberty party who refused to be absorbed by the Free-soilers or to adopt their platform and advanced, on the contrary, to a more extreme position. This fragment of the earlier abolition party now boldly put forward the doctrine that the general government under the Constitution as it was had a right to abolish slavery in the states by a simple act of Congress. So few and so uninfluential were the men composing this political group, that their action passed unnoticed in the North. But the promulgation of their extreme views was seized upon by the leaders of opinion in the South and used to convince the indiscriminating masses that the real belief and purpose of all Northern opponents of slavery was now plainly declared. Thus the flame of Southern discontent was fanned and hostility toward the North made more intense. Perhaps, after all, there was a measure of sincerity in this conduct of the Southern statesmen. To men who were engaged in a plot to pack the Supreme Court with reference to securing, out of

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the Constitution as it was, the indefeasible right to practise slave-ownership in all national territory, this absurd doctrine of the abolitionists did not seem so weak as it did to the ordinary rational Northern citizen. If the Court could be worked for one extreme theory, could it not be worked for another?

Thus, at the close of the Mexican War, the issues which twelve years later were to disrupt the Union were already drawn. But, as yet, only a few of the most radical in the two sections were committed to the policy of disunion. Open and avowed disunionists there were among the extreme abolitionists from almost the beginning of the Garrisonian crusade, but the number was always small and their influence unimportant. In the South, on the contrary, if the sentiment in favor of secession did not spread rapidly among the people, it grew ever more bitter and more determined.

It thus appears that the causes of our Civil War are numerous and varied. No single, clearly defined fact or circumstance or condition can be made accountable for that fratricidal strife. It is crude reasoning to assign slavery alone as the unhappy cause. We have seen how the existence of that sectional institution developed a serious race problem, recognized and appreciated in one section of the country only; how that fact and the coincident adoption by half the people of the political doctrine of state rights; how the differing

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industrial conditions in the North and South, the peculiar sensitiveness of the Southern people, respecting their local institutions and customs, and the general spirit of the controversy which made it impossible for the two parties to understand each other,—how all these enter into the answer which the historian must give to that oft-repeated question. And as we pursue our inquiries, we shall learn that certain accidents, so to speak, of party organization and party leadership played their part also in clearing the way for the action of more positive influences.

## CHAPTER IX

### THE LAST WHIG ADMINISTRATION

WHEN General Taylor inaugurated the second Whig administration in 1849, there was certainly nothing to indicate a general break-up and re-formation of political parties. After a half-century of experiment and trial it appeared that the country had found a method of action, through two great party organizations extending to every section both North and South, strong enough to hold together and to administer the affairs of the nation in a broad national spirit, and yet sufficiently sensitive to the needs of each section, so that no one section or class should be seriously imposed upon. The National Whig party had chosen to the presidency a Southern planter, a slaveholder; and that too at a time when the majority of the voters in the party resided in the North and were especially interested in seeing a policy adopted which would secure the exclusion of slavery from the vast territory recently acquired from Mexico. The Democrats, on the other hand, had tried to elect to the presidency a Northern man who had supported the Wilmot Proviso, while a majority of the voters in the party resided

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in the South, and many of them were especially interested in the extension of slavery into the new territory.

During the campaign in the South, slaveholding Whigs appealed to their Southern fellow-citizens to vote for their candidate, because he was one of themselves, and because the interests of the South, and particularly the interests of slavery, would be safer in his hands than in the hands of his opponent, who had voted to exclude slavery from the new territory. Against this appeal the Democrats of the South could point out the faithfulness of their party to the chief Southern interest. Democratic administrations had favored the policy which the slaveholders desired, a policy which had resulted in the saving of Texas to slavery. The party platforms had denounced abolitionists as enemies of their country, and Democratic officials had dealt leniently with those who had refused the use of the mails for distributing antislavery literature. The regular Democratic party plainly had already a traditional leaning toward the interests of the slaveholder in the pending controversy.

In the North a different campaign key-note was sounded. Antislavery Whigs were urged to stand by their party. William H. Seward, the rising leader of the antislavery wing of his party, appealed to all opponents of slavery to vote for the Whig candidates. In the Whig party, he said, was found the only hope for meeting effectively the aggressive proslavery policy which was more

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and more dominating the Democratic party. With one or the other of these two great parties the destinies of the nation must rest. The Whig party, from its past history, from its disposition and character, would be irresistibly led to support the side of free labor; while the Democratic party would as inevitably lean more and more to the side of slavery.<sup>1</sup> Thus the antislavery Whigs of the North held up the position of their party rather than the person of their candidate, as security for right conduct, and the proslavery democrats of the South did the same thing.

General Taylor had committed himself to no definite policy in the new territory. He had not even committed himself to a political party. Being apparently without general political convictions, but willing to serve his country, he accepted with thanks nomination to office from any body of citizens without reference to their party affiliations. Even after he was made the regular Whig candidate, a company of Southern Democrats, who were distrustful of the attitude of the Democratic nominee on the slavery question, met in Charleston and, having passed resolutions in favor of General Taylor, sent him a message making him their candidate for the presidency. Taylor frankly accepted this nomination also, though news of the fact threatened for a time to make shipwreck of his prospects among the antislavery Whigs of New York. But by adroit management the Whigs were kept in

<sup>1</sup> Seward's Works, Vol. III., pp. 250, 270, 286, 291, and 303.

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line. There was little to endear the doughty warrior to Whiggish hearts; but of that little the utmost was made. Taylor had once said that, if he had voted in 1844, he would have voted for Henry Clay. As a matter of fact he never had voted for any President, and the only preference he was ever known to express was this one for Clay; but the Whigs were urged to accept this as adequate security for satisfactory Whig principles. All things considered, President Taylor came into office remarkably free and untrammelled. His military career was the foundation of his popularity. As a soldier he had lived with the army, knowing little of politics. By his conduct of the war a vast territory, conquered or purchased, had been added to the national domain, and the successful general had become to his rejoicing country a hero and a statesman.

The new President undoubtedly felt a measure of proprietary right over this newly acquired territory. Until civil government could be set up in California and New Mexico, the Chief Magistrate was directly responsible for the regulation of their affairs. As to what ought to be done there, General Taylor very early formed definite conclusions. And, rough, blunt soldier that he was, there was to him little difference between a conviction as to what ought to be done and the doing of the thing. Gold had been discovered in California, and immigrants were rushing into the land by thousands. A local



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government there must be. President Taylor ordered army and navy officers to coöperate with the people of California in the formation of a state government. Under his direction, a state constitution was adopted, and the President urged upon Congress the immediate admission of California as a state under that constitution. A clause forbidding the institution of slavery was put into the constitution, and passed in the convention without a dissenting vote. The people of California were practically a unit in their purpose to form a free state.

The Southern Whigs were much chagrined at this outcome of the Whig triumph. The policy of the President appeared to them to be in harmony with that of the antislavery Whigs of the North. His most influential adviser and counsellor was Senator Seward, of New York, whose ambition it had been to make of the Whig party the chief organ for opposition to slavery. During the campaign Seward had frankly admitted that he would prefer not to have a slaveholder at the head of the Whig ticket; but he urged that antislavery Whigs should all the more be faithful to the party. In time they would thus control the organization, dictate its policy, and name its candidates. He maintained that, in the nature of the case, the country would be governed by one or the other of two great national political parties. For the antislavery men in those two parties to draw apart into a third party, as many had done in '48, tended to throw the control of both the

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great parties into the hands of the slavocracy. If politics should be allowed to take a natural course, the Whig party would become antislavery and the Democratic party proslavery; and then the issue could be met and settled upon its merits.

The various prophecies which antislavery Whigs had uttered as to the prevailing antislavery tendency in the Whig party seemed in process of fulfilment under the administration of Taylor. His administrative acts harmonized with the wishes of the antislavery Whigs. California was organized as a free state, and the President encouraged a similar course on the part of the people of New Mexico. Nothing was indeed said about slavery, but that institution was already prohibited by Mexican law, and changes in the laws were not proposed. The South fully believed that the same thing was intended for New Mexico which had happened in California. Behold the irony of their fate! The Mexican War had been brought on by a policy of aggression from the South with the deliberate intention of enlarging the area of slavery. Now, at the hands of a Southern planter, the chief general in the war, the greater part of the territory acquired was being preëmpted for freedom!

As incidental to the controversy with Mexico, the boundary of Texas had been greatly enlarged. When it was discovered that the Whig administration was carrying out a policy which would make New Mexico permanently free, a plan was devised

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for extending the boundary of Texas so as to include the greater part of that territory. The state militia of Texas was to advance into New Mexico and secure submission from the territorial population to the authorities of the state of Texas. But the soldier President was quite at home in dealing with such a plot. He left no one in doubt of his ability and his determination to defend the boundaries of the territory against the proposed aggression of the state, and the conspiracy came to naught.

And so it came about that, without the formal enactment of the Wilmot Proviso, and under a Whig administration, all the territory acquired by treaty from Mexico was being secured for free labor. The President, with the coöperation of the antislavery Whigs, was inflexible in his policy. He repudiated all compromises. The new territory needed local government, and he would have the free people who lived in the territory form for themselves such a government as suited them. Then, when the question of the admission of the new states came before Congress, he would have Congress pass upon that question separately and alone, without vexing combination with other legislation.

It was an immense advantage that this business was in the hands of a Southern slaveholder. He knew the South, and the South was coming to know him, much to its surprise and disappointment. The slaveholders were greatly excited. The labor

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of thirty years appeared to be lost. Some of the Southern Whigs had an especial grievance. They had voted for Taylor, expecting that he would favor their slaveholding interests. They relied upon the fact that he was one of themselves. When they saw him relentless in his opposition to the Clay compromises and determined to carry out what they regarded as his astonishing antislavery policy, they were grieved and disheartened.

In June, 1850, after a year of intense excitement in the South over the status of the new territory; after four months of debating over the Clay compromises; after a meeting of delegates from the Southern states which had been held at Nashville, Tennessee, to unite the South in an effective demand upon the North, had resulted in practical failure, the Whig members of Congress from the Gulf states held a secret meeting to devise some method of escape from apparently inevitable defeat. A committee was appointed to remonstrate with the President, threatening, if need be, their opposition. "The delegates," says Schouler, "found him stubborn, and their interview at the White House was a stormy one. Would he pledge himself to sign no bill with the Wilmot Proviso in it? The old warrior replied that he would sign any constitutional bill that Congress presented him. Next they threatened to break up the Union. 'Southern officers,' added one of them, 'will refuse to obey your orders if you send troops to coerce Texas.' 'Then,' responded

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Taylor, in high excitement, 'I will command the army in person; and any man who is taken in treason against the Union I will hang as I did the deserters and spies at Monterey.'"<sup>1</sup> To all appearance the slaveholders were defeated. The anti-slavery sentiment of the country, North and South, was finding effective expression in the national Whig party, and the Union was safe. But a few days after this conference a new chapter was opened in American history by the death of the Whig President.

Had President Taylor lived it is probable that the compromise measures of 1850 would have been defeated, California would probably still have been admitted as a free state, Texas would have been confined within narrower limits, the Union would not have been divided, and the Whig party would have drawn to itself the support of all classes who were in favor of restricting slavery within its existing limits. - In a most dramatic way Henry Clay had counted upon his fingers five wounds which the President's insistent demand that California should be admitted as an act by itself would leave unhealed. Thomas H. Benton irreverently suggested that the reason there were not more wounds was that Clay had only five fingers. But if the President had lived there was one wound which probably would not just at that time have been opened. There would have been no new law for the recovery of fugitives from bondage.

<sup>1</sup> Schouler's *History of the United States*, Vol. V., p. 185.

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To the greatest, the ablest, the most eminent of the brilliant galaxy of Whig statesmen undoubtedly belongs the responsibility for the disastrous legislation known as the Compromise of 1850. Henry Clay, best beloved of them all, was a compromiser by nature; he had been active in securing the passage of the Missouri Compromise in 1820; he was the author of the Compromise tariff of 1833; and by indomitable personal devotion and untiring effort he formulated and carried through Congress the various provisions of the Omnibus Bill. Alarmed at the virulence of the sectional antagonism manifested in the discussion of the questions to be settled after the close of the Mexican War, and fearing for the integrity of the Union, Clay once more offered his mediatorial services for smoothing away the difficulties. He has himself summed up the substance of the eight resolutions, which he trusted would accomplish his object, as a mutual forbearance — forbearance by the North to insist upon the application of the Wilmot Proviso to Utah and New Mexico; forbearance by the South to insist upon the express introduction of slavery into those territories. There were provisions by which California was to be admitted as a free state; the slave trade was to be abolished in the District of Columbia, while slavery should remain; a stringent fugitive slave law, which the slave-owners had long demanded, was to be enacted; the Texan claim to a large part of New Mexico should be quieted with a large money indemnity.

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No interference with the Missouri Compromise was suggested, and no application of the doctrine of popular sovereignty to the new territories.

✓ To the support of the provisions of the Compromise, Daniel Webster lent the weight of his great intellect and his persuasive voice. Doubtless he also believed the Union to be in danger. Devotion to the Union had become in the North almost a religion. Northern Democrats believed in the Union. Whigs everywhere were Unionists from the nature of their political principles. Abolitionists nearly all truly loved the Union. Except among the few despised and unimportant Garrisonian abolitionists, the feeling of nationality had been, since the Hartford Convention, in 1815, continually gaining strength, throughout the Northern states.

The ardent advocates of the Compromise were all devoted to the Union. At the same time it did not follow that those who opposed the measure wished to dissolve the bond between the states. President Taylor did not believe the Union to be endangered. William H. Seward opposed the policy of compromise, but he was no less a consistent lover of the Union. But some of the Southerners who worked most strenuously against the Compromise were already convinced secessionists and holders of radical states-rights views. Though they were not yet numerous, they fully believed that only through secession could the South escape from an intolerable position.

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In midsummer of 1850 the Compromise measure seemed on the point of failure, not because those opposed to it were less friendly than its advocates to the Union of the states, but because they differed in judgment as to the best means of preserving that Union. With the death of the President the hopes of the compromisers revived. The bill, which had suffered defeat as a whole, was taken up again before each house, section by section. Millard Fillmore had become President. He was a New York Whig, and, like Webster, he had been associated with the Whigs of acknowledged anti-slavery sentiments. In the state of New York the spoils of office counted for much, and there resulted in both of the great parties a tendency to factional division.<sup>1</sup> Faction in the Democratic party of the state led to the election of the Whig President. There was also factional division among the Whigs. Seward was the leader of one section, and Fillmore of the other. ( Either from conviction or from factional opposition the new President gave in his support to the compromising Whigs. And thus supported the various acts were passed.

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<sup>1</sup> Thurlow Weed's *Autobiography*, pp. 586-588.



## CHAPTER X

### THE GREAT WHIG FAILURE

AMONG the events leading to the disruption of the Union, the Compromise of 1850 holds a prominent place. The question may be asked: Could the final event have been essentially different? Could the tragedy of the Civil War have been prevented? Is it likely that only a slight modification of policy at a certain juncture would have led in the end to wholly different results? In the reading and in the writing of history there are two common errors. A book has been written entitled *Fifteen Decisive Battles of the World*. Spectacular interest is added to the narrative by seeking to show that, in any one of these fifteen battles, had victory perched upon the opposite banner the whole after course of history would have been changed. The course of history is made to turn upon a series of accidents. This is one form of error. The other is the blind acceptance of that which has happened as in the nature of the case inevitable. According to this view man is not a free agent. Especially in his collective capacity is he a victim of circumstances. History is thus made to teach only that which has been, having no concern about what

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might have been. The whole end and aim of history is assumed to be to enable one to understand the dead past. In all past ages men have appeared as victims of forces which they could not control. To understand, then, the philosophy of history according to this theory, is to seize upon these forces of fate and admit no others. Such a view of history tends to make men slaves.

The democratic experiment in government could never have been tried by men who did not believe in the freedom of the will. A fatalist cannot be a democrat. Democracy assumes a belief that human beings are free moral agents. The democrat must study history, not for the purpose of discovering inflexible forces of fate, but rather in order to discover more perfect rules for moral conduct. The democrat aims at a State founded upon the free choice of free moral beings. It is good for a man to look over his own past life for the purpose of finding more perfect rules for an amended life. A moral man must ask the question whether at a certain point in the past he did not grievously err; whether he is not now suffering evil consequences from former wrong-doing. A life of continual repentance and amendment is the normal life for a highly moral man.

It is likewise good for a nation to look into the past conduct of its citizens with reference to discovering rules for a higher moral order; it is well to raise the question seriously whether the body politic is not now disordered on account of cul-

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pable conduct in past years. There is no moral progress for a nation except upon the basis of repentance for past misconduct. To teach that the disruption of this Union and the horrible tragedy of our Civil War are events that could not have been prevented, is as immoral as it is to teach that every normal young man must inevitably lead for a time an immoral life. It is an undeniable truth that the Civil War occurred as the result of a series of political crimes and blunders. And the most imperative reason for a thorough and profound study of the period is that those crimes and blunders may be brought to light and similar courses made impossible for all future time.

When President Taylor died, in July, 1850, party government in the United States was in a more nearly normal condition than it had ever been before or has ever been since. The two great national organizations had been fifty years in building. They were genuine American institutions, and they were the only truly national American institutions which had in their very nature a great binding force. While the slavery question had already disrupted the most influential of the churches, the great national parties remained intact. All through the antislavery agitation they had thus far grown stronger and more efficient. Within the two parties were included nearly all the people. The abolitionists were few. Many of the Free-soilers had returned to the Democratic party, and the remainder stood ready to be ab-

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sorbed into the Whig party as soon as the obvious tendency there toward a policy for limiting the institution of slavery should become sufficiently decisive. The two parties commanded the moral support of the whole people as no two parties have since done. The spoils system had not yet worked its most serious injury to the party system. The parties were great national organs well adapted to discovering the average opinion and embodying it in national conduct. The largest voting strength of the Whig party was in the North, yet it was strong and influential in the South as well. There were influential Whig families in the South who were proud of the name and whose descendants are to this day proud of their Whig ancestry.

The strength of the national sentiment opposed to the extension of slavery was concentrated in the Whig party, which was in a position to give effective expression to that sentiment. On that ground the party, as a party, opposed the annexation of Texas. With Henry Clay as leader, the campaign of 1844 was conducted with restriction of the peculiar institution as the chief issue. Cassius M. Clay, a Kentucky abolitionist, urged Northern abolitionists to vote the Whig ticket as the surest way to advance the cause of opposition to slavery. Four years later, in 1848, the extreme proslavery section of the Democratic party of the South sought to form a coalition party on sectional issues, but the Whig party resisted the pressure and gave in every Southern state a large vote for

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the national party. Undoubtedly, as it became more and more evident that the Whig party was to become the national organ for resisting the extension of slavery into the newly acquired territory, extreme proslavery Whigs might have been induced to transfer their allegiance to the Democratic party, but a corresponding number of Union and antislavery Democrats would have tended toward the Whig party. Of this latter class was Thomas H. Benton of Missouri, a lifelong and consistent Democrat, but strongly inclined to break with his party when its proslavery attitude became pronounced. Had the Whig party held its ground in respect to the extension of slavery, no party of political importance would have been formed on sectional lines. Had no party been formed on sectional lines, there is good reason to believe that there would have been no disruption of the Union and no Civil War, and the institution of slavery would have been placed in a position for speedy and peaceful elimination.

The so-called Compromise of 1850 proved the beginning of the end of the Whig party, and laid the foundation for the great tragedy. The men who were responsible for this act should have been wiser. Daniel Webster had warned the Southern slaveholders fourteen years earlier that the abolitionists of the North were actuated by sincere religious motives, which must be respected.<sup>1</sup> Anti-slavery sentiment had, in the meantime, grown

<sup>1</sup> Curtis's *Life of Webster*, Vol. I., p. 518.

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no weaker. It had not become less religious nor less worthy of respect. It was an unaccountable lack of political sagacity which permitted Daniel Webster and Henry Clay to give their support to a more stringent fugitive slave law. They well knew the state of Northern sentiment on that question, and Henry Clay understood that a slave-trader or a slave-hunter was, even in the South, a despised and reprobated man, who could not be admitted into good society. He knew also that the people of the North were as proud in their way as the people of the South, and that the people of the North were just then not in a state of mind to enter heartily into a copartnership which the Southern people themselves despised. They had no more respect for a slave-trader or a man-stealer than had the haughty Southerners. Moreover, Webster knew, or he ought to have known, that a very large proportion of the Northern people had reached the religious conviction that it was a heinous sin not to assist a brother man in his efforts to escape from the thralldom of slavery. Amusing tales are told in connection with the history of the famous Underground Railway which show that the natural human sympathy underlying such convictions was not confined to avowed abolitionists. Levi Coffin, a long-headed old Quaker in Ohio, who had no small experience in the conduct of fugitives toward the north star, would sometimes boldly confront some loud-mouthed supporter of the law, who boasted of his willingness

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to assist in returning a negro to slavery, with a concrete opportunity to make his boast good. Coming upon the man when off his guard, he would present himself as a stranger who was aiding a negro mother with her little baby to a land of freedom. "And would the stranger be so kind as to lend a helping hand?" Automatically the hand of the stranger would reach for his pocket, and before he knew what he was doing he would have violated the law and assisted a fugitive from service. The men were very few, North or South, who really enjoyed putting the bloodhound on the track of a negro mother who was seeking to carry her child to a land of liberty. The Southern planter who availed himself of the services of the slave-catcher would not allow his children to associate with the children of a man who would follow such a business.

Among the five wounds which Clay boasted that his compromise bill was to heal, one was the demand for a more stringent fugitive slave law. But there was already a law for the recovery of fugitives, and the people of the North would not obey that law. They would not obey it because they believed it commanded an immoral act. Was there the slightest reason for believing that a new law on that subject would be treated with greater reverence and respect? And besides, there was at the time no great grievance. The negroes were not escaping in large numbers. Any attempt to turn the Northern people into slave-hunters was

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sure to aggravate the difficulty. It ought to have been as evident before its passage as it became very soon after its passage, that the new law would but add to the occasions for conflict. So far, therefore, as the question of the fugitive slave was concerned, the thing for the Whigs to do was to do nothing. The disease was obviously of such a nature that any attempt at treatment would be injurious.

Then, as to the disposition of the territory newly acquired, the strength of the Whig party was to sit still. California was already practically a free state. It could not be made a slave state. Congress would, in any event, have been compelled to admit it as a free state. Without any Wilmot Proviso, slavery was already illegal in all of the new territory. If the Whig party had firmly held its ground and done nothing about New Mexico and Utah except to maintain their boundaries against the aggression of Texas, there would have been no serious trouble and no bleeding wound would have been opened. After the temporary excitement over the situation in California, political movements in the North and the South would have fallen back into the even tenor of their way. It would have been evident to all that the South had played for a wider slave area and had gotten Texas, while a sort of special providence had created a new free state on the Pacific Coast. To the sober judgment of the South there would have appeared no reason for



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deep and abiding enmity on account of this. A dignified, conservative, strictly national policy was opened to the Whigs, by which the territorial situation would have been maintained without change. If no action were taken, the new territory, being already free, would remain free. It seems unaccountable that it should not have been apparent to any statesman of the period that any positive action touching slavery in the territories would but increase the irritation and tend to sectional division. Upon a policy of resistance to change for the sake of the Union, the conservative, Union-loving Southern Whigs would have held their ground as an effective fighting party. All this vantage ground was lost by Clay's bill for the organization of a territorial government for Utah and New Mexico which removed the legal restrictions against the introduction of slavery.

Part of the territory opened for the admission of slavery by the compromise act was north of the old Missouri Compromise line. There was, from the first, confusion in the minds of many as to whether the Missouri Compromise did not legally apply to the acquired territory. The pro-slavery faction were especially outraged because California was being made into a free state, notwithstanding a part of its territory was south of the Missouri Compromise line. Now, since by act of Congress in 1850 slavery was made legally possible in territory north of that line, the question was definitely raised whether the old compromise were

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not repealed. If the old law were abrogated, then slave property had legal access, not only to Utah, but to Kansas and Nebraska as well. For immediate practical purposes it made little difference whether or not slaveholders could carry their property into Utah; it was, however, of immense practical import whether or not slaves could be taken into the territory on the western border of Missouri.

Clay's prescription for closing a bleeding wound in the body politic inaugurated a conflict for the possession of Kansas which was not arrested until the country was already in the throes of civil war. This was the logical course of events: First, in the mind of a few political leaders in the South the idea arose that the act of 1850 had repealed the Missouri Compromise; then, in 1854, an explicit act of repeal was passed; later, in 1857, a decision was reached in the Supreme Court to the effect that the law was originally unconstitutional, and that the slaveholder had always had under the Constitution a right of access to all the territory of the United States, which right could not be taken from him by act of Congress. The Whig leaders may be excused for not foreseeing all the direct and indirect consequences to arise from the reopening of the slavery question in the territories. They are not, however, to be excused for not foreseeing that the act would tend immediately and directly to aggravate the conflict which it professed to allay.

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The Whig party was under the strongest obligations to remain true to its policy. The country had been embroiled in a Democratic war, which was against the better conscience of the nation, for the purpose of getting an increased area for slavery. The result was the acquisition of a large territory into which it would be impossible to carry slavery. John C. Calhoun was one of the first of the Southern leaders to comprehend this fact clearly. From his point of view there was nothing left for the Gulf states but to form an independent Confederacy or to secure a change in the national Constitution such as would give to each state in the Union practically independent powers. It would have been quite in order for Henry Clay, as the leader of the Whig campaign of 1844, now to remind his Democratic friends of his oft-repeated prediction that the annexation of Texas would lead to a war with Mexico, and that a war with Mexico would probably result in many evil consequences. The Whig might well have said: "Notwithstanding our repeated warnings you Democrats went into the war. You ought therefore to be thankful that the evils are not greater than they are. You ought at least to accept the results of your own conduct like men."

There was no doubt much genuine bad feeling among the leaders of the South on account of the outcome of the war. But Henry Clay made the great mistake of his life when he mistook this bad feeling for a dangerous and fatal wound. Thou-

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sands of individuals are every year hastened into untimely graves because somebody makes a mistake about a temporary bad feeling which is incidental in an essentially sound body to an entirely normal process of rapid recovery from a temporary ill. The uncomfortable feeling is mistaken for disease, and the poor victim is doctored to death. Like errors may be made in respect to distempers in the body politic. In 1850 the slaveholders were in a remarkably favorable condition to be simply let alone. The bad feeling which they endured was perfectly healthy, normal, and robustly recuperative in its natural results. It arose from the discovery of mistakes for which no one was to blame but themselves. They had expected their policy as to Mexico and Texas to strengthen their position; it had, in fact, weakened it, and it was impossible to attach any serious blame to any party or any person apart from themselves. They felt that their peculiar institution was insecure; yet for their life they could not point out anything external to their own section which was fitted to make it insecure. The Northern abolition propaganda had been going on for twenty years, yet it still commanded little respect and secured little support. The people of the North were, in fact, remarkably considerate toward the South. The Southern disease was what is known as wounded pride. In an unusually spectacular and frantic manner they had committed themselves to the defence of an institution which,

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even without any serious and important external attack, seemed destined to decay. The very last thing to be done for a man who is a victim of this sort of pride is to coddle him and treat him like a baby. In the end he will choose hanging or will incur any fate rather than submit to such treatment. Jackson and Taylor both exhibited the true instinct of the Southern gentleman when they proposed hanging as the rightful remedy for certain kinds of possible conduct growing out of wounded pride. Clay's proposals for compromise increased the sense of wounded pride, because there was in them the element of patronage and pity. The Southern planter would submit to anything rather than these. He realized that he was committed to the support of a peculiar institution which was contrary to the spirit of the age, yet he had made up his mind to stand by it like a man.

But Webster and Clay trembled for the fate of the Union. They were undoubtedly for the time being really alarmed. In politics, as in war, there is scarcely anything so dangerous as that leaders should become unmanned by fear. The bi-party system in politics is itself a perpetual substitute for civil war. Battles are fought involving the entire body politic, and great victories are won, yet no one is slain. Only politically are men decapitated. But it is fatal for leaders of political parties to act or to appear to act under panic. If General Jackson was frightened when the Nullifiers were rampant in South Carolina, he did not let any one

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know it. When the members of Congress from the South sent a delegation to frighten General Taylor, the old hero was thrown into a fine frenzy of excitement, but in it there was not a suggestion of fear. It was not at all likely that there would have been any serious attempt to disrupt the Union in 1850 if the Compromise had not been enacted. If such an attempt had been made, the conditions were ideal for bringing it to naught, and demonstrating the essential strength of the Union. The disruptionists would have been met and vanquished by men in their own section. It would have been impossible at that time to unite the people of any one section in a secession movement. Such an attempt then would have probably rendered any later attempt futile. The time was favorable for meeting the disunion sentiment with firmness and courage. But the system of petty annoyances inaugurated by the Whig compromise was to the disunionists of the South just what was needed to enable them to present, ten years later, a solid front in defence of the alleged rights of their section.

The political situation in 1850 furnished the Whig party just what it had long needed. It had suffered for want of a clearly defined party issue in which large numbers of the people were deeply interested. In this respect the party had been peculiarly unfortunate. The party name had been identified with no issue of enduring popular interest. In 1832 the National Republicans engaged

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in a campaign in which they advocated the rechartering of the national bank as a chief issue. Defeat ensued, and the party never again made the bank issue prominent in campaign politics. In 1836 the Whig party made Harrison, a former Democrat, its candidate, and presented no special issue apart from opposition to Jackson and the Van Buren Democracy. In 1840, when the whole country went wild over the triumphant campaign of the Whig party, no political issue was presented save criticism of the administration. The party was unfortunate in the death of its President and the accession of a Vice-President who was not in harmony with the party leaders. At last, under the leadership of Clay in 1844, a definite issue was presented in which the people were greatly interested. Opposition to the extension of slave territory was the party platform. The Whigs were defeated and slave territory was extended; but, as one of the unforeseen and incidental results of the Mexican War, the free territory of the nation was much more extended. The antislavery reaction incident to the expansion of slave territory at the cost of a war was sufficient to turn the scale in the election in 1848 in favor of the Whigs.

A vital issue of great popular interest was thus, in a manner, thrust upon the party, and to gain the full advantage of the exceptionally favorable conditions nothing was required of the party but to fulfil its traditional rôle of conservatism and moderation. It should have been assumed that,

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since the party had opposed the war through its opposition to slavery, it would take no positive step to introduce slavery into the free territory acquired from Mexico. This was all that was demanded to enable the Whig party to draw to itself the greater part of the antislavery forces North and South. The Whigs ought to have confronted the Democrats on that issue. It was a Democratic administration which had added free as well as slave territory to this country. The Whigs should have held the Democrats to the political consequences of their own acts.

There was another issue of even more widespread popular interest than the extension of slavery, and that was the preservation of the Union. The Whig party could have saved the Union without a civil war. There may have been other agencies whereby this might have been accomplished, but this is the one most easily demonstrated and understood. The secessionists early reached the conclusion that the Union could not be divided except by the formation of political parties upon sectional lines. Washington had foreseen this special form of danger to the Union. President Taylor in his inaugural address called attention to his solemn warning. The national Democratic party had adopted in 1840 an elaborate platform in which is set forth the importance of the liberty of the individual and the dangers attendant upon centralized government. The Democrats assumed for themselves the guardianship of the



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rights of our states under the Constitution. This platform, with only slight variations, was repeated in '44 and again in '48. It was of great advantage to the Democrats to have prepared this form of sound words which needed no change from decade to decade. It is for the most part good Democratic doctrine to-day. All good Democrats still believe in properly guarding the constitutional rights of the states. The Whig party might have replied to this Democratic declaration of faith, plank by plank, with telling effect, conceding the proper rights of states, but calling attention to the danger to the Union arising from an undue emphasis of those rights. The importance of the integrity of the Union should have been strongly emphasized. Thus the national party, as a party, would have appeared as a saviour and guardian of the Union. Nullifiers and disunionists would have found no place in its ranks. They would have been naturally attracted to the party of state rights. Such an issue, clearly defined, would have given the Whigs an immense advantage in the South as well as in the North.

Divided upon such basal political principles, the conduct of the two parties would quickly have passed beyond the realm of mere sentiment; it would have involved a programme of policy. Unlimited areas of rich lands were to be occupied. The party of the Union would have favored a liberal policy in the opening up of the lands to the settlement of freemen, and their opponents would

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have found it exceedingly difficult to resist them. Then there was the good old issue of internal improvements. The time was ripe for such an issue to strike the popular fancy. The era for the creation of a railway and a telegraph system had fully come. These were a perpetual demonstration of the need of an efficient general government. The railway as a part of the national highway system is by nature a federal institution. The shipping interests of the United States were also assuming large proportions. The improvement of rivers and harbors by the general government was becoming a recognized necessity. The popular side of this issue belonged of right to the Whigs as the party set to guard the interests of the Union. Again, there was the conflict between protection and free trade. The tariff of 1846, enacted by the Democrats and moderately protective, was in full working order. It would have been natural for the Whigs from their traditional position to give expression to a sentiment favorable to a modification of this law in the direction of a strengthening of its protective features; while the Democracy would naturally have been inclined to make effective a sentiment favoring further advances toward free trade. As to the United States Bank, the Whigs were under no particular necessity for reviving that issue until such time as there was developed a sense of failure on the part of the separate state systems. Then it would have been in order for the old party to offer relief at the hands of the

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federal government. Clearly, had the party been ably led there were live issues at hand in abundance, well fitted to furnish material for an enduring platform involving policies of great popular interest, such as would speedily place the party in an invulnerable position. And all were strictly consistent with dominant Whig tendencies.

What, then, would have become of the institution of slavery? Slavery would have gone just as the secessionists of the day said it was going. They said that if it were confined to its present limits it would die. The Whig party, as a party of law and order, would have taken more and more effective measures against murdering men for publishing antislavery papers. The party would have opposed the policy of burning in the public streets antislavery literature unlawfully taken from the United States mails. The hearts of the opponents of slavery would have warmed to the Whigs. Nearly all the abolitionists would have become known as regular voters of the Whig ticket at popular elections.

The policy here outlined for the Whigs in 1850 would have left the party entirely non-committal on the subject of slavery within the states. Many Southern Whigs were ardent believers in slavery, but for the most part they would have remained in the party. As Whig statesmen they would have been confronted by Democrats bent upon disrupting the Union for the sake of slavery. Here the proslavery Whig leader would have found himself

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supported by the abolitionists. Now, so far as I know, no human organization has ever developed such unlimited power to forgive sins, under certain conditions, as a living and active political party. An earnest party leader is sure in time to forgive any man, or any class of men, who through evil report and good report vote the regular party ticket. The proslavery Whig leader would have begun to forgive the faithful antislavery voter. He would have dropped a word now and then to show his forgiving spirit. He would also desire himself to have forgiveness at the hands of his party friends, and would have made his conduct as inoffensive as he could. The Whig abolitionist, on the other hand, would, under these circumstances, have become less fanatical and more rational. He would have become likewise more influential in his antislavery propaganda. Such was the spirit of the age that it would have been impossible for any political party to place itself in effective opposition to the excessive demands and policies of the extreme proslavery party without rapidly becoming indoctrinated with antislavery sentiment. The Free Soil party, and later the Republican party, disavowed any intention of interfering with slavery in the states. This would, of course, have been the position of the Whig party. The Whig party in the South would, however, have become the nucleus for the organization of antislavery forces within the Southern states, which would in time have effectually dealt with the subject. No excuse

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would have been left for the union of classes within a given section under the plea of resistance to foreign aggression. Under the mollifying, unifying influences of a great national party organization, Northern abolitionists and Southern abolitionists would have come to understand each other. The race problem would have received due recognition, and the practical control of policies would have been kept out of the hands of fanatics and extremists.

There is something in a name. From the standpoint of Northern politics it was a misfortune that the name Whig was substituted for the older name National Republican. The Whigs always maintained that they were themselves the true Jeffersonian Republicans, and that the followers of Jackson and Van Buren were innovators, the organizers of a new party advocating dangerous and revolutionary principles. The most effective retort of the Democrats was to call the Whigs "Federalists," and the change in name seemed to add great force to this form of abuse. Federalism was associated with sympathy for England and with anti-democratic tendencies. The name "Whig" also had about it an English flavor. Among Whig leaders in the North there were always those who manifested dissatisfaction with the name, and this only stimulated their political opponents to insist upon their descent from the Federalists, and thus bring them into reproach.

To the South, however, the name seemed well

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sued. The Southern planter liked the association with the Whigs of the Revolution and with the Whigs of England. Just at the time when the *Monthly Whig Review* was being used as an organ for expressing dissatisfaction with the Whig name it contained articles from Southern writers who gloried in the name and in all its historic associations. As to its name, therefore, it would seem that the party made two capital mistakes. The first was when the old name "Republican," was allowed to fall into disuse and the name "Whig" to take its place. The second was when the name "Whig" was allowed at a critical juncture to drop out and the older name to be revived. The old name, when thus restored, was the name, not of a national party, but of the party of a section only.

## CHAPTER XI

### THE FUGITIVE SLAVE LAW AND THE ELECTION OF 1852

A WAVE of rejoicing swept through the land after the passage of the last of the compromise measures of 1850. The people had been made to believe that the Union was threatened with imminent destruction, and they were in a state of mind to give eager acceptance to whatever they had reason to hope would avert the dreaded disaster. But it was a national calamity that the saving of the Union became associated with a fugitive slave law which was a disgrace to civilization, and with an act legalizing slavery in a territory which Mexico had made free. These laws did not create the Union sentiment, which would have been quite as strong without them. Had the policy of President Taylor prevailed, there would have been a real compromise which would have tended only to the preservation of the Union. Against Texas, a slave state, would have stood California, a free state, and no cause would have remained for enduring bitterness. There might not have been as many public meetings to give expression to hysterical Union sentiment, but the leaders of the slaveholders who

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for the time had felt themselves most aggrieved, would have accepted the situation with a more real and lasting respect for the Union and the party of the Union.

The Fugitive Slave Law was drawn to please the extreme faction of the secessionists. It was the one item in the Omnibus Bill which could be utilized to soothe their wounded pride, and it was so drawn that whatever should be its fate in Congress it would still strengthen the secession party. So offensive were its details to every sense of justice and humanity that the slaveholders themselves expected it to be defeated, and they trusted in that contingency to be able to fire the Southern heart even more effectually by arraigning Northern statesmen for deliberately refusing to give effect to a part of the national Constitution. But, should the bill pass, the Southern planters did not expect to be thereby made more secure in the possession of their human property. They had no reason for believing that a new law would be more effectively enforced than the old one had been. They by this time understood the temper of the Northern enemies of slavery well enough to know that the passage of such a law would be received by them as a direct and intentional insult, and that their feelings would be deeply wounded. Such was indeed the effect, but there was also a stiffening of the spirit of resistance and an increase in the number of those determined to bid defiance to the iniquitous enactment.



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Along with the great public meetings held to express thanks that the Union had been saved, certain other assemblies came together to give voice to a contrary sentiment. They reprobated in the plainest terms the action of the national lawmakers in forcing upon the country a law obnoxious to the moral sense of large numbers of the best and most intelligent citizens. Religious feelings were deeply affected. Sermons were preached from many a pulpit upon the exceeding sinfulness of rendering obedience to an immoral law. Not only was the Fugitive Slave Act branded as immoral, it was also pronounced by able jurists to be in some of its provisions clearly unconstitutional.

It was determined to test the validity of the law. Gerrit Smith and a Unitarian minister in New York headed a company of citizens who broke into a jail, delivered a fugitive, and spirited him away to Canada. The act was deliberate, no disguises were used, the guilty parties publicly avowed their crime; but their intention to incur a legal trial was not successful. They did not get themselves arrested.

Various incidents of interest in this discussion occurred in the different Northern states. Two order-loving Quakers in Pennsylvania joined a crowd of negroes who were defending one of their number from arrest. The new law made it the duty of all bystanders to assist, at the command of the officers, in attempts to recover a fugitive, and the Quakers were ordered to join in the slave-hunt.

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They refused with hot indignation. They did, however, strive to prevent bloodshed, but, finding the negroes not to be moved from their purpose to resist to the bitter end, they warned the pursuers of the fugitive to desist upon peril of their lives. Refusing to heed the warning, they were shot down and one of them was killed.

In 1851 Daniel Webster travelled through the country, seeking by means of his great personal influence and his persuasive eloquence to mollify public feeling and induce the unmanageable antislavery people to yield obedience. At Syracuse, New York, which was a centre of opposition, he told his hearers that those who meant to resist the law were "traitors! traitors!! traitors!!!" That the law ought to be obeyed and would be enforced. Shortly after the delivery of this address an event took place which showed whether or not the great man's oratory had had its desired effect. A mulatto man named Jerry who had lived for some years in Syracuse was suddenly brought before the authorities charged with being a slave escaped from a Missouri owner. By means of a system of signals long before agreed upon, the determined opponents of the Fugitive Slave Law were quickly gathered in the court where the trial was going on. A premature attempt at rescue failed, but a second one, more carefully planned, succeeded. At a signal the doors and windows of the police office were simultaneously demolished; the rescue party rushed in, surrounded and overpowered the officers by mere

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numbers, taking care that no unnecessary violence was used. The manacled negro was seized and carried to a vehicle waiting near, by which he was conveyed hither and thither about the town, and then concealed for several days at the home of one of the abolition sympathizers. Here Jerry's shackles were removed, his injuries cared for, and a secure refuge provided until it was thought safe to convey him by easy stages toward the British land of freedom across the Lakes.

For this famous and successful violation of the law, eighteen of those engaged in it were indicted, but repeated efforts to convict the criminals all failed. It was found impossible to empanel a jury upon which there were not some who were incapacitated for acting by having already formed opinions unfavorable to the law.

It seems to have been generally true that the increased severity of the law made it far more difficult to enforce. Even in the case of the fugitives who were recovered, the attendant expense was often greater than the value of the property. The hostility to the atrocious act did not subside. The leaders of moral sentiment — ministers of the gospel, poets, essayists, philosophers — counselled disobedience. It passes comprehension that any reader of the text of the Fugitive Slave Law of 1850 can possibly find in it anything whatever which, under existing political conditions, could tend to a union of hearts between the differing sections. Yet it is said that the far-reaching pur-

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pose of Webster and Clay was not alone to preserve the Union of States but to join heart to heart throughout the land.

On the other hand, there are those who allege the deliberate object of those who dictated the law to have been either to defeat the Compromise Bill, or, if it were passed, to have it include such provisions as would irritate and enrage the moral leaders of the North to such an extent that they would be driven to a course of mob violence, which would lead to a reaction of opinion in favor of the South. From this point of view the measure is clearly a rational adaptation of means to an end, and the results must have been well pleasing to the slave power as proving that the peace-loving, law-abiding, moral, and religious Northern people could also be driven, under given conditions, to engage in rioting and murder.

The Fugitive Slave Act furnished to the Southern agitator that which he very much needed, namely, ground for an easily defined grievance. He had had no grievance which could be made clear and obvious. The abolitionists had an undoubted right to publish their own opinions; they had a right to petition Congress. The Southern "fire-eater" had been impelled to violate the law in many ways in order to meet effectively the lawful acts of the abolitionists. This was irritating to the temper and wounding to the pride, and gave rise to exasperated expressions indicating a willingness to get rid of the whole trouble by cutting

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the slave section free from the annoying bond. Now the tables were turned. The North became the seat of law-breaking and violence. Many of the Northern states were led to pass personal liberty laws, the plain intent of which was to render the Fugitive Slave Act ineffective; and at the same time the disposition of the antislavery man to interfere actively with the relation of master and slave and persuade the negroes to run away was greatly stimulated. All this bolstered up the cause of the secessionist. Indeed, the act had in every respect the direct effects which should have been anticipated. It tended to array the two sections in a permanent attitude of lawless hostility — that is, it tended to destroy the Union.

The Compromise was known to the public as a Whig measure. The original bill was introduced by the leader of the Whig party; its chief supporters were Whigs; and it was signed by a Whig President. By its passage the burden of responsibility was shifted from the shoulders of the Democratic party to the shoulders of the Whig party. Before the act the country was in a political situation created by the Democrats. In the teeth of Whig opposition they had brought the country and themselves into such a predicament that they were themselves threatening to dissolve the Union, rather than submit to it. When one political party comes forward and relieves its opponents from the consequences of its own partisan acts, then the use of parties is at an end. It is of the essential

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nature of a party that it shall hold the opposite party responsible for its acts. Failing in this, the reason for its existence is at an end. But the Whigs now virtually said to the Democrats: "You are offended with yourselves on account of the outcome of your Democratic war with Mexico. We, therefore, will generously put ourselves into a position where you can gratify your wounded pride by kicking us." Such generosity in party politics can never be understood, nor can the party found in such a position be regarded as aught but worthless rubbish to be quickly removed out of the way.

When the national Democratic party met in nominating convention in 1852, strong resolutions were passed in favor of standing by the Compromise of 1850; but, not satisfied with this, they singled out especially the Fugitive Slave Act and commended it as a sacred obligation to be observed with faithfulness. When that resolution was read the entire audience broke forth into uncontrollable applause. After roaring themselves hoarse they demanded that the resolution be read again; and again and yet again there was an exhibition of uproarious glee. What was there about the Fugitive Slave Law fitted to produce such riotous satisfaction? The answer is plain: the Whig party alone stood in the way of the Democrats' controlling the offices of the government, and the Whigs, by having committed themselves to such a monstrous act as the Fugitive Slave Law, had signed their own death warrant. The Democrats promptly saw

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their advantage and determined to use it. They intended to hold the Whigs to the full measure of their responsibility for their own acts.

To the national Whig Convention of the same year two courses, and only two, were open. The party must stand by the Compromise or it must repudiate the Compromise, and either alternative seemed equally disastrous to the party. A decided majority of the convention favored resolutions approving the Compromise. And as the Democrats had selected the Fugitive Slave Act for special approval, so the Whigs likewise named this act as one "to be received and acquiesced in by the Whig party." But there was nothing in this resolution that was fitted to create hilarity in the Whig convention. It was a bitter pill which they had foolishly prepared for themselves.

At the time of the election in 1852 the only part of the compromise measures which had received any public attention was that which pertained to the recovery of fugitive slaves. As between the two great parties on this one question of supreme public interest there was no issue. The Northern antislavery Whigs despised the Whig party for passing such a law. The Southern proslavery Whigs were aggrieved because the law was treated with contempt. From whatever point of view, the Whig party suffered. The result was that the Democrats carried every state in the Union except four, and the great Whig party was no more.

## CHAPTER XII

### THE IMPORTANCE OF THE AMERICAN PARTY SYSTEM

WITH the passing of the Whig party there comes an end to the second chapter in the history of the American party system. The first chapter ended with the going out of the old Federal party. When the Federal party died there were no stirring political issues to divide the people, and a widespread impression existed that party government was a thing of the past. The Whig party expired while public opinion was deeply moved upon important questions, and no era of good feeling ensued.

There can be no rational or profoundly educative discussion of the party system without raising and, at least in some tentative way, settling the question whether or not that system is an evil in itself to be gotten rid of at any cost. If the party is an evil, then every failure in party government is a public blessing. If, on the other hand, the party is a necessary or a desirable agency in the movement toward a better order, then failure in the party or anything which tends to bring discredit upon the system is a public calamity.

I have assumed that the party is a useful agency in the development of democracy. I admit that a



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large proportion of the wisest and best of men have ever held the opposite opinion. Nevertheless, I believe in the party system as I believe in our system of courts. Any student of history knows that the judicial system has been from beginning to end tainted with corruption and injustice. The courts themselves have often been made the most effective bulwark of tyranny and rank injustice. A minute philosopher can point out detail after detail in the most perfect judicial system known to man, which, in itself, tends to obscure the truth and to make the attainment of justice impossible. It is easy to criticise the judicial system; it is easy to show that it has real defects, that real evils are wrought by its agency. Yet, on the whole, throughout the thousands of years of its history, it must be admitted that the system has made for the bringing in of a better order; has tended to restrain tyranny and promote liberty, to avert injustice and promote justice; so that the common opinion of mankind has come more and more to support the judicial system. With all its faults it has helped rather than hindered human progress.

The man who to-day openly attacks the judicial system has a difficult task. He encounters thousands of years of prejudice and superstition in its favor. Thus far no better plan for settling disputes and composing feuds seems to have been devised. Every attempt to carry on society without courts of law has led to the introduction of mob

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violence or despotism; and so terrible have been the further consequences that a superstitious worship of the judiciary has arisen which has been one of the most serious obstacles in the way of the attainment of a higher degree of justice. The very faults of the system have come to be encircled with a sanctity which resists investigation and correction.

It is quite otherwise with the political party. The court of justice is old and venerable, our party system is new; yet in the origin of the two institutions we may trace a striking analogy. Out of a conscious, manifest need came the beginnings of the judiciary. The widely prevalent practice of private warfare was unsatisfactory, and it was felt that there might at least be introduced the principle of appeal from Philip drunk to Philip sober. As the spirit of justice began to gain the ascendancy in the human mind and reason tended to dominate passion, the inclination toward displacing violence by an appeal to wisdom and right grew continually stronger, and there slowly grew up a system of continuous public interference as a substitute for unceasing and relentless private war. Our modern democratic sympathies impel us to wish that there might have arisen a judiciary which, while satisfying this elemental human need, had not also tended to strengthen despotic government. But history is searched in vain for such an instance. The judicial system was in its origin made everywhere to reënforce despotism.

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As the judiciary grew out of private warfare, so the political party has grown out of civil strife. But the party has come late in human history. Through thousands of years of civil war man has toiled and suffered without any manifest tendency to its development; and the reason has been that no substitute appeared for civil war except despotism. Now, so long as the people believed in despotic rule or have quietly submitted to it, there has been, there could be, no suggestion of the political party. The necessary prerequisite to the party is that a considerable proportion of the citizens of a State shall come to look upon themselves as corporately responsible for the good order of the State. Wherever this condition has appeared there also have appeared tendencies to the formation of political parties. Some agency must be found for the settling of political disputes besides the old one of fighting, or there is no permanent hope for democracy. Such an agency is the party. The system is not perfect; it bristles with imperfections. No one should be satisfied with it if something better can be devised. But the believer in democracy, pending the discovery of the better means, is bound to make the best and most effective use of that which is at hand for accomplishing the people's will.

That the passing of the Whigs has important and unfortunate relations to the Civil War has been indicated in a preceding chapter, and will be still further illustrated hereafter. Almost equally ca-

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lamentable is the fact that the death of the old party and the organization of a new one tends to perpetuate a most persistent and injurious delusion in American politics. That is the notion that a political party is something which may be organized out of hand, by anybody, at any time. After a hundred years of experience and after scores of conspicuous failures, this delusion is as rank and mischievous as ever. One man, or a small group of men who find themselves possessed of a high moral idea will say among themselves, "Go to, now, let us organize and be a political party." When confronted with the difficulty of the undertaking they are sure to appeal to the history of the antislavery agitation. Did not the few and despised abolitionists force upon the country the organization of a new party with high moral principles? Just enough of accuracy pertains to this view to give persistence to its error. It is true that the antislavery party had some influence in the formation of the Republican party. It is also true that the new party was animated by a high moral purpose. But the party was influential in bringing on the Civil War. Therefore the substitution of the new party for the old should be regarded as an example to be shunned rather than as a model to be followed.

The American party system will not have had a fair trial until the system itself is understood, believed in, and generally accepted and adopted. That is, it cannot have a fair trial so long as the

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system itself is seriously challenged. The system involves the maintenance of two great national organizations with local organizations sustained in every part of the Union. The two organizations include all the voters. Each represents the entire nation. An American political party cannot represent a locality; it cannot represent a class, as the laboring class or the capitalist class; it cannot represent any special interest or reform, as the interest of protection or the temperance reform. So soon as a political party comes to represent a section it has taken the first step in a course which threatens disruption. So soon as a political party is understood to represent a particular class it has begun to move in the direction of diffused civil war. So soon as a party is understood to represent one special interest it becomes an organized denial of the American system of government. If an American party advocates a protective policy it must rest such advocacy upon the advantages to the country at large to accrue from such a policy, and not upon the interests of a class. A farmer's party or a working-man's party must rest its claim for support, not upon the interests of a class, but upon the interests of all classes.

On the continent of Europe the so-called group system of political parties prevails. In a single legislative assembly there may be a dozen political parties. These parties do represent special interests or special localities or special reforms. No one party expects to control a majority or to be

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clothed with the responsibility of government. They are all organizations for the purpose of influencing the government in certain particular lines. They are not political parties as the term is used in America.

If the American party cannot represent a section, a class interest, or a special moral issue, what does it represent? As a great organic national institution it represents all sections, all interests, and all issues. The two great parties monopolize the field of political control and constitute the only effective agencies which the people have for making nominations, carrying elections, and securing the ends of government. The parties therefore must take sides upon a multitude of issues pertaining to a great variety of unrelated subjects. So long as the Republican party was dominated by a single issue, it was not in the true sense a national political party. During the Civil War even the name fell out of use. Lincoln was nominated for his second term by a convention of Unionists, and a Southern war Democrat was placed upon the ticket with him. And after the war, so long as the party was maintained in the Southern states by the use of troops, it was still not a normal national party. An organization upheld by bayonets is not a political party. Only very slowly and gradually during the last quarter of a century has the Republican party been recovering from the abnormal conditions which prevailed during the first twenty years of its history. In

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the American political system under normal conditions each of the two parties becomes traditionally associated with a few tendencies which are the subject of political controversy, yet each must be an organ for expression upon a great variety of public questions.

We have in the United States a Civil Service Reform League. It is an organization designed to promote a special reform. It has never pretended to play the part of a political party, but it has directed all its energies to the task of persuading voters in the two national organizations to favor the reform of the civil service, while it has also sought to advance the interests of candidates in both parties favorable to the reform. Had the Reform League gone into the field as a political party, nominating candidates and attempting to carry elections, it would have played into the hands of the more corrupt elements in the two chief parties.

A different course has been taken during recent years by a class of highly moral persons who believe in radical temperance legislation. Instead of seeking to secure the legislation desired by an appeal to the voters in the two parties, a few of the temperance reformers have chosen to act the part of a political party. As might easily have been foreseen, the posing as a party tends to belittle their cause by the sorry showing of support which they are able to command. The votes which they control can never truly repre-

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sent the strength of the cause. Then again, such a party tends directly to political corruption. It is sure to be regarded as an ally of one or the other of the real parties. A few years ago a member of the national committee of one of the great parties published over his own name the details of a bargain which he had entered into with the leader of one of the minor parties, promising to pay a considerable sum of money on condition that his party campaign should be confined to a given locality. The situation was such that the third party would draw votes from the great party whose interests the committee member wished to serve. If, for a cash consideration, the leader of that minor party could be induced to confine his labors to those states in which there was a perfectly safe majority for the other party, the money would be, in the judgment of this practical politician, money well spent. In this case the other members of the national committee refused to ratify the bargain. Immediately the third party leader moved into the state where his campaign would be most injurious to the prospects of the party which had rejected his terms, and the charge was publicly made that he had sold out to the other one of the leading parties. Whether this particular charge was true or false, the circumstance illustrates a real temptation which is created wherever a few thousand voters become detached from the regular parties and are placed in a condition to be manipulated and thrown from one party to



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the other. In the Northern states a Prohibition vote is usually counted as a vote drawn from the Republican party, while the Populists draw chiefly from the Democrats. It is to the interest of the Democrats, therefore, to turn the most effective temperance campaign into those localities where the Republicans are most susceptible to injury, and the Republicans are interested in strengthening and manipulating the "middle-of-the-road" Populists so as to injure the Democrats. In either case the relation is insincere and tends to corruption.

In 1896 the "Gold Democrats" put in nomination candidates for the presidency and vice-presidency with the avowed intention of defeating the regular Democratic nominee. There was no pretence of organizing a new party. On the contrary, the contention was that one of the old, tried parties was wandering from the right way, and, in the opinion of the gentlemen of the Indianapolis convention, it was better for the party and better for the country that their party should be defeated. In such a movement there is nothing confusing and nothing which tends to corruption. It was an open and undisguised effort to accomplish a definite political end. There might arise a special emergency in which the Civil Service League would name a candidate of its own to defeat an obnoxious candidate or to cause one of the parties to change its policy. Such conduct is not to be confused with the organization of a third party. The third party aims at the destruction of one or the other

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of the established parties, and the elevation of itself to a dominant position. It will be profitable to study the history of some of those movements which have arisen from time to time to embarrass American politics.

The Liberty party was formed in 1839 to promote the abolition of slavery by political methods. Before the campaign of 1844 its managers seem to have become convinced that as the organ of a single cause it could not gain control of the forces which command political success. The platform adopted in 1844 therefore proclaimed, in its third resolution, that no existing party represented "the true principles of American liberty." In the fourth resolution it declared flatly that the Liberty party was not organized for the single purpose of the overthrow of slavery, but that it was devoted to every just measure for social freedom. The fifth resolution reads: "The Liberty party is not a sectional party, but a national party; was not originated in a desire to accomplish a single object, but in a comprehensive regard to the great interests of the whole country; is not a new party, but is the party of 1776, reviving the principles of that memorable era, and striving to carry them into practical application."

Nevertheless, in spite of this specious and high-sounding claim, the fact remained that the Liberty party was a little group of men drawn together by similar opinions in respect to a single subject of national import. The platform of 1844

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was a pretence. The antislavery group had no great scheme of national policy to offer. In the election they secured votes enough to turn the scale in favor of the proslavery policy for the acquisition of Texas. The Whigs opposed annexation, while the Democrats favored it. The new and untried third party was used as a makeweight in a Democratic campaign, and secured victory for the policy which it professed especially to oppose. This was by no means all of the mischief accomplished. Confusion was introduced into party issues. The members of the new party were naturally looked upon by the antislavery Whigs as either wanting in sincerity or lacking in intelligence. Their action brought division and animosity into the ranks of the antislavery forces and tended to belittle the cause. While in the doubtful states the party could and did cast enough votes to affect the result of a closely contested election, yet it cast only a small fraction of the real antislavery vote. Its course tended in every way to bring the cause into contempt. Even among the professed abolitionists a considerable number refused to support the movement.

The career of the Liberty party was brief. In 1848 this new "party of 1776" was the first to appear in the field with its candidates. Yet before the end of the campaign it had decided to vote itself out of existence and to unite with another new party organized under a new name and composed of a variety of discordant elements. Only a

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mere ghost of the Liberty party survived the one election in which it played a noteworthy but baleful part.

A similar experience awaited the Free-soil party which absorbed the greater part of the Liberty party. A few disaffected Whigs who were displeased with General Taylor's candidacy were ready to join the new party, but its most important element was made up of a faction in the Democratic party. The Barnburners, a group of New York Democrats led by Martin Van Buren, had been ill treated in the National Democratic Convention of 1844, insomuch that they withdrew from the convention. Again they were aggrieved at the action of the National Convention of 1848. The experience of the Liberty party of 1844 had shown how easy it was to determine the outcome of a close election by the use of a so-called third party. The Barnburners wished especially to defeat the regular nominee of the Democratic party. To do this they determined to bring out an independent candidate, so as to divide the New York vote and thus turn the state to the Whigs. Martin Van Buren consented to be the candidate of the disaffected faction. Many of the Barnburners were ardent supporters of the Wilmot Proviso. This fact attracted antislavery sympathizers and induced them to cast in their lot with the Democratic "bolters" and to accept Van Buren as the candidate of all who united under the new name, the Free-soil party, or the Free Democracy.

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Many of the antislavery people were, however, utterly disgusted with the whole proceeding. President Van Buren, they knew, had played into the hands of the slave power during his administration, and they felt that they, as a political element, were being corruptly used to gratify personal spite by those who had no sympathy with their main purpose. Certain it is that the Free-soil campaign was so managed as to enable the Barnburners to administer punishment to their enemies in their own party. After this was accomplished Martin Van Buren and nearly all of the disaffected Democrats who had acted with him were reabsorbed into the Democratic party, so that in 1852 the Free-soil vote was comparatively light.

One episode serves still further to illustrate the sinister tendencies of third party politics. The Free-soilers succeeded, in 1848, in electing a few members to the House of Representatives in Congress, where the balance between the two parties was so nearly even that they were able to control the election of the Speaker. The Whigs, as representing a larger antislavery element, would naturally expect to be favored in such a contest. But the unexpected happened, and the speakership went to an extreme proslavery Democrat.

If anything were wanting to throw discredit upon the principles involved in third party politics, it may be found in the history of two other third parties not remotely connected with our political development. I refer to the Anti-mason and the Know-



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nothing parties. The Anti-masons sprang up in 1827. The movement arose from a popular excitement incident to the disappearance of William Morgan, who had threatened to expose the secrets of the Masonic Order. It represented a crusade against secret societies in general and the Freemasons in particular. At this time party organization was in abeyance. The party of Jefferson was threatened with decay for lack of organized opposition. Before the National Republic party took organic form, the Anti-masons were in the field as a fully developed political party and carried elections in several states. It was the first political party to call a national nominating convention. As the Whig party became fully organized the Anti-masons disappeared, except as a ghost of the old party survived and is still perpetuated by a few zealots who bring out a candidate every four years. Many of the members were absorbed into the Whig party.

This movement illustrates two things of special interest in party history. The first, which the career of the antislavery parties also exemplifies, is the futility of an attempt to maintain a party in America in the interest of a single issue. The second is an inveterate tendency of the American people to organize political parties whenever any group or class becomes stirred over any question of any sort whatever. If at the time of the disappearance of Morgan there had been in the field two strong political parties in good working order,

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either there would never have been an Anti-mason party, or, if it had been born, it would have had from the beginning a mere shadowy existence and an inappreciable influence. The Anti-masons became formidable and even carried elections, because there was just at that time a great abundance of unused political raw material. There was never anything in the movement to give permanence to a national party. When the Whig party laid hold of the unused party material the adventitious party collapsed.

The only rational basis for the Anti-mason party was found in the objection to the use of a secret society to influence politics. But the Know-nothing party, which sprang up upon the decline of the Whig party, was itself an oath-bound secret society. It was composed of the same sort of persons and, to a large extent, of the same individuals who had been engaged in the anti-secret-society movement. In spite of the logical contradiction in the two movements, there was, after all, a striking similarity between them. Each was preëminently sentimental and appealed to a peculiarly sentimental class. There are those who can never be induced to work in dead earnest for any cause unless they can be confronted by some bogie which in their view threatens immediate and dire destruction to all that the world holds dear. In the case of one of the third parties under discussion the bogie was secret societies. In the case of the other it was the Catholic Church.

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The most disgraceful chapter in the history of Christendom is found in the wars and persecutions between Protestants and Catholics, and the effects of the centuries of diabolism survive in the deep-rooted prejudice which may be stirred up and utilized for political purposes wherever men are found foolish enough or base enough to do it. Between Orangeman and Catholic in Ireland this anti-Christian hatred long ago became organic and hereditary. As incident to the famine in Ireland, in 1846, large numbers of the Irish people emigrated to America. The immigrants belonged chiefly to the Catholic faction in Ireland, but Orangemen came also and the spirit of the Orangeman came with them, so that there arose in America a real and intense dread of Catholic domination. For several years preceding the collapse of the Whig party in 1852 there had been a growing organized opposition to the influence of foreigners in American politics. The ignorant foreign vote undoubtedly, as was asserted, did somewhat to facilitate corruption in city governments, and as a rule the Democrats were the gainers by the foreign vote. The name Democrat had a manifest attractive power, as it still has for large classes of our European immigrants, while in the name of the Whig party there was no such appeal. The Whigs were not slow to discover this, and it constituted one reason for the dissatisfaction with the name.

Had the two regular parties held the field with normal vigor, this anti-foreign movement would



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have kept within bounds. If the Democrats had continued to attract a larger proportion of the immigrant Irish, the Whigs would have found means to win the support of Germans and Hungarians. In any event religious fanaticism would have been restrained. But the experience of the Liberty party and the Free-soil party was teaching the unhappy lesson that it was easy, by appeals to the excitable and the unreasoning, to gather a comparatively small vote which could nevertheless be made, by secret manipulation, to hold the balance of power in an election. Even before the antislavery parties had become defunct, secret societies organized to antagonize the political influence of foreigners were applying these hidden means of political control with growing success; and when the Free-soil party declined after its one campaign of 1848, the Secret American or Know-nothing party rapidly extended the area of its organization and influence. Its methods were astonishingly effective. There was no public speaking; there were no processions, none of the usual campaign efforts to attract public attention. At first there were no public nominations. Yet many sensational surprises were perpetrated in local elections, and before the Whigs had vanished from the political stage that strange, oath-bound, un-American American party had ramified throughout the whole country. In the year 1853 there were peculiar conditions which may be said to have placed half the people, North and South, in a state of political

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orphanage. Then it was that the Know-nothing party rose to national proportions and threatened to take the place left vacant by the Whigs. At a council held in Cincinnati a decision was reached that the new party would take no position for or against slavery or any subject growing out of slavery. It would favor the Union and support the policy of "America for the Americans." In the North the career of the party was cut short by the introduction of the debate over the Kansas-Nebraska Bill in 1854; but in the South it played a considerable part in local politics for several years.

Everything which the American party stood for and represented was contrary to the fundamental principles of our American institutions. A secret society cannot fill the place of a political party in a true republic. The religious prejudice to which it appealed belonged to the Dark Ages.

Like all third parties, the American party had a bewildering and confusing effect. It had much influence in the formation of parties on sectional lines. When the Southern Unionists joined the Americans they believed that they were uniting with a national institution to save the Union. A few months later they found themselves united instead to a sectional secret society, which, from the standpoint of the needs of their own section, was absolutely without rational basis. The South was never troubled with foreigners, and there was no reason why they should grow frantic over the fear of Catholic domination. Writing for the New

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York *Independent* for January 18, 1855, Henry Ward Beecher said: "We are making straight upon disunion as ever a people did, and blind-folded." He was referring to the facility with which the Northern conscience had been stifled by the perfidy of a so-called American party. Thousands, he said, had been inveigled into "these catacombs of freedom" under the delusion that the lodge would champion freedom. Nine-tenths of the people North and South truly wished to save the Union; but they lost their grip upon the agencies which might have been effective to that end without resort to civil war. At the door of the falsely named American party must lie the charge of helping to confuse the voters and strengthen the forces of disruption.

Americans are limited to the use of two parties, and only two, chiefly because of the fact that the enduring party has and must have a vast and complex organization. It is at the same time both national and local. Party officers attend continually to necessary or important public duties. Nominations must be made and elections held, and it is desirable that public questions should be stated and debated. The political parties through their officials attend to these duties. In order that one party should be maintained in efficient working order it must be confronted by another of like organization and efficiency. When the two organizations have preëmpted the field there is no room for a third. If our experience of a hundred years

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proves anything it proves that the attempt to create and maintain a third political party is a culpable waste of political energy.

But nearly all those who have been connected with minor political parties are men of high average intelligence; they represent political convictions worthy to be spoken and to be heard,—convictions, often, which should be embodied in actual public policy. What then is the holder of valuable but unaccepted political principles or theories to do? In the first place he should recognize the stern, hard fact that thus far American political genius has invented only one clearly defined agency for translating political conviction into public policy, a peculiar bi-party system. He should then unite with others of like persuasion in seeking to impress his views upon one or the other of the established political parties. Possibly under certain political emergencies, the believers in a given policy may wisely organize and place candidates in the field in opposition to the regular candidates. This depends upon local or temporary conditions. But even in all such cases our experience seems to prove that it were better for the promoters of the special policy to disavow openly any intention of being or becoming a great national party. I admit, however, the theoretic possibility that the two regular parties may become so confused in their relations to each other and to the voters that the line of least resistance may be in the direction of a radical reorganization of parties.

## CHAPTER XIII

### THE RISE OF THE REPUBLICAN PARTY

THE Republican party arose out of the concurrence of circumstances, conditions, and events of great political significance which are themselves the outcome of our antecedent national history. Some of these have been dwelt upon in preceding chapters, while others are yet to be considered.

It was universally recognized after the election of 1852 that the end of the Whig party was assured; but a full year intervened before anything occurred to demonstrate the necessity for a new party to confront the Democrats upon national issues. In the meantime, as we have seen, the American party was spreading into every part of the country; but it was not yet prepared to contest the field in a national election, and the Democratic party was left without effective opposition. It was plain that any man who should succeed in winning the Democratic nomination in 1856 would without doubt become President of the United States. The situation made it practically certain, also, that the candidate would be a Northern man, since the only real obstacle to the triumph of the party was to be found in the Northern states.

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It had come to be understood that the Democratic policy should be dictated by the South, or should at least not be offensive to that section. The party candidates in 1848 and in 1852 had been Northern men, but each had made haste to give assurance that his administrative principles would be such as the Southern wing of the party would approve. Lewis Cass of Michigan, who was the unsuccessful candidate of 1848, was one of the original supporters of the Wilmot Proviso; but when confronted with the possibility of occupying the presidential chair himself, he professed to have seen new light upon the question treated in that document. A discovery that the federal government ought not, after all, to interfere with slavery in the territories enabled him to escape from his earlier position which was unacceptable to the Southern Democrats. Franklin Pierce proclaimed his stanch adherence to the Compromise of 1850, by which slavery was made legal north of the line drawn by the Missouri Compromise, and assured the country of continued peace and tranquility under this final settlement of the great controversy.

The principle of federal non-interference with slavery in the territories was recognized in that part of the Compromise of 1850 which provided for the territorial government of Utah and New Mexico. The question of slavery was thereby left to be decided by the people of those territories. This, by rendering it possible for

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slavery to exist within the territory north of the Missouri Compromise line, tended to throw a doubt upon the validity of the earlier act.

Under the circumstances it was not strange that shrewd politicians with presidential ambitions should conceive the idea of still further gratifying the South by applying the new principle to the territory immediately adjoining Missouri on the west. Cass and Douglas, aspirants for the Democratic nomination in 1856, were both preparing for that master stroke. Douglas, driven, it is intimated, by a lively fear that his rival might get the start of him in announcing that strategic advance, and taking advantage of his position as chairman of the Congressional Committee on Territories, hastened to introduce a bill which would throw the territory west of Missouri open to slavery. An act giving a territorial organization to Nebraska, which then included what remained unorganized of the Louisiana Purchase — a vast tract stretching from the Indian Territory to British America — had passed the House in the previous session, but, being naturally objectionable to the proslavery politicians who still respected the Missouri Compromise, was defeated by them in the Senate. That bill Douglas brought forward January 4, 1854, with amendments which incorporated a far-reaching discovery of the brilliant senator. The action of Congress in admitting the territories of Utah and New Mexico to organization by which the people themselves were em-

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powered to legalize or prohibit slavery as they chose, Douglas now declared to be the adoption of a principle universal in its application to all the territories of the United States. "Henceforth," he said, "all questions pertaining to slavery in the territories and in the new states to be formed therefrom are to be left to the people residing therein."

Now, indeed, if never before, did the country sorely need a truly national party to confront the Democrats and expose their duplicity. Glancing back over our political history we see how things might have been and ought to have been at this exigency. The Whigs had carried the election in 1848 by putting at the head of their ticket a Southern man with Northern principles. General Taylor, as a Southern slaveholder, was naturally regarded with more or less suspicion by the great body of his Northern supporters; and, as an honest, patriotic man, he took especial pains to consider the views and wishes of the Northern Whigs. In like manner Martin Van Buren and Franklin Pierce, as Northern men with Southern principles, had conducted their administrations with peculiar tenderness toward their Southern supporters, and James Buchanan was to follow in their footsteps.

Had the Whigs held their rational position as a responsible party under the leadership of Taylor and Seward, this principle would have been working as effectively in the Whig party as in the Democratic party. Southern Whigs would likewise have been ambitious for presidential honors.



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For the sake of the Union which they dearly loved and in pursuance of a moderate and conservative policy to which they were disposed by nature, they would have opposed the setting aside of the old Compromise of thirty-five years' standing. Emphasizing the importance of the Union and a conservative opposition to violent and irrational agitation, it would have been as easy for Whigs to continue to find Southern men with Northern principles as it was for the Democrats to find New England Puritans with Southern principles. With two national parties thus related to each other, any serious threat of civil war or any real danger of disruption of the Union would have been out of the question. But after the debate over Douglas's bill, after the organization of the new party of the North, the Southern Whigs, spurned and despised by their former allies, were left absolutely without standing in national politics. In order to maintain a party existence in local government, they entered into a competition with the Democrats in vilifying the North and in appealing in louder than Democratic tones to local and peculiarly Southern prejudice. So far as the party system was concerned the die was cast. Only one national party remained. All other political forces were turned into agencies for fomenting and aggravating sectional misunderstanding and hatred. That which Washington foresaw as threatening the integrity of the Republic had come to pass; political parties were formed on sectional lines.

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The debate over the Kansas-Nebraska Bill revealed the full measure of the folly and iniquity of the Compromise of 1850. The latter principle seemed to dominate when the radical Southern planters framed the Fugitive Slave Act for the express purpose of insulting Northern pride and stimulating Northern lawlessness. And it was folly of the sort for which there is no forgiveness for the Whig party to vacate its commanding position and bind itself over hand and foot to its political enemies.

It is easy to show that the Whig compromisers of 1850 had no intention of repealing the Missouri Compromise; but it cannot be denied that they did intend to soothe the wounded Southern pride by a law making it legally possible to carry slavery into certain mountain regions where it was morally certain no slave would ever go. The people of New Mexico had already adopted a constitution prohibiting slavery. To say, therefore, in the statute, that New Mexico might be admitted into the Union with or without slavery according as the people of the territory should determine, was apparently of no practical consequence save as a salve to the sore Southern disappointment in the outcome of the Mexican War. In the same spirit Douglas formulated his fateful Nebraska Bill. Probably he had at first no more intention of actually enlarging the area of slavery than had Webster in laboring to remove the legal restriction from the territory of Utah. Northern free labor was

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moving westward, as he knew, by leaps and bounds. It was not at all likely that slavery would ever gain any foothold in the region between the Rocky Mountains and the states of Minnesota, Iowa, and Missouri. Douglas, no doubt, sought to further his presidential prospects without making any actual change in the practical situation respecting slavery extension. His principle of popular sovereignty was a taking one, and the universal application of the theory of non-interference with slavery in the territories gave to the Compromise of 1850 an air of completeness and finality. It seemed to relieve Congress from a burdensome care and to establish, as its author claimed, the just and logical principle of true democracy, by leaving to the inhabitants of each territory the free choice of their own institutions.

But Douglas as a candidate for the presidency soon found his path beset with unexpected difficulties. The sincerity of his motives was called in question. The South was insulted by the pretence of legalizing slavery in territory already, by the Missouri Compromise, preëmpted for freedom. The bill originally said nothing about this Compromise, only providing that whenever Nebraska should be admitted as a state, or states, the constitutions then adopted should determine the status as to slavery. This was declared to be mere chicanery and humbug. So long as the Missouri Compromise remained the law of the land, slavery could have no legal recognition in Nebraska while

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it was yet a territory; free labor only could exist there. But by the Douglas bill the South was to be cajoled with the empty notion that, at the instant of entering upon the sovereign act of forming a constitution for a proposed state, the free men of the territory might invite the competition of slavery.

To meet this dilemma Douglas undertook to assume that the earlier law was superseded by the act of 1850. Thus he hoped to legalize the immediate introduction of slavery into Nebraska and so placate the South, while at the same time escaping the odium of an express repeal of the Missouri Compromise. But from this refuge the wily but unfortunate statesman was shut out by an amendment to his bill, introduced by Senator Dixon of Kentucky, explicitly repealing the earlier Compromise. This amendment Douglas was practically forced to accept, so that upon him must rest, after all, the responsibility of removing the ancient barrier to the aggressions of the slave power which had been generally accepted as binding upon the nation with almost the sanctity of the Constitution itself.

Distrusted by the South in spite of all, reprobated by many of his former allies in the North, and assailed by the fierce animosity of the thoroughly roused antislavery element, Douglas seemed in danger of becoming the most despised of statesmen and utterly ruined as to his political career. His only hope lay in winning against fate the con-

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fidence of the proslavery South. Once more the bill was redrawn; the Dixon amendment was incorporated and the Nebraska tract was divided into two territories, Kansas and Nebraska; the Fugitive Slave Law was to apply to both, and "popular sovereignty" was to determine the local institutions of both.

Douglas thoroughly understood the conditions in the region directly affected by his bill. He knew that the strong and aggressive slaveholding population of western Missouri might be trusted to cultivate the cherished institution within the new Kansas territory, while across the Iowa border free labor would as certainly win the day in the distant future when Nebraska too might seek statehood. But Douglas did not know New England, nor did he appreciate the grim determination with which the antislavery forces of the whole North confronted this latest aggression of the slave power.

A political issue was now supplied in which the whole country was deeply interested, an issue great enough and plain enough to eclipse all others. But it was an issue which tended to array the North against the South. Of all the nationalizing forces the only one now remaining as a barrier against civil war was the continued existence of the national Democratic party. The great iniquity of the Douglas bill which legislated civil war into Kansas, united former Whigs, Americans, Free-soilers and antislavery Democrats in a vigorous effort, as "Anti-Nebraska men," to prevent its

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enactment into law. Failing in that they promptly accepted the challenge which the act proclaimed, and determined to out-colonize the slaveholder in Kansas. There was ample opportunity for the people to inform themselves respecting the proposed legislation. Five months of warm discussion and laborious effort were required to get the bill through the two houses, and every step was followed with growing excitement by the public outside. There was a remnant of the Whig party in Congress to oppose the passage of the act, and not all of those who did so were Northern men. Senator Bell of Tennessee was one who voted against the bill. A few Free-soilers and a goodly number of Northern Democrats swelled the opposition.

During the congressional debate the question was raised whether or not the citizens of a territory, while yet under territorial government, could by territorial legislation prohibit slavery. Senator Chase introduced an amendment affirming that right; but the amendment was voted down, and the bill passed leaving the matter in doubt. Extreme advocates of slavery had already developed the doctrine that under the Constitution Congress had no power to exclude slavery from any United States territory, and that the Missouri Compromise was from the beginning unconstitutional and void. They maintained that, as Congress had no authority to restrict the right to hold slaves, much less had a territorial government, which was itself the creature of Congress, any such power. Not only had the

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slaveholder free access with his slaves to all the territories of the United States, but it was also the duty of the federal government to secure him in the exercise of that right. Only the people in a sovereign state or in the act of forming a sovereign state had power to limit the rights and privileges of the slaveholders. There was never really any opportunity to test the meaning of the law in this regard. Kansas was the only territory in which slaveholders tried to assert their rights, and there the contest was waged between two rival constitutions and governments, one protecting, the other excluding slavery.

Two months before the Kansas-Nebraska Bill became law a practical movement for checkmating the plans of the triumphant proslavery party was taking shape. Eli Thayer, of Worcester, Massachusetts, proposed to his antislavery compeers that they cease talking about auction blocks and bloodhounds and really do something to stay the spread of slavery. With true Yankee wisdom he planned to organize a company to preëempt all the territories of the United States for free labor and at the same time to make money for the promoters. He would meet Douglas and his slaveholding associates on their own ground. Thayer's company, with a capital fixed at \$5,000,000, was chartered by the Massachusetts legislature, and before the close of the summer of 1854 some five hundred antislavery emigrants, under the guidance of the New England Emigrant Aid Society, were on their

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way to Kansas. But it was fatally easy to colonize Kansas from Missouri, and the proslavery forces were vigilant and active. They rushed across the line, secured the most desirable lands along the border, planted towns, and established residence.

The Missourian had the New England immigrants at a disadvantage. He could easily live in two places, could vote and fight in Kansas and then retire to his more secure Missouri home, where he would cultivate his fields and attend to his business or his pleasure until election day again came round. But the Northern immigrant was a settler; he came to stay; he voted and fought for his home and his family, and he did not run away. Moreover, he continued to come to Kansas. Before the end of the year 1854 there were several thousand free-state settlers in Kansas Territory.

Conditions could hardly have been more favorable for those who wished to promote the disruption of the Union. Few indeed were the ties that bound the sections together. Long ago the churches had stood apart; one branch was uttering denunciations against the sin of slaveholding, the other taught the divine right and duty of slaveholding. Some commercial interests tended to some extent to hold the states together, but others drove them apart. The South remembered the time when the plantation states were growing rich under slave labor; now the wealth of the manufacturing states left them far behind. The belief



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that a protective tariff enriched the manufacturers at the expense of the planters had become traditional. Visions of a great free trade empire to be built up around the Gulf of Mexico, directed and controlled by the Gulf states of the Union, danced before the eyes of Southern statesmen. If only the states of the South could become master of their own destiny, it seemed that endless riches and unlimited power might be theirs. Commercial ideals tended to disruption. The purse-proud North, the South believed, was bent upon overpowering and humiliating the slave section. There was a widespread belief that, as a literal fact, millions of dollars were being used to rob the slaveholders of their rights in Kansas. A generation had grown up honestly believing that the institution of slavery possessed all moral and constitutional sanctions. They could not understand the grounds of Northern opposition; and no more could the North understand the Southern position respecting slavery. For a whole generation a false system of moral instruction — of anti-Christian teaching — in North and South had stifled the spirit of brotherhood and sown the dragon's teeth of misunderstanding and misrepresentation.

We are told that the Mohammedan child is taught to lisp the word "infidel" with all possible spite and venom. It is made a part of his religion to hate and despise the infidel. Hence it follows that not only may a Mohammedan murder a Christian with a clear conscience, but that he cannot

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with a clear conscience refrain from engaging in murderous warfare.

A similar training led abolitionist and Southern "fire-eater" to hate and despise each other. In many a Northern family children grew up believing that life in the South was typified by the bloodhound, the auction block, and the mob. And the children of the plantations were in their turn made to regard the pure-minded, self-sacrificing anti-slavery philanthropists as malignant aggressors, delighting in stirring up the negroes to exterminating warfare against the white South. This was the bending of the twig. By the time of the rise of the Kansas agitation the inclination of the tree was irretrievably fixed.

Out of the struggle for the possession of Kansas came a new alignment of political forces, and the Democratic party found its position seriously assailed by a new party which had almost no support in the slave states, but into which went large numbers of Northern Democrats. This desertion forced the old party to rely more and more upon its Southern membership, and aided the geographical division which had become imminent. The name of the Republican party was exceedingly popular in the North. It was one which had been associated with American politics almost from the beginning of our national history, and had never quite disappeared from party nomenclature. It breathed the spirit of Jefferson, and the chief plank in its first national platform was selected from the oft-

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repeated utterances of the sage of Monticello, while its preamble affirmed the action of the convention to be that of the people of the United States who were in favor of "restoring the action of the federal government to the principles of Washington and Jefferson." Southern men viewed the new party in a different light. To them it was an organ of abolitionism, a sectional party with designs of aggression. Extremists resented the appropriation of the honored name of Jefferson, and refused to apply it to the arrogant organization which they angrily referred to as the "Black Abolition" or "Black Republican" party.

For the second time in our party history, Jefferson, the one transcendent party organizer, had become divided against himself. The first instance occurred immediately after the death of Jefferson, in 1826, when the opponents of Jackson and Van Buren undertook the formation of a national party to which they gave the old name, Republican, which Jefferson had preferred. These National Republicans arraigned the Jackson Democrats as dangerous innovators who had departed from the safe and well-tested principles of the early Republicans, while they professed to be themselves their only true and legitimate successors. But no single issue stood out prominently as a standard and test by which the defection of the Jackson Democracy from the Jeffersonian Democracy could be established. The contest became a mere war of words; the new party failed to make

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good their contention, and their enemies succeeded in fastening upon them the stigma of having revived an obsolete and unpopular Federalism.

The situation in 1856 was entirely different. Very definite issues connected the newly formed Republican party with the teachings of Jefferson. The party was organized with the express purpose of giving effect to that policy in respect to the extension of slavery which Jefferson had uniformly approved. He had favored the exclusion of slavery from the Northwest Territory by act of the federal government, as had Southern statesmen generally. The purchase of Louisiana had indeed involved an unavoidable slight expansion of the slave area, but it was President Jefferson's fixed purpose to reserve all the unoccupied portions of the Purchase for free labor. Looking with regret upon the growing proslavery sentiment of the South, he approved of the restriction placed upon the extension of slavery by the Compromise of 1820. It was the repeal of this act which brought the Republican party into existence, and it stood for the principles and the policy of the Revolutionary fathers on the slavery question. Of this policy no better representative could be found than the father of the old Republican party.

But from the Jeffersonian arsenal came also the weapons which armed the opposing forces. The extreme proslavery section of the Democratic party likewise appealed to the teaching of Jefferson in support of their most pronounced views. The

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explanation is not far to seek. During the great man's lifetime slavery was in no sense a party question; his remarks upon the subject were not those of the leader of a party, but simply those of a man and a citizen. The relation of the state to the central government was, however, a party question of the very first importance at the time the old Republican party was organizing. The one great menace to human liberty, in the eyes of the founders of the party, was centralized government. Their opponents, the Federalists, were always charged with leaning toward monarchy. Jefferson counselled revolution as preferable to a tame submission to the enslavement of a centralized government. The one doctrine which his party inculcated as of supreme consequence to a free people was the maintenance of the rights of the individual states, along with the restriction of the powers of the general government. The unforeseen entanglement of the two principles,—the support of slavery and of the doctrine of State Rights,—by which the Democratic party became committed to both, became in after years the fatal dividing wedge between the sections; but that union was not original or essential.

The new Republican party of 1856 embodied portions of the Declaration of Independence in the party platform that they might use the name of Jefferson to conjure with in opposition to slavery. The Democratic party embodied the Virginia and Kentucky Resolutions as a part of their platform,

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that they might use the name of Jefferson along with that of Madison to conjure with in support of extreme views respecting the use of the states in resistance to federal encroachment. Thus, by the accident of time and circumstance, the founder of the old Republican party was made to appear divided against himself. The antislavery Jefferson inspired the new Republican party; Jefferson, as the inveterate enemy of centralized government, gave aid and comfort to the extreme faction of secessionists in the Democratic party. The two doctrines were worked at cross purposes. Over either question alone there could have been no serious war, no disruption of the Union. In the defence of slavery only the South could never have been united as it was in 1861. It was rather an unreasoning dread of dire and intolerable calamities incident to a centralized government controlled by an unfriendly section which precipitated the crisis. Slavery, as the most peculiar, the most spectacular and tangible of sectional institutions, was made the chief occasion rather than the principal cause of the array of the new Republican doctrine of the supremacy of the central government against the old Republican doctrine of the sovereignty of the independent states.

The situation in 1856 was unprecedented. The new party commanded the support of only a limited portion of the country, while in one great section it had practically no existence. The other was a truly national body whose organization extended

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throughout the whole country, and in the North it still held nearly half the voting strength. Yet the great national party had been, during the two preceding years, repeatedly beaten by small majorities in local elections over a rapidly enlarging area. The conditions made it possible for the two Houses of Congress and the presidency to fall into the hands of a party whose voters represented only a little more than one-fourth of the people. To the convinced secessionist nothing could be more advantageous. The Congress which was elected after the passing of the Kansas-Nebraska Bill, had in the lower House enough men of the new party to elect the Speaker. On account of the presence of third party members, Know-nothings and a few Whigs, the election was accomplished only after a two months' contest, and was finally determined by a plurality vote under a special rule of the House. So it came about that a minority of the members of the House, many of whom were elected by small majorities or by mere pluralities, controlled its organization; while the Democratic majority, whose members from the South had been elected by large majorities, were helpless. A political party representing a section, when confronted by a party representing the entire country, has, under our system, political power beyond its numbers.

The secessionists were never before in so favorable a position to make inroads upon the Southern Union sentiment. From time immemorial

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threats of secession had now and then been made ; but not until the year 1855 did such threats emanate from a definite section without meeting serious challenge in that section. When the Republican party arose, the whole South was drawn together to oppose a sectional Northern party. True Unionists of the Southern states were led to believe that the surest way to save the Union was to give all possible emphasis to the danger to be incurred by the election of a President from the new party.



## CHAPTER XIV

### THE WAR IN KANSAS

THE Kansas-Nebraska Bill became a law on the 30th of May, 1854. The reaction of feeling over the repeal of the Missouri Compromise was deep and widespread, and the election of the following autumn was made the occasion for calling to account the members of the lower House who had voted for the measure. Among them were forty-two Northern Democrats, of whom only seven were reelected. Mr. Rhodes, the historian, quotes the estimate of the *National Intelligencer* which places the Democratic losses due to the bill at 347,742, and even these figures do not fairly represent the magnitude of Northern opposition. Mr. Rhodes is of the opinion that, if the Northern people had been properly led, if there had been at hand an effective agency for the expression of public opinion, the mischief would have been undone and the old Compromise restored. But the Know-nothing party was still extending its confusing and paralyzing influence throughout the land, and there were many who yet cherished the vain hope of restoring the Whig party. The Republican party had not yet assumed organic form.

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A few of the states brought out candidates under that name in the autumn of 1854, but many months were yet to elapse before the name was generally adopted in the North and the sentiment which it represented had become crystallized into form for influencing national politics. It is not improbable that, but for the bewildering effect of the secret dark-lantern party, the new party with the old-new name might have been gotten into working order in place of the Whig party in the South as well as in the North. Of the Southern Whigs there remained a few who were disposed to resist the Democratic attempt to force slavery into territory so long consecrated to freedom. If to this issue had been joined open and professed devotion to the Union, such a party would have gathered strength in the South. The Republicans discarded all abolition intentions. Few in the North were really inclined to interfere with slavery in the states; they were satisfied with opposing its extension, and that was the policy of the Republican party. Had the party only once succeeded in effecting an organization in the South, thereby becoming a national institution, it would have changed the whole after history of the country. /

But during the months when the permanence of the new party hung in doubt, civil war developed on the plains of Kansas. When Andrew H. Reeder of Pennsylvania, the first territorial governor of Kansas, entered upon his duties, in October, 1854, he found the settlers living at peace if not

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in harmony. Northern immigrants had been coming since midsummer. They had found the proslavery forces already established; but there was ample room for all, and no occasion for conflict had appeared. The governor set November 29 as the day for choosing a territorial delegate to Congress, and, by quite gratuitous illegality, an army of Missourians invaded the territory on that day to vote for a candidate who would have been elected by the settlers without their aid. So the year passed without serious disturbance.

Trouble began when the day came for electing the territorial legislature, March 30, 1855. Five thousand Missourians, "with guns on their shoulders, revolvers stuffing their belts, bowie-knives protruding from their boot tops,"<sup>1</sup> took possession of every district but one, and a legislature was chosen to suit the invaders. Governor Reeder took the side of the outraged settlers and was disposed to set aside the election; but the free state party was so effectually intimidated that protests were presented from only seven districts. New elections were ordered in those seven; but in the remaining districts, when the governor was confronted by armed men who gave him the option of issuing certificates to the men who had received the most votes or being immediately riddled with shot from their revolvers, he issued the certificates demanded.

The legislature so chosen met and soon became unanimously proslavery, for the members from the

<sup>1</sup> Rhodes's *History of the United States*, Vol. II., p. 281.

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seven contesting districts were refused admission, while the single free-soiler from the district not visited by the Missourians felt himself so lonely and powerless that he resigned. A body of laws was at once enacted that would have done honor even to Draco. To assist a fugitive slave was death. No man could hold office, no attorney could practise at the bar, who did not first swear a solemn oath to support the Fugitive Slave Law. It was made a penitentiary offence even to express a doubt as to the legality of slavery in the territory. Speaking of these first Kansas laws, Senator Clayton of Delaware remarked that John C. Calhoun himself, had he been alive and had he lived in Kansas, would have been in danger of going to the state's prison.

With such a legislature Governor Reeder could not live in harmony. In July he visited Washington to secure the support of the administration in the interest of justice to the settlers; but the views of the federal government were hopelessly at variance with his own. President Pierce, representing his party, took the position that the Democrats, in a spirit of conciliation and compromise, had offered two territories, Kansas and Nebraska, for settlement. Seen from the distance of Washington, they looked equally inviting. One was for free state settlers, the other for slaveholders. For free-soil immigrants to enter Kansas was of the nature of invasion; and the continuous influx of Northern settlers into Kansas was regarded by the Democrats

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at Washington as a deliberate and systematic interference with Southern rights by the enemies of slavery.

Governor Reeder had gone to Kansas fully in sympathy with the administrative views. He had even taken pains to declare himself entirely untrammelled by any antislavery scruples; he would "as soon buy a negro as a horse." But as an actual resident and responsible official in Kansas he soon viewed the situation in a different light. Instead of finding fanatical abolitionists hired with Northern money to stay in Kansas only long enough to cheat the slave-owners out of their rights, he found peaceable, inoffensive, unarmed citizens. Many of them were fellow-Democrats who had voted for Pierce, but they all much preferred buying horses to buying slaves. In the first territorial legislature chosen by the free-soilers in opposition to that elected by the armed Missourians, more than half were Democrats; and at about the same date the New York *Independent* called attention to the fact that the Kansas settlers were not conspicuously of abolition principles, some of the free-soilers being from the slave states. In short, Governor Reeder was too honest and candid a man not to become a free-soiler himself. He was consequently removed from office, and a more pliable proslavery Democrat succeeded him.

Dr. Charles Robinson became the acknowledged leader of the free state settlers. He was a man

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who had had experience in California in practical methods of state building. In his judgment it was the part of statesmanship first to procure a supply of Sharpe's rifles. This was accordingly done, and the free-soil forces then gathered at Lawrence in August and repudiated the fraudulent existing legislature. They also took immediate steps to have Kansas admitted as a state without waiting for an enabling act of Congress. Such proceedings were informal, but they were not unprecedented. A constitutional convention met at Topeka in October, 1855, and formulated a state constitution which prohibited slavery. Having been submitted to popular vote, it was almost unanimously ratified, the proslavery party ignoring the whole matter. In January of the following year a full set of state officers, with Dr. Robinson as governor, a legislature, and a representative to Congress were elected, and Kansas made formal application for admission as a state under the Topeka constitution. The new legislature, having met in March, 1856, to complete the organization of the state, adjourned to reassemble in July. A bill admitting the free state of Kansas passed the lower House of Congress, but was rejected by the Senate. In this dilemma the free state settlers saw nothing to do but to stand by the government which they had themselves set up, even without the federal sanction which they had sought. From the territorial government, strong in administrative support, they could expect only perse-

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cution. As early as January of that year the President had issued a message warning the anti-slavery settlers to desist from their unlawful acts, and the territorial judges proceeded to treat the acts of the new state government as acts of treason against the United States.

Kansas was thus supplied with two distinct and hostile governments, the one organized pursuant to an act of Congress, the other by the unauthorized acts of a portion of the settlers. The supporters of both were thoroughly armed, and were rapidly becoming organized and drilled as soldiers. The state legislature met in July, according to adjournment, but was promptly dispersed by federal soldiers acting under orders from Washington. President Pierce had pledged "the interposition of the whole power of the general government as well to maintain the laws of the territory as those of the Union."

Mr. Rhodes gives two pictures which are well fitted to illustrate the effect of the situation in Kansas upon the country at large during the early months of 1856. The first is a scene in Montgomery, Alabama. Colonel Bufort, an Alabama planter, had sold slaves to the value of twenty thousand dollars, which he had devoted to the equipment of a battalion of three hundred soldiers, to be used in fighting the battles of Southern rights in Kansas. "The day that Bufort's battalion started from Montgomery, they marched to the Baptist church. The Methodist minister

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solemnly invoked the divine blessing on the enterprise; the Baptist pastor gave Bufort a finely bound Bible, and said that a subscription had been raised to present each emigrant with a copy of the Holy Scriptures. Three or four thousand citizens gathered on the river bank to bid them farewell, and there were not lacking the bright smiles and happy faces of the ladies to cheer them on. A distinguished citizen made them an address, saying that on them rested the future welfare of the South; they were armed with the Bible, *a weapon more potent than Sharpe's rifles*; and, in the language of Lord Nelson, 'every man was expected to do his duty.'"<sup>1</sup>

The counterpart to this picture was seen in New Haven, Connecticut. "Charles B. Lines, a deacon of a New Haven congregation, had enlisted a company of seventy-nine emigrants. A meeting was held in the church shortly before their departure, for the purpose of raising funds. Many clergymen and many of the Yale College faculty were present. The leader of the party said that Sharpe's rifles were lacking, and they were needed for self-defence. After an earnest address from Henry Ward Beecher, the subscription began. Professor Silliman started the subscription with one Sharpe's rifle; the pastor of the church gave the second; other gentlemen and some ladies followed the example. As fifty was the number wanted, Beecher said that if twenty-five were pledged on the spot,

<sup>1</sup> Rhodes's *History of the United States*, Vol. II., p. 151.



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Plymouth church would furnish the rest. Previously to this meeting, he had declared that for the slaveholders of Kansas the Sharpe's rifle was a greater moral agency than the Bible; and from that time the favorite arms of Northern emigrants became known as 'Beecher's Bibles.'"<sup>1</sup>

Thus the best people, North and South, were devoted to preparation for civil war. The Christian Church had become an organ for propagating the doctrine of hate. Each side entered into the contest with holy purpose and clear conscience. There was intense excitement in both sections. In some of the state legislatures the proposition was made to vote money to equip men to do battle in Kansas. In the early spring months Colonel Buford and his men and the Connecticut deacon and his men appeared in Kansas. In a few weeks each Yankee had a farm and the prospect of a crop. The Southern settler knew neither how to plough nor how to sow, and he settled down to eat the substance of the already impoverished slaveholding contributors. The previous winter had been a veritable freeze-out to slavery. The cold was something terrific. One man who owned nineteen negroes was obliged to draw his own wood and chop it with his own hands to prevent his slaves from freezing; and even then one of them froze to death in his bed. The Northern settler knew how to combat the forces of nature. He got some land and went to work. The Southerner

<sup>1</sup> *Ibid.*, Vol. II., p. 153.

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was not equipped for such a struggle; he did not know how to work, and he could not afford to import slaves, as the risk was too great. The actual number of slaves in Kansas was never large, and we now know that there was never much danger that Kansas would become a slave state. Slavery was rapidly dying out in Missouri, and on the wind-swept Kansas plains it could never have taken permanent root. The peculiar climatic and industrial conditions were found to tax to the utmost the most hardy, the most skilled, and the most resourceful pioneers that the world has known. Had the Northern abolitionist only been wise enough, he might have given the slaveholder a free hand, and with perfect equanimity have watched for him to try conclusions with nature. Not only would he have seen the master compelled to labor with his own hands to protect his negroes from the cold, he would also have seen him forced to beg during summer to keep them from starving.

It was not the strength, but the weakness, of slavery which maddened the western Missourian to the frenzy of civil war. Already in the eastern part of his state there was a growing antislavery sentiment. Only in the removing of the forests of the West could slave labor be profitably used. In Kansas there were no forests to remove, and there were no labors in which the use of slaves could be made profitable. By the efforts of the free state men in Kansas the Missourians felt themselves to be attacked at a spot where they were peculiarly

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weak. A similar feeling pervaded the entire South. Slavery was vulnerable. *Uncle Tom's Cabin*, which appeared as a newspaper serial in 1852, was everywhere read, and profoundly impressed public opinion. The irritation of the South was aggravated by the visit to the United States of the Hungarian liberator, Kossuth. But more than all was Helper's *Impending Crisis* influential in rousing the South to fury. This was an exposition of the weakness of slavery from the standpoint of a white man of the South. It was not in any sense a great book, and would under ordinary circumstances have found but few readers; but it exasperated the Southern political leaders even more than did *Uncle Tom's Cabin*. From the beginning these leaders had taken strong ground against the free discussion of the slavery question. As they should have foreseen, the very effort to hamper free discussion tended to promote discussion, and the slaveholders had long been forced to listen to the abolition arraignment of slavery as a sin against God and a crime against humanity. But Helper's book was the sting of a viper in their own bosom; it exposed the folly of maintaining an institution which worked only harm to the white race and crippled the development of the South.

All influences united to make civil war in Kansas inevitable. Various incidents had occurred during the time in which the two rival governments were becoming established and pitted against each other to embitter the feeling between the opposing parties.

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A quarrel arose in November, 1855, between two settlers over a claim, and a slave state man shot a free state man. The murderer escaped for his life, but a friend of the murdered man was said to have uttered threats against an alleged accomplice. Thereupon officers of the distrusted proslavery government arrested the free-soiler's friend and were conveying him off for trial when a rescuing party from Lawrence and its vicinity delivered him. All this occurred without bloodshed. Sheriff Jones was enraged at the loss of his prisoner; and, being a Missourian, he issued a call to his friends in Missouri to assist in the maintenance of the law. They responded in large numbers. Appeal was also made to the new federal governor, Shannon of Ohio, who called out the territorial militia to assist the sheriff. The citizens of Lawrence had just received a new instalment of Sharpe's rifles, and they mustered a troop of about six hundred men and placed the town in a position of defence. When the combined troop of Missourians and Kansas militia appeared preparations for defence had been completed; but Governor Shannon intervened, and secured a peaceable settlement of the controversy. This was called the bloodless "battle of Wakarusa."

It was in the midst of such scenes that the free state government was organized, and inspired by such occurrences the people of Alabama and of Connecticut raised troops and armed them for the "Kansas War."

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Governor Shannon's peacemaking was not of long endurance. In the following spring, when free state citizens resisted an attempt of Sheriff Jones to arrest a member of the Lawrence rescue party, the United States troops were again ordered to his assistance and six citizens of Lawrence were placed under arrest. Before leaving the town the sheriff was wounded by a shot in the back by an unknown person. The people of Lawrence promptly disavowed any share in the act, but the event served to add fuel to the flame. The officers of the free state government were placed under arrest or driven from the territory under the charge of treason. In May the United States marshal of Kansas Territory issued a proclamation to the people stating that he was about to make certain arrests in Lawrence, where he had reason to expect resistance, and he therefore ordered the people to appear at Leecompton in such numbers as to enforce the law. Throughout western Missouri and Kansas this was hailed by the proslavery party as the set time to take vengeance upon Lawrence. Lawrence determined to make no resistance, but called upon the governor to protect the town. Some seven hundred Missouri and Kansas militia, with Bufort's men from Alabama, appeared to enforce the orders of the marshal. The writs were served without resistance and then the entire force was placed by the marshal in command of the sheriff, who proceeded to destroy the unresisting town. This was on the 21st of May, and on the

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next day Senator Sumner was struck down and beaten in the Senate chamber by an enraged Southern member. These two events, news of which reached the country almost at the same moment, sounded the key-note for the presidential campaign of that year.

The immediate effect of the burning of Lawrence and the caning of Sumner was a reaction in favor of the free state party. There had been all along a strong tendency on the part of conservatives, North and South, to draw together in coöperative support of the Union on the basis of fair dealing. In January, 1856, while Southern planters and New England deacons were raising troops to do battle in Kansas, the conservative Whigs of Boston entertained their old party friend, Senator Toombs of Georgia, and they extended to him the privilege of addressing a large Boston audience on the subject of slavery. After returning to Washington, Toombs expressed the opinion in the Senate that Kansas would be a free state. There can be no reasonable doubt that if the national Whig party had been in complete working order there would have been in 1856 a great Whig victory. It is not at all improbable that Robert Toombs might have been made President upon an issue for the admission of Kansas as a free state and the undoing of the Democratic legislation for the repeal of the Missouri Compromise. As a Southern gentleman, President Toombs would not have been satisfied until it was as safe and as proper for Senator Wil-

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son of Massachusetts to discourse to the people of Georgia on the merits of free labor, as for him, a Georgia senator, to discourse in Massachusetts upon the merits of slave labor. When this had been accomplished there would be no longer any serious problem as to the institution of slavery.

There would indeed have remained a race problem; but we should probably have been much nearer a satisfactory settlement of the race problem than we are now, fifty years later. The method finally adopted of abolishing slavery and the incidents and conditions growing out of the Civil War have greatly aggravated the race problem. A broadly national party to confront the Democrats in 1856, and give effective expression to the national revulsion at sight of the approach of fratricidal strife and the disruption of the Union, might have delivered us from both.

Robert Toombs, as a Union man and a Southern Whig, did what he could; he introduced a bill in Congress, the object of which was to put an end to the war in Kansas. The bill proposed a fair registration of actual settlers, under United States supervision, to be followed by an election, which should settle the question at issue. Leading Republicans conceded that the proposition was fair and honorable; but Democrats and Republicans had already made their nominations for the presidency, and the campaign was fully inaugurated. The atmosphere was charged with excitement and partisan bitterness. An agreement in Congress

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upon an equitable method for adjusting the conflicting interests in "bleeding Kansas" was even then quite impossible.

One other significant event occurred in Kansas at the opening of the presidential campaign. Two days after the assault upon Sumner in the Senate chamber, John Brown took with him seven men and massacred, in the dead of night, five proslavery settlers in Pottawatomie Valley, Kansas. June 2 the convention met which made James Buchanan Democratic candidate for the presidency, and a fortnight later that which nominated John C. Frémont as Republican candidate. One would naturally suppose that the affair of Brown and his company would enter into the campaign as a make-weight against the typical outrages of the proslavery party. But almost nothing of the sort occurred. Why it did not was a mystery then, and remains a mystery still.

The entire career of John Brown appears to belong to Asiatic mysticism rather than to American politics. He came to Kansas in 1855, solely to share in the struggle with slavery. With his men he hastened to take part in the defence of Lawrence in December of that year, and when the free state party agreed to the compromise, Brown resented it with utter disgust. He was on his way to defend the town once more when he heard of its destruction. At the sack of Lawrence no one was killed save one of the attacking party, and he purely by accident; but on the approach to the



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town two or three free state men had been shot, on one pretence or another. John Brown reckoned the account, and estimated that altogether, since the murder of Dow the year before, five free state men had been slain by the slave power. Not a doubt rested on his mind that the time for war had come, and that he was himself commissioned of God to execute righteous vengeance upon the enemy. In this spirit he went forth to do justice: "An eye for an eye, a tooth for a tooth, life for life." The only assignable reason for the selection of the particular persons who became his victims was that hostile threats had emanated from that quarter. But it seems that Brown himself did not assign this as a reason. He had merely murdered five of the enemy taken at random, because five of his own party had been slain. In his mind there was never the slightest question as to the righteousness of his acts; they were not the result of momentary excitement, and remorse did not follow on reflection. John Brown attended a prayer-meeting in Grinnell, Iowa, a year or two after the massacre of Pottawatomie, and one of those present invoked the divine blessing upon his enterprise, and expressed a desire that he might be forgiven if he had in the past done anything amiss. The old hero got up and protested. He said that for his part he had no sins to confess; the things that he had done were right things.

It is probably a waste of time to strive to understand such a man as John Brown; but by accepting

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the man as representing a type of unbalanced humanity, to be treated as an established scientific fact, we are placed in a position more easily to understand a good many other things. If he were possessed of an evil spirit, the name of that spirit ought to be called "Civil War." As the soldiers of the Civil War marched through Georgia to the sea they sang in the streets of the cities: "John Brown's body lies mouldering in the grave, But his soul is marching on." In the city of Savannah, just after the military occupation by federal troops early in 1865, a negro school was opened in the old slave pens, and taught by a former slave. I chanced to visit the school when some Massachusetts officers were present, and one of them expressed a desire to hear the pupils sing. Instantly the teacher turned and said, "Now, children, rise and sing one of your nice Sunday school hymns." They arose in perfect order and began: "John Brown's body lies mouldering in the grave, But his soul is marching on."

John Brown had a profound and honorable sympathy with the negro race, but he was a victim of extreme hatred of oppression and the oppressor. When about to die he said that he had ever accounted it his duty to remember those in bonds as bound with them. With the introduction of John Brown to a position of leadership in Kansas the war began which freed the slave.

## CHAPTER XV

### THE CAMPAIGN OF 1856

WHAT should be done for "bleeding Kansas" became the chief issue in the presidential election of 1856. Four conventions met to nominate candidates. That of the Republicans in Philadelphia was a somewhat irregular body composed of delegates elected in a variety of ways from all the free states and from three of the slave states. But what might have been found lacking in formality was more than made up by the youthful exuberance and spontaneity of the new party, meeting for the first time in national assembly under the inspiration of the rapid progress and wonderful success of the enterprise in the Northern states.

In many particulars the Philadelphia convention resembled the Buffalo convention which nominated Van Buren in 1848. Both gathered together a considerable number of more or less incongruous elements united by a general dissatisfaction with the other political organizations of the country, and both promulgated their views respecting slavery. The Buffalo gathering gave expression in general terms to the doctrine of the Wilmot Proviso; the Philadelphia platform was definitely set forth as

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the utterance of those opposed to the repeal of the Missouri Compromise, to the extension of slavery into the territories, and to the refusal to admit Kansas into the Union as a free state. The eight resolutions adopted by the Republicans denied that slavery could under the Constitution be made legal in any federal territory; proclaimed the sovereign power of Congress to prohibit slavery in the territories; demanded the wiping out of the disgraceful laws that were being forced upon the settlers of Kansas, and the immediate admission of that territory to the Union under her free constitution. They also expressed a purpose to guard the public lands for the benefit of actual residents, favored the improvement of rivers and harbors through federal aid, and the immediate construction of a Pacific railroad.

The new party could look for no support in the South; its only hope lay in the possibility of carrying the Northern states by promoting division in the Democratic party. Especial efforts were made to attract dissatisfied Democrats. There were multitudes in the North who were turning in utter disgust from the policy of their party as exemplified in the conduct of affairs in Kansas. They resented the treatment by the administration of their own fellow-partisans in Kansas — men who had voted for Pierce, but who had become free-soilers through the logic of events and conditions. They saw that Democratic governors sent out to represent the administration were soon impelled to break

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with the government at Washington and espouse the cause of the free state party. They could not countenance the forcing of slavery upon an unwilling people by means of United States troops.

The young party had no tried and trusted statesmen of its own; it must choose its standard-bearers with discretion, lest one or another faction of its motley following should be repelled. Frémont had had no close associations with any political party. As the son-in-law of Thomas H. Benton, the noted Democratic statesman of Missouri who was known to have decided leaning toward free-soil principles, he commended himself to certain Democratic elements among the Republicans, and, with the eager, whole-hearted trust of youth, he was accepted by the entire convention and nominated amid great enthusiasm on the first ballot.

The first Republican campaign was distinguished for its liberal use of political literature. Never before had the printing-press been so freely brought into service. Tons of reading matter were distributed through the country and, what is more, were read. A large proportion of this literature consisted of selections from the antislavery utterances of the Revolutionary fathers, and especially from those of Jefferson.

And while the people read they were also called upon to listen. Immense assemblages of voters sat with absorbed attention through long and stirring addresses, and were then relieved by the appearance of a variety of spectacular and amus-

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ing devices. Something more than a touch of realism gave point to some of the conceits. Masked men armed to the teeth would suddenly spring up on the outskirts of the crowd. They would enact riot and devastation and murder, until put to flight by an improvised "law and order" party. Such open-air theatrical performances had their serious purpose, as had the miracle plays of the Middle Ages. They cultivated sympathy for the suffering settlers in Kansas. But appeals to the more frivolous were not wanting. The merry music of brass bands, the antics of the "Fantastics," and mirth-provoking sports of every kind lent their attractions to the great mass-meetings held throughout the Northern states. Indeed, the air of buoyancy and jollity pervading the Republican campaign recalled the joyous days of the Whig campaign of 1840, and until late in the season the omens seemed to foreshadow as marvellous a victory.

The Democratic campaign was conducted with conspicuous ability. Its appeal was such as was possible to no other organization. No other party represented the nation; no other was strong enough to continue to bind the states together and save the Union in the hour of danger. At the head of the Democratic ticket stood the name of a well-known Northern man, a man of years and of experience in public affairs, a man of moderate and conservative views and not aggressively committed on the burning question of the day. The party

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platform gave strong assurances of devotion to the principles of the Compromise of 1850, and to those embodied in the Kansas-Nebraska Act; while it also called attention to the need of federal attention to matters of foreign policy.

The position of the Democrats in the canvass was strengthened by the candidacy of Millard Fillmore for the American or Know-nothing party. That party had seemed at one time to have secured a strong hold as a national organization, and its disposition to place stress upon the importance of preserving the Union held its followers when its other party principles had sunk out of sight. But at a National Council held in Philadelphia in June, 1855, the organization became divided along sectional lines over the slavery question. A joint convention was nevertheless held by the two wings of the party in the February following to nominate presidential candidates, and the convention was split in twain, as the council had been, in respect to slavery. The Northern members having withdrawn, the remainder of the convention nominated Millard Fillmore for President. Though the American party—or the Southern fragment which followed Fillmore—made a canvass upon thoroughly Union principles, yet, as a sectional organization and a feeble one, it commanded little influence. Late in the campaign a remnant of the Whig party met in Baltimore, adopted the Know-nothing candidate as their own, and declared for the Constitution, the

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Union, and the recent Compromises. The Whigs had now no following in the South, and, so far as they can be called a party at all, they were, like the Republicans, a Northern sectional party. Fillmore, therefore, was by a curious chain of circumstances made the candidate of two discordant and inharmonious fragmentary sectional parties, one of the North, one of the South; the two, however, cordially agreeing upon the transcendent importance of preserving the Union. As a party, the Know-nothing party South professed no policy upon the slavery question, but Fillmore, as a candidate of Northern Whigs, favored the restoration of the Missouri Compromise. The large vote which he received in the South is to be interpreted as a protest against the doctrine of secession, and both in the North and the South a vote for Fillmore must be regarded as a protest against permitting the government of the country to pass into the hands of a new and untried party, representing only one section of the country and organized upon a sectional issue. All this played into the hands of the Democrats. The only practical way to prevent the election of Frémont was to elect James Buchanan. And this the conservative elements in the country were persuaded to do.

It was the conservative vote of Pennsylvania and a few other Northern states which determined the election. All the slave states except Maryland were virtually conceded to the Democrats before the polling took place, but the contest was waged



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to the bitter end in the doubtful states of the North.

During the closing weeks of the campaign the state of affairs in Kansas greatly improved. From May until August a sort of bushwhacking warfare had disgraced the soil, under the leadership of the most disreputable factions in the two parties. Governor Robinson, the wisest of the free state leaders, was all that time a prisoner, and John Brown and "Jim" Lane were in the ascendant. But the disturbances in Kansas redounded to the detriment of Democratic prospects, and the party chiefs were at last convinced that their Kansas policy must be modified if any hope was to remain to them of winning the election in November. Under this impression the administration removed Governor Shannon and other officials of unsavory records, and commissioned Colonel Geary of Pennsylvania to proceed to the turbulent territory for the purpose of restoring and preserving order. The new governor, backed by the United States army, quickly disbanded all the partisan forces controlled by the hostile factions, and organized a militia under his own control strong enough to overpower the disorderly elements. Ere long Governor Geary found, as Governor Reeder had found before him, that it was the proslavery party which opposed him, while the free state party were his supporters. The excitement quieted down, Robinson was released from prison, Brown and Lane left the territory, and the peaceful set-

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tlers of all parties loyally upheld Governor Geary. Northern immigration continued to pour in, and before the day of the presidential election the impression had in some way become widespread that their enemies had given up the fight and Kansas was to be admitted as a free state. Men who held the closest confidential relations with Buchanan urged antislavery voters to cast their ballots for the Democratic candidate as the surest way to secure freedom to Kansas and the deliverance of the Union from threatened dismemberment.

The result justified the arguments and the methods of the Democratic party. Conservative antislavery voters in many instances shrank at the last from casting their votes for the young and untried adventurer, backed by the new sectional party of uncertain future. Doubt and fear and dread of what the years to come might bring, all made votes for Buchanan. The old, historic national party, with its old, steady-going candidate, won the day. Besides the 112 electoral votes from the South, Buchanan received 62 votes from the free states. The popular vote was less decisive, giving Buchanan less than 500,000 over Frémont, while Frémont had nearly that majority over Fillmore.

## CHAPTER XVI

### THE DRED SCOTT DECISION

GOVERNOR GEARY held his position in Kansas until the 4th of March, 1857, winning more and more the confidence and the support of the free state settlers and, indeed, of all classes save those who had determined that Kansas should at all hazards be made a slave state. The way was now clear for the new administration at Washington to acknowledge established and undeniable facts in Kansas and give the country rest from the long sectional strife. Quite possibly that is what would have taken place had not the Supreme Court of the United States suddenly vaulted into the arena of party politics, with the promulgation of the famous Dred Scott decision.

At the time of President Buchanan's inauguration the Supreme Court commanded more general and more profound respect than at any later time. It was then especially esteemed by the adherents of the Union and the devotees of the central government, as the final arbiter in any case of conflict between state and federal government. Such authority had never been conceded by the extreme partisans of states' rights, who had always main-

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tained that the states were themselves the final judges as to infractions of the Constitution which threatened their essential rights. In a sense, then, the Court may be said to have always been concerned in party politics, since a fundamental party doctrine involved peculiar views as to the position and powers of the federal judiciary. Still, judicial decisions had thus far been remarkably free from any partisan bias, and one may note with surprise how very little partisan criticism had at any time been directed against the Court itself.

Von Holst is convinced that the slavocracy formed and carried out a systematic plan to gain the ascendancy in the Supreme Court. The plan is dated from the controversy over nullification in South Carolina, and its execution began in the year 1837, when a disproportionate number of circuits was assigned to the South, and was continued during the years following, in which, through the control of the Judiciary Committee of the Senate, judges were secured whose opinions on the slavery question harmonized with those of the slavocracy. However this may be, at the time of the decision in the Dred Scott case, five of the judges were Southern Democrats, two were Northern Democrats, and there were one Republican and one Whig from Northern states. One Northern Democrat united with the Chief Justice and all the Southern justices in the so-called decision that the owners of slave property had indefeasible rights in the territories. The remaining Northern

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Democrat joined with the majority, so far as the real decision went that Scott had no standing in the Court. The Whig and the Republican justices filed strongly dissenting opinions.

It is assumed here that the facts in the Dred Scott case are familiar. I have to do only with its effects on party politics. According to the decision the new Republican party was laboring to accomplish an unconstitutional purpose; it was striving to restore the Missouri Compromise and to use the power of the federal government to prevent the introduction of slavery into the territories. The formal declaration of the opinion of the majority of the Court that this effort was a violation of the Constitution was really a direct attempt to suppress by judicial procedure a great political party which commanded sufficient following almost to elect a President. That portion of the decision was, moreover, quite extraneous to the matter in question. The Court had months before arrived at the conclusion that the negro who had sued for his freedom had no standing in the federal courts. The principal question, and in the opinion of the dissenting judges the only question, that of jurisdiction, was settled, and the Court had nothing further to decide. When it went out of its way to discuss and decide a vexed political question which was at the very moment the chief matter in controversy between the two great political parties, it vacated its high office and entered the field of partisan contention.

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The Supreme Court pronounced a decision against the Republican party. More than that, it pronounced against the uniform policy of all the parties up to the very date of its rendering. Only two years before, Congress had passed a law which, as interpreted by its author, gave to the people of a territory the right to exclude slavery. The opinion of the Democratic Supreme Court made the Kansas-Nebraska Bill of Stephen A. Douglas unconstitutional, and that adroit Democratic politician found his skill in sophistry taxed to the utmost to uphold the position of the Court and at the same time defend the validity of his cherished principle of "Squatter Sovereignty."

The Dred Scott decision also controverted the policy of the makers of the Constitution themselves, as exemplified in the Ordinance of 1787, and undermined the principles which had supported the government from its inception to the day of the deliverance of the partisan opinion. It was based upon an idea which had originated scarcely ten years before, in the fertile brain of the South Carolina statesman, John C. Calhoun, not long before his death,—an idea advanced by a dying man in a last desperate effort to save his beloved South from impending ruin. And the momentous judicial paper was penned by a dying man over eighty years of age. Who dares to say that only the young give birth to new ideas?

In the very nature of the case the Democratic party was disposed to make much capital out of

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the Dred Scott decision. It is not in human nature for the members in one political party to find their opponents ruled out of existence by so influential a body as the Supreme Court and not try to make party capital out of it. By simply sustaining the opinion of the Court the Democrats consigned the Republicans to limbo. On the other hand, there was nothing left for the Republicans to do but to attack the Court and appeal to the country against its partisan conduct.

It promised to be an unequal combat. Great were the power and prestige of the ancient and honored party. Upon it rested the glamour of a great historic past. Parties had risen, waxed, and waned, and died. Only that which claimed of original right direct and unbroken descent from the great father of Democracy held on, despite fortune's vicissitudes, through evil report and good report, without break or eclipse, from the days of the previous century till now. No other political organization could now assert a truly national scope. The Democratic party continued to possess the whole land, ramifying into all the minutest channels of political influence. All other similar bodies were by contrast but fragmentary and narrow. Social and family tradition held men to the venerable organ through which their ancestors and friends had for generations impressed themselves upon the national policy. There were regions where 'to be other than a Democrat was to be a social pariah. It was not good form to seek other political affiliations.

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But to be a Democrat was not by any means to be a believer in slavery. Until the time of the war with Mexico nothing had occurred to oblige the Northern Democrat to decide whether or not he believed in the institution, and when the question was first raised, Northern Democrats nearly all took the antislavery side. It was only gradually and by a series of political accidents, as it were, that the party, as such, was carried over to the other side, and no national body remained to uphold the antislavery view. It was their unlucky fate that, through the urgency of party difficulties, the Democrats were led to become apologists for slavery at the very time when, more than ever before, the spirit of the age was against it. Many of them were too deeply imbued with the humanitarian sentiment of the time or with the moral and religious objections to the enslaving of human beings, to give more than a perfunctory and tentative countenance to the party championship of the peculiar institution. They were able to delude themselves into the belief that they accepted it because their party so decreed. Looking with the eye of partisan faith to those distant states where slavery had become entrenched along with the plantation system and that charming and gracious hospitality for which the South was famous, they saw nothing which should lead them to antagonize the policy adopted by the trusted party leaders.

So it came about that, as members of the Demo-



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cratic party, a multitude of men supported slavery, while as rational human beings they repudiated it; and those who actually came to close quarters with it and were forced to practical action in respect to it, did in many cases cease to sustain the attitude of their party. Thus it was with Governor Reeder in Kansas, as we have seen. As a good Democrat he supposed himself as ready to deal in slaves as in cattle; but in the face of the executive responsibilities of his position as governor of the debatable land, the honest convictions of a sincere and honest man proved more influential than party ties.

The decision of the Supreme Court in the Dred Scott case threw around the views of slavery adopted by the great old party the halo of sanctity, as having received the benediction of the highest tribunal in the land. Nothing of endorsement was now lacking to the partisan proslavery doctrine of the Democratic party. Professed belief in slavery had become fashionable throughout the South and with half the people of the North. This state of public sentiment naturally gave rise to an intense desire on the part of those not swept into the proslavery current for a more direct, emphatic expression of the contradictory conviction that slavery was a great moral wrong. And these conditions determined the conduct of two American citizens whose characters and positions were such as enabled them to give, each in his day, direction in a critical emergency to the policy of the nation.

It can hardly be doubted that James Buchanan

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entered upon the occupancy of his position of supreme authority with the full intention of accepting the situation in Kansas, recognizing the predominant free-soil sentiment and admitting the territory as a free state, thus putting an end to the threats of civil war. Immediately after his inauguration the Dred Scott decision was made public, and the partisan attitude of the Supreme Court led the President, after a few months, to a reversal of purpose. Henceforth his whole personal and official power and influence were used to force upon Kansas that institution which her people hated.

At the same time a citizen of a different type was deeply pondering the national situation and forecasting his country's destiny. Abraham Lincoln was slowly reaching the conclusion that the United States was approaching a momentous crisis in the conflict between two contradictory and irreconcilable forces; he was maturing a deliberate judgment that the hour was at hand when the partisan affirmation of the righteousness of slavery should be met by direct denial, and that full and ample expression should be given to the opposing conviction of the moral wrong of slavery.

One of the early acts of the Buchanan administration was the selection of the fourth governor for Kansas. For this important mission the President chose Robert J. Walker, a Mississippi Democrat of national reputation. Mr. Walker was a man of conspicuous ability, who had been a leading mem-

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ber of Polk's cabinet. He was induced to accept the inferior mission to Kansas by a high sense of duty. F. P. Stanton of Tennessee assisted him as territorial secretary. Thus the affairs of Kansas were placed in the hands of two Southern Democrats of high standing. Mr. Walker arrived in Kansas late in May, 1857. Already June 15 had been fixed as the day when the people of Kansas should choose delegates to a constitutional convention to meet at Leecompton. The new governor urged all classes to take part in the election. The free state men, however, stood aloof, and the convention was made up from the proslavery party.

Governor Walker was fully convinced that Kansas could not be made a slave state. He was, however, of the opinion that it could be made into a free state which could be controlled by the Democratic party. It was estimated that there were in the territory nine thousand free-soil Democrats against eight thousand Republicans. If the Democrats could be strengthened by the several thousand proslavery men in the territory, there would be a safe Democratic majority. The new governor early won the confidence of all classes. He induced the free state party to give up their irregular Topeka government and to take part in a regular election for the selection of members of a territorial legislature; and in October, 1857, for the first time a peaceful election was held in which all participated. In only two districts were there charges of serious fraud. The result was the elec-

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tion of a legislature with a large majority of free state members. Thus, in the hands of Southern Democrats Kansas became subject to a free-soil legislature. In the meantime the proslavery convention which had been chosen in June had met in September and was at work on a constitution.

It was assumed that, whatever the Lecompton convention should do, its results would be submitted to a vote of the people, and then, of course, only a free state constitution could be ratified. But in the atmosphere of the Dred Scott decision in Washington, a plot was slowly matured to use the Lecompton convention to frame a proslavery constitution which, without having been submitted to a vote of the people, should be presented to Congress. The Democratic majorities in the two Houses and the Democratic President were then to be depended upon to make Kansas a slave state in spite of the overwhelming free state sentiment of the people. Of course such a plan was absurd unless the hearty coöperation of the President could be secured. Strange as it may seem, President Buchanan was actually won over, and for months he used every power and all the influence at his disposal to force a proslavery constitution upon Kansas in direct violation of every principle of popular government. It seems utterly impossible that such a thing could have happened had it not been for the decision of the Supreme Court. The President was not proof against the subtle logic of Calhoun, when presented with the skilful

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sophistry of Chief Justice Taney, backed by the Supreme Court majority. His original sincere purpose to deal fairly with the Kansas settlers, in pursuance of which he had sent out upright, honest, and able territorial officers, seems to have given place to an intensely partisan, proslavery spirit. In adopting the plot for forcing the Le-compton constitution upon Kansas, Buchanan was obliged to betray Governor Walker and to withdraw the support of the administration from his wise and successful policy. He was also forced to repudiate his own oft-repeated promises to submit the constitution to the popular vote. In the light of the remarkable judicial opinion of the Democratic justices, it seemed to him an outrage upon the rights of the less than one hundred slaveholders in the territory that the will of the majority of the thirty thousand settlers who did not own slaves should be allowed to prevail. Since by the ruling of the Court Kansas had always been open to slavery, slave soil he now determined it should remain. The right claimed by all but a small fraction of the actual settlers to protect themselves under the law of 1854 from competition with slave labor, went down before the demand of a mere handful of slave-owners that the federal government should maintain for them in Kansas their hold upon that slippery property.

## CHAPTER XVII

### FREE-SOIL VICTORY IN THE TERRITORIES UNDER THE LEADERSHIP OF DOUGLAS

HAD all Democrats been of the Buchanan type, the Lecompton iniquity would have secured the sanction of Congress. But it happened that there were dissenters in Congress, and the most conspicuous of them was the author of the Kansas-Nebraska Bill. Stephen A. Douglas was himself too great a master of the art of sophistry to be easily made a victim of its wiles. He was quite willing that the Supreme Court should legislate the Republican party out of existence, but he was not willing that it should exterminate him. He had staked his political career upon the principle of popular sovereignty in the territories, and with all his might he threw himself against the Lecompton plot. He defied the administration; he defied his party. In his own party he had at first scant support. All the patronage of the administration was turned against him in the most spiteful manner. Every Democratic Congressman was made to feel that, unless he supported the President in the ratification of the Lecompton constitution, his friends would be dismissed from

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office and their places filled by Democrats who indorsed the decision of the Court. Douglas's influence in the Senate was not great enough to prevent the approval of the Lecompton constitution. All the Republicans, of course, came to his support. The virulence of the fight was between the Douglas Democrats and the official Democracy. In the Senate, patronage and official influence prevailed over all opposition.

To enable Democrats of the Buchanan following to adjust their consciences to the support of the Lecompton plot, an election was provided in Kansas. The constitution was voted upon, but no one was permitted to vote against it. The text of the document embodied in the most explicit terms the rulings of the Supreme Court as to the sacredness of the right of property in slaves. This right it pronounced to be "before and higher than any constitutional sanction." The constitution also provided that it should not be amended before the year 1864, and then no change should be made "to affect the rights of property in the ownership of slaves." Now, the free state man, if he voted at all, was obliged to vote for this constitution. He might, however, if he chose, have on his ballot the words "for the constitution without slavery." As to just what would be the legal effect of the adoption of such a constitution, even though a majority of the ballots had contained the words "without slavery," no layman could tell. The final settlement of such a question would rest with the

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Supreme Court, and just at that time the free state settlers in Kansas did not trust the Court. Governor Walker denounced the form of submission as "a vile fraud, a base counterfeit," a device to prevent the people from voting. The people acted as the governor assumed that they would act. Only the proslavery minority voted at the election.

Douglas and the Democrats in Congress who acted with him agreed with Governor Walker as to this submission of the Lecompton constitution to the people. As a member of the committee in the Senate to whom the constitution was referred, he presented a minority report which alleged that the constitution was not an act of the people of Kansas; that by a system of trickery in the mode of submission four-fifths of the legal voters of Kansas were probably disfranchised and excluded from the polls. Senator Crittenden of Kentucky sided with Douglas and offered an amendment to the bill providing that the constitution should be again submitted to a vote of the people of Kansas, and that, if a majority then voted to accept the constitution, the President should admit the state by proclamation. If a majority should vote against the constitution, then the people of Kansas were to be authorized to form a constitution and a state government such as the majority approved. In the Senate this amendment was rejected, but a similar amendment was restored to the bill before the measure passed the House. The Senate, how-



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ever, still refused to accede to the amendment until it was so modified as to leave Kansas without any hope of settled government in case the constitution was not approved. Furthermore, the Senate amendment included a provision that, when the people of Kansas should vote to adopt the Lecompton constitution, they should thereby secure for the state a large grant of public lands. With this bribe as a "flyer" the act passed the two Houses of Congress, and once more the people of Kansas expressed their wishes at the polls. In August, 1858, 11,300 out of a total vote of 13,088 pronounced against the Lecompton constitution, even when sugar-coated with the land gratuity.

With this decisive expression of popular opinion the long contest in Kansas came virtually to an end. The stubborn administration majority in Congress continued to refuse the territory admission, and it was not until that majority was lost by the withdrawal of members from seceding states that statehood was finally granted, in January, 1861. But the act which admitted the state of Kansas with a constitution prohibiting slavery was after all signed by James Buchanan.

It should not be overlooked that the great battle for freedom in Kansas was won at the last, not by abolitionists, not by Republicans, but by Southern and Northern Democrats, who, moved by a sense of right and justice, threw themselves against the official policy of their powerful party leaders. In uniting Democrats and Republicans in the support

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of a free state policy no one was so influential as the Democratic governor from the state of Mississippi.

Note once more the deplorable fact that at this important moment no political organ of national scope existed which was fitted to give effect to the genuine, fair-minded, honest, and liberal sentiment in the South. It cannot be doubted that, with adequate means of expression and with the opportunities for cultivation and extension furnished by the associations of a great political party, that sentiment might have been made a link in a chain of ever growing strength binding the sections together, till no question of slavery, no other question of governmental action, could for a moment have seriously endangered the Union. After eight years of agitation, free labor had triumphed, but no national party appeared to champion its cause.

After all the turmoil, the suffering and bloodshed, the position of slavery was precisely what it was before. In spite of all the frantic labors of the advocates of slavery, aided by the whole force of the federal administration backed by the Supreme Court, not an inch of slave territory had been added, while the new free state of Minnesota had come in. Slavery had indeed been nominally legalized in the whole territorial domain, from which it was excluded before the Compromise of 1850; but it was now clear to every unprejudiced student of the situation that into that domain slavery could never be made to go. In the height of the Kansas

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quarrel a legislature was gotten together in New Mexico which proceeded to pass laws giving formal legal sanction to the ownership of slave property. There was no disturbance, no discussion. The slaveholder was made entirely free to enjoy all the rights and privileges of his possessions throughout the territory. As a result, it is said that at one time as many as twenty-two slaves had been brought within the boundary lines. But the people were not alarmed. They knew that the new laws were a mere pretence, and there was no danger of an invasion of slavery. New Mexico was free by a law higher even than the Constitution of the United States. The same Congress which voted the admission of Kansas organized territorial government in Nevada, Colorado, and Dakota, and the acts made no mention whatever of the subject of slavery. After the lesson taught by the Kansas experience, it would have been ridiculous indeed to pass a law excluding slavery from Colorado.

Douglas had made bitter enemies in the administration wing of his party by his powerful opposition to their darling scheme. The whole force of government patronage was brought into play to crush the recalcitrant leader ; but as time passed it appeared that, in spite of all, Douglas was gathering to himself the real strength of the party, not only in the North, but in the South as well. His popular sovereignty doctrine was truly popular with the Democrats, and drew to its author's side

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many Republicans also, while the true manliness and courage with which he defended the application of the principle in Kansas made him more than ever the idol of his party in his own state of Illinois, and gave him friends in every part of the country.

## CHAPTER XVIII

### ABRAHAM LINCOLN AS A TYPICAL DEMOCRAT

SINCE Douglas was, as a matter of fact, the actual leader of the free-soil forces in Congress during the early months of 1858, it is not strange that a widespread expectation should arise that he would be accepted as their nominal leader as well. This expectation was brought to naught by the conduct of a man whose personal relations to national policy are such as to entitle him to the special attention of every student of the period covered by his life.

Abraham Lincoln stands among the great men of the century, because his life illustrates and he himself is made the embodiment of a transcendent principle. Being himself of the common people, as such he lived and died. With the common people were his sympathies, as well when he filled the highest place in the nation's gift as when he ate his daily bread and wrought his daily toil, an undistinguished unit of the great multitudes; and never for one moment did he view any question from any other standpoint than that of the ordinary simple man of the people. In politics he was a Whig while the Whig party endured, and was interested in the questions which interested other Whigs.

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Party loyalty led him to accept the Compromise of 1850, Fugitive Slave Act and all, and to believe that the North ought in good faith to carry out the whole. Lincoln was stirred as were other men by the repeal of the Missouri Compromise, and when in his own state a meeting of delegates was held which resulted in the organization of the Republican party, he surpassed all others in giving effective utterance to the common feeling. It cannot be said of Lincoln, as of many famous men, that he lived far in advance of his age. He lived in and for his own time, and in a very special sense he was of his own time and not in advance of it. James G. Birney, a leading abolitionist and a former slaveholder, began as early as 1840 to warn his fellow-citizens of the impending bloody conflict between slavery and freedom, should the country fail to rouse itself, take up the matter in earnest, and settle it peaceably. But so far as we are informed no such idea entered Lincoln's head until just as it was about to enter some millions of other American heads. It became common property as the war in Kansas and the Dred Scott decision forced the nation to enter upon a course of serious thinking. Lincoln was by that time a quicker and better thinker than the mass of men. As early as 1856 he had become convinced that the country could not endure half slave and half free; but he withheld the utterance of that conclusion until the people had thought their way well on to his own position.

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We have seen how the Democrats throughout the land came suddenly to accept the theory of the righteousness of slavery, while a demand arose among the people for a more emphatic and more effective utterance of the opposing belief in the unrighteousness of slavery. The Republican party in the beginning dealt much in negations. It loudly denied any intention to interfere with slavery in the states. Its purpose was to restrict its area, not to attack it. The sentiment in the Democratic party favorable to slavery seemed to grow rapidly, and over against it grew, with equal pace, the moral pressure urging to direct expression against the evil. Mr. Lincoln determined that the Republican party should be made the instrument for the utterance of this moral conviction in the hearts of the dumb masses of the people. Had the party made Douglas their leader, as many desired and expected, they would have secured the coöperation of a large number, especially in the South, who believed in slavery; the party would have dealt with political policies rather than with moral precepts, and the moral reprobation of slavery would have found expression through other channels.

Mr. Lincoln reflected the ignorance and the erroneous beliefs of his age as faithfully as he reflected its moral sentiment against slavery. We now know that the common belief was not true that slavery was strong and aggressive and in danger of being extended in all directions into adjacent territory. It seems almost grotesque from

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the standpoint of to-day that a man of Mr. Lincoln's intelligence should have expected that, even when everything had been done against slavery which he believed ought to be done, it would still endure for more than a hundred years. In this he but reflected the common error that the institution possessed the elements of endurance.

Even as a leader of his party, as a candidate for the presidency, and as the Chief Magistrate of the nation, Lincoln sought only to recognize and give expression to the aspirations and purposes of the people. He originated nothing and made no pretence of doing so. He believed in democracy—in the right and the power of the people, as public men had not believed in them hitherto. He believed that the Union would be preserved because the people would not allow it to be divided. When Horace Greeley and other men of influence were disposed to say of the Confederate states, "Let the erring sisters go," the President could not be brought to admit that the continuous assertion for a whole generation of the primary importance of the Union was to go for nothing. He would not yield his faith that the people had maintained that doctrine because they believed in it. He knew they were not hypocrites; and he knew that if the people believed in the transcendent value of the Union, that Union need not be surrendered.

The conduct of the war was controlled by this attitude of the President. It was at first looked upon as a small affair—a dainty, white man's



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war; the negro was to have neither part nor lot in the business. As the people thought so planned their commander-in-chief. Nothing was further from the national purpose than to undertake a war for the abolition of slavery; there was no intention to interfere with the institution in any way. The negro was, to Lincoln, as to the body of his countrymen, a member of an inferior race. Not for him the squandering of the white man's blood and treasure. When the Northern abolition soldier manifested reluctance to lend his aid for restoring fugitive slaves to their masters and for guarding the human property of slaveholders, Lincoln was not disturbed. He knew that the abolitionist had never really represented the people of the North.

But as he was never far in advance of popular sentiment, so he never by any possibility fell behind. Always as opinion progressed there stood the President to give, at the effective moment, expression, forceful form, to the inchoate thought of the multitude. In the tug of war abolition views showed a tendency to come to the front. A foretaste of this had been given by the Kansas struggle, when proslavery Democrats, going out with the express purpose of driving the abolitionists from the territory, had been forced as honest men to become practical abolitionists themselves. In the mightier conflict opinion moved rapidly throughout the North in the direction of emancipation. Sensitive to every ripple of change, Lincoln was nevertheless not one to mistake the

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foam upon the crest of the wave for the resistless swell of the tide. When the billow had gathered volume and overmastering power, then he opened the flood-gates. When General Frémont with premature ardor proclaimed freedom to the enslaved within the department of Missouri, the President overruled the act and removed the impatient leader. He knew that it was safe to wait.

Meanwhile the dilettante war became a solemn and fearful death-struggle. Multitudes were dying to save the Union, and the feeling grew that they were dying also to free the negroes. Why should not the negroes share in the glory and the suffering? The black man proved a good soldier, and he gave his life willingly for his country. So the idea of emancipation became general and insistent. And then came the proclamation.

Lincoln was thoroughly original and peculiar in his genuine and controlling belief in democracy. Thousands before him had professed to believe in it, tens of thousands had hoped that the democratic theory would prove the correct one, millions had traditionally accepted the name of Democrat, but few indeed had been the men who really believed in democracy as did Abraham Lincoln. His faith was unquestioning, unequivocal, full, complete, and intelligent. The mature, ripened political judgment of the people he accepted as absolutely final. In that type of democracy in which Lincoln believed, what the people actually think becomes for the statesman the ulti-

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mate determining fact. Not that the people were deemed infallible. He was wont to admit that all the people might be deceived part of the time, and some of the people all the time. "But," he would say, "you cannot deceive *all* the people *all* the time." Lincoln's theory and practice in statesmanship were to follow in all simplicity of heart and purpose the leadership of the true spirit of the people, believing that in themselves dwells the power to right an error, the wisdom to see a mistaken trend, and the self-determining force which alters a false course ere it is too late. Hence, what the people believe, or more especially and more accurately what the people are on the point of believing, is the decisive factor for the guidance of the truly democratic statesman.

The irrepressible conflict and the house divided against itself, which rose before the acute vision of Seward and Lincoln, involved something deeper and more fundamental than a mere temporary question of the legal status of four million slaves. Under the same nominal rule were gathered those believing in opposite and contradictory sorts of government. Only to outward seeming had there grown up a widespread acceptance of democracy. The ruling classes in the South had no belief in democracy. Such a belief carries with it a readiness to commit every institution to the test of public opinion under free, untrammelled discussion. A policy or an institution which will not bear the strain of free discussion cannot survive in a true

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democracy. From the beginning of the debate the leaders of the South assumed that slavery could not be safely discussed. Now, had those who believed in slavery been democrats, they would have pursued a different course; they would have invited free discussion; they would have called attention to the excellences of their institutions; they would have solicited free and impartial investigation. The extravagant utterances of the abolitionists would have caused them no fear, nor have betrayed them into violent acts of repression.

To a consistent believer in the truly democratic State there are no dangerous opinions. All sorts and conditions of men in a democracy are not only permitted to think and to express themselves freely on all matters of common interest, but they are encouraged, they are urged, to do so. Free thought and free expression of thought are the very life of the democratic State. But in any sort of State it must sometimes happen, in the very nature of the case, that certain citizens will find their individual interests assailed. The interests assailed may sometimes be of such a character that they will not bear public investigation and public discussion. Now to a democrat who finds his individual concerns attacked, the very last thing to do will be to make a public bonfire and burn the books of those who have spoken against his interests. By no rational process can a democrat become a violent suppressor of free discus-

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sion. The members of the slave power from the beginning demonstrated by their conduct that they did not believe in democracy; they believed in government by force; the free and untrammelled discussion of their peculiar institution they would not tolerate. They made it unsafe for a Northern abolitionist to go to the South, or for a Southern abolitionist to speak his mind. The author of Helper's *Impending Crisis* became a fugitive from injustice because he, though a Southern man, had the temerity to express unfavorable opinions upon slavery.

That which constituted the irrepressible conflict in 1858 was the fact that, by a large body of American citizens, a fundamental principle of democracy had been systematically violated for a whole generation. The people had professed to believe in democracy, yet in respect to one conspicuous institution they had pursued a policy of repression of public opinion. This was not true in the South alone; in the North as well immense pressure was brought to bear in the churches, in colleges and universities, and in commercial circles, against the frank and open discussion of the slavery question. By this restraint upon discussion where discussion was much needed, a generation had been permitted to grow up victims of a fatal delusion. The North was allowed to fall into false beliefs about the South and about slavery; the South was likewise deluded into false beliefs about the North. Having violated the fundamental principles of free government, the

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political parties as national organs for discussion and action went to pieces, and nothing was left for the deluded people but to fight and to suffer until the State was destroyed or a mutual understanding was restored. The Civil War was a consequence of a neglect of political duty. The quiet, the orderly, the industrious, the thoughtful, had permitted the growth of a despotic policy which for a generation had shackled free speech. When the slavery debate would not down at the bidding of the undemocratic South, they left the discussion to injudicious agitators in the North and "fire-eaters" in the South. Thus democracy failed in the New World, as every former attempt had failed, because power was allowed to drift into the hands of those who did not believe in democracy. Then, as was inevitable, freedom of discussion had been suppressed, and the people, deprived of the privilege of arguing out their differences, fell back into the old, despotic way of fighting them out.

When Mr. Lincoln asserted, in course of his great debate with Douglas in 1858, that the Democratic party as led by the Southern slavocracy would be satisfied with nothing less than that the people of the country should "quit" saying that they believed slavery to be wrong, that they should "quit" thinking about it, that they should "quit" caring for it, he but called attention to a general condition of public sentiment in the North as well as in the South. The people had accepted the undemocratic dictum of certain aristocratic teachers,

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that there were certain subjects of public import upon which it was wrong to think and to talk freely. This is another way of saying that the great body of the people did not believe in democracy. Though they had left themselves without any means of government except democracy, they had rejected democracy. They were trusting to accident, to tricks of constitutional barriers, to the facile recourse of running away from political responsibility and taking refuge in the wilderness. Lincoln, as a typical democrat, called his countrymen back to the elemental principles of free government. He made them see that upon every public question it was both their right and their duty to think, to be anxious and to express their solicitude, and so to express their convictions as to control the conduct of their government. He started American democracy upon a new and more hopeful career, because guided by more logical and consistent principles.



## CHAPTER XIX

### THE REPUBLICAN PARTY REVIVED

IN the year 1858, after the plot for forcing slavery into Kansas had been effectually defeated, it became a serious question with the Republican leaders whether their party should not be allowed to take its place upon the long list of minor parties whose ephemeral careers have strewn the course of American politics, and disappear from sight. Many of them were beginning to realize that the particular issue upon which the Republican party came into existence was already settled, and they were in favor of making Douglas their candidate for the presidency. Had that view prevailed among the party leaders, and had Douglas been accepted as the presidential candidate, a fundamental readjustment of parties would have resulted. Representative Southern Whigs and Know-nothings, like Bell of Tennessee and Crittenden of Kentucky, would have been given places in the party of Douglas, and would have carried into it much of the Southern support which Bell commanded in 1860. Moreover, such Southern Democrats as Walker of Mississippi and Stanton of Tennessee, who had given loyal support to the



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free state cause in Kansas, would have felt at home with Douglas Democrats and Republicans who owned Douglas as leader. Once more it may be said that a truly national party to confront the Democrats at this juncture might have saved the country. A national organization of Northern Republicans united with Southern Unionists would so have bound the states together that there could have been no serious civil war, and the Union could not have been dismembered.

But the last opportunity for uniting the sections in a national anti-secession party passed unembraced. Deception and misunderstanding were in the way, and they were left to work out the full measure of the varied ills possible to those seemingly mild but really diabolic influences. Both North and South were utterly deceived as to the true spirit and purpose of the opposing section. Each was under a misconception as to the strength of the system of labor which prevailed in the other section. Especially did the people of the North misapprehend the defences of slavery. They believed it to be impregnable in the South and powerfully aggressive in the territories. They could scarce be made to accept as true the accomplished fact of a free-soil triumph in Kansas. When they read that New Mexico had enacted a law which legalized slavery, many were convinced that an actual addition to slave territory had thus been secured. And when it was reported in their hearing that Robert Toombs had declared that he

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would yet call the roll of his slaves in the shadow of Bunker Hill Monument, they looked for the speedy advance of the slave power in the determination to capture and control the entire nation. We may admit now that no such remark was ever made by Senator Toombs, but the widespread acceptance of the tale in the North helped to foster the belief that there was no security for free labor but by aggressive war against slavery. There was, indeed, no general disposition to attack slavery in the states except as the fear developed that the slave power was disposed to attack the system of free labor in the North.

The South, on the other hand, while thoroughly misunderstanding the temper and designs of the North, realized more and more clearly that she was fighting a losing battle. Every promise of more tolerable conditions had turned against her. The Fugitive Slave Law had made her property less secure. The legalizing of slavery in the territories had served only to demonstrate the impossibility of establishing it there or elsewhere. When the most desperate and fanatical proslavery aggressors organized filibustering expeditions against neighboring countries for the purpose of seizing slave territory for annexation to the United States, their leaders were taken and shot with the open approval of even Democratic administrations. The future looked dark indeed to those who saw in the development of the peculiar institution the only hope of progress for the Southern section. With

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the failure of the Lecompton constitution in Kansas, Southern leaders clearly saw that under the American flag no more soil would be yielded to slave labor.

The Dred Scott decision of the Supreme Court, while it deeply incensed the North, did not greatly comfort the South; nor did it bring to the slave-owners any practical advantage. It had only served to hold out an illusive hope to be suddenly dashed to the ground. The Nullifiers, from the very logic of their position, had been taught to distrust and to belittle the Court. Calhoun had expressed a fear that the Supreme Court might sometime hold that Congress had a right to abolish slavery in the states. It was dangerous, therefore, for the slaveholders to develop a reverence for such an untrustworthy institution. If by virtue of one favorable decision the South should inadvertently come to reverence the Court, why might not that too, like every former piece of apparent good fortune, be turned against them?

We have seen that a political party which seeks to attain unto permanent existence in a democracy must at least profess to represent the highest interests of all the people; it cannot confine itself to a section or a class or to a single line of effort. By a series of accidents previously explained the official Democratic party had in 1858 become pro-slavery; it stood for the interests of the slaveholder. But at no time had the Democratic party the least intention of going out of existence, or of

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allowing itself to become anything less than a great national party. Having become proslavery, it was natural that the party should tend to nationalize the proslavery sentiment, and it is one of the curiosities of political history that it appeared to succeed thoroughly in this. The Republican party likewise aspired to achieve national recognition. It would gladly have won a following in the Southern states, but it failed to attract the anti-slavery and anti-secession elements there.

The Democratic party of the North was divided in 1846 over the Wilmot Proviso, one portion forming the nucleus for the Free-soil party. Dividing again in 1854, it furnished an important element to the Republican party. A third split, in 1858, gave rise to a plan, never fully matured, for the formation of still another party which should draw to itself the anti-secessionists of the South and the antislavery people of the North. The fulfilment of this scheme was prevented by a series of occurrences in the state of Illinois.

A state legislature was elected which would choose a successor to Senator Douglas. Douglas himself was the undisputed candidate for his own party. Eastern Republicans strongly recommended that he should also be made the candidate of the Republican party of the state. Of course their desire and intention was thus to promote and widen the breach in the Democratic party already begun. The Republicans of Illinois, however, determined upon a radically different policy; at a

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state convention in June they nominated Abraham Lincoln as a candidate for the United States Senate in opposition to Stephen A. Douglas. This plan was formed in the party many weeks before the meeting of the convention, and Lincoln had full time to prepare a speech setting forth the issues of the campaign.

In the opening sentences of his famous Springfield speech, delivered upon the acceptance of the Republican nomination for the United States senatorship, occurred the following sentences: "We are now far into the fifth year since a policy was initiated with the avowed object, and confident promise, of putting an end to slavery agitation. Under the operation of that policy, that agitation has not only not ceased, but has continually augmented. In my opinion, it will not cease until a crisis shall have been reached and passed. A house divided against itself cannot stand. I believe this government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved — I do not expect the house to fall — but I do expect it will cease to be divided. It will become all one thing or all the other. Either the opponents of slavery will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction; or its advocates will push it forward till it shall become alike lawful in all the states, old as well as new — North as well as South."

Upon the issue as made up in the Lincoln and

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Douglas debate the next presidential election was carried, and then the country drifted straight into civil war.

On matters of practical statesmanship affecting the slavery question Lincoln and Douglas were not far apart. In the speeches of the campaign Douglas gloried in the fact that he had fought beside Clay and Webster for the Compromise of 1850. Lincoln also had favored that measure. He stated explicitly that he did not favor the abolition of slavery in the District of Columbia; he was not in favor of an unconditional repeal of the Fugitive Slave Law; he was not in favor of abolishing the slave trade between the states. Asked as to the meaning of the words "ultimate extinction" of slavery, he said that he did not expect that the institution would disappear in less than a hundred years. He was not in favor of using federal power in any way to interfere with slavery in the states. Lincoln agreed with Douglas that the negro belonged to an inferior race. In his Peoria speech he said: "I have no purpose to introduce political and social equality between the white and black races. There is a physical difference between the two which, in my judgment, will probably forever forbid their living together upon the footing of perfect equality; and inasmuch as it becomes a necessity that there must be a difference, I, as well as Judge Douglas, am in favor of the race to which I belong having the superior position."

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Douglas's peculiar and distinctive doctrine of popular sovereignty was resulting in the triumph of freedom in the territories, and William H. Seward and other leading Republicans were led to avow openly their acceptance of the principle and their willingness to unite with Douglas in an effort to secure its honest observance. Lincoln's objections to the Douglas policy were historic and theoretical rather than practical. He maintained that it had worked mischief in Kansas — citing the long years of disturbance; yet he did not advocate a repeal of the Act of 1854.

It was in their moral attitude toward slavery that Lincoln and Douglas differed, rather than in specific policies. It was always fashionable for Northern Whigs to express disapproval of slavery, and until the split in the Democratic party over the Wilmot Proviso it was likewise fashionable among Northern Democrats. But in Lincoln's case disapproval of slavery was a deep and vital conviction. Douglas tried to fasten upon him the odium of abolitionism, but it was easy to disprove the charge; he never had the slightest sympathy with the abolition movement. Douglas's real convictions on the slavery question are not so easily stated. As explained above, it was almost impossible for one to be a Democrat in 1858 and at the same time openly profess hostility to slavery. His doctrine of popular sovereignty taken in its relation to political conditions almost compelled Douglas to express indifference to slavery. This he

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certainly did. Here was Lincoln's great opportunity in the debate, and he used it to the uttermost. The moral sense of the age was against slavery, but Mr. "Douglas did not care whether slavery was voted up or voted down." As Douglas accused Lincoln of being an abolitionist, so Lincoln classed Douglas with the slaveholders of the South.

This was the real issue in the great debate: Lincoln represented the conscience of the age in his moral reprobation of slavery. At that point Douglas, as a Democrat, was vulnerable. Douglas in his turn charged upon Lincoln a purpose to destroy the Union. The words "a house divided against itself cannot stand" were made by Douglas the key-note of the campaign. Lincoln had insisted upon retaining these words contrary to the advice of nearly all his friends. Taken in their connection it was seen that they would be understood to mean that the Republican party of the North was going to assume an aggressive attitude against slavery in the states. This the party had always denied. Lincoln himself repudiated any such intention. But if his words did not mean that, then what did they mean? Mr. Douglas was not slow to see this vulnerable point in Lincoln's position, and in every one of his hundred speeches he rang the changes upon those threatening words. Lincoln was made to represent a party confined to one section of the country which was assuming an aggressive attitude toward another section. It was easy for Lincoln to explain that he had personally



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no such intention, but there the words stood. "We are approaching a crisis," he had said, "and the end of that crisis will be the end of either slavery or freedom in this country."

Had Mr. Lincoln been addressing a church congress, or a reform club, or an ethical society, his words would have carried with them no practical political import; but as they were carefully chosen expressions addressed to a political party whose leaders expected in a very few years to control the offices of the United States government, they seemed portentous with purpose. When the Republicans came to face this crisis, would they not find themselves pledged to inaugurate a policy which would destroy slavery in the states? In the stress of debate the question was urged, what was the Republican party going to do to back up these high-sounding assertions? and then it appeared from Lincoln's replies that it was not going to do anything as a party; it was not going to exercise any one of the powers which the Constitution conferred upon the federal government to interfere with slavery in the states. According to Lincoln's exposition the Republican party would act as if it were a church, a reform club, or an ethical society; it would simply exercise the right of saying that slavery was wrong. Lincoln did not believe in agitation; he had no sympathy with abolitionists; he arraigned Douglas as the chief promoter of agitation, and he said that if any way could be devised whereby the agitation could be

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arrested, he himself was ready to desist from the exciting discussion.

It was quite impossible that the Nullifiers of the South should comprehend a political party that would rest satisfied with piously expressing the belief that slavery was wrong; on the contrary, they looked for nothing else than that a policy would be inaugurated to remove the wrong. Southern politicians were accustomed to act. They left to preachers the task of proving that slavery was right, while they themselves devised methods to protect their institutions. Given a party in control of the government whose members were committed to the doctrine that slavery is wrong, Southern politicians looked for measures for the destruction of slavery to follow, as they looked for night to follow day.

This quite natural impression in the South was reënforced by an utterance of another Republican leader, better known and more influential at this time in party councils than Lincoln.

In August, 1858, while the Lincoln and Douglas campaign was in progress in Illinois, William H. Seward delivered an address at Rochester, New York, in which he used the words, "It is an irrepressible conflict between opposing and enduring forces, and it means that the United States must and will, sooner or later, become entirely a slaveholding nation or entirely a free labor nation." These declarations of Lincoln and Seward were accepted by Jefferson Davis and his Southern com-

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peers as proclaiming relentless war upon that which was dear to them as lying at the very foundation of Southern society and essential to Southern prosperity. The Southern temper stiffened for the contest. Submit to such impertinent interference in their own private affairs! Tamely yield to the rule of the arrogant sectional Northern party which would wrest from them their property and destroy the proud civilization of the beautiful South! Never! They would rather rend in twain the hated bonds and make for themselves a government after their own hearts.

Was it really a good thing for the country that the Republican party was revived and carried forward to victory under the leadership of Lincoln and Seward? Would it have been better for the party and better for the country to have accepted Douglas as their leader, and thus have secured the coöperation of a large element in the South? To ask such a question is easier than to answer it. It seems probable that the immediate advantages would have been great, and that the country might thus have escaped the scourge of civil war.

But turning from that which might have been to that which actually was, it is clear that, viewed from the standpoint of results, few campaigns in our history have been so fateful as that of 1858. Here the issue was made up for the great catastrophe; that maladjustment of political parties was finally reached which left the people helpless in the face of apparently irreconcilable differences.

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Thucydides said of the Greeks at the beginning of their relentless civil war that, though the opposing parties spoke the same language, they had lost the ability to understand each other. Words had taken on varying and contradictory meanings, and had thus become a source of aggravation and discord. There were no national political parties among the Hellenes to serve as a substitute for civil war; no great organic debating societies bound together the people of all the states. In each city or in each little state there were instead local warring factions whose members were ready to cut each other's throats. To the Greeks naught was left but war, which grew by that it fed on, until the last vestige of liberty was destroyed and the people were made victims of enduring despotism.

The people of the United States should have learned a lesson from the history of the Grecian states. In the North and the South they were in 1858 speaking the same language, but they had ceased to understand each other. The very words of the national documents were made occasion for quarrel. Grown men, leaders of thought and action, were thrown into frenzy of excitement over contradictory meanings attached to certain phrases of the Declaration of Independence. That primary symbol of union and harmony thus became, under the prevailing unnatural conditions, a source of estrangement and discord.

We entirely miss the point and meaning of the

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most important episode in our history if we conclude that the real cause for the play of these disruptive forces was any temporary or accidental matter. The legal status of the black man was a temporary accident; it was in no proper sense the cause of the national tragedy. The assertions of Lincoln and Seward which determined the trend of the discussion of the campaign were simply not true when taken in the sense in which they were intended to be taken. So far as the legal status of the black man was concerned, the house was not seriously divided against itself. Mr. Lincoln was simply giving utterance to a common delusion of the day. Over the question of slavery there was no irrepressible conflict; the last serious conflict was already practically settled. Slavery had just been virtually abolished in Kansas under the leadership of representative Democratic statesmen. This was but indicative of its imminent collapse in all the states. Nowhere could slavery endure the inroads of the railway, the telegraph, and, above all, of the modern newspaper reporter. The change in the legal status of the negro was but a detail unimportant in itself. The war did not abolish slavery, it but gave direction to an act already virtually accomplished.

The real source of conflict, the real ground of alienation in the house divided against itself, was the coexistence in the same body politic of those who believed in democracy and those who believed in a government by force. The quarrel was be-

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tween despotism and government by public opinion. This conflict remains to-day. It is as old as history, and it will endure until the house ceases to exist, or until it ceases to be divided. The believers in despotism and the believers in democracy never have understood each other; in the nature of the case they never will. The South honestly believed that Northern abolitionists intended to lord it over them, and deprive them of liberties dearer than life itself. In the North the belief likewise prevailed that the slave power would continue to force more and more humiliating concessions. There was an almost universal belief in the despotic intent of the opposing party. This is but another way of saying that the principles of democracy were in abeyance; practically the people had come to believe only in despotism. If the war did not settle the slavery question or the race question, much less did it settle the conflict between despotism and democracy.

One of the most significant facts in respect to the campaign of 1858 was the advancement made as it progressed toward the disruption of the Democratic party. In one of the joint debates between Lincoln and Douglas, Douglas was induced to define very clearly his position that the people in a territory might, if they chose, prevent by territorial enactment the introduction of slavery. This had been his view ever since the introduction of the Kansas-Nebraska Bill, but it had not been the position of his proslavery associates. The decision of the Supreme Court in the Dred Scott

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case seemed to establish the proslavery view. Douglas accepted that decision as conclusive against the legality of the Republican claim that Congress had power to exclude slavery; while he yet maintained that it left intact his great principle of the right of the people in their local capacity to determine for themselves their local institutions.

In ordinary times this would have been mere academic hair-splitting; no practical policy of any importance was involved. But at this particular juncture of political affairs the distinction did have to do with the integrity of a great national party whose welfare was bound up with the integrity of the Union. The extreme proslavery wing of the Democratic party would not accept as a leader and a presidential candidate a man holding, either as a theoretic speculation or as a practical basis for action, the doctrine that the inhabitants of a territory could legally exclude slavery. By forcing Douglas to reiterate his settled conviction that the theory of popular sovereignty, which he pronounced the just and logical principle of all democracy, did confer upon the people of a territory the right to exclude or to adopt slavery, Lincoln knew that he was making it impossible for him ever to receive the nomination of the united Democratic party.

Few politicians have enjoyed a greater personal triumph than did Stephen A. Douglas, although he failed to seize the glittering prize at which he aimed. He stood almost alone; he had no powerful and influential supporters. The administration

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and the whole of official Democracy was bitterly opposed to him. Yet, in the teeth of administrative patronage and abuse, he won to his support the national Democratic party. He made himself the candidate of the last national Democratic Convention before the Civil War; and, notwithstanding there were four important candidates in the field, he received within half a million as many votes as Lincoln, the successful candidate; nearly twice as many votes as Breckenridge, the secession candidate, and fully twice as many as Bell, the Union candidate. Had the Republicans accepted Douglas in 1858 as leader and candidate, the whole after course of our history would have been different. The party would have been strong in the South as well as in the North; in 1860 there would have been in the field only two parties of consequence; no President could have been elected representing only a section of the country and receiving nearly a million less than half of the votes cast. But Douglas, in 1858, was definitely repudiated by both administration Democrats and Republicans. He was powerless to capture the new party called into existence through resistance to his own peculiar measure; but surely he did what a man could to control and hold together in the interest of the Union the great Democratic party.

There was probably much greater satisfaction felt among the Republicans throughout the country at Douglas's election over Lincoln in the Illinois



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senatorial contest than there would have been at the election of Lincoln. The defeat of Douglas would have indicated the complete union and triumph of administration Democracy, while his election meant the further weakening of the pro-slavery Democrats. Lincoln was, at this time, a comparatively unknown man; his candidacy was contrary to the advice of a majority of the leaders of national repute; his election would have seemed small compensation for the defeat of Douglas, judged from the standpoint of seeking for effective restraint upon proslavery and disunion Democracy. The Republicans, therefore, rejoiced in the election of Douglas, and they still further rejoiced in the fact of substantial Republican gains throughout the North. This was accepted as a direct rebuke to the administration on account of its attitude toward Kansas.

## CHAPTER XX

### JOHN BROWN AT HARPER'S FERRY

THE Congress elected in the autumn of 1858 had not assembled for its first session when the whole country was startled by an event which figures in history as the John Brown Raid. For that insurrectionary act, John Brown was hanged at Charlestown, Virginia, on December 2, 1859, the Friday before the meeting of Congress.

John Brown had become conspicuous during the disturbances in Kansas as a leader among the most violent of the free state settlers. There his lawless and murderous deeds soon made him an outlaw, and, with a price upon his head, he left Kansas in January, 1859, and came to Virginia with the purpose of carrying out a scheme upon which he had meditated in a dreamy way for a score of years. Through long contemplation of the evils of slavery, he had come to believe in a divine purpose to destroy the system through violence and bloodshed, and he felt himself to be set apart of God to inaugurate the great deliverance of the captives and the pouring out of the wine of the wrath of the Almighty upon their oppressors. Settling at Harper's Ferry with a little band of followers, he

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sought to incite a general insurrection of slaves throughout the South, by means of which they should all become free. The wild, crude, unorganized attempt failed, of course, and the conspirators met with dignity and Christian firmness the fate which was to be expected.

The affair at Harper's Ferry, trivial and insignificant as it was in itself, is nevertheless of immense importance when taken in its connection with the political events and tendencies of the day. The advocates of secession were not succeeding according to their hopes in uniting the Southern states in a solid phalanx. It was clear to the keen-sighted leaders that the ascendancy of Southern statesmen in the national government was not to continue. Douglas was manifestly taking the Democratic party out of their hands, and it was evident that never again would a Northern Democrat be chosen President, who could be relied upon to act at their dictation as had Pierce and Buchanan. But the masses of the Southern people were not yet convinced that no recourse remained but withdrawal from the Union. In every state, save only South Carolina, the secessionists encountered formidable opposition from among their own people. The weapon which John Brown's ill-judged, fanatical attempt placed in the hands of the propagandists of secession was a powerful one. "Behold," they were able with a good degree of plausibility to exclaim, "the legitimate fruits of such teaching as that of Seward

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and Lincoln. This is what may be expected to occur throughout the slave section when black Republicans get the upper hand." It was easy to persuade the ignorant multitude that John Brown was simply one representative Republican carrying to their logical conclusion the principles upheld by the party. The South made no distinction between abolitionists and Republicans. They were equally the vile, bloodthirsty enemies of the Southern states.

The secession movement, which had made but languishing progress hitherto, now received a wonderful impetus. That practical unanimity in its favor which had been lacking now seemed in prospect of achievement. If once the masses of the people could be made to believe that the choosing of a Republican President would be followed by the invasion of armies and the inciting of the ignorant blacks to murder the whites, then they could be brought to the unanimous support of the secession of their states. There were none in the South who did not object to murderous weapons in the hands of infuriated negroes.

Of course it was not true that John Brown represented or expressed the sentiments of the Republican party; his acts were not inspired by Seward's teachings. So far as appears, no one who was prominent in party leadership knew of his plans or approved of his deeds. Yet he did have the approval and the financial support of men whom Republicans were wont to honor. Among

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these were Theodore Parker, T. W. Higginson, and Gerrit Smith. William Lloyd Garrison is not counted among those who countenanced the enterprise, because he was theoretically opposed to the use of force, and advocated moral suasion alone. His weapons were words only, but his words were used as other men use daggers and pistols and fire-brands. It cannot be denied that John Brown did, in a way, represent and express the general spirit of the extreme abolition propaganda. That spirit was distinctly belligerent and intolerant.

For thirty years the discussion of the slavery question had been left on both sides to those who held extreme views and maintained them with intemperate zeal. The moderate, the careful, the judicious, had refrained from engaging in the struggle. At a late hour — not until June, 1858 — Mr. Lincoln, as a leader in a new political party, did, in a sense, identify the policy of his party with the so-called moral teachings of the abolitionists. Personally, Lincoln had consistently repudiated this teaching as immoral and impolitic; he even repudiated and continued to repudiate the so-called "higher law" doctrine of Seward. Personally he is consistent with himself; he always disapproved of the antislavery propaganda, though he always believed and affirmed the wrongfulness of slavery. But when he identified the principles of his party with the moral teachings of abolitionists, he became himself divided against himself. Abolitionists had for too long a time enjoyed a monopoly of their

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own sort of teaching ; they had created a literature, they had fixed the forms of thought, they had raised up leaders of national reputation. To identify the Republican doctrines with the moral opposition to slavery meant, under the political conditions which prevailed at the time, to identify the party with the abolition propaganda ; there was no room for a competing moral suasion school. This Mr. Lincoln did not intend to do, and, so far as he was personally concerned, he did not do it. As a Republican leader and a statesman, he continued to act just as if slavery was not a moral question, just as if it were a prudential question to be dealt with according to the accidents of the time.

The antislavery propaganda, with all its virtues, fell far short of ideal moral perfection. It had about it much that is good, much that will be universally accepted and approved ; it had also much that was defective, anti-Christian, and, in the light of advancing ethical teachings, immoral. The John Brown episode will stand as an expression of the immoral side of the antislavery teaching. Rightly enough, men will continue to excuse and explain and apologize for this species of immorality, just as they will continue with equal justice to excuse and explain the moral delinquencies of slaveholders.

The episode at Harper's Ferry furnished what was lacking to insure the final triumph of the extreme faction devoted to the defence of Southern

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institutions. Just as the insurrection and massacre by slaves in Virginia, led by Nat Turner, contributed, in 1831, to its early success, so the enterprise of John Brown assured the ultimate supremacy of that element in the South which urged on rebellion and the mutilation of the Republic.

Between the leaders of the most radical factions in the South and those of the North there was always a marked contrast. Southern extremists wasted no political force in the formation of minor political parties. The Nullifiers, for example, acted either with the Whigs or the Democrats, and by their superior sagacity and skill in affairs were always able to direct or to influence public policy to an extent out of all proportion to their numbers. It was about 1850 that a few of the most radical of those previously known as Nullifiers became persuaded that no way remained for the South to preserve her distinctive institutions except by withdrawing from the compact of states. But this party of convinced and determined secessionists not only did not separate themselves from the Democratic party, they remained actively influential in the organization, taking advantage of every opportunity to increase the apparent discord between North and South. If they did not inaugurate policies with the direct intention of fomenting abolition fanaticism in the North, they held themselves ready at all times to use to the utmost every occurrence which might be wrested for the

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purpose of proving to the South the hostile intent of the bigoted North. The Harper's Ferry raid furnished to these watchful secession advocates an occasion which they were not slow to improve.



## CHAPTER XXI

### THE CAMPAIGN OF 1860

THE session of Congress which took place in December, 1859, was one of the stormiest in our history. In the House of Representatives no party could command a majority. Administration Democrats, Douglas Democrats, and Americans faced the Republican phalanx, which was larger than any one of the other groups, but which still lacked several votes of a majority. More than two months passed in ineffectual effort to elect a Speaker and organize the House; but at last Pennington of New Jersey, a conservative Republican, was chosen, and the House proceeded to business, though in very turbulent fashion. The debates were conducted with great vehemence of speech. Severe words led to threats of personal violence, and members formed the habit of carrying concealed weapons. Though the civil war in Kansas had come to an end, there seemed to be imminent danger that it would break out on the floors of Congress. There was no immediate cause for such pronounced ill feeling; no specific measures of legislation, no scheme of governmental policy calculated to arouse a bitter contest were before the legislators. But the general condition of political

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affairs had given rise to bad blood. The relations between the two sections were severely strained. Threats of secession filled the air. Among the Republicans many had assumed an attitude of defiance. The conviction grew that the time had gone by for yielding to intimidation and menace.

Early in the year 1860 all eyes were turned to the approaching presidential election, which was universally recognized as fraught with destiny. The key to the situation seemed to be in the hands of the Democrats, but much depended upon the continued integrity of the party, and Douglas was a thorn in their side. Having once broken with the proslavery wing of his party, the Little Giant became as inflexible and uncompromising as were the abolitionists themselves. He informed the Southern leaders that he was not seeking a nomination, though he would accept one if it came to him on principles which he approved. But he would not accept a nomination on a platform which he could not conscientiously execute in good faith if elected. He had no concessions to make, no recantations to offer. With the powerful support which he knew that he commanded in the North he was ready to do battle for his distinctive principles and give no quarter.

Jefferson Davis led the Southern Democrats in the Senate. He was the ablest of the proslavery faction. Douglas had spoken in the Senate in January, and the country waited for a statement of the position of the Southern Democracy. Would

they, in view of the bold stand which Douglas had taken, consent to any backward steps? Senator Davis presented in February a series of resolutions which were understood to embody the political ultimatum of the proslavery Democracy. The fourth of these resolutions was the significant one. It set forth the crucial test of party loyalty in the assertion that no constitutional power belonged either to Congress or to any territorial legislature to deprive the slave-owner of the exercise of his property rights in the territories; and that the federal government was in duty bound to afford to slave property in the territories the same protection which it furnished to other forms of property.

Douglas's reiterated declarations had left no doubt in any mind that a nomination upon a platform such as that embodied in the resolutions of Jefferson Davis he would never accept. He stood and would continue to stand upon his own platform of "popular sovereignty," which involved the right of the inhabitants of a territory, as of a state, to exclude slavery or to adopt it.

The stubborn and determined attitude of the two Democratic chiefs representing the two wings of the great national party, and their opposing and irreconcilable views, were the decisive, the portentous facts of the months of doubt and dread in the fateful year of 1860. They made it clear that the Democratic party was hopelessly divided, that the last strand of the national bond was parting and disunion was assured.

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By a strange fatality the national Convention of the Democrats assembled in Charleston, South Carolina, in April. That entire state had become a unit on the doctrines of Calhoun. It was the one state in the Union in which there was not in some form an active Union party or an effective Union sentiment. The atmosphere of Charleston was not favorable to the cultivation of national or Union sentiment in the party. In the convention the supporters of Douglas had a majority of the delegates, but by the aid of Oregon and California the Southern delegates were able to control the organization. The Committee on Resolutions, being composed of one member from each state, had a majority in favor of adopting the Davis Resolutions as the party platform so far as it concerned the slavery question. Failing to agree upon a compromise, the committee reported two platforms.

In the convention the lines were drawn as sharply as they had been in the committee. Neither party would recede from its position. The Southern delegates would probably have accepted the Douglas platform on condition that they be permitted to name the candidates, but to this the Northern delegates would not agree. They demanded that the convention should first vote upon the platform, and afterward should proceed untrammelled to the selection of candidates. After days of acrimonious debate the vote was reached, and the platform of the Douglas delegates was adopted by a vote of 165 to 138. Its supporters would have been even

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more numerous had it not been for the vindictive use of the spoils of office by President Buchanan. By this decisive vote the Charleston Convention had adopted its platform, but before the assembly proceeded to the nomination of candidates a memorable scene was enacted. The delegations from the several states of the seaboard as far north as South Carolina, one by one, after an explanatory speech by one of its members, arose in a body and withdrew from the convention. By the well-informed this act was accepted at the time as the beginning of the real secession of states.

On two previous occasions a body of Southern political leaders had taken the position that, unless something special and peculiar was done to them or for them, they would destroy the Union of the states. It happened at the time of each of these occurrences that the Chief Magistrate of the nation was a Southern slaveholder, who had ready for the obstreperous politicians a very definite and positive reply. Each of those Presidents made statement to the effect that, in case the uneasy promoters of secession persisted in their course, the national Executive would take great personal satisfaction in hanging them, individually and collectively, as high as Haman. He made it unmistakably clear that upon this point his mind was fully made up, and the deed would be done, should occasion offer.

But a man of a different caliber and other views of his official duties occupied the presidential

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chair in 1860. The position of the secession party in 1860 in some respects resembled its position in 1850, and in some respects it differed from it. At the earlier date, the grievance was, unlimited territory for the formation of free states and no territory for the extension of slavery. In course of the following decade, three free states had actually been added, while no territory had been acquired for the effective extension of slavery. In 1850 the peculiar unhappiness of the proslavery politicians arose from the fact that, at the dictation of the South, the resources of the entire nation had been placed at their disposal, a considerable war had been fought, and the affair had not turned out as they expected. Under a policy forced upon the nation by the slave power, freedom had made greater gains than slavery.

The special grievance advanced at the later date is strikingly similar: the two Houses of Congress, the United States Executive, and the Supreme Court of the United States had each in turn lent themselves to the support of the Southern policy, and the results were again contrary to expectation. Despite all the sanctions of law, the support of armies, and the license given to mob violence, slavery would not go into either Kansas or New Mexico.

Just what was the technical offence which caused the Gulf states to secede from the national Convention of the Democratic party? The platform just adopted by the Douglas Democrats was

more favorable to slavery than any one ever previously adopted. The party had before been remarkably harmonious as to its platforms, and the Charleston Convention reaffirmed the one unanimously adopted four years earlier. That platform had declared the preservation of the Union the paramount issue, and had warned the country against a sectional party organized upon the one issue of slavery. It approved of the Kansas-Nebraska Act as the only sound and safe solution of the slavery question, and of noninterference with slavery in the territories on the part of Congress; and it declared "that this was the basis of the Compromise of 1850, confirmed by both Democratic and Whig parties in national conventions, ratified by the people in the election of 1852, and rightly applied to the organization of the territories in 1854." In 1856 this statement of principles was to all appearance entirely acceptable to the Democratic party of the South. The Douglas platform, in addition to all this, affirmed loyalty to the decisions of the Supreme Court in respect to slavery in the territories, and, as a farther concession to the proslavery interest, it favored the acquisition of Cuba.

There was a difference of opinion between Douglas Democrats and Davis Democrats as to precisely what the Supreme Court decision meant when applied to the people of a territory. The Douglas Democrats were willing to omit any expression in their platform on this matter, but

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the Southern Democrats insisted upon having their peculiar opinion explicitly stated. They persisted in saying that neither Congress nor the people of a territory could exclude slavery. The Douglas platform expressed a willingness to grant all that was demanded, in case the Court should so interpret the Constitution. Technically, this was all that divided the factions when the Southern states withdrew from the convention.

The element of disruption is to be found in the fateful Compromise of 1850. But for that act there would have been no Kansas-Nebraska Bill, no calling in question of the validity of the Missouri Compromise, no war in Kansas, no John Brown raid, no continued and rasping agitation of public feeling throughout the two sections of the country. We have seen how during the decade of unnecessary disuniting agitation a new South had come into being which misunderstood and hated the Northern members of the sisterhood of states; and a new North had arisen more and more incapable of understanding the South. It was this fact which gave to the threats of secession in 1860 an entirely different meaning. At last it had come to pass that a considerable body of the Southern states had reached a condition in which it was possible for them to act together with practical unanimity against the North.

Before the fresh agitation of 1850 the slavery question was already settled; the only point which remained unsettled was whether the South, in



view of the settlement reached, would attempt to break up the Union; and in this the South itself was thoroughly divided. In state elections in the Gulf states the Union party triumphed; not a convention of Southern statesmen could be called together who could be induced to vote in favor of secession. And along with the settlement of the slavery question the question of secession was also apparently settled. Previous chapters have shown how all this was changed by the Whig Compromise. Few men then suspected that that act had any tendency to destroy the validity of the Missouri Compromise, and in 1852 there had been no popular apprehension of anything of the sort; though it became later the settled doctrine of the Democratic party that the Whig Compromise did effect the repeal of the Missouri Compromise, and that the acts attempting to legislate slavery into Kansas were but applications of the principles set forth in the Whig bill. This was the real grievance of the secession leaders in 1860: They had secured the coöperation of the two great national parties; they had received the hearty support of Congress, the National Executive, and the federal courts, and, withal, they were disappointed as to the results. But now at last the desire which had been growing stronger for a whole generation had been gratified; the conditions were such that the people of the South could be united in an act of secession.

How had a basis for this unanimity been secured?

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Those writers who take the view that the sectional division arose simply from contradictory views on the slavery question have a comparatively easy task. All that is necessary to support the position is to collect at random the political utterances of the day from newspapers and speeches, North and South. But, like many another political theory, this view is entirely too simple to be true. Jefferson Davis stated in a Democratic convention in the state of Mississippi, in July, 1859, that ten years earlier men might have been found in the South who asserted that slavery was wrong, but such had been the progress of "truth and sound philosophy," that now "there is not probably an intelligent mind among our own citizens who doubts either the moral or the legal right of the institution of African slavery, as it exists in our country."<sup>1</sup> Now, if one can accept as a primary fact the phenomenon that just at the time when the Christian world was being baptized with a spirit of liberty; when sympathy for the oppressed in all lands was being enlarged beyond that found in any previous decade; when Kossuth was electrifying American audiences by the story of the wrongs of the enslaved Hungarians; a particular geographical section, peopled by Anglo-Saxons of the purest blood, had experienced a remarkable change of heart from a belief that slavery was wrong to a unanimous belief that slavery was right, then the course of secession and the Civil War are

<sup>1</sup> Rhodes, Vol. II., p. 372.

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accounted for. But the thing that really needs explanation is how it happened that Anglo-Saxon Americans at such a time came to believe and to act in such a singular way?

In a former chapter I have endeavored to explain how it was that during the ten years following the original debate over the Wilmot Proviso, Northern Democrats seemed to change from a belief that slavery was wrong to a belief that slavery was right, while at the same time this apparent change was unreal and illusive; that only as members of a political party were they proslavery, while as human beings they were antislavery still. At a political meeting in England which I attended, in 1887, there was a noisy crowd of believers in Irish Home Rule. A Tory speaker turned upon them and asked suddenly, "How many of you were Home Rulers before Gladstone introduced his bill?" Not a man responded. "How many are Home Rulers now?" Half the meeting gave vociferous response. Now, it is possible for great bodies of men to form definite and permanent convictions on very short notice; it is also possible for great bodies of men, as members of a political party, to appear to change their convictions when no actual and effective change takes place. A student of politics who does not recognize this peculiarity of collective human nature will go wrong half the time.

Upon the breaking up of the Whig party the Southern voter was subjected to a peculiar regi-

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men. Every man and every party who appealed for his support tried to surpass all competitors in abuse of the Northern abolitionists; each man and each party tried to excel in devotion to the South and to the peculiar institutions of the South. Under this political stress the words "I believe in slavery" came to have a peculiar local and technical meaning. The words stood for nothing at all which was positive, but they represented a number of clearly defined negations. They meant, "I do not believe in Northern abolitionists; I do not believe in a war of races; I do not believe in subjecting the white man to the domination of the negro." Davis was correct in saying that the South was unanimous in the support of slavery as thus defined. He might have said also that few people of the North held a different opinion. The slavery which the North condemned was defined in different terms; and even in the South opinion was not uniform. At the very time when Senator Davis was proclaiming the unanimity of the South on the slavery question Southern leaders were still in a fever of excitement over efforts to suppress Helper's *Impending Crisis*. John Sherman had just been defeated in his candidacy for the speakership of the House of Representatives because of his alleged complicity in extending the circulation of Helper's book. One of the Southern members had said that a man who would do such a thing as Sherman was accused of doing was not only not fit to be Speaker but was not fit to live.

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Now Helper had published a definition of slavery which differed *in toto* from the technical definition which was a basis of Southern union against the North. The leaders of the South did not dare to have Helper's definition and description presented to the Southern voter; with good reason they feared that it might induce the great majority of the people to oppose slavery. The Southern people had become a unit against what they believed to be malignant outside aggression. If at any time during the ten years preceding the war the sense of outside hostile aggression could have been removed, the people of the slave states would themselves have divided on the subject, and an increasing number would have been led to say that slavery was wrong. That which led the South to appear to be of one opinion on the question of slavery was the fear and dread of hostile Northern interference.

After the secession of the Southern members from the Charleston Convention Douglas could have been nominated by a majority vote of all the members, including the seceders; but under the rule requiring a two-thirds vote of all the members it was found impossible to nominate any one. The convention therefore adjourned to meet in Baltimore, June 18.

Before the reassembling of the national Democratic Convention in Baltimore, two events of great importance in our party history had occurred. On the 9th of May a convention calling itself that of the

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Constitutional Union party gathered in Baltimore. Being composed of Whigs and Americans, it was, in a sense, a continuation of the combination of parties which nominated Millard Fillmore in 1856. But action of the coalition in 1860 was especially significant from the fact of the widespread belief that the Union was seriously threatened. The Union party placed in nomination Bell of Tennessee for the presidency and Everett of Massachusetts for the vice-presidency. The platform adopted made the preservation of the Union paramount to all other issues. On May 16 the convention met in Chicago which nominated Abraham Lincoln for the presidency. Thus, when the adjourned meeting of the national Democratic Convention met in Baltimore, June 18, two candidates for the presidency were already in the field.

There was still a hope in the minds of many that the integrity of the Democratic party might after all be preserved. Some of the seceding delegates were disposed to return to the convention; but two states, Alabama and Louisiana, had sent to the convention competing delegations. Five days were spent in wrangling over the constitution of the assembly. Douglas sent two messages to members of the convention urging that his name be dropped if the principle for which he stood could be supported by uniting upon another candidate; but his friends would not consent to his withdrawal. Finally, on the fifth day, the convention admitted the Douglas delegates from the Southern states;

whereupon there ensued a farther secession, led by the delegates from Virginia, followed by those of North Carolina, Tennessee, Kentucky, and Maryland. When the number had been so greatly reduced and even the chairman of the convention had withdrawn to join the seceders, the remaining members proceeded to the nomination of Douglas. The seceders organized at the same time in another hall and nominated Breckenridge of Kentucky upon the Davis platform.

Thus four candidates were before the country, each representing an important constituency. The Republicans stood for opposition to the Southern policy of extending slavery. Their platform disavowed any intention of interfering with slavery in the states; characterized the John Brown raid as a serious crime; declared that the normal condition of all territory belonging to the United States was that of freedom; and denied to Congress or to any territorial legislature the right, under the Constitution as interpreted and applied by "our Republican fathers," to legalize slavery in a territory. The reopening of the slave trade was condemned; the frequent threats of disunion by leading Democrats were denounced "as an avowal of contemplated treason, which it is the imperative duty of an indignant people sternly to rebuke and forever silence." In a general way, without any explicit statement in the platform, the party under the leadership of Lincoln stood for the moral reprobation of slavery.

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The Douglas Democrats also stood for resistance to the extreme claims of the Southern Democrats. The division in the party grew out of the attempt to force upon Kansas a proslavery constitution contrary to the wishes of the people of the territory. In order to retain as large a support in the South as possible, the Douglas platform was made as favorable to slavery as might be while the possibility of excluding slavery from the territories was yet recognized. Apart from the platform, the Douglas party emphasized the importance of the Union. Technically they were the national Democrats; and while there was no expectation of carrying the election, yet they made a vigorous campaign. Douglas himself made speeches throughout the land, even undertaking a tour of the South in the effort to reconcile the people to the policy of peaceable submission to Republican rule.

The supporters of Breckenridge made no threat of secession in their platform. They reaffirmed the resolutions of 1856, in which there were strong utterances in favor of the Union and against the formation of parties representing a sectional issue. Yet it was well understood that Breckenridge Democracy did represent the disunion sentiment of the country. As Douglas said in the campaign, it was not true that every Breckenridge Democrat was a secessionist, but it was true that every secessionist was a Breckenridge Democrat. The opposition of the Buchanan administration to Douglas



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carried many Democrats, North and South, to the support of Breckenridge. Many of these were Union men, and at the final issue some of them remained with the supporters of the Union. The Union party under the candidacy of Bell stood for what its name indicates, the supreme importance of the Union.

Of the four leading parties, three maintained in different ways the doctrine of nationality. In the slave states the chief contest was between Bell and Breckenridge, and between these two candidates the Southern vote was pretty evenly divided. Breckenridge received 570,871, and Bell 515,973. But Douglas also received in the Southern states 163,525 votes, and Lincoln 26,430. Every vote in the South which was not for Breckenridge was a vote for the Union, and it was so understood. Only in four states did Breckenridge have a majority over the Bell and Douglas vote combined. In Missouri Lincoln received more than half as many votes as Breckenridge, and Bell and Douglas each received almost twice as many. From the analysis of the vote it would seem that the slave states were overwhelmingly opposed to secession.

In the North, the chief contest was between Lincoln and Douglas, yet in all the free states there were both Bell and Breckenridge tickets, the former receiving 130,151 votes, while the Breckenridge vote in the free states was 279,211. A hundred thousand of these last were cast in Pennsylvania, and were largely due to the personal influ-

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ence of President Buchanan. The Breckenridge vote of the North was not in any sense a secession vote ; it was simply an anti-Douglas vote, or an administration vote.

Before the day of election there was inaugurated a movement to secure the defeat of Lincoln by a fusion of the three opposing parties. In New York and New Jersey such a fusion was effected. In three other Northern states the Douglas and Breckenridge Democrats put in nomination a fusion ticket. But the fusion movement was viewed with disfavor by the real secession party of the South. They much preferred the election of Lincoln to any other candidate except Breckenridge. No fusion ticket appeared in any slave state. And, as the secession party expected and intended, Lincoln secured a majority of the electoral votes. That vote stood, Lincoln 180, Breckenridge 72, Bell 39, and Douglas 12. Lincoln won a plurality in every free state except New Jersey, and four Republican electors were chosen in that state, because a number of the Douglas Democrats refused to cast their votes for the Breckenridge electors on the fusion ticket. The other three electors in New Jersey were for Douglas. Of the popular vote Douglas received nearly as many votes as Bell and Breckenridge together, but the votes were so distributed that he carried only the single state of Missouri.

## CHAPTER XXII

### DRIFTING INTO WAR

THE die was cast. A President had been elected for whom in a large section of the country no votes at all had been cast. In only five of the slave states were Republican tickets in the field, while the three other parties were represented in every state. Since throughout the South a "Black Republican" had come to be regarded as identical with a rabid and malignant abolitionist, the Republican party could get no standing in the plantation states, where the mob had long been trained to visit summary destruction upon all abolition movements emanating from the North.

The assumption as a political axiom that the South would never submit to the dominion of an abolition party was not confined to the slave states. In 1856 Millard Fillmore argued, as the candidate of the Whig Union party, that the triumph of the Republican party would inevitably disrupt the Union, and the same supposition had been made the stock political argument of all parties opposed to the Republicans. Though the popular vote of 1860 shows a large majority in the South opposed

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to the secession faction, this does not indicate the sentiment of the people upon the assumption that a Republican President would be elected. The Mississippian who voted for Bell expressed opposition to the Davis secessionists, and equal abhorrence at the same time for Black Republicans. There was no large class of people in the Southern states who discerned any difference between the policy of Abraham Lincoln and that of John Brown.

The convinced secessionists prayed for the election of Lincoln. There was a fear lest the election should go to the House of Representatives and Douglas or Bell be chosen there. In such an event their carefully matured plans would have been doomed to failure. Enthusiastic demonstrations of joy were made in Charleston upon the news of the Republican success. Even before election day the Governor had called together the South Carolina legislature to inaugurate the necessary steps for withdrawal from the Union in case of Lincoln's election. A convention for this purpose was set for December 17. A definite plan of action had been agreed upon among Southern governors and political leaders. South Carolina was to lead the van and other states to follow one by one. Immediately, while Buchanan was still President, the Union was to be dissolved and the new Confederacy set up. There was to be no waiting to discover the real policy of the new administration. The people were to act while their blood was

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up. It was felt that, if they did not act then, there was a possibility that they might not act at all.

The reasons for secession were not such as were fitted to carry conviction when stated openly and coolly. The most dearly cherished grievance which admitted of definition was the non-execution of the Fugitive Slave Law. Yet in the convention which took South Carolina out of the Union, Robert B. Rhett declared that he himself doubted the constitutionality of the Fugitive Slave Law, and that on the floor of the Senate he had so stated at the time of its passage. Secession, he said, was not a question of a day; it was not to be inaugurated because Lincoln had been elected; on the contrary, it had been gathering strength for thirty years. His argument was this: for thirty years the two sections had been taught to misunderstand and hate each other; therefore, dissolve the Union. It was a baseless argument. To a man really sober and in his right mind the long-continued, fruitless effort to dissolve the Union would have presented itself as a reason why such effort should cease. The keenest reasoners and the best informed among the leaders knew that the secession movement would not bear discussion. They well remembered the miserable failure in 1850 of the efforts to get together representative assemblies of secessionists. They had not forgotten that, so soon as such an assembly seemed to have been gathered and had begun to deliberate, its members became transformed into Unionists. In 1860 and 1861 care was

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taken to forestall deliberation by action. South Carolina acted in December. The Gulf states followed, one by one, in January, 1861.

There were not wanting men of influence who were opposed to secession. Alexander H. Stephens, of Georgia, who became the Vice-President of the Confederacy, openly opposed the action determined upon. He said that the election of a Republican President was not an adequate cause for secession, and he earnestly sought to persuade the convention not to take the fatal step; they should wait, he said, until some overt act of the new government should justify their withdrawal from the Union. Yet Stephens always held that if his own state should withdraw, his duty would be to go with her.

This position was thoroughly typical. Multitudes had doubts as to the propriety, the legality, and the wisdom of the secession movement. Many had decided convictions that it was wrong. Yet, in the final decision, they nearly all determined to stand by that which was nearest and appealed to them most strongly. Robert E. Lee was one who hesitated long, and thoughtfully balanced the rival claims. At one time he seriously contemplated fighting for the Union, yet loyalty to his state finally triumphed.

At first the Union cause appeared in the ascendant in Virginia; but the state was at last carried into secession by the acts of the states farther south. The actual dissolution of the Union began

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some two months before the date for the inauguration of the Republican administration. Andrew Jackson was not President, and James Buchanan, who held that office, had in his Cabinet men who were actively engaged in promoting disunion.

President Buchanan himself was not thus engaged. Oh, no, he believed in the Union; he did not understand that a state had a right, under the Constitution, to make itself independent. If the South withdrew from the Union, it would be, in his judgment, an act of revolution. Yet the President also held that the general government had no right to coerce a state. It would be difficult to imagine a statesman who would more perfectly fulfil all the demands of the secession faction than did President Buchanan. Known to be a Union man, he served to allay the fears of the people while the new Confederacy was forming and seizing upon the property belonging to the United States. He refused to reënforce the forts and protect the arsenals in Southern ports. He was so positive that the general government could not coerce a state, that he would take no effective means to guard federal property situated within the borders of a state which had withdrawn from the Union. When Southern judges of United States courts resigned their offices and united with the Confederacy, the President made no efforts to replace them. By disloyal Cabinet officers military officers and military property had been placed with careful reference to strengthening and advancing

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the secession plot. By continued administrative acquiescence, the Confederacy was encouraged and nursed into assured existence.

But the President did more than simply to acquiesce in the measures of secession and spoliation. In his message to Congress in December, 1860, he charged the entire blame of the threatened disruption of the Union upon the abolitionists. A quarter of a century of violent agitation had, he said, awakened in the mind of the slave the hope of freedom and in the minds of Southern matrons the constant dread of insurrection and massacre. This, the President alleged, was sufficient to justify revolution. He expressed an opinion, however, that the time had not yet arrived for that fatal event; but Southern leaders were nevertheless sure that the set time had come. Thus the President of the United States justified the disunionists, and by means of his official attitude toward the right of coercion furnished them the much desired opportunity for carrying their plans into effect. Before the Republicans could get control of the executive offices the ideal independent Confederacy of the Southern states was an accomplished fact.

The Republicans themselves did not quite know what to do with a state which had already peacefully severed its connection with the Union. Had they been in power two months earlier, their path would have been clear: they would have protected and strengthened every available agency of the



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general government within the borders of the disaffected states ; they would have drawn a clear, practical distinction between the coercing of a state and the enforcement of the laws of the United States within the states. Buchanan drew from his premise the conclusion that the United States government could not enforce its own laws within a state, when the people of the state objected. President Jackson held, without the slightest doubt, a contrary view. He was ready at all times to enforce United States laws and to collect federal taxes, and he was troubled by no fine-spun theory about coercing states.

There were many loyal persons who had logical difficulties about using force against a state government. Some of the fanatically logical were very sure that a state could not be coerced, and were at the same time equally sure that federal laws could be enforced within the borders of the state. The logical difficulty arises from definition. An American state is an automatic commonwealth exercising independent powers. When a state is coerced it loses the essential qualities involved in the definition. Cicero proved, by a similar process of reasoning, that friendship was superior to kinship. Kinsfolk, he said, often hate each other : friends never hate ; if they hate, they cease to be friends. A state cannot be coerced ; the moment it is coerced it ceases to be a state. If President Buchanan had taken vigorous measures to enforce federal laws in all parts of the

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country, he might have been excused from developing an aggressive policy for the coercion of states. The President denied that a state had a right, under the Constitution, of peaceful secession, while granting that it did have a right to inaugurate a revolution. Then, according to the President's own theory, it was his duty to enforce federal law. Yet he acted, in fact, as if he believed in the right of peaceable secession.

According to Southern interpretation, the Constitution guaranteed to each state the right to sever its connection with the federal government, and were that right exercised, it would be a violation of the Constitution for the federal government to make war upon the state or to seek to compel by force a return to the Union. All through our history there had been much doubt on this point; there never had been a time in which a menace of disunion might not be discovered somewhere. There was and always had been serious doubt as to what ought to be done in case a state or a group of states should actually withdraw and attempt to set up an independent sovereign State. On this question there was in 1860 no previous experience. Many of the Southern leaders actually believed that their view would be accepted by the nation, and that there would be no serious war. Yet they held that the surest way to achieve peaceable independence was to put on a bold front, to place each state on a strong military basis and make it evident that there was to be no retreat, that the

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entire people of the seceding states were united and determined.

It was not at all strange that the seceders should believe that their right to form an independent confederacy would not be resisted by armed force. The question of secession had been constantly debated for thirty years; it had been held up as the final and sure resort for an aggrieved section. Now, for the first time, in an offended section the people were united. A political campaign had taken place in which a specific event had been designated as full justification for disunion, and, upon the occurrence of that event, a group of states had torn the nation in two.

The Republicans had formulated no clearly defined policy as to the treatment of a seceding state. During the campaign, it was to the interest of candidates to make light of the threats of secession, to treat it as an old story. Republicans, too, had very generally come to the conclusion that the better way to deal with the disloyal South was to put on a bold front, to show no wavering. Kansas had been rescued from the slave power by a few determined men. There was no occasion to display the white feather.

A few days after the election, in November, 1860, Horace Greeley, in a notable editorial in the *Tribune*, outlined a policy for the party. He would have it seek in all right ways to persuade the South not to secede; yet if, after due deliberation, the people of the Gulf states should decide

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to withdraw from the Union, he would advise the Republicans to let them go in peace. This view found expression in other influential Republican newspapers. This, it will be remembered, was before any overt act of secession had taken place, and its tendency was to confirm the seceders in their general expectation that separation would be peacefully accomplished. To this end it was all the more desirable that the people of the seceding states should appear thoroughly united. As to whether the separation should preferably be with war or without war, they were of course agreed; they favored peaceable secession. But to make peaceable secession doubly sure they would place themselves in a thorough state of preparation to defend themselves in case war should spring up.

It was at this point that the two sections fatally misunderstood each other. The secessionist looked upon the North as a foreign country. It was no great shock to the feelings of a South Carolinian when, in December, 1860, all the newspapers transferred to the columns of *foreign intelligence* the news from Washington and New York. To them the people of those parts had become foreigners, and they now began to place themselves in an attitude of defence against all foreigners. But the people of the North had no such feelings. They had been sorely tried by the conduct of some of their fellow-countrymen, but those were erring brothers, they were not foreigners. All were Americans together, and all owed a common love

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and common duty to their common country. The North had no adequate conception of the extent of the estrangement of feeling in the South, and no conception of the real strength of the sentiment against the Union.

During the three months from December to March, while the new Confederacy was being organized, there appeared in Congress, in the border states, and in the North, multitudes of propositions for compromise and adjustment. Some of the Northern states repealed their personal liberty laws, others modified them, and a conference of Republicans gave assurance to Unionists of the South that all of these obnoxious unconstitutional statutes in Northern states would be repealed if by so doing the progress of secession might be stayed. Many Republicans were anxious by some effective act to convince the South that they had no hostile intent against their domestic institutions. Republican senators, among whom was William H. Seward, agreed to an amendment to the Constitution which would effectually guard the institution of slavery within the states. Seward and other Republicans also agreed to consent to legalize slavery in all territory south of the old Missouri Compromise line.

Pacific propositions were brought forward in various forms, and they proceeded from many different sources. No single measure served to fix the attention and command the assent of the entire nation. The most conspicuous was the so-

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called Crittenden Compromise, introduced in the Senate of the United States by Senator Crittenden of Kentucky. It proposed six amendments to the Constitution, making slavery in the states more secure and extending slavery into the territory south of the Missouri Compromise line. The measure was debated and considered in committee, but finally failed to receive the approval of the Senate. All these efforts and suggestions served to hold the attention of the Union people and the doubtful minds while the Gulf states were busily engaged in organizing and compacting their new government. The leaders of the Confederacy cared nothing for proposals for compromise, save as they might serve the temporary purpose of promoting delay among the enemies of their plans.

Upon the breaking up of the old parties there was general political confusion; and in a time of confusion the few whose minds are made up, the few who have established and unchangeable convictions, have a decided advantage over the unsettled multitude. In South Carolina there were old-time secessionists who had waited long for the opportunity to put their theories into practical form. In the time of doubt and uncertainty these were ready to act, and they acted in such a way as to draw to themselves the great body of the people of the slave states.

In the North there were likewise a few who had long held convictions upon national questions which were equally clear and which would be maintained

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with equal fidelity. These believed that slavery was a crime, a great national sin, and that all compromise with slavery was itself sinful. There were multitudes of Northern men besides who believed with increasing assurance that all compromising measures did but tend to aggravate the evil which they were intended to mitigate, and this was a view which was continually gathering adherents.

Had there been in the land only those with the extreme views, there might have been a peaceable dissolution of the Union. The conflict of arms came on gradually under the temporizing policy of Buchanan, followed by the considerate policy of Lincoln. Lincoln was at first ready to go to almost any length to convince the South that no hostile action toward any Southern institution was intended. He was ready to exhaust the powers of his office in endeavors to secure to the slaveholder his every right. He purposed to make every legal right of the aggrieved class as secure as it had been in the hands of any previous President. Even Buchanan and his associates had maintained and defended three United States forts within the borders of three seceding states. Without raising any new question about the power of the federal government to coerce a state, it was quite in order for Mr. Lincoln to continue the policy of defending the United States property. It was as the President was in pursuance of this policy that the state of South Carolina was led to make a terrific and successful attack upon a United

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States fort in Charleston harbor. This had all the appearance of a civil war actually begun, and the facts were such as to make it quite natural for the Unionists of the North to believe that it was begun by a hostile act of a rebellious state; while it was equally natural for the South to hold that the state was but defending its own against the evident intention of the North to subjugate its rightful authority,—quite easy to believe that the states were being coerced.

If the United States could defend property against a hostile attack of a state, it could hardly be denied the right to organize a force to regain possession of property forcibly seized. Under the circumstances it was sadly easy to drift into a state of civil war without really raising the question as to whether it would be a proper thing for the federal government to invade South Carolina and at the point of the bayonet compel the state legislature to rescind the ordinance of secession.

The Southern leaders believed themselves to be guided by exact and irrefutable logic. They were trained in the school of the great Calhoun, and they never for one moment doubted the accuracy of the ratiocination which brought them to the justification of secession. The people accepted the guidance of their chiefs and adopted their dogma, not as the outcome of their own logical thinking, but as embodying their local prejudice. Thus the South was united. The logical minds were convinced by clearly defined propositions; the senti-



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mental ones acted with them through long-standing habit and prejudice.

The South, led by logic supported by sentiment, was confronted by a North which was dominated by sentiment, so far as concerned the immediate question in dispute. Thirty years before, the gifted Webster had met the full charge of the Calhoun reasoning and had riddled the arguments which were now made to support the Southern contention. To the North Webster had settled the great question for all time. His powerful speeches had been enlivened by bursts of patriotic sentiment, and these passages had found place in the school readers from the Atlantic to the Mississippi. Thousands of schoolboys had committed them to memory and spouted the moving oratory to responsive audiences, until a whole generation had become thoroughly permeated with the feeling which they expressed and fostered. Few knew or cared whether Calhoun's logic had actually been overcome by logic; it was enough that it had been overthrown by sentiment. Not until the terrors of war were before them was there a general disposition among the Northern people seriously to engage in the painful process of reasoning out their position.

Webster had carried conviction to his hearers when he intimated that only the dangerous man, only one who was actuated by an evil spirit, would sit down and coolly calculate what would happen after the glorious Union had been destroyed. The

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people of the North had not reasoned upon that question; they were wholly unsophisticated. When, therefore, they were confronted with the fact of the actual withdrawal of states from the Union, their minds were singularly free from any disturbing theories. But, being in the main united in sentiment, and being by the march of events suddenly compelled to think, it was not difficult for them to reach a nearly uniform conclusion.

During the early weeks of the year 1861 a questioner, going to and fro in the Northern land and walking up and down in it, among the common, plain people, would have encountered a remarkable unanimity of thought respecting the national situation, coming from a thousand different independent sources. Even the very forms of expression he would have found to be strikingly similar, and the arguments identical. This was, in substance, the prevailing view: If the South is allowed to form an independent State, it will be a State unfriendly to the United States. We shall then have States both north and south of us which will be foreign and probably hostile. If, moreover, secession begins, it is not likely to stop with a Southern Confederacy. The Pacific states are almost sure to think it to their interest to become independent. Having gone so far, disintegration is likely to continue. The States in North America would become like those of South America, numerous and often hostile, and the result would be a condition of perpetual wars and conflicts. We will not be so weak

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and unwise as to avoid war by allowing the South to withdraw. By yielding now we shall be in danger of transmitting to our children a political condition in which a state of war will be perpetual. The shorter, the surer, and the easier way to insure a state of peace and happiness is to preserve the Union intact. By arguments like these the logically inclined reached the conclusion that the duty of the hour was to resist the South at any cost for the saving of the Union. There was little or no appeal to history, no use of any abstruse theory as to the nature of the Constitution. The effective arguments were wholly practical, growing out of present and probable conditions.



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